



Legislation Details (With Text)

File #: PO-2023-17 **Version:** 1 **Name:** 23-T-30 / Smoke Shops
Type: Ordinance **Status:** Second Reading
File created: 10/19/2023 **In control:** Regular City Commission Meeting
On agenda: 12/6/2023 **Final action:** 11/15/2023
Title: An Ordinance Of The City Of Hollywood, Florida, Amending Articles 2 And 3 Of The Zoning And Land Development Regulations By Providing A Definition And Establishing Distance Separation Requirements For Smoke Shops. (23-T-30)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Smoke Shop Ordinance.pdf, 2. 2330_PDB_Staff Report.pdf, 3. Attachment A_Municipalities Research Summary.pdf, 4. Attachment B_ Existing Smoke Shop Locations Map.pdf, 5. Business Impact Statement - Smoke Shops.pdf

Date	Ver.	Action By	Action	Result
12/6/2023	1	Regular City Commission Meeting	adopt on second and final reading	Pass
11/15/2023	1	Regular City Commission Meeting	adopt on first reading	Pass
11/15/2023	1	Regular City Commission Meeting	adopted as amended	Pass

An Ordinance Of The City Of Hollywood, Florida, Amending Articles 2 And 3 Of The Zoning And Land Development Regulations By Providing A Definition And Establishing Distance Separation Requirements For Smoke Shops. (23-T-30)

Economic Vitality

Staff Recommends: Approval of the attached Ordinance.

Explanation:

SECOND READING:

The City Commission recommended approval of the Smoke Shop definition and distance separation requirements with revisions at the November 15, 2023, Regular City Commission Meeting. Staff has refined the Ordinance to address questions received from the Commission at first reading and bolster the Ordinance's definitions.

The requested revisions remain in alignment with the intent of the Ordinance recommended for approval at first reading.

FIRST READING:

This request is to encourage a mix of uses citywide and to help regulate the density and concentration of businesses that sell substances such as synthetic cannabis, hemp, and CBD which can have both potential health benefits and risks. By establishing the proposed distances, staff aims to prevent over-concentration in specific areas, reduce potential negative impacts on public health, and promote responsible consumption. The proposed 2,500 linear feet between smoke shops is equitable with the City's existing package store distance separation requirement in ZLDR Article 3.23. Both uses are for adult consumption off-premises and serve the same intention.

The proposed 1,200 linear feet from a Social Service Facility, in ZLDR Article 4.11, is consistent with the City's 1,200 linear feet distance separation for Social Service Facilities. The intent of this requirement is to distance facilities that offer medications for substance abuse patients. Naturally, distancing smoke shops from Social Service Facilities continues the health and safety intent. Lastly, the proposed 500 linear feet from schools, daycares and places of worship aligns with the existing distance requirement for beer, wine, and liquor distance separation requirement in the City's Code of Ordinances, Chapter 113.

On September 12, 2023, the Planning and Development Board unanimously recommended approval of the ordinance by the Hollywood City Commission.

Fiscal Impact:

Approval of this ordinance will not fiscally impact the City as this is a Text Amendment to establish a definition and distance separation requirements for Smoke Shops.

Recommended for inclusion on the agenda by:

Tasheema Lewis, Associate Planner

Anand Balram, Planning Manager

Andria Wingett, Director of Development Services

Gus Zambrano, Assistant City Manager for Sustainable Development