



Legislation Details (With Text)

File #: PO-2018-14 **Version:** 2 **Name:** Medical Marijuana Text Amendment
Type: Ordinance **Status:** Passed
File created: 7/30/2018 **In control:** Regular City Commission Meeting
On agenda: 11/7/2018 **Final action:** 11/7/2018
Title: An Ordinance Of The City Of Hollywood, Florida, Amending Article 2 Of The Zoning And Land Development Regulations, Entitled "Definitions", By Amending Section 2.2 "Terms Defined" By Revising The Definition Of Pharmacy To Include A Medical Marijuana Treatment Center Dispensing Facility; Defining A Medical Marijuana Treatment Center Dispensing Facility; Amending Article 3 Section 3.23 "Distance Separation Requirements" To Provide For The Separation Of Treatment Center Dispensing Facilities From Schools; And Providing For An Effective Date. (18-T-30)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORDINANCE.pdf, 2. ATTACHMENT I.pdf

Date	Ver.	Action By	Action	Result
11/7/2018	2	Regular City Commission Meeting	adopt on second and final reading	Pass
8/29/2018	1	Regular City Commission Meeting	adopt on first reading	Pass

An Ordinance Of The City Of Hollywood, Florida, Amending Article 2 Of The Zoning And Land Development Regulations, Entitled "Definitions", By Amending Section 2.2 "Terms Defined" By Revising The Definition Of Pharmacy To Include A Medical Marijuana Treatment Center Dispensing Facility; Defining A Medical Marijuana Treatment Center Dispensing Facility; Amending Article 3 Section 3.23 "Distance Separation Requirements" To Provide For The Separation Of Treatment Center Dispensing Facilities From Schools; And Providing For An Effective Date. (18-T-30)

Staff Recommends: Approval of the attached Ordinance.

Explanation:

At the February 1, 2017, City Commission meeting, the City Commission passed and adopted Chapter 109a of the City of Hollywood Code of Ordinances titled "Medical Marijuana Businesses" establishing regulations and guidelines for such use. Following the adoption of this chapter, in June 2017, the Florida Legislature was amended, stating that local government has the ability to ban or permit medical marijuana treatment dispensing facilities within their boundaries. A county or municipality that does not ban dispensing facilities may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality and may not enact ordinances for permitting or for

determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under Chapter 465, except as provided in Section 381.986(11)(c), Florida Statutes.

In order to comply with State requirements, the text amendment proposes to amend Article 2 of the Zoning and Land Development Regulations, titled "Definitions" to include Medical Marijuana Treatment Center Dispensing Facility in the definition of Pharmacy, define Medical Marijuana Treatment Center Dispensing Facility and amend Article 3.23 titled "Distance Separation Requirements" to provide for the separation of treatment center dispensing facilities from schools.

At the July 2018 Planning and Development Board meeting the Board forwarded a recommendation of approval to the City Commission.

This item is being considered concurrently with the repeal of the previously mentioned Chapter 109a of the Code of Ordinances (18-T-29).

ATTACHMENT I: July 12, 2018 Planning and Development Board Staff Report

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

Gus Zambrano, Assistant City Manager/Sustainable Development

Shiv Newaldass, Interim Director, Department of Development Services

Leslie A. Del Monte, Planning Manager, Planning Division