



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

**Government Center
4800 W. Copans Road
Coconut Creek, Florida**

**Date: February 22, 2017
Time: 5:30 p.m.
Commission Workshop**

CALL TO ORDER

Mayor Belvedere called the meeting to order at 5:31 p.m.

PRESENT UPON ROLL CALL:

Mayor Mikkie Belvedere
Vice Mayor Joshua Rydell
Commissioner Lou Sarbone
Commissioner Rebecca A. Tooley
Commissioner Sandra L. Welch
City Manager Mary C. Blasi
City Attorney Terrill C. Pyburn
City Clerk Leslie Wallace May

ALSO PRESENT:

Karen M. Brooks, Assistant City Manager/Finance & Administrative Services Director
Albert "Butch" Arenal, Police Chief
Jeffery Gary, Fire Marshal
Bernadette Hughes, Assistant to the City Manager
Eve Lewis, Assistant City Attorney
Sheila Rose, Sustainable Development Director
Scott Stoudenmire, Sustainable Development Deputy Director
Lizet Aguiar, Senior Planner

DISCUSSION – MEDICAL MARIJUANA ZONING ORDINANCE

City Attorney Pyburn opened the discussion, stating that staff conducted extensive research to draft the proposed medical marijuana zoning ordinance. She noted that State law and Department of Health rules had not been finalized on this issue yet, which could warrant changes to the draft ordinance. Sustainable Development Director Sheila Rose began a *PowerPoint* presentation. She explained that the draft ordinance proposed to locate medical marijuana retail centers within the Medical Overlay District along State Road 7. She noted that the medical marijuana retail centers would require special land use approval and additional review criteria specific to the use. She discussed several of the special land use and development conditions provided for in the ordinance:

- Business operations must be wholly conducted inside the business in a controlled environment;

- Employees would be required to be at least 21 years of age, have Level 2 background screenings, and wear an identification badge;
- Business must provide a security camera system capable of recording and retrieving for at least forty-five days;
- Business must provide cash and inventory controls;
- Business must provide on-site armed security personnel at all times;
- Hours of operations shall be limited to 7 a.m. to 7 p.m. on weekdays and 7 a.m. to 5 p.m. on Saturdays and Sundays;
- Business must provide indoor odor and air quality monitoring;
- Business must adhere to signage requirements;
- Patrons entering the facility must be at least 18 years of age; and
- Business shall adhere to procedures for any appeal of denial/revocation of special land use approval.

Mayor Belvedere asked about federal laws on medical marijuana, and City Attorney Pyburn explained that the Federal Government had not legalized the use of medical marijuana. She further explained that states that had legalized its use were using guidelines issued by the U.S. Attorney General's Office, which require those states to enact regulations for the use. Discussion ensued regarding enforcement.

City Attorney Pyburn added that the City's proposed medical marijuana zoning ordinance included a prohibition on consumption in public places and non-medical use. She explained the State's licensing process for medical marijuana facilities and noted that there were two proposed bills to change the licensing regulations. She spoke about regulations for cultivating medical marijuana and limitations on the number of facilities.

Ms. Rose discussed the proposed separation requirements for medical marijuana retail centers and distributed a map displaying the proximity of the Medical Overlay District boundaries to existing learning centers. Discussion ensued regarding limiting medical marijuana facilities to the Medical Overlay District, limiting them based on population size, including a separation requirement, not allowing the location of the facilities in the City's downtown area, and regulating the medical marijuana retail centers similar to how the City regulates liquor stores.

Commissioner Tooley spoke about public safety concerns. Police Chief Arenal noted that the Florida Police Chiefs Association voted to support Senate Bill 406 filed by Senator Bradley; however, the Association would be sending a letter to Senator Bradley regarding a few provisions of the bill. He discussed the public safety benefits of locating medical marijuana retail centers in the Medical Overlay District. Discussion ensued regarding funding for enforcement. Ms. Rose added that the proposed ordinance provided for a time specific special land use approval, which allows for a periodic review of the use. Discussion ensued regarding the use of a competitive process for the selection of facility providers.

The Commission provided consensus on the following provisions of the proposed ordinance:

- Locate medical marijuana retail centers in the Medical Overlay District, 3-2 with Vice Mayor Rydell and Commissioner Sarbone not in favor;
- Require a 500-foot separation requirement between medical marijuana retail centers and schools;
- Eliminate the numerical limit on facilities based on population;
- Require a 1,000-foot separation requirement between medical marijuana retail centers;

- Provide for a three-year renewal of the special land use approval, requiring review by the Development Review Committee, the Planning and Zoning Board, and the City Commission;
- Change the employee minimum age requirement to 18 years of age;
- Modify the language regarding the issuance of identification badges by the Police Department; and
- Modify the ordinance language related to revocation procedures.

ADJOURNMENT

The meeting was adjourned at 7:21 p.m.

Transcribed by Marianne Bowers

Leslie Wallace May, MMC
City Clerk

Dated