



---

**City of Coconut Creek  
Planning and Zoning Board Meeting  
March 8, 2017  
Minutes – Excerpt**

**4. LAND DEVELOPMENT CODE: AN AMENDMENT TO CHAPTER 13, "LAND DEVELOPMENT CODE," TO INCLUDE REGULATIONS PERTAINING TO MEDICAL MARIJUANA TREATMENT CENTERS. (PUBLIC HEARING)**

Director of Sustainable Development Sheila Rose opened the discussion and distributed a map depicting the Medical Services Overlay Area. She gave an overview of the November 2016 Ballot Item, Amendment 2, to amend Florida's Constitution to further legalize the use and distribution of medical marijuana within the State. She explained that following voters' approval of the Constitutional Amendment, the City adopted a 90-day moratorium to study the appropriate locations and zoning regulations for medical marijuana treatment centers. She reminded the Board that the City previously adopted a Medical Services Overlay Area to encourage the development of medical uses in a focused area and noted that the draft medical marijuana zoning ordinance proposed to locate medical marijuana treatment centers within the Medical Services Overlay Area. She reviewed the boundaries of the Medical Services Overlay Area and discussed the special land use process and development conditions for medical marijuana treatment centers provided for in the proposed ordinance.

City Attorney Pyburn summarized the direction given by the City Commission at a workshop held on February 22, 2017, related to the proposed regulations, including location in the Medical Services Overlay Area and separation requirements from schools and other medical marijuana treatment centers. She explained that the State Department of Health rules for medical marijuana treatment centers permitted under the Constitutional Amendment were not finalized and that medical marijuana was not legal under Federal law. She discussed the potential security risks associated with the facilities because they would be cash only businesses and the purpose for location and separation requirements to protect the City and its residents. She noted that an extension of the 90-day moratorium was scheduled for the March 9, 2017, City Commission Meeting to allow time to finalize the proposed ordinance, which would be scheduled for first reading by the City Commission on March 23, 2017.

Mr. Chase spoke about security concerns associated with the proposed use and stated that facilities would need police detail to limit the public safety issues. City Attorney Pyburn pointed out the security requirements contained in the proposed ordinance and the additional security regulations included in the proposed state legislation. She explained that the Constitutional Amendment does not allow local governments to prohibit the use within their jurisdiction, but does allow the local government to establish regulations limiting the number and location of the facilities. Ms. Rose added that the City's proposed ordinance allows the Police Chief to impose additional public safety requirements during review of the special land use application. Discussion ensued regarding medical marijuana

growers and the regulations for cultivating medical marijuana.

Vice Chair Rogers asked about the timeline related to the approval of the Medical Services Overlay Area and the Constitutional Amendment. City Attorney Pyburn explained that the Medical Services Overlay Area was adopted several months prior to the consideration of the Constitutional Amendment by voters on the November 2016 Ballot. Discussion ensued regarding the definition of a medical marijuana treatment center. City Attorney Pyburn said that the proposed ordinance does not permit medical marijuana treatment centers to co-locate with other medical uses. Discussion ensued regarding security requirements and the development review process.

The Board discussed location and separation requirements for the medical marijuana treatment centers. Vice Chair Rogers spoke about vehicular access to the treatment centers with a proximity to school facilities. Discussion ensued regarding limiting access to state and county arterial roadways.

Chair Young opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

**MOTION:** Poole/Rogers – To approve Agenda Item 4, a Land Development Code amendment to include regulations pertaining to Medical Marijuana Treatment Centers, subject to the recommendation that staff research limiting access to the medical marijuana treatment centers to only state and county arterial roadways.

**Upon roll call, the Motion passed by a 5-0 vote.**