



Legislation Text

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AGENDA ITEM REPORT

**TITLE:**

AN ORDINANCE AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 8, "MASTER BUSINESS LIST," SECTION 13-625, "MASTER BUSINESS LIST - MSOA," TO PROVIDE FOR MEDICAL MARIJUANA TREATMENT CENTER USES AS A SPECIAL LAND USE WITHIN THE MEDICAL SERVICES OVERLAY AREA. (SECOND READING)(PUBLIC HEARING)

**BACKGROUND:**

**This item was approved on First Reading at the April 27, 2017, Commission Meeting.**

In November of 2016, voters in the State of Florida approved an amendment to the Florida Constitution, entitled "Use of Marijuana for Debilitating Medical Conditions," commonly referred to as Amendment 2. As approved, this amendment further legalizes the use of marijuana for medical purposes throughout the State for those individuals with specified debilitating conditions. The amendment also authorized the cultivation, processing, distribution, and sale of marijuana and related activities by State-licensed Medical Marijuana Treatment Centers. On April 13, 2017, the City Commission approved Ordinance 2017-009, enacting Section 13-321, "Medical Marijuana Treatment Centers," to provide regulations governing Medical Marijuana Treatment Centers within the City. The comprehensive regulations require that the use be located within the Medical Services Overlay Area (MSOA) and that the applicant obtain special land use approval from the City Commission. Consistent with those regulations, Section 13-625, "Master Business List - MSOA," must be amended to list such a use and specify same as a special land use. The Planning and Zoning Board considered this Ordinance at their meeting on April 12, 2017, and voted 5-0 to recommend approval.

**DISCUSSION:**

City staff proposes updating the City's Land Development Code, specifically the Master Business List for the MSOA, as the final step to integrate the comprehensive regulations previously approved by the City Commission under Section 13-321, "Medical Marijuana Treatment Centers." If adopted, Section 13-625, "Master Business List - MSOA," will be amended to include Marijuana Treatment Centers as special land uses authorized within the MSOA.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance.

**FISCAL IMPACT:** N/A