



April 18, 2017  
Staff Report to the  
Municipal Planning Board

LDC2017-00152  
ITEM #13

## MEDICAL CANNABIS—ADDENDUM LOCATION AND PERFORMANCE STANDARDS LAND DEVELOPMENT CODE AMENDMENT

### SUMMARY

<b>Owner</b> N/A	<b>Description of the Request:</b> Amend Chapter 58 of the Land Development Code to add Medical Cannabis dispensary performance standards, and define Medical Cannabis and related terms in Chapter 63.	<b>Public Comment</b> Staff posted this item on the City’s website, and placed a classified ad in the Orlando Sentinel. No public comments have been received as of the date of the Staff Report.
<b>Applicant</b> City of Orlando	<b>Staff’s Recommendation:</b> Approval of the request.	
<b>Project Planner</b> Shannan Stegman		
<b>Updated:</b> April 17, 2017		

### ANALYSIS

#### ADDENDUM.

**Certificate of Compliance.** The project description for this Land Development Code amendment previously contemplated a “Certificate of Compliance” process for dispensaries operating within the City that would be potentially reviewed annually. Since the current State regulations for growing, transporting and dispensing medical cannabis is limited to seven companies—with extremely strict requirements—staff is recommending that we not include a certificate of compliance process, as the City would be duplicating the efforts of the State. Staff inadvertently left the concept in the project description.

**Location Standards.** Staff would like to clarify some of the location standards:

- A 1000-ft separation from places of worship is also included in the staff proposal. These buffers are similar to the current citywide separation in place for bars that sell alcohol—however, unlike bars, cannabis dispensaries are ineligible for conditional use permits to modify that buffer distance. Staff feels that these separations are best suited to place future dispensaries away from sensitive uses, such as houses of worship, schools (both public and private), child daycares, and parks.
- The proposed 200-ft separation from exclusive residential zoning districts (the “R” Districts) is being pursued in order to separate dispensaries from residential areas of the City, which can be sensitive to this use. The separation is the minimal distance to ensure neighborhood compatibility of these uses, and is approximately the size of our smallest city block. This distance also accommodates a reasonable amount of eligible sites throughout the City in which dispensaries could locate.

**Hospitals.** Staff is also clarifying that hospitals over 100 beds would be able to dispense medical cannabis to their patients, and are exempted from the location standards and performance standards, should the state allow them to dispense these products.

**Current State Legislation Update.** Current tracking of statewide bills in Tallahassee include the possibility of the state requiring that location standards by all local jurisdictions (counties and cities) be at least as restrictive as their standards for off-site alcohol sales and drinking establishments. Additionally, a potential minimum 500-ft separation from schools may apply statewide.