

# Medical Cannabis Dispensaries

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May 15, 2017

- June 2014: Florida Compassionate Medical Cannabis Act (SB1030)
  - legalizes the use of low THC (Charlotte's Web) medical cannabis for people suffering from qualifying medical conditions.
- 2016: State approves 7 organizations to begin cultivating/dispensing low THC cannabis.
- July 2016:
  - 3 organizations receive site specific City Zoning Official determinations to dispense low THC cannabis as light retail use.
  - City enacts Medical Cannabis Ordinance moratorium on approving new dispensaries.
- November 2016: Amendment 2 legalizes medical cannabis in Florida.
- April 2017: MPB recommendation.
- July 2017: City medical cannabis moratorium expires.

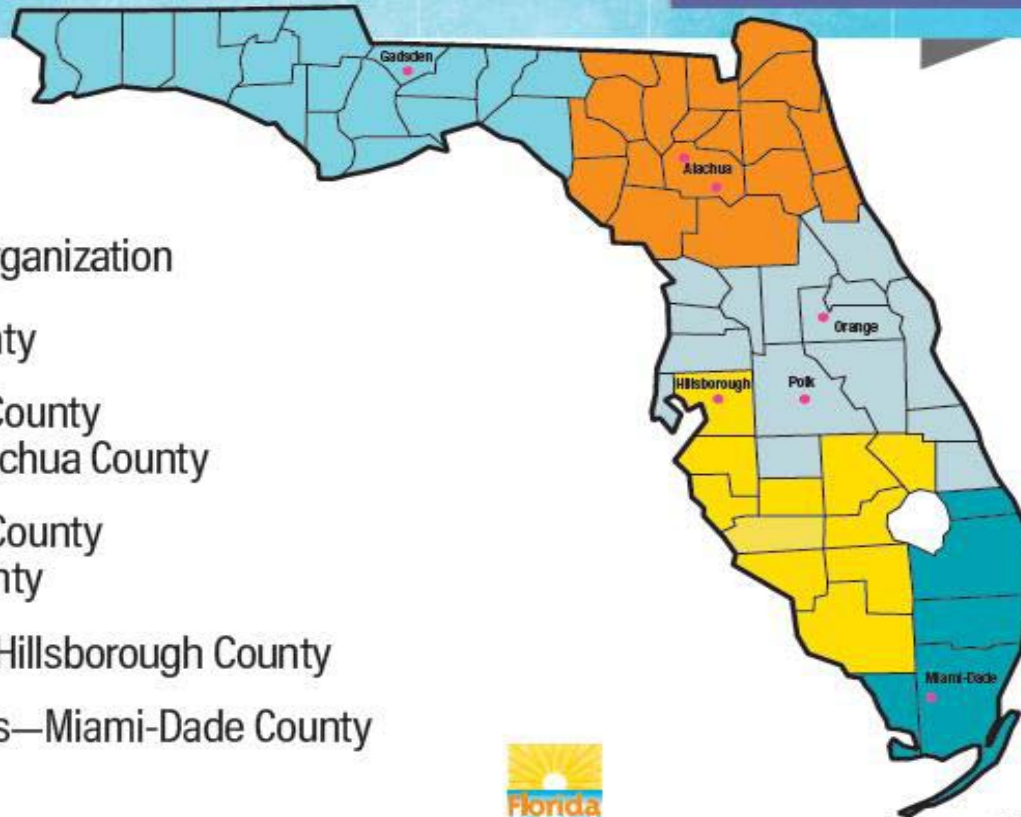
FLORIDA DEPARTMENT OF HEALTH

## Office of Compassionate Use

Low-THC Cannabis & Medical Cannabis

### Dispensing Organizations

-  Approved Dispensing Organization
-  Trulieve—Gadsden County
-  CHT Medical—Alachua County  
The Green Solution—Alachua County
-  Knox Medical—Orange County  
GrowHealthy—Polk County
-  Surterra Therapeutics—Hillsborough County
-  Modern Health Concepts—Miami-Dade County



01/11/17

- Amendment 2 stipulates The Department of Health has six months to develop rules and nine months to implement the rules (July 3, 2017 and Oct. 3, 2017 respectively).
- Rules similar to those for “Charlotte’s Web” have been drafted, but the process is still on-going.
  - Florida residents only, must be under physicians care for 90 days, must be diagnosed with a qualifying medical condition.
  - No raw product, no smoking and no edibles.
  - Orders (45 day supply) can be filled from any of the seven approved dispensing organizations.
- Numerous legislative bills were proposed, but none were ultimately passed.
- The onus returns to The Department of Health to finalize the rules.

## RESEARCH

### ➤ Best Practices across the country:

- Zoning
- Anti-concentration
- Caps
- Safety and Security



### ➤ Facility Tours:

- Knox Farms cultivation facility, Winter Garden
- Knox Farms dispensary, Ivanhoe Village
- Surterra dispensary, Tampa



### RECOMMENDATIONS - Zoning

- Classify dispensaries as light retailing use:
  - ensures that people with defined chronic and/or terminal conditions have safe and reasonable access to this treatment.
  - permitted use in MU and AC zoning districts, as well as the Village Center land use designation within the Southeast Sector Plan.



### RECOMMENDATIONS – Buffers/Anti-Concentration

- Implement buffer/anti-concentration requirements:
  - 1,000 ft. distance separation from schools, public parks, day care centers, churches and/or alcohol treatment facilities.
  - 200 ft. distance separation from residential zoned district.
  - 200 ft. distance separation from SE Sector Plan Residential Future Land Use designated properties.
  - 5,280 ft. distance separation from any other dispensaries.
  - Residential uses and other dispensaries within adjacent jurisdictions will be considered when permitting a new dispensary according to the above.
  - Locations within 1,000 ft. of another jurisdiction will be referred to the appropriate jurisdiction for consultation.



### RECOMMENDATIONS - Caps

- Limit the number of permitted locations:
  - each of the seven state approved organizations should be permitted to open one medical cannabis dispensary within the city limits, subject to the location and performance standards of the ordinance.
  - additional medical cannabis dispensaries could be considered in the future, if other dispensing organizations are approved and licensed by the State.



### RECOMMENDATIONS - Caps

- “Grandfather” previously approved low-THC locations:
  - allow to expand to full scale medical cannabis if permits have been submitted prior to regulations being adopted.
  - included as one of the seven locations allowed in the City.
  - not subject to the location requirements, yet would impact the location of new dispensaries.

### RECOMMENDATIONS – Safety and Security

- Include Performance Standards:
  - The site plan, circulation, parking, lighting facility exterior and any signage shall be subject to Appearance Review and approval by the Planning Official.
  - A security plan shall be submitted for review by the Orlando Police Department.
  - Provide adequate indoor waiting areas; no outdoor seating areas, queues, etc.
  - Not allowed to cultivate and process within the City of Orlando.

### ➤ Performance Standards (cont.):

- Allow delivery service. The delivery service operation must be affiliated with the dispensary.
- Prohibit drive-thru and take-out windows.
- Allow within hospitals (100+ beds) without regard to distance separations and/or zoning regulations listed above.
- No dispensary shall maintain a license to sell alcohol or operate a business that sells alcohol. No alcoholic beverage can be sold or consumed on-site.

### ➤ Performance standards (cont.):

- The building shall comply with all applicable regulations and laws including but not limited to building code and accessibility requirement.
- All State of Florida licensing requirements need to be met prior to receiving final approval to operate within the City limits.
- Limit hours of operation between 8 am and 7 pm.

### CONCLUSIONS

- Dispensaries are an unproven land use, therefore staff has proposed cautious, yet reasonable regulations to accommodate the siting of this use.
- The proposed ordinance provides a reasonable balance between ensuring access to health services and protecting sensitive land uses (schools, child day care, places of worship, parks, etc.).
- A cap is needed so that as the central city, Orlando does not become the sole jurisdiction for dispensary locations in Central Florida.