



ITEM SUMMARY

MEETING DATE: November 6, 2023

FROM: Christy Goddeau, City Attorney's Office

SUBJECT: Ordinance 2023-10: Second Reading – Ordinance banning Medical Marijuana Treatment Center Dispensing Facilities

BACKGROUND

In 2020, the City adopted Ordinance No. 2020-2 allowing for the operation of Medical Marijuana Treatment Center Dispensing Facilities. The City Council has provided direction to propose an ordinance prohibiting such use and banning such facilities. Existing lawfully permitted facilities will be authorized to continue to operate as non-conforming uses.

ANALYSIS

Recently, some cities have been reconsidering the allowance of Medical Marijuana Treatment Center Dispensing Facilities. This reconsideration is due in part to a growing concern that the Florida legislature may legalize recreational use of marijuana in the State of Florida. If legalized, there are concerns that existing Medical Marijuana Treatment Center Dispensing Facilities may be authorized to dispense recreational marijuana. To protect the City from proliferation of additional Medical Marijuana Treatment Center Dispensing Facilities and potentially future dispensing of recreational marijuana within the City, consistent with section 381.986, Florida Statutes, it appears to be in the City's best interests to prohibit further Medical Marijuana Treatment Center Dispensing Facilities as a permitted use in the City and prohibit the operation of such Medical Marijuana Treatment Center Dispensing Facilities in the City as a general offense. Existing lawfully permitted facilities will be authorized to continue to operate as non-conforming uses.

The City Council voted five (5) to zero (0) to recommend approval of Zoning Text Amendment ZTA-23-01 as presented by staff on October 16, 2023.

FINANCIAL INFORMATION

A business impact estimate has been posted. There is no anticipated financial impact on the City.

LEGAL

City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

STAFF RECOMMENDATION

Staff is recommending approval of Ordinance 2023-10.