

City of Hallandale Beach City Commission Workshop



Regulating Cannabis March 13, 2017

History

2014 - Charlotte's Web (non-euphoric) approved in FL

2015 - Six dispensing organizations established by State

2016

- June 17 -- Moratorium issued in Hallandale Beach
- Nov. 8 -- Medical Marijuana referendum passed
- Nov. 30 -- PZB took action on a draft Ordinance

2017

- Jan. 25 -- Commission extended City's moratorium

Current Situation

- State rules for the new use forthcoming
- City's Moratorium Order will expire June 9, 2017
- Inquiries from dispensing organizations being received
- The existing code does not address the topic
- Commission requested a workshop before considering any specific regulations

Possible Zoning Regulations

- Appropriate location (specific zoning districts)
- Distance separation requirements
- Hours of operation
- Security
- Inspections

Property Maintenance

Business Tax Receipts

- Licensing
- Fees

YES or NO Questions

Should marijuana-related uses be located within existing retail establishments?

Should marijuana-related uses be permitted only as “stand-alone” establishments?

Should marijuana-related uses be separated from other uses (parks, schools, churches, night clubs, other marijuana centers, or liquor establishments)?

Should the city establish distance separation requirements between marijuana-related uses?

Should the city establish limits on the number of marijuana-related uses allowed proportional to the City's population?

Should the city require conditional use approval of marijuana-related uses?

Should marijuana-related uses be permitted out-right?

Should the city require annual or biennial “re-approval” of marijuana-related uses (similar to night club approvals)?

Should the city accept state issued identification cards for marijuana-related uses, or establish its own?

Should the city allow consumption on-premises?

Should business operating hours be limited?

Should the fee structure for a marijuana-related use BTR be based upon inventory, like other retail establishments?

Should the fee structure relate solely to the type of establishment as a flat rate (i.e. similar to a dry cleaning establishment)?

Should the city require marijuana-related uses to have closed circuit cameras or other surveillance technology?

Should the city require marijuana-related businesses' employees to pass Level 2 background checks?

Should the city use the same Police public safety measures for marijuana-related uses that are required for convenience stores (cash management policy, silent alarm, drop safe, window tinting limitations, etc.)?

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Hallandale Beach
PROGRESS. INNOVATION. OPPORTUNITY.

Cannabis Workshop

March 13, 2017

What did the 2016 ballot language do?

Allows medical use of marijuana for individuals with debilitating medical conditions as determined by a licensed Florida physician. Allows caregivers to assist patients' medical use of marijuana. The Department of Health shall register and regulate centers that produce and distribute marijuana for medical purposes and shall issue identification cards to patients and caregivers. Applies only to Florida law. Does not immunize violations of federal law or any non-medical use, possession or production of marijuana.^[8]

Differences between 2014 and 2016 measures

Although the 2016 measure is quite similar to the defeated measure of 2014, there are several significant differences in wording. The 2016 measure clarifies requirements for parental consent for the use of medical marijuana by minors and also further defines what is meant by "debilitating" illnesses that would qualify for marijuana as a treatment option. The 2016 measure also addresses concerns regarding caregivers by making it clear that doctors would not be immune from malpractice claims for negligent prescribing of marijuana and by limiting how many patients a caregiver can treat with marijuana.^[6]