



Pinellas County

Staff Report

File #: 17-472A, Version: 1

Subject:

Ordinance amending County Code providing for locations, zoning, operating conditions, and number of medical marijuana dispensing facilities and treatment centers (first hearing).

Recommended Action:

Conduct the first public hearing regarding an ordinance amending the Pinellas County Code to provide for locations, zoning, operating conditions and number of medical marijuana dispensing facilities and treatment centers in unincorporated Pinellas County.

Strategic Plan:

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

Summary:

The proposed ordinance establishes new definitions related the various uses/aspects of medical marijuana, and establishes appropriate zoning districts and approval process for the associated uses.

The ordinance also establishes required distance separation requirements for such uses from schools, churches, and public parks, as well as distance separation requirements from other medical marijuana uses.

The ordinance will apply to unincorporated Pinellas County.

The Local Planning Authority (LPA) voted 6-0 to recommend adoption of the ordinance at its March 9, 2017 meeting.

The final public hearing for the Board of County Commissioners (Board) regarding this ordinance is scheduled for April 25, 2017 at 6 p.m.

Background Information:

As a result of a constitutional amendment (Amendment 2, establishing Article X, Section 29 of the Florida Constitution), passed in November 2016, the 2017 State Legislature is currently drafting legislation greatly expanding the operation of medical marijuana treatment centers and greater availability of medical marijuana for debilitating conditions. Currently, under Florida Statutes medical marijuana is limited to low THC products (Charlotte's Web) and for those patients that are terminally ill.

Under current law, Section 381.986(8)(b), Fla. Stat., permits counties to "determine by ordinance the criteria for the number, location, and other permitting requirements that do not conflict with state law or department rule for all dispensing facilities of dispensing organizations located within the unincorporated areas of that county."

While it is expected that additional changes may occur to Section 381.986 as a result of Amendment

2, the County desires to move forward with establishing zoning and performance standards for medical marijuana facilities.

The Board passed a 180 day moratorium on applications for new medical dispensing facilities and marijuana treatment centers on January 27, 2017 to allow time to draft new zoning regulations and performance standards for this new and unique use. Upon adoption of this ordinance, the current moratorium will be removed simultaneously.

Fiscal Impact:

N/A

Staff Member Responsible:

Renea Vincent, Director, Planning

Partners:

N/A

Attachments:

LPA Report

Ordinance (clean version)

Ordinance (underline/strike thru version)

Map-schools, churches & libraries in Pinellas County

Power Point Presentation

Legal Ad