



# Land Development Regulations for Medical Marijuana



Public Hearing  
Board of County Commissioners  
November 14, 2017



# Presentation Outline

- Land Development Regulations
  - Cultivating, processing, definitions
  - Dispensing
    - Allow
    - Ban
- Ordinance Changes
- Other Jurisdictions
- Requested Action



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# Land Development Regulations

## Cultivating, Processing, Definitions

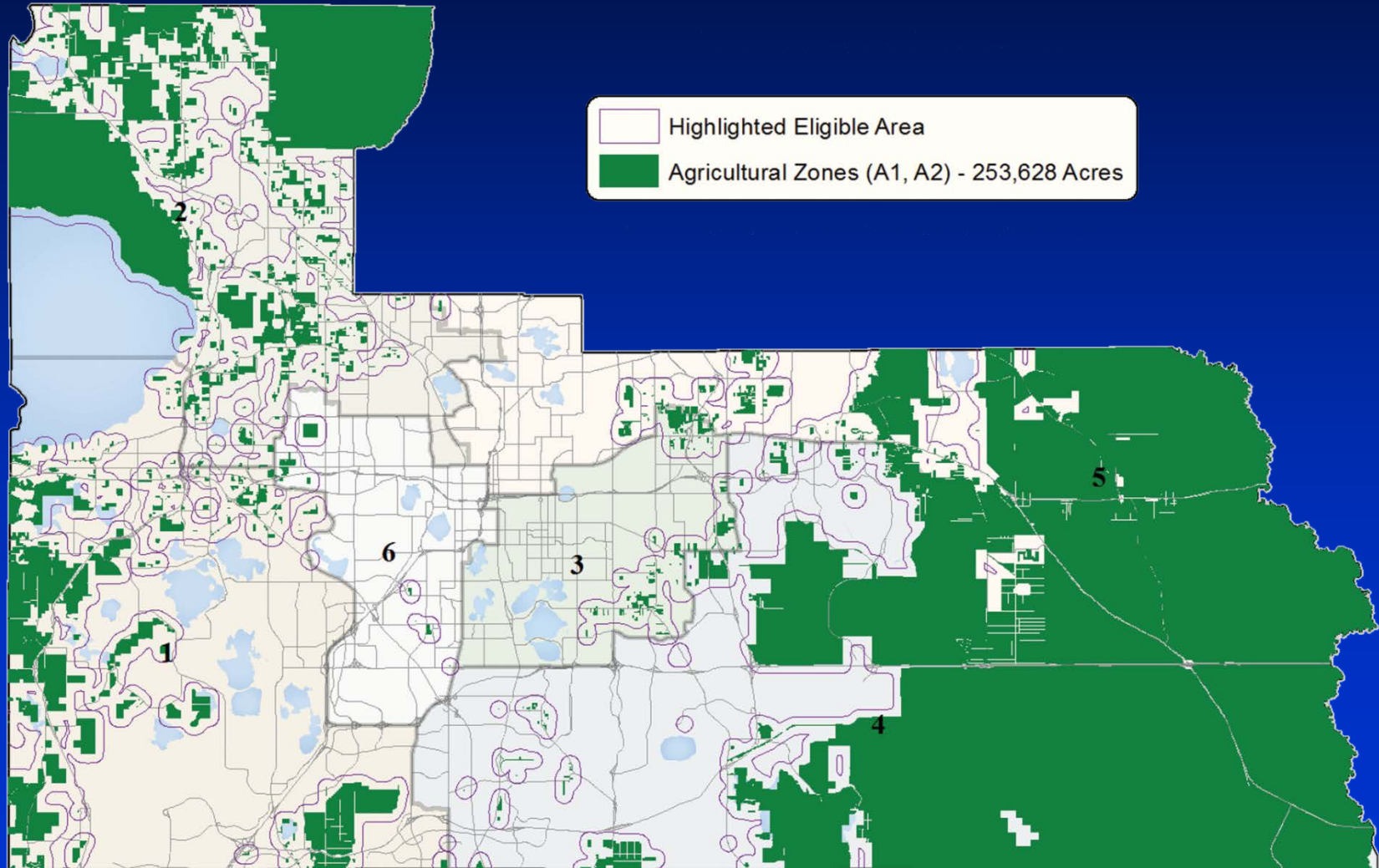
- **Definitions**
- **Zoning Districts:**
  - Cultivation: A-1 and A-2
  - Processing: I2/I3 and I4
- **Requirements:**
  - Maintain valid state license and appropriate authorization
  - Obtain building/use permit
  - 500 foot distance separation from schools
  - Comply with state-approved security measures
  - Allow appropriate inspections to determine compliance
- **All other regulation for cultivation and processing preempted to the state**



# Land Development Regulations Cultivating, Processing, Definitions

Eligible Zoning (Cultivation) A-1 & A-2

500' Buffer of School Parcels

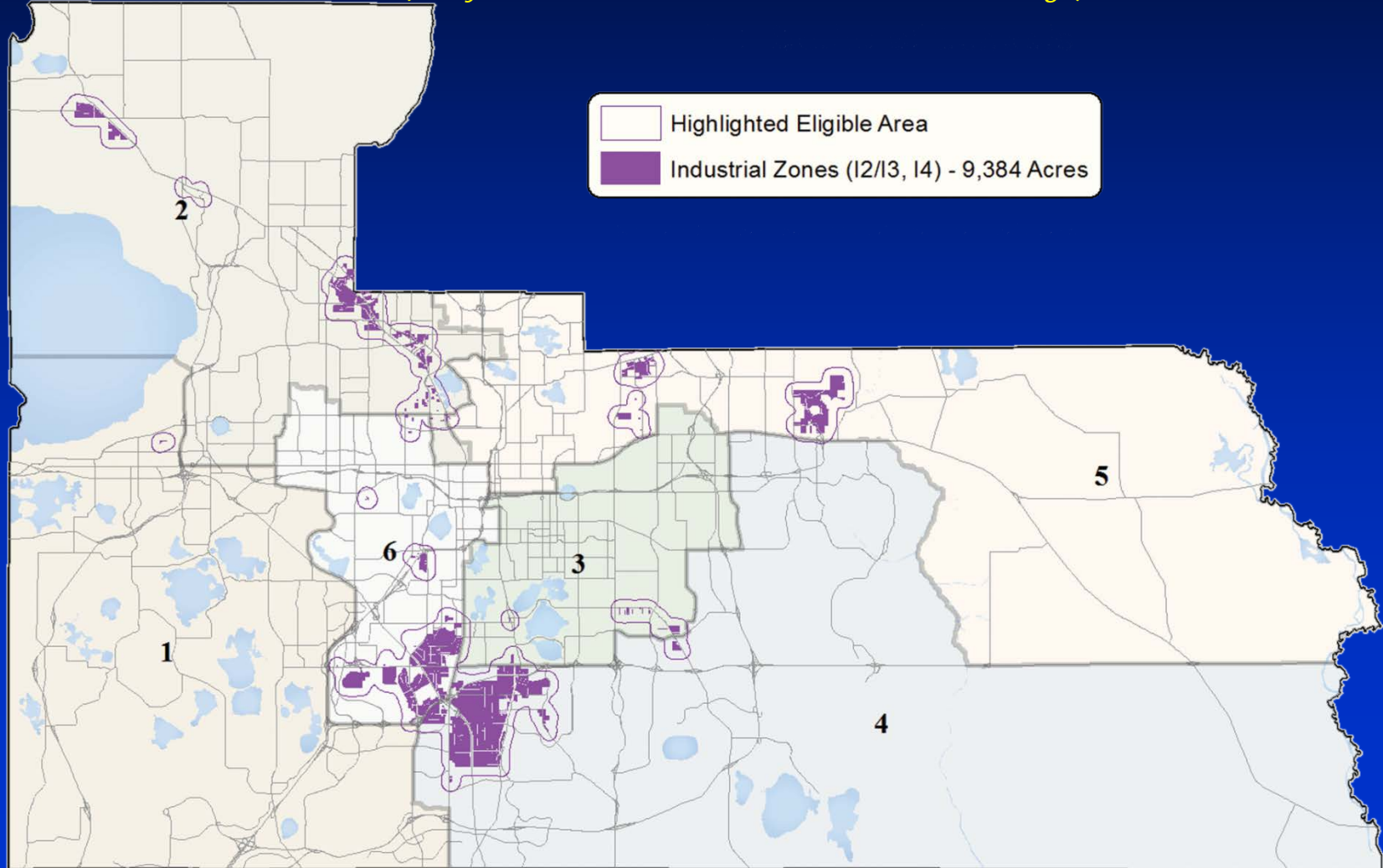




# Land Development Regulations Cultivating, Processing, Definitions

## Eligible Zoning (Processing) I2/I3 and I4

500' Buffer of School Parcels (*Analysis does not Include PDs with Industrial Usage*)







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# Land Development Regulations Allow Dispensing

## ■ Zoning Districts:

- Commercial (all), Industrial (all except I-1A), Urban Village, Neighborhood Center, Neighborhood Activity Center

## ■ Requirements:

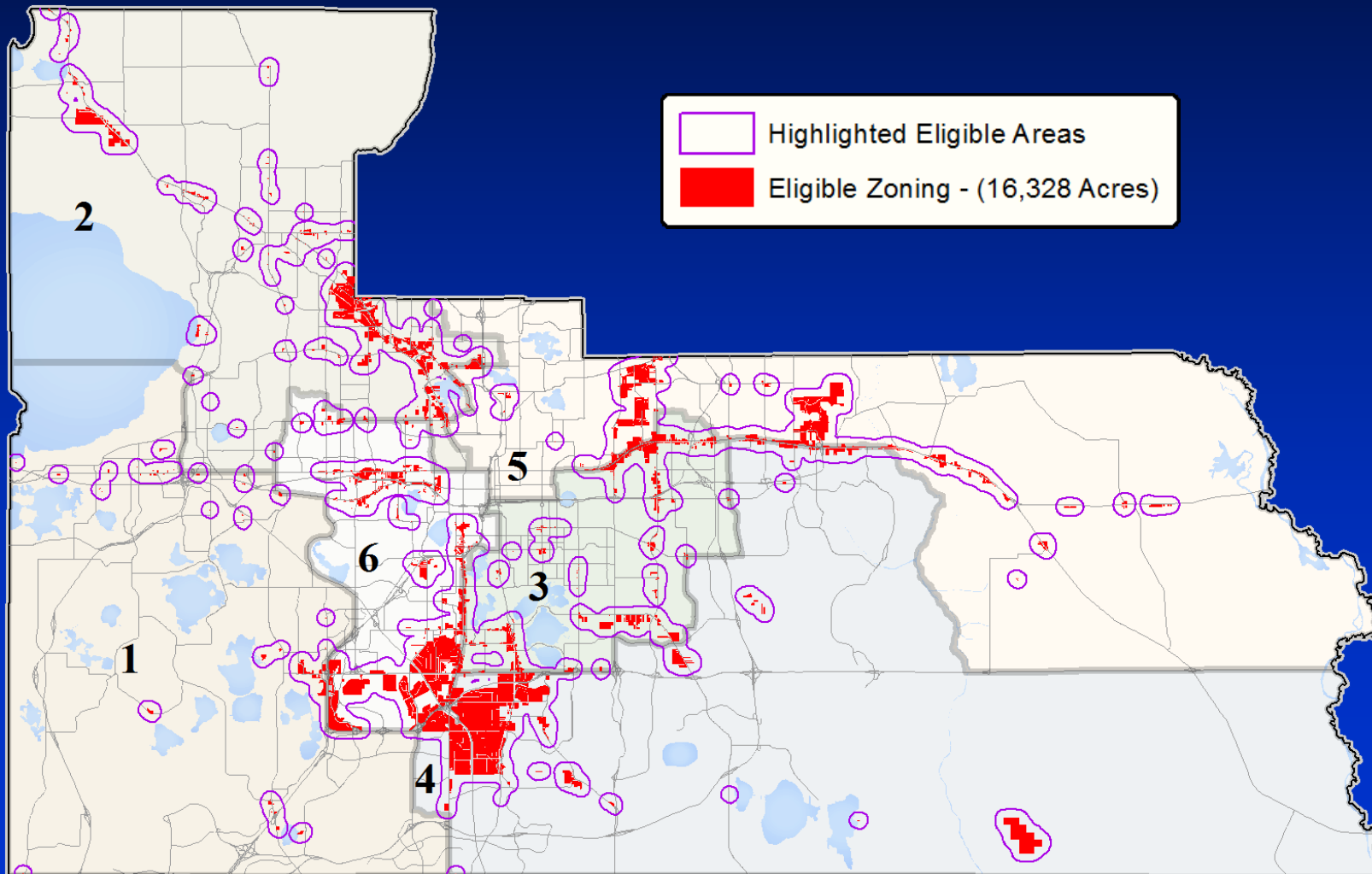
- Maintain a valid state license and authority to dispense
- Obtain building/use permit
- 500 foot distance separation from schools
- Comply with state-approved security measures
- Allow appropriate inspections to determine compliance
- Prohibition on sale of non-medical marijuana, alcohol, drug paraphernalia, illicit drug-related products, and on the dispensing of medical marijuana in the waiting area of a dispensing facility
- Meeting the appropriate parking requirements
- Adequate seating for patients and invitees so as to discourage loitering
- Only dispense between the hours of 7:00 am and 9:00 pm
- State-approved signage that meets the County's Code requirements as well as any applicable Planned Development requirements





# Land Development Regulations Allow Dispensing

Eligible Zoning C-1, C-2, C-3, I-1/I-5, I-2/I-3, I-4, NAC, NC, UV  
500' Buffer of School Parcels (*Analysis does not Include PDs*)





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# **Land Development Regulations Ban Dispensing**

- **Repeal existing moratorium and replace with a ban on dispensing facilities within unincorporated Orange County**



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# Ordinance Changes Allow

## ■ Line 117:

—*Sec. 38-77. Use Table*

Uses Per Zoning Code	SIC Group	Land Use	A-1	A-2	A-R	RCE-5	RCE-2	RCE	R-1AAAA	R-1AAA	R-1AA	R-1A	R-1	R-2	R-3	Cluster
Dispensing Facility	5912															

...

RT	RT-1	RT-2	P-O	C-1	C-2	C-3	I-1A	I-1, I-5	I-2, I-3	I-4	U-V (see 29)	R-L-D	UR-3	NC	NAC	NR	Conditions
				179 P	179 P	179 P		<u>179</u> P	<u>179</u> P	<u>179</u> P	<u>179</u> P			<u>179</u> P	<u>179</u> P		* —



# Ordinance Changes Allow

## ▪ Lines 332 – 334:

### – *Other activities; prohibition*

- ...devices in the waiting area of such facility. Any dispensing ~~facility not licensed by the State~~ of marijuana for other than medical uses (for example, recreational use) is hereby prohibited within unincorporated Orange County.

## ▪ Line 532:

### – *Effective Date*

- This ordinance shall become effective ~~pursuant to general law~~ on January 1, 2018.





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# Other Jurisdictions

## Municipalities in Orange County

### ■ Moratorium

- *Edgewood*
- *Maitland*
- *Eatonville*
- *Belle Isle*

### ■ Dispensaries Banned

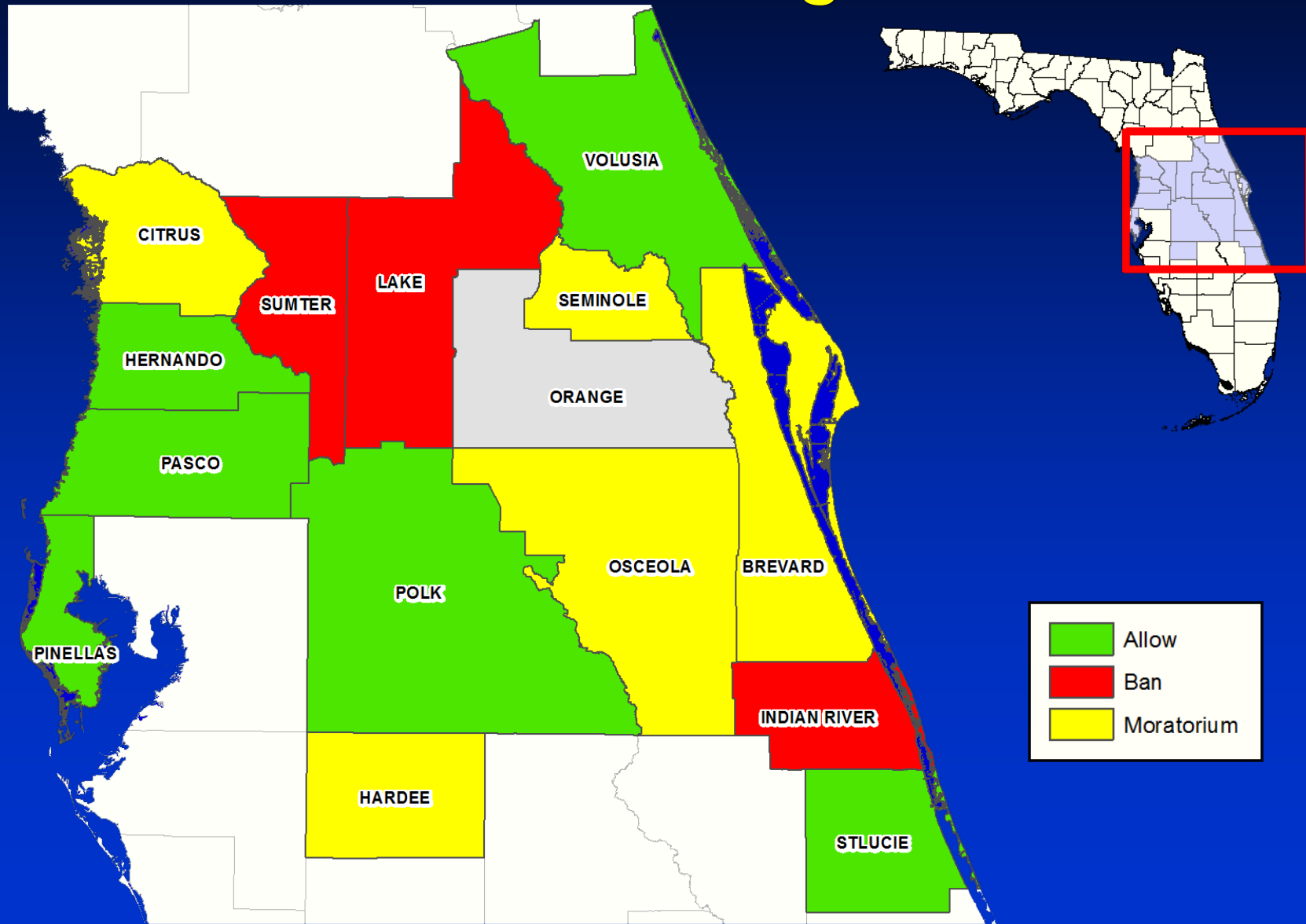
- *Winter Garden*                      - *Eatonville*
- *Winter Park*                        - *Belle Isle*
- *Apopka*
- *Windermere*
- *Ocoee*
- *Oakland*

### ■ Dispensaries Allowed

- *Orlando*
  - Knox Medical – 1901 N. Orange Avenue, Orlando
  - Trulieve (Coming Soon) - 4544 N. Orange Blossom Trail, Orlando



# Other Jurisdictions Central Region





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# Requested Action Ban

- Make a finding of *consistency or inconsistency* with the comprehensive plan;
- Allow staff to correct any non-substantial grammatical or scrivener's errors; and
- *Approval or denial* of an ordinance, including changes presented at the October 31, 2017, and November 14, 2017, public hearings, affecting the use of land in Orange County, Florida, relating to the cultivating, processing, and dispensing of marijuana for medical use; amending Section 38-1 (Zoning Definitions); Amending Section 38-77 (Zoning Use Table); Amending Section 38-79 (Conditions for Permitted Uses and Special Exceptions); Repealing Section 38-80 ("Moratorium Regarding Medical Cannabis Activities Within Unincorporated Areas of Orange County"); Reenacting Section 38-80 to prohibit medical marijuana treatment center dispensing facilities; and providing an effective date



# Requested Action Allow

- Make a finding of *consistency or inconsistency* with the comprehensive plan;
- Allow staff to correct any non-substantial grammatical or scrivener's errors; and
- *Approval or denial* of an ordinance, including changes presented at the October 31, 2017, and November 14, 2017, public hearings, affecting the use of land in Orange County, Florida, relating to the cultivating, processing, and dispensing of marijuana for medical use; amending Section 38-1 (Zoning Definitions); Amending Section 38-77 (Zoning Use Table); Amending Section 38-79 (Conditions for Permitted Uses and Special Exceptions); Repealing Section 38-80 ("Moratorium Regarding Medical Cannabis Activities Within Unincorporated Areas of Orange County"); and providing an effective date





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