

LAND DEVELOPMENT REGULATIONS AMENDMENT

City of Lauderhill

City Commission

February 24, 2025

Proposed Text Amendments

The amendment to the Land Development Regulations seeks to modify the following sections:

- Schedule A., Land Use Classifications
 - Medical Marijuana Dispensing Center
 - Deleting a provision in the definition of Medical Marijuana Dispensing Centers which prohibits Medical Marijuana Dispensing Centers citywide.
 - Medical Marijuana Health Care Establishments
 - Adding a reference to medical marijuana dispensary centers in accordance with Article III Section 5.50
 - Medical Marijuana Health Care Establishment
 - Adding medical marijuana dispensing center standards listed in Article III, Section 5.50(B)
- Schedule B, Allowable Uses
 - Providing for medical marijuana dispensing center, walk-up Uses to be allowable as Permitted by right in the General Commercial, (CG), and Community Commercial, (CC), Zoning Districts and providing for medical marijuana dispensing center, with drive-through Uses to be allowable by Special Exception Use (SEU) Approval in the General Commercial, (CG), and Community Commercial, (CC), Zoning Districts
- Article III Sec. 5.50 Medical Marijuana Health Care Establishments
 - Strike health care establishment in the title of Sec. 5.50 and change to establishments, to reconfigure this section to provide for supplemental regulations and to provide for supplemental regulations for Medical marijuana dispensing center uses

Request: Schedule A – Land Use Classifications

- MEDICAL MARIJUANA DISPENSING CENTER: A use or a structure occupied by a use involving acquiring, possessing, transferring, transporting, selling, distributing, delivering, or dispensing of medical marijuana, products containing marijuana, related supplies, or educational materials. ~~Medical marijuana dispensing centers are not allowed to operate in the City of Lauderhill.~~
- ~~MEDICAL MARIJUANA DISPENSING CENTERS, as defined herein, is the building or structure where medical cannabis, as well as cannabis delivery devices is dispensed.~~
- MEDICAL MARIJUANA ESTABLISHMENTS: Medical marijuana establishments are regulated under state law (F.S. Ch. 381.986). Medical marijuana related businesses that involve growing, processing or dispensing medical marijuana must be associated with a state licensed medical marijuana treatment center (MMTC). The state licensed MMTC will not be allowed to operate in the City of Lauderhill excluding the operation of medical marijuana health care establishments and medical marijuana dispensary centers in accordance to Section 5.50.

Request: Schedule A – Land Use Classifications

- **MEDICAL MARIJUANA HEALTH CARE ESTABLISHMENT:** A physician's office where the primary medical services offered is the processing of physician certifications to qualify patients for the use of medical marijuana, patient care, and ordering of medical marijuana for qualified patients. Exterior advertising or signage or documentation from the Florida Department of Health may be used in determining if a physician's office will be classified as a medical marijuana health care establishment. The State of Florida defines qualified physicians as those that hold an active, unrestricted license as an allopathic physician under Chapter 458 or as an osteopathic physician under Chapter 459 and is in compliance with the physician's education requirements of SB 8-A (2017) and is not employed by or associated with a licensed MMTC.

A medical marijuana health care establishment is a physician's office where the primary medical services offered is diagnosis of a qualifying medical condition and the processing of physician certifications, (which means a qualified physician's authorization for a qualified patient to receive marijuana and related devices); patient care; and ordering of medical marijuana for qualified patients. ~~Medical marijuana health care establishment, as defined herein, are only permitted by special exception as an accessory use for a hospital licensed by the Agency for Health Care Administration (ACHA) and licensed medical offices that provides care and treatment for debilitating medical conditions as determined by a licensed Florida physician as defined in the Florida Constitution, for the treatment of a debilitating medical condition such as cancer, epilepsy, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), post-traumatic stress disorder (PTSD), amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis, or other debilitating medical conditions of the same kind or class as or comparable to those enumerated, and for which a physician believes that the medical use of marijuana would likely outweigh the potential health risks for a patient.~~ A personal caregiver may acquire, transport, and administer marijuana to a qualified patient, and a qualified patient as defined in the Florida Constitution may possess and consume medical marijuana. Retail sales of medical marijuana are prohibited, unless in accordance with the medical marijuana dispensing center standards listed in Section 5.50(B).

Request: Schedule B – Allowable Uses

Land Use Category	CO	CN	CG	CC	CW	CE	IL	PO	PL	PR	CR	S-1	CF	UT	Not Zoned
Medical Marijuana Dispensing Center															
• Walk-up			P	P											
• Drive-through			SE	SE											

Request: Sec. 5.50. Medical marijuana Establishments. health care establishment

Sec. 5.50. Medical ~~m~~Marijuana Establishments. ~~health care establishment~~

(A) Medical Marijuana Health Care Establishment.

A medical marijuana health care establishment shall comply with the following standards:

- A. Medical marijuana health care establishment shall comply with all of the use specific standards for a medical office listed in Section 5.28.1, Offices, Medical.
- B. On-site dispensing of medical marijuana is prohibited.,

Request: Sec. 5.50. Medical marijuana Establishments. health care establishment

Sec. 5.50. Medical ~~m~~Marijuana Establishments. ~~health care establishment~~

(B) Medical Marijuana Dispensing Center.

A medical marijuana dispensing center shall comply with the following standards where permitted:

1. Dispensing of medical marijuana shall only be permitted in accordance with the requirements of this article and the applicable zoning district.

Dispensing of medical marijuana shall be permitted in the CG, Commercial General and CC Community Commercial, zoning districts.

2. Separation standard. This term shall be interpreted and applied as is provided for in LDR Article I, Section 1.5.

a. There shall be a one-half (½) mile separation between each medical marijuana dispensing facility and any pain management clinic regardless of City jurisdictional boundaries.

b. There shall be a one-half (½) mile separation between each medical marijuana dispensing center regardless of City jurisdictional boundaries.

c. A certified survey from a land surveyor registered in the State of Florida displaying the distance in linear feet between a medical marijuana dispensing center and a pain management clinic or between medical marijuana dispensing centers shall be submitted with a Zoning Verification Request and fee in order to establish compliance with this section.

Request: Sec. 5.50. Medical marijuana Establishments. health care establishment (continued)

3. Structure and lot requirement. A medical marijuana dispensing center shall be exempted from the separation standard if it is:

1. located in a freestanding building with a single tenant on a separately platted lot or lots

2. has building has a minimum floor area of 2,500 square feet.

4. Dispensing of, payment for, and receipt of medical marijuana is prohibited anywhere outside of the dispensing center, including, but not limited to, on sidewalks, in parking areas, or in the rights-of-way surrounding the dispensing center; provided, however, this provision shall not be construed to prohibit delivery of medical marijuana to an eligible patient, as permitted by state law or rule.

5. Consumption of medical marijuana or alcoholic beverages is prohibited onsite at the dispensing center, including, but not limited to, in the parking areas, sidewalks, or rights-of-way surrounding the dispensing center; provided, however, this provision shall not be construed to prohibit consumption associated with a dispensing center employee, trained by a medical professional such as a doctor, nurse, pharmacist, or medical or physician's assistant, instructing an eligible patient on the mechanism of consumption of medical marijuana, as permitted by state law or rule.

Request: Sec. 5.50. Medical marijuana Establishments. health care establishment (continued)

6. Centers dispensing medical marijuana shall only be allowed to operate between the hours of 7:00 a.m. and 9:00 p.m. daily, as provided by Section 381.986, Florida Statutes.

7. No certificate of use, license, or building or other permit shall be issued for a medical marijuana dispensing center where the proposed place of business does not conform to the requirements of this subsection.

8. Medical Marijuana Dispensing Center Uses must comply with the provisions of State of Florida F.S. 381.986

Request: Sec. 5.30.A. Pharmacy

As used herein, a pharmacy includes a drive-through pharmacy.

A. Separation standard. This term shall be interpreted and applied as is provided for in LDR Article I, Section 1.5.

1. There shall be a one-half ($\frac{1}{2}$) mile separation between each pharmacy and any pain management clinic regardless of City jurisdictional boundaries.
2. There shall be a one-half ($\frac{1}{2}$) mile separation between each pharmacy regardless of City jurisdictional boundaries.
3. A certified survey from a land surveyor registered in the State of Florida displaying the distance in linear feet between a pharmacy and a pain management clinic or between pharmacies shall be submitted with a ~~certificate of use~~ Zoning Verification Request and fee in order to establish compliance with this section.

B. Structure and lot requirement. A pharmacy shall be exempted from the separation standard if it is:

1. located in a freestanding building with a single tenant on a separately platted lot or lots and
2. the building has a minimum floor area of 2,500 square feet.

C. Vested use. Any existing pharmacy that is not in compliance with the separation standard shall be considered a legal, nonconforming use.

Medical Marijuana Benefits: Socioeconomic

1. **Increased Local Revenue-** Create jobs, and in turn increase consumer spending in the area. Generates tax revenue through sales of ancillary products for medical marijuana.
2. **Job Creation-** Provides jobs through retail, cultivation, security, transportation, and marketing for the companies, providing stable incomes for local residents.

Medical Marijuana Benefits: Health

1. **Pain Relief** – Helps manage chronic pain conditions
2. **Reduces Inflammation** – Useful for conditions such as Crohn's disease and multiple sclerosis
3. **Controls Nausea & Vomiting** – Often prescribed for chemotherapy-induced nausea
4. **Appetite Stimulation** – Helps with weight gain
5. **Reduces Anxiety & PTSD Symptoms** – Can help some patients with relaxation and sleep
6. **Muscle Spasm Relief** – Can help with conditions like multiple sclerosis and spinal cord injuries
7. **Neuroprotective Properties** – Being studied for potential benefits in Alzheimer's and Parkinson's disease
8. **Improve sleep** in the short term for people with obstructive sleep apnea
9. **Reduce tics** in people with Tourette's syndrome

Sources

Health

1. **Source:** The BMJ (British Medical Journal) - "Balancing risks and benefits of cannabis use: umbrella review of meta-analyses of randomised controlled trials and observational studies"
2. **Source:** *The BMJ (British Medical Journal)* - "Balancing risks and benefits of cannabis use: umbrella review of meta-analyses of randomised controlled trials and observational studies"
3. **Source:** *National Center for Complementary and Integrative Health (NCCIH)* - "Cannabis (Marijuana) and Cannabinoids: What You Need To Know";
Additional Source: *NCBI (National Center for Biotechnology Information)* - "Medical Marijuana: Benefits and Side Effects"
4. **Source:** *National Center for Complementary and Integrative Health (NCCIH)* - "Cannabis (Marijuana) and Cannabinoids: What You Need To Know"
5. **Source:** *NCBI (National Center for Biotechnology Information)* - "Medical Marijuana: Benefits and Side Effects"
6. **Source:** *NCBI (National Center for Biotechnology Information)* - "Medical Marijuana: Benefits and Side Effects"
7. **Source:** *NCBI (National Center for Biotechnology Information)* - "Medical Marijuana: Benefits and Side Effects"
8. **Source:** *NCBI (National Center for Biotechnology Information)* - "Medical Marijuana: Benefits and Side Effects"
9. **Source:** *NCBI (National Center for Biotechnology Information)* - "Medical Marijuana: Benefits and Side Effects"

Sources

Socioeconomic

1. **Source:** MMJ.com. (n.d.). Florida state business & medical marijuana industry; **Additional Source:** Investopedia. (2016, November 9). *The economic benefits of legalizing weed.*
2. **Source:** MMJ.com. (n.d.). *Florida state business & medical marijuana industry*; **Additional Source:** *Forbes* - "Cannabis Legalization Is Key To Economic Recovery, Much Like Ending Alcohol Prohibition Helped Us Out Of The Great Depression"

Thank You