

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: June 28, 2017

FIRST READING

SUBJECT: **Medical Cannabis Moratorium**

TITLE IN NOVUS

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission approve the moratorium ordinance at First Reading and set a Second Reading Public Hearing for July 26, 2017.

BACKGROUND

On November 9, 2016, the City Commission adopted a temporary moratorium ordinance on the issuance of any land development permits, business tax receipts or any other license or permit for the establishment or operation of medical cannabis dispensing facilities within the City. This moratorium expired on or about March 15, 2017.

On February 28, 2017 the Planning Board transmitted an LDR Amendment to the City Commission with a favorable recommendation. Upon the Planning Board transmitting the ordinance to the City Commission with a favorable recommendation, Zoning in Progress took effect, requiring any potential medical cannabis dispensaries to comply with the proposed regulations.

PLANNING ANALYSIS

The proposed temporary moratorium would apply to the establishment and operation of medical cannabis dispensing facilities within the corporate limits of the City of Miami Beach. Under the proposed moratorium, the City would not accept, process or approve any application for business tax receipts, building permits, land use changes, zoning variances or permits, or any other development permits for any property, entity, or individual concerning or related to dispensing facilities engaged in permitted uses under Florida law. This would apply to principal or accessory uses.

The subject moratorium, if adopted at Second Reading, would be retroactive to June 28, 2017. As proposed, the moratorium would remain in effect until December 27, 2017, unless earlier rescinded, repealed or extended by an Ordinance of the City Commission.

The moratorium is proposed so that the City has time to address all policy issues associated with recent State of Florida regulations pertaining to medical cannabis.

CONCLUSION

The Administration recommends that the City Commission approve the moratorium ordinance at First Reading and set a Second Reading Public Hearing for July 26, 2017.

JLM/SMT/TRM

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