

1 **WHEREAS**, the Village Council, now desires to exercise its' right to
2 research and study those districts and zoning standards necessary to
3 appropriately locate and regulate medical marijuana and low THC cannabis
4 dispensaries within its jurisdictional boundaries, and therefore directs the
5 Village Manager to return within 90 days of this action, with either a report
6 detailing the need for a ban or to bring forward an Ordinance which
7 provides zoning standards for medical marijuana and low THC cannabis
8 dispensaries; and
9

10 **WHEREAS**, to preserve the *status quo* is necessary to establish a
11 Zoning In Progress prohibition on the issuance of building permits for
12 developments, and/or certificates of uses within the Village for medical
13 marijuana and low THC cannabis dispensaries for a 120 day period.
14

15 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND**
16 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA,**
17 **AS FOLLOWS:**
18

19 **Section 1.** Upon the date of approval of this Resolution, staff
20 shall comply with Section 30-30.10 and return within 90 days of this action,
21 with an Ordinance which bans the use of, or to bring forward an Ordinance
22 which provides zoning standards for, medical marijuana and low THC
23 cannabis dispensaries. During the 120 days, following adoption of this
24 Resolution, no building permits, certificates of use, development orders,
25 including but not limited to site plans, shall be submitted or issued for
26 developments for medical marijuana and low THC cannabis dispensaries
27 within the Village. This zoning in progress Resolution shall expire within
28 120 days of the date of this Resolution or upon the first reading of zoning
29 provisions for the regulations of a medical marijuana and low THC
30 cannabis dispensary Ordinance.
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32 **Section 2.** The Village Council approves this proposed zoning
33 in progress Resolution. The Village Council has determined that a zoning
34 in progress Resolution will allow the preparation of a detailed and
35 comprehensive analysis of the area in question, which reasonably
36 necessary and desirable; and as such, the Village Council approves this
37 zoning in progress Resolution and order a fixed time, not to exceed 90
38 calendar days, within which Village staff shall report to the Village Council
39 with its findings regarding the need for a moratorium, or a proposed

1 Ordinance creating regulations for medical marijuana and low THC
2 cannabis dispensaries.

3
4 **Section 3.** Upon adoption of the zoning in progress Resolution,
5 the Village Clerk shall publish the adopted Resolution in a newspaper of
6 general circulation published in the Village, or Miami-Dade County, Florida
7 within ten days following the date of adoption.

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9 **Section 4.** During the 120 day zoning in progress period of
10 time no permit(s), certificate(s) of use, or development order(s) of any kind
11 in connection with medical marijuana shall be issued.

12
13 **Section 5.** Nothing in this Resolution should be construed or
14 applied to abrogate the vested right of a property owner to develop or
15 utilize his/her property in any other way commensurate with zoning and
16 other regulations, including any required renewal of permits for existing
17 legally erected premises.

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19 **Section 6.** This Resolution shall take effect immediately upon
20 enactment.

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22 **PASSED AND RESOLVED** this 19th day of July, 2017.

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26 Attest:

DocuSigned by:
Missy Arocha
6EDC211E5E8C48C...
Missy Arocha
Village Clerk

DocuSigned by:
Eugene Flinn
3B8854AD569F494...
Eugene Flinn
Mayor

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32 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
33 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

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35
36
37 DocuSigned by:
Dexter W. Lehtinen
1B1D06E71321445...
38 Dexter W. Lehtinen
39 Village Attorney
40

1 FINAL VOTE AT ADOPTION:
2
3 Council Member Karyn Cunningham YES
4
5 Council Member David Singer YES
6
7 Council Member Larissa Siegel Lara ABSENT
8
9 Vice-Mayor John DuBois YES
10
11 Mayor Eugene Flinn YES