



1 department rule for, dispensing facilities of dispensing organizations  
2 located within its municipal boundaries;” and

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

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

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

21  
22 **Section 1.** Upon the date of approval of this Resolution, staff shall  
23 comply with Section 30-30.10 and return within 90 days of this action, with  
24 an Ordinance which bans the use of, or to bring forward an Ordinance  
25 which provides zoning standards for, medical marijuana and low THC  
26 cannabis dispensaries. During the 120 days, following adoption of this  
27 Resolution, no building permits, certificates of use, development orders,  
28 including but not limited to site plans, shall be submitted or issued for  
29 developments for medical marijuana and low THC cannabis dispensaries  
30 within the Village. This zoning in progress Resolution shall expire within  
31 120 days of the date of this Resolution or upon the first reading of zoning  
32 provisions for the regulations of a medical marijuana and low THC  
33 cannabis dispensary Ordinance.

34  
35 **Section 2.** The Village Council approves this proposed zoning-in-  
36 progress Resolution. The Village Council has determined that a zoning in  
37 progress Resolution will allow the preparation of a detailed and  
38 comprehensive analysis of the area in question, which reasonably  
39 necessary and desirable; and as such, the Village Council approves this

1 zoning-in-progress Resolution and order a fixed time, not to exceed 90  
2 calendar days, within which Village staff shall report to the Village Council  
3 with its findings regarding the need for a moratorium, or a proposed  
4 Ordinance creating regulations for medical marijuana and low THC  
5 cannabis dispensaries.

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

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

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

21  
22 **Section 6.**  
23 This Resolution shall take effect immediately upon enactment.

24  
25  
26 PASSED AND RESOLVED this 2<sup>nd</sup> day of April, 2018.

27  
28 Attest:

29 DocuSigned by:  
30 *Missy Arocha*  
31 6EDC211E5E8C48C  
32 Missy Arocha  
33 Village Clerk

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

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

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

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