

## **APRIL 11, 2017-WORKSHOP**

The Board of County Commissioners, Walton County, Florida, held a Workshop on April 11, 2017 at 3:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following Board members were present: Commissioner Cecilia Jones, Chairwoman; Commissioner W. N. (Bill) Chapman, Vice-Chairman; Commissioner Tony Anderson; Commissioner Sara Comander; and Commissioner Melanie Nipper. Mr. Larry Jones, County Administrator; and Attorney Mark Davis, County Attorney; were also present.

Chairwoman Jones called to order the Workshop to discuss medical marijuana land use regulations.

Attorney Mark Davis, County Attorney, said with the recent constitutional amendment allowing the dispensing of medical marijuana the county has two areas of regulation to consider: 1. location and operational aspects; and 2. the number of dispensaries allowed in the county. He said if the number of dispensaries is limited then a rational basis for that number must be presented. He discussed the various levels of restrictions which have been adopted by other counties. Attorney Davis said there is no requirement to limit the number of dispensaries or their locations. He said the current moratorium limits the location to the areas where alcohol sales are allowed. He requested direction regarding the details of the ordinance.

Commissioner Chapman discussed the ordinances pertaining to alcohol sales and asked if day cares were included in the limitation. Attorney Davis said it was not included. Commissioner Chapman recommended day cares, county parks, and any area children will be involved be added to the limitations concerning the distance from the dispensary.

Chairman Jones recommended the number of dispensaries be limited to one dispensary for every 10,000 residents and one dispensary per district.

Commissioner Chapman said according to the information some counties have a limitation of 1 dispensary for every 67,000 residents and noted that was the size of Walton County. He recommended one location at the north end and one at the south end of the county.

Chairwoman Jones questioned if building design standards of the building could be regulated. Attorney Davis said it could be included in the land use regulation.

Commissioner Nipper reported at it was recommended the summit that no cartoonish design or advertising be allowed which would attract children. It was also recommende to include additional parking. She agreed with Commissioner Chapman that more than one is needed in the county, but it would be damaging to have too many.

Commissioner Chapman stated having one dispensary in the county would not make it accessible to all who are ill and agreed that at least two dispensaries are needed.

Commissioner Anderson recommended three dispensaries: one in Paxton, one in DeFuniak Springs, and one in south Walton.

Commissioner Nipper stated three dispensaries would be a good start and as the county grows more can be considered.

Commissioner Comander agreed a dispensary should be located in the Paxton area. She questioned if a dispensary is located within the City of DeFuniak Springs how would the board work with the city council. Attorney Davis said the City of DeFuniak Springs could choose to allow any number of dispensaries. Commissioner Nipper asked if the mayors could be contacted. Attorney Davis said discussion could be held with the mayors of the municipalities to determine placement.

Commissioner Comander asked how the dispensary companies would be chosen. Attorney Davis said the selection procedure would be in the ordinance. He encouraged the board to review the Osceola and Sarasota ordinances for the selection criteria used in those counties.

Commissioner Nipper said the bill will not allow the counties to make a profit. She recommended that the business owners be required to pay impact fees, equipment training for EMS, and provide youth training in recognizing the differences between recreational and medical marijuana.

Commissioner Chapman asked if there would be a fee associated with the dispensary. Mr. Mac Carpenter, Planning and Development, said the size of the dispensary would determine if it was a major or minor development; an existing facility would only require a certificate of land use compliance; and would be subject to the normal set of fees.

Attorney Lee Strayhan, representing Sanfelasco Nursery, Inc., reported Sanfelasco Nursery is one of the seven licensed medical marijuana dispensaries in Florida and discussed the promotion of responsible regulation. He spoke in favor of limiting the number of dispensaries based on population. He encouraged the board to review the Marijuana Policy Group report. Attorney Strayhan said individuals who do not live near a dispensary are able to have their supply shipped to them. He said three dispensaries would be too many and voiced concern with allowing a dispensary in Paxton due to its close proximity to the Alabama line.

Mr. David Kramer discussed the medical need for marijuana and encouraged the board to have more than one dispensary. He noted the controlled substances dispensed at pharmacies are not regulated by counties.

Mr. Eric Stone spoke in favor of allowing multiple dispensaries.

Commissioner Chapman expressed his desire to have the dispensaries available to those in need. He recommended dispensaries in DeFuniak Springs and south Walton with the limitations in accordance with the distances away from schools, day cares, parks, etc. He said a selection procedure needed to be developed. Attorney Davis said he would refer to the Osceola ordinance as a template for the selection process.

Attorney Davis reviewed the items to be included in the ordinance: dispensary qualifications; establish a regional limitation on the number of dispensaries; design criteria; advertising criteria prohibiting cartoonish type ads; and location limitations similar to or equaling those implemented for alcohol sales. Discussion ensued on suitable places for dispensaries.

Commissioner Chapman recommended including distances between dispensaries to be applied for future growth. Attorney Davis said it could be included in the Land Development Code description.

Commissioner Nipper said a one year proof of residency from customers should be required and asked that to be included in the ordinance. She said to also include the youth training requirement. She discussed the need to regulate the what form the marijuana is dispensed. Attorney Davis said he would research the issue.

Attorney Davis said he would prepare an ordinance to be presented no later than the May 9<sup>th</sup> meeting and would make appointments to meet with all three mayors.

There being no further items to discuss, the Workshop was adjourned at 3:28 p.m.

Approved: Cecilia Jones  
Cecilia Jones, Chairwoman

Attest: Dori Cordee  
Alex Alford, Clerk of Courts and County Comptroller