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**Gold Leaf Florida, LLC
3260 NW 22nd Ter. Building E Unit 1300
Special Exception Justification Statement
Medical Marijuana Treatment Center (MMTC) Related Industrial Establishment**

Gold Leaf Florida, LLC (“Applicant”), with the consent from Whispering Lakes II Partnership (“Property Owner”), hereby requests special exception approval to operate a medical marijuana treatment center (“MMTC”) related industrial establishment to be located at 3260 NW 22nd Ter. Building E Unit 1300 (“Property”) in the City of Pompano Beach (“City”). The Property has a zoning designation of O-IP (Office Industrial Park) and Future Land Use designation of Industrial. Per the Consolidated Use Table in Appendix A of the City’s Zoning Code, an MMTC related industrial establishment is permitted within the O-IP zoning district with special exception approval. As such, the Applicant is requesting special exception approval to allow the MMTC related industrial establishment to be located on the Property.

Background and Business Operations

Applicant is a new, innovative medical marijuana company that is on a mission to deliver the highest quality, organic living soil, pesticide free premium cannabis experience in the State of Florida. Due to their success in the industry, Applicant is in the process of expanding across the state with new dispensaries coming online. As part of that growth, Applicant urgently needs to build out its logistic, supply chain, and distribution operations. Thus, Applicant has entered into a lease for the Property with a plan to establish a logistics and distribution facility within the existing structure. If this application is approved, Applicant will manage packaging, transportation, and delivery to their dispensaries throughout Florida, ensuring timely and secure distribution of the prescribed products. Through meticulous record-keeping, the Applicant will help maintain regulatory compliance and contribute to the overall success and growth of the medical marijuana sales operation by optimizing the supply chain and product availability.

The Applicant’s day-to-day business operations at this facility will play a pivotal role in maintaining the supply chain and ensuring the availability of quality cannabis products. The Applicant will oversee the procurement, storage, and distribution of various cannabis products, from flowers to extracts. The Applicant will be responsible for coordinating with cultivators and manufacturers to meet product demand while complying with strict regulatory requirements. No patients or customers will be permitted at the facility, as it will be strictly closed to the public and will only be accessible by Applicant’s employees.

Special Exception Criteria Analysis

Per Section 155.2406D, Applicant must demonstrate compliance with the following criteria to obtain special exception approval. Each of the criteria are listed below in **bold** with Applicant's justification below each in *italics*.

1. Is consistent with the comprehensive plan;

The Applicant is proposing an MMTC related industrial establishment that distributes medical marijuana to medical marijuana treatment centers throughout the State of Florida for retail sales. The Property for the proposed use contains a future land use designation of Industrial. The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan as to the applicable elements of Section 01 regarding Land Use. Specifically, the proposed wholesale distribution use is also consistent with Section 3 pertaining to Zoning as to Permitted Use for properties with a Future Land Use Map designation of Industrial.

2. Complies with all applicable zoning district standards;

The MMTC related industrial establishment is proposed to be located within an existing industrial building containing a zoning designation of O-IP. Wholesale distribution uses are permitted by right within the O-IP district, and MMTC related industrial establishment uses are permitted by way of Special Exception. The Project is in compliance with the remaining standards (the non-use standards) of the O-IP zoning district as there are no modifications to the building or site included with this request.

3. Complies with all applicable use-specific standards in Article 4: Use Standards;

The Use Standards for MMTC related uses are in provided in Part 7 of Article 4 of the City's Code. This section requires the following standards for an MMTC related industrial establishment:

1. No retail sales (dispensing) shall be permitted.

No retail sales will take place on site. The facility will be used for the wholesale distribution of medical marijuana.

2. Separation. In accordance with state law (F.S. Ch. 381.986), a medical marijuana treatment center related industrial establishment shall be separated by 500 feet from a public or private elementary school, middle school or secondary school.

The distance separation map provided with this submittal demonstrates that the Project meets this distance separation requirement and there are no public or private schools located with 500 feet of the Property.

3. No outdoor uses, including but not limited to outdoor growing or outdoor storage, shall be permitted.

There will be no outdoor uses associated with the Project.

- 4. Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection;**

The granting of this Special Exception will not adversely impact any public facilities or services. The space proposed for the use was previously used by another industrial user, meaning it has existing connections to water and wastewater facilities with the capacity to service industrial uses. As there will be no growing on site, the Project will not generate more demand for water than other general industrial uses. Additionally, the proposed MMTC related industrial establishment will not have a negative impact on the surrounding roadways as the use will not generate additional traffic demand that is above what is generated by other wholesale distribution uses.

- 5. Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district(s) of neighboring lands. Evidence for this standard shall include, but not be limited to, population density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood;**

The proposed MMTC related industrial establishment is compatible with the general character of the surrounding properties and the uses permitted in the O-IP zoning district. At bottom, the Applicant intends to operate a small storage and distribution business on site which is similar and consistent with other businesses in the area. The O-IP district permits various industrial, office and warehouse uses. The uses operating within the existing and surrounding buildings contain these types of industrial, office & warehouse uses which are compatible with an MMTC related industrial establishment that will be used for whole distribution. The business will not have any signage on the building that could attract customers to the site for retail sales of medical marijuana; the facility will only be used for the industrial-related use of wholesale distribution. As no customers will visit the site, the proposed use will not generate more traffic than the surrounding industrial & office uses and will not require more parking spaces than what is existing on the Property.

- 6. Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;**

The granting of this Special Exception will not create adverse impacts on the surrounding lands and neighborhood. All the business activities will take place within the building and will not cause any adverse noise or odor, and all trash and recycling will be placed within the existing dumpsters and recycling bins provided on the Property. The proposed use will not generate more traffic than the surrounding industrial & office uses and will not require more parking spaces than what is existing on the Property for other industrial related businesses. Lighting will not change with the use and no signage will be displayed on the

Property advertising the business. No growing or production of marijuana products will take place at the Property so there will be no discernible noise, odor, or vibrations.

7. Adequately screens, buffers, or otherwise minimizes adverse visual impacts on neighboring lands;

The proposed MMTC related industrial establishment is located within an existing industrial development with more than adequate landscaping providing buffers between adjacent properties. Additionally, the Property is located within an industrial area, with similar industrial related uses. There are no residential uses in the surrounding area that would require additional buffering for the proposed use.

8. Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;

The granting of this Special Exception will not adversely impact any of the area's natural resources. As previously stated, the business operation will take place within the building and will not cause any odors or pollution. Additionally, the Applicant is not proposing any alterations to the site or the building with this request.

9. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood;

The Applicant will utilize the existing traffic flow pattern developed on the Property with ingress and egress points located along NW 33rd St. and NW 23rd Ave., and parking spaces located in front of, and in the rear of the building. No modifications to the site or the traffic flow pattern are included with this request.

10. Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district;

The use proposed by the Applicant at this location will not have an adverse effect on neighboring property values. The Project will bring a wholesale distribution use that will help contribute to the City's industrial economic tax base. Furthermore, the Applicant has taken strides to ensure the proposed use does not negatively impact the surrounding properties. The Project will employ 10 people, with 2-3 people working per shift. By State Law, the facility must have at least two people on site at all times. However, deliveries will only come in or go out between the hours of 12:00 pm – 9:00 pm, with no overnight deliveries taking place. In addition to always having two people present in the building, the facility will be secured with an access control entry and security cameras placed in any room containing cannabis, a motion detector and a panic alarm button.

Given the foregoing, the proposed MMTC related industrial establishment will not have an adverse impact on the property values of neighboring lands.

11. Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses;

The Project will help patients with prescriptions for medical marijuana obtain marijuana which is used to treat a variety of illnesses and ailments. The proposed business will help Applicant optimize the supply chain and product availability with meticulous record-keeping and keeping in strict compliance with State Laws. The Applicant utilizes an efficient inventory management system and software programming to track product quantities, monitor expiration dates, and manage restocking processes. Furthermore, rigorous quality control measures, including regular product testing, are enforced to guarantee the safety and efficacy of the inventory. This process helps ensure the success of the medical marijuana supply and distribution chain throughout the State and serve a community need.

12. Complies with all other relevant city, state and federal laws and regulations; and

The Applicant has a current Medical Marijuana Treatment Center License with the Florida Health Department that authorizes the Applicant to, “. . . cultivate, process, transport, and dispense marijuana ordered and entered into the Medical Marijuana Use Registry. . .” A copy of the current license is provided with this submittal. While the license allows the Applicant to dispense medical marijuana, this facility will only be used as a distribution facility, no dispensing will take place on site.

13. For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the area affected by the requested special exception, which is typically an area of 500 feet to a one-half mile radius from the subject site.

The surrounding area located within 500 feet has been included in determining the impacts on the surrounding properties. This is consistent with the distance separation requirements for a MMTC related industrial establishment.