



NEWS AND PUBLIC MEDIA
FOR NORTH CENTRAL FLORIDA



Local Regulations ‘Mixed Bag’ For Pot Dispensaries

By [Dara Kam - News Service of Florida](#)

July 29, 2016 [Health and Science](#)

As pot shops start to sprout in Florida, cities are struggling with how — or whether — to regulate the state’s new marijuana industry.

This week, the state’s first medical-marijuana dispensary, operated by Trulieve, opened its doors to customers in Tallahassee. Health officials on Wednesday gave the go-ahead to a second group, Surterra, to start distributing its cannabis products. Both marijuana operators have permission to deliver products statewide, and Surterra plans to open a dispensary in Tampa next month.

After competing for a handful of highly coveted “dispensing organization” licenses, pot operators now have to convince local officials to let them open retail storefronts where they can sell products to patients.

Several dispensing organization executives agree they’ve encountered “a mixed bag” when it comes to local regulations.

“Some communities have been great and are welcoming us with open arms and are maybe more educated in terms of what exactly the (state) law allows, and others are potentially just operating from a place of misinformation,” Trulieve CEO Kim Rivers said. “So we do feel it’s our responsibility to go in and try to educate those folks on what we really are offering, that this is a very important medicine for some of their most vulnerable citizens.”

For now, the state’s six dispensing organizations are growing, processing and distributing marijuana and derivative products that are low in euphoria-inducing THC and high in CBD, as allowed under a 2014 law. Doctors can order the treatment for patients with chronic muscle spasms, cancer or severe forms of epilepsy.

Soon, the dispensing organizations will be able to sell full-strength marijuana for terminally ill patients, something added to the 2014 law by legislators this year. This year’s law in some ways helps set the stage for a medical marijuana proposal on the November ballot — similar to a measure that narrowly failed to pass in 2014 — that would vastly expand the number of patients eligible for the full-strength cannabis treatment.

State law bars counties or cities from restricting where marijuana can be grown or processed. But the law leaves it up to locals to decide how to regulate retail establishments where products are sold.

In the two years since Florida first legalized medical marijuana, more than two dozen cities have passed or considered ordinances regulating or banning the sales of cannabis products. As Florida’s six medical marijuana operators start opening dispensaries throughout the state, more cities and counties are likely to consider similar regulations or outright prohibitions. And even more communities might join in, if the November initiative passes.

Like state lawmakers, many local officials have expressed concerns about “a pot shop on every corner,” using marijuana sales in states like Colorado and California as examples of what they want to avoid.

“Everybody’s afraid of a Colorado-style distribution system,” said Bruce Knox, owner of Winter Garden-based Knox Nursery, which has a dispensing license in the Central region of the state. “They want this to be very tightly controlled and very tightly regulated.”

Many of the local ordinances were floated around the time the first medical marijuana proposal hit the ballot in 2014. Some observers believe that this year’s measure could prompt more local governments to once again consider restricting where pot can be sold.

Miami-Dade County recently passed an ordinance prohibiting dispensaries from opening within 500 feet of a residential area or within 1,000 feet of a school. The county law also bans dispensaries from opening within a mile of each other.

Orlando recently approved a moratorium on any new pot dispensaries in the city, putting a lid on the three already approved, until after the November vote.

“There are some cities that are more welcoming but the classic city response is no, until we know more,” said **Susan Trevarthen, a lawyer who has worked on marijuana-related ordinances for numerous cities in South Florida.** “They’re either examining how they can ban them or how they can regulate them to minimize the potential land-use compatibility issues within their community.”

While some local officials want to treat the dispensaries like pharmacies or doctors’ offices, others aren’t quite sure what to do and are holding off on any regulations, Rivers said.

In the meantime, Rivers and other dispensing organization executives are doing what they can to quell local officials’ fears by meeting with them face-to-face.

“One of the things we’ve been fighting really hard to do is demystify medical cannabis and the use of medical cannabis for these very sick patients,” she said.

State law bans the medical marijuana products from being smoked, and the dispensaries aren’t allowed to sell bongs, rolling papers or other items shoppers might typically find in a head shop.

Surterra Therapeutics won’t have any pictures of pot flowers or pot plants in its dispensaries, which the company refers to as “wellness centers,” said company president Susan Driscoll.

Surterra, which is affiliated with Alpha Foliage, will begin delivering low-THC cannabis products to patients next week before opening a Tampa dispensary in August, Driscoll said.

“We really want to make sure the communities, the customers feel very comfortable in the environment. Because there is a lot of unknown, a lot of misconceptions about therapeutic cannabis products,” she said. “It really is about us being very responsible citizens in our communities and showing that we’re committed to high-quality products. And, as much as we can, educate, educate, educate, and then being very responsible in our business.”

Rivers pointed out that her company’s products are tested three times before they are available to patients.

“It is a very specific medical-grade product,” she said. “I think there’s still this thought that maybe it’s a wink and a nod, but that’s not the case at all.”