

**CITY OF LONGWOOD  
Land Planning Agency**

**Longwood City Commission Chambers  
175 West Warren Avenue  
Longwood, Florida**

**MINUTES  
February 8, 2023  
6:00 P.M.**

**Present: JoAnne Rebello, Vice Chair  
Michael Dodane, Member  
John Blum II, Member  
Mohamed Jaffer, Member  
Chris Kintner, Community Development Director  
Anjum Mukherjee, Senior Planner  
Kristin Zack-Bowen, Planner/Recording Secretary**

**Absent: Judy Putz, Chair**

**1. CALL TO ORDER.** Recording Secretary called the meeting to order at 6:04 p.m.

**2. ELECTIONS OF OFFICERS**

**A. Chairperson**

Member Dodane moved to nominate Judy Putz as Chairperson. Seconded by Member Blum and carried by a unanimous voice vote with Member Putz absent.

**B. Vice Chairperson**

Member Blum moved to nominate JoAnne Rebello as Vice Chairperson. Seconded by Member Jaffer and carried by a unanimous voice vote with Chair Putz absent.

**3. ADDITIONS AND DELETIONS.** None.

**4. APPROVAL OF THE MINUTES FOR**

**A. Regular Meeting held August 10, 2022**

Member Blum moved to approve the August 10, 2022 minutes. Seconded by Member Dodane and carried by a unanimous voice vote with Chair Putz absent.

5. **PUBLIC COMMENT.** None.

6. **PUBLIC HEARING**

A. **ORDINANCE NO. 23-2236**

**AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING THE LONGWOOD DEVELOPMENT CODE ARTICLE I GENERAL PROVISIONS, ARTICLE II LAND USE DISTRICTS AND ZONING DISTRICTS, AND ARTICLE V SUPPLEMENTAL STANDARDS, TO ADD LOCATIONAL RESTRICTIONS AND OTHER CRITERIA FOR SMOKE SHOPS, SMOKING LOUNGES, MEDICAL MARIJUANA DISPENSARIES, PHARMACIES, AND CBD ESTABLISHMENTS, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND EFFECTIVE DATE.**

Mr. Kintner read Ordinance No. 23-2236 by title and presented the staff report. He explained the different classifications proposed for the land use table and the distance separation requirements for some. One of the primary issues that needed to be addressed was if places such as CVS and Walgreens were to make substantial improvements that would trigger a threshold as a non-conforming use, they wouldn't be allowed to do that. Mr. Kintner pointed out that medical marijuana dispensaries and pharmacies are considered separately because the state regulates them and requires that the rules applied to both are the same. Mr. Kintner explained that while the name states pharmacy, they function more as a retail/grocery store with an accessory pharmacy. The state defines pharmacy as where medicine is prepared and dispensed. When you break down a CVS or Walgreens, only about ten to twenty percent of the floor area is the pharmacy, while the rest is cosmetics, retail, and grocery functions. It was prudent in this case to separate those as drugstores which is the commonly accepted commercial terminology for them. He explained that this takes the stores out of the pharmacy regulation.

Member Dodane asked if there was legal precedent for it.

Mr. Kintner replied that there was because they were being separated. The definition of pharmacies under state law is relatively strict and specifies that it is only the area where medicine is compounded and exposed for sale. Mr. Kintner confirmed that the City Attorney has also reviewed it.

Vice Chair Rebello asked what the number of pharmacies within the City was.

Mr. Kintner responded that there was currently only one pharmacy, Longwood Pharmacy. He explained that any places currently within that mile separation become legally non-conforming and can continue operations as they are. Still, if one goes out of business and is closed for ninety (90) days, they lose their legally non-conforming status. He added that accessory pharmacy uses would also be considered differently and must be owned and operated by the primary operator.

Member Dodane asked if the current City layout meets this requirement.

Mr. Kintner responded that it does not.

There will be establishments under the ordinance that will not be able to return if they go out of business. They could continue if one store went out of business and another came in within ninety (90) days, but if a different type of use goes in afterward, it could not go back.

Member Dodane asked if more marijuana dispensaries could come into the City under this ordinance.

Mr. Kintner responded no, except for one possible spot that was already spoken for.

Member Dodane asked why the City was stopping at medical marijuana dispensaries and if recreational would be covered as well.

Mr. Kintner responded that he would make sure it covered both. Medical marijuana dispensaries are all that is mentioned in State law, but it was worth adding it to the definition. Should recreational marijuana be legalized in Florida, the same rules would apply.

Member Blum asked if CBD was grouped with dispensaries.

Mr. Kintner responded that CBD, smoke, and vape shops are grouped together due to being regulated differently. Medical marijuana is specific to State law; however, the same restrictions apply to all.

Member Dodane mentioned CBD being sold at Circle K.

Mr. Kintner responded that the accessory part was covered in the ordinance. There is a limitation on the number of square feet of floor area allocated for it, which can be at most two hundred (200) square feet of a sales area or twenty percent (20%) of the unit size, whichever is less. Mr. Kintner also mentioned that the ordinance outlining the word CBD in a sign or Business Tax Receipt application was evidence that it was a CBD store by classification.

Member Jaffer asked what other cities were doing and where the provision originated.

Mr. Kintner explained that the provision did not come from anywhere specific, but separation requirements were common in zoning.

Discussion ensued about hookah lounges and smoking lounges.

Member Jaffer made a motion to recommend approval of Ordinance No.

23-2236 to the City Commission as presented. Seconded by Member Blum and carried by a unanimous roll call vote with Chair Putz absent.

**7. DISCUSSION AND SCHEDULE FOR FUTURE AGENDA ITEMS**

Mr. Kintner mentioned that the next Land Planning Agency meeting would be April 12, 2023 and were anticipating a full proposal from Wood Partners Group for the industrial parcel at Ronald Reagan Boulevard and Dog Track Road to take the parcel to Infill and Mixed Use. Mr. Kintner mentioned that the project would go through the planned development process which was different than a site plan approval.

**8. ADJOURNMENT.** Vice Chair Rebello adjourned at 6:38 p.m.

Minutes approved by the Land Planning Agency: April 12, 2023

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**Judy Putz, Chair**

**ATTEST:**

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**Kristin Zack-Bowen, Recording Secretary**