

# MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES SPACING RESERVATION FOR A LOW-THC / MEDICAL CANNABIS DISPENSING FACILITY

All state-approved dispensing organizations that seek to establish a Low-THC / Medical Cannabis dispensing facility (hereinafter, "dispensing facility") in Miami-Dade County shall comply with the following process, pursuant to Article IXA of Chapter 33 of the Miami-Dade County Code:

1. A certified spacing survey must be submitted indicating that the proposed dispensing facility is not located within:
  - 1 mile of another low-THC or medical cannabis dispensing facility;
  - 1,000 feet of any child care facility, preschool, kindergarten, elementary school, middle school, junior high school, or religious facility;
  - 500 feet of any properties in an EU or RU Zoning District (except for RU-5A), or any area designated R in an Urban Center or Urban Area District.

The forms included in this packet must be submitted along with the survey and shall serve as the formal instrument for requesting a spacing reservation for a dispensing facility.

2. The Miami-Dade County Department of Regulatory and Economic Resources (the "Department") will review the submittal to verify that the proposed dispensing facility meets the spacing requirements and other criteria outlined in Article IXA. If the spacing reservation is approved, the applicant shall have 180 days to apply for a building/zoning permit or a temporary certificate of use (hereinafter, "temporary CU").
3. Should the applicant fail to apply for a building/zoning permit or a temporary CU by the close of business on the 180th day, the reservation shall expire. No extensions will be granted. The applicant must wait five business days after the reservation period expires to submit a new reservation request.
4. Once the applicant obtains a temporary CU, the dispensing facility must be established, as herein defined, within 180 days of the date the temporary CU is issued. A dispensing facility is "established" when it receives final authorization from the State to operate and dispense low-THC or medical cannabis. A final CU will be issued upon proof of State authorization. Unless the time period is extended for good cause shown, the temporary CU and the reservation shall be null and void if the dispensing facility is not established within 180 days of the issuance of the temporary CU.
5. The CU for the dispensing facility must be renewed annually, subject to the requirements in Section 33-149.5(F) of the Miami-Dade County Code.

Please include all the items listed in the Applicant's Checklist. The Department will review the submittal packet for completeness. An incomplete packet will not be accepted, or will be returned. The submission will be stamped with the date and time received. The Department does not have a wait list; complete submissions will be processed on a first-come, first-served basis. The Department will issue a letter to the dispensing organization within 10 business days of receipt of the submission indicating whether the site for the proposed dispensing facility complies with applicable Zoning Code regulations and is reserved.

Please be advised that a spacing reservation is not guaranteed and availability may change from day to day. The dispensing organization may wish to apply at an early stage in their process.

You may submit the spacing survey and required forms at the Zoning Information Desk of the Miami-Dade County Department of Regulatory and Economic Resources (the "Department") at 111 NW 1st Street, 11th Floor. Payment of \$237.77 in the form of a MONEY ORDER or CASHIER'S CHECK made payable to Miami-Dade County must be included with the application.

**Please be aware that it is the responsibility of the applicant to adhere to the deadlines and submittal requirements explained herein.** Failure to comply with the required deadlines could result in the release of your reservation and inability to establish a dispensing facility at that location.

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### Applicant's acceptance of terms

Name of Dispensing Organization: \_\_\_\_\_

Name of Authorized Representative: \_\_\_\_\_

I \_\_\_\_\_ acknowledge and agree to the foregoing procedures and terms to obtain and maintain a Low-THC or Medical Cannabis Dispensing Facility spacing reservation.

\_\_\_\_\_  
Authorized Representative Signature

\_\_\_\_\_  
Date

Date: \_\_\_\_\_

1. Name of Dispensing Organization: \_\_\_\_\_

**2. Dispensing Organization Information:**

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone# \_\_\_\_\_ Fax# \_\_\_\_\_ E-mail: \_\_\_\_\_

**3. Authorized Representative's Information:**

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone# \_\_\_\_\_ Fax# \_\_\_\_\_ E-mail: \_\_\_\_\_

**4. Name of Property Owner of Proposed Site for the Dispensing Facility**

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone# \_\_\_\_\_ Fax# \_\_\_\_\_ E-mail: \_\_\_\_\_

5. Name of Proposed Dispensing Facility: \_\_\_\_\_

6. Address and Location of Proposed Site for Dispensing Facility (For location, use descriptions, i.e., NE corner)

\_\_\_\_\_  
\_\_\_\_\_

7. Folio Number(s): \_\_\_\_\_

8. Present Zoning Classification of the Propose Site for the Dispensing Facility: \_\_\_\_\_

9.  Mail/Email reservation letter to: \_\_\_\_\_  
\_\_\_\_\_

Pick up reservation letter located at: 111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor • Miami, Florida 33128 (Zoning Information)

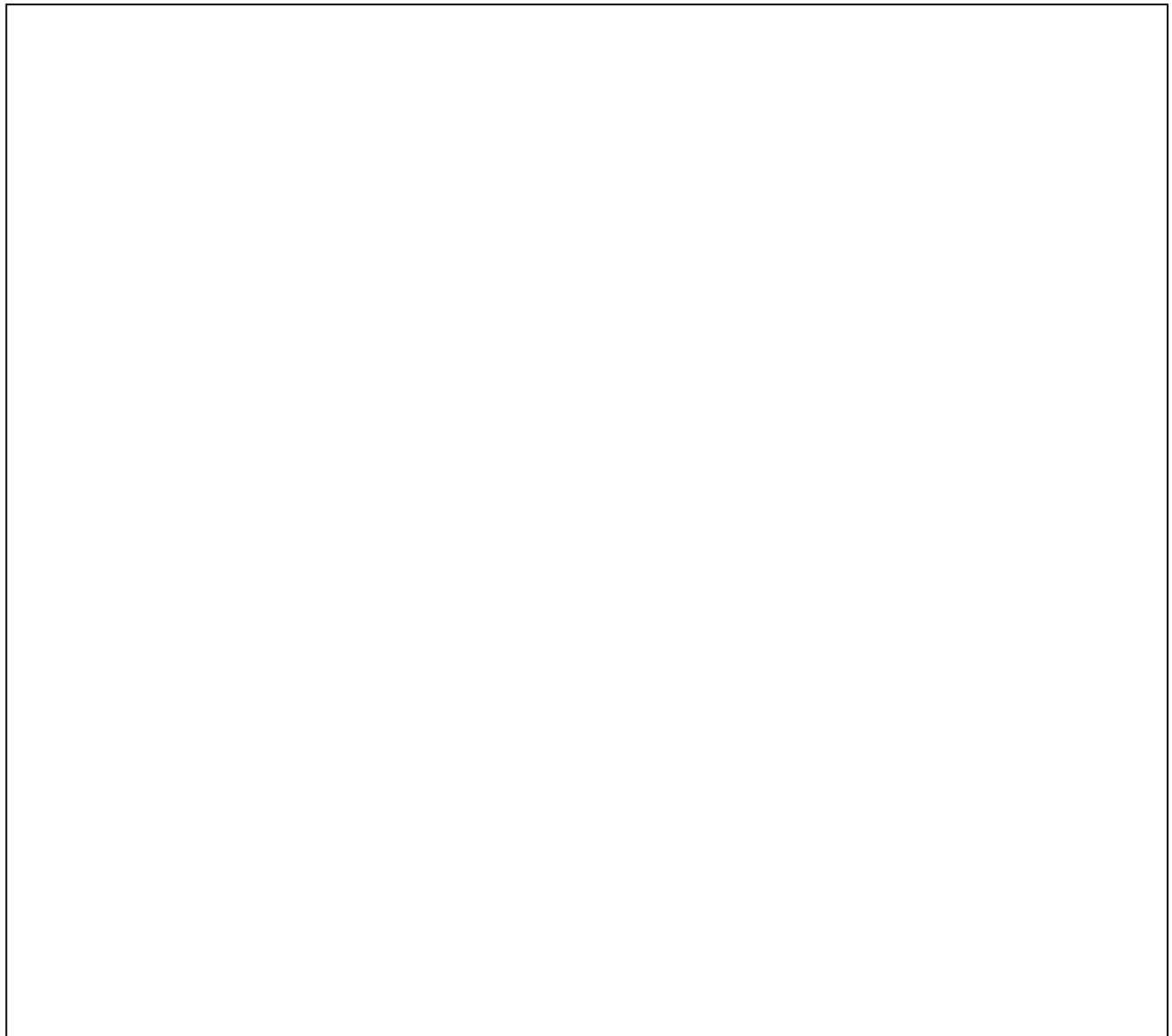
## 10. Findings from Spacing Survey

The dispensing organization shall submit a survey that has been prepared, signed, and sealed by a licensed surveyor, showing:

1. Any other low-THC or medical cannabis dispensing facility within 1 mile of the proposed location;
2. Any child care facility, preschool, kindergarten, elementary school, middle school, junior high school, or religious facility within 1,000 feet of the proposed location; and
3. Any properties in an EU or RU Zoning District (except for RU-5A), or any area designated R in an Urban Center or Urban Area District within 1,000 feet of the proposed location.

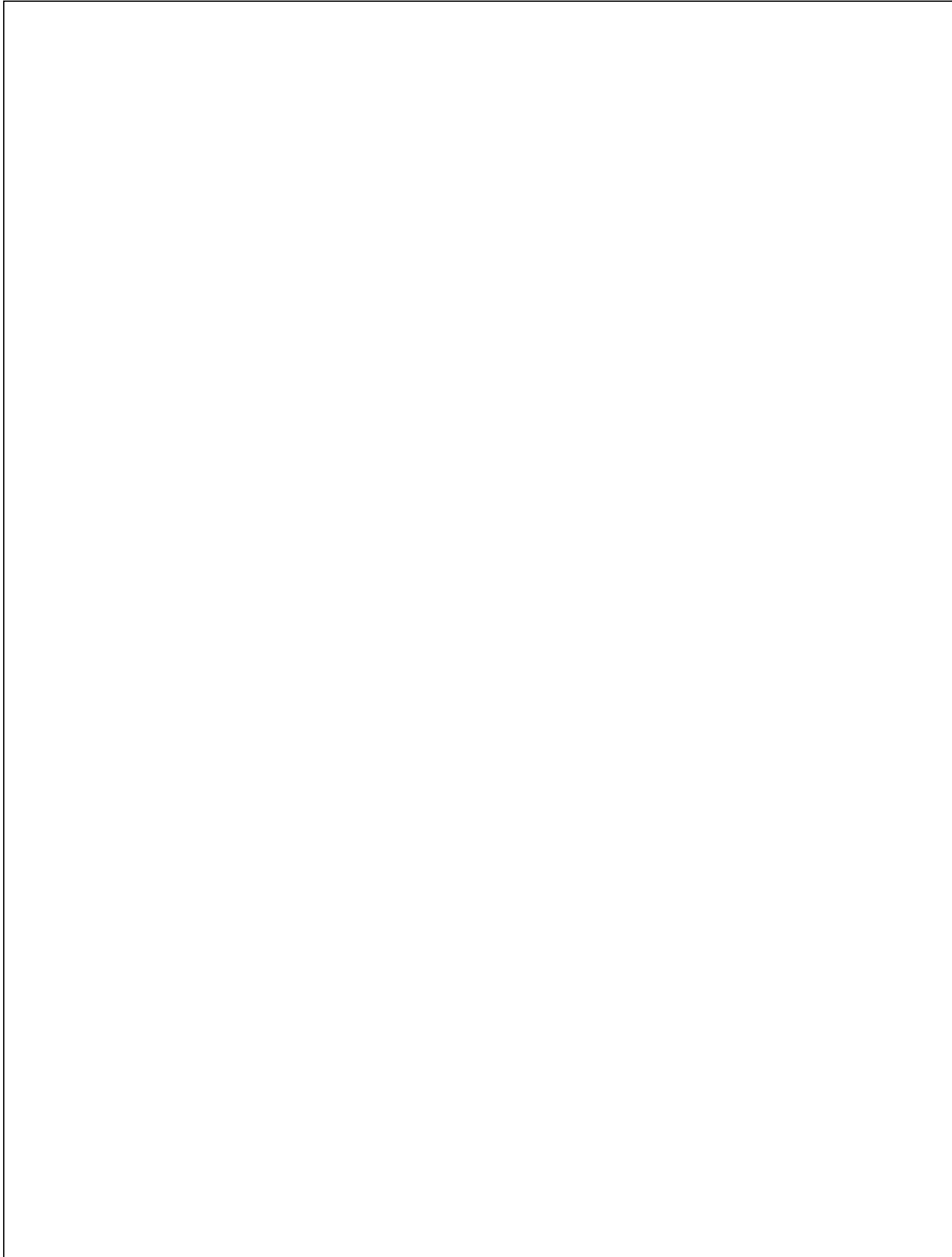
Any such entities shall be identified by type (i.e. child care facility, elementary school, residential zoning, etc.) and include the name and address of each such entity, as well as the distance from the proposed dispensing facility.

Where no such entities are found, the survey shall certify that: (a) there are no other legally established dispensing facilities within 1 mile of the proposed dispensing facility; (b) there are no legally established child care facilities, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, or religious facilities within 1,000 feet of the proposed facility; and (c) that the proposed facility is not within 500 feet of any property in an EU or RU Zoning District (except RU-5A), or designated R in an Urban Center or Urban Area District.



**11. Legal Description of the proposed Site of the Dispensing Facility:**

Provide complete legal description, (i.e., lot, block, subdivision name, plat book and page number, or metes and bounds. Include section, township, and range).

A large, empty rectangular box with a thin black border, intended for the user to provide a complete legal description of the proposed site. The box occupies most of the page below the instructions.

## APPLICANT'S CHECKLIST

The following items **must** be submitted:

- Spacing Reservation Form with signed acceptance of terms page**
- Letter of intent** (providing information on the proposed uses and other relevant information regarding the proposed dispensing facility)
- Findings from spacing survey**
- Legal description** (must be accurate)
- Applicant's Checklist**
- Approval Letter from the State**
- Affidavit of Consent from Property Owner(s)** (signed by the property owner(s), witnessed, and notarized, providing consent of the owner(s) to the application for a dispensing facility on the property.)
- Proof of Authority** (proof of authority or a power of attorney may be required to demonstrate the authorization to sign on behalf of the dispensing organization)
- Dispensing Facility Spacing Survey** (the survey shall comply with the Instructions for surveyors provided in this packet and must show that the proposed site for the dispensing facility complies with the spacing requirements in Section 33-149.5 of the Miami-Dade County Code)
- Payment of \$237.77 in Money Order or Cashier's Check made payable to Miami-Dade County**

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### FOR OFFICE USE ONLY

Processed by: \_\_\_\_\_ Date: \_\_\_\_\_

Application #: \_\_\_\_\_ Zoning District \_\_\_\_\_

Invoice #: \_\_\_\_\_ Collection #: \_\_\_\_\_

Cashier's Check #: \_\_\_\_\_ Money Order #: \_\_\_\_\_

**AFFIDAVIT OF CONSENT FROM PROPERTY OWNER/S  
DISPENSING FACILITY SPACING RESERVATION**

Property Owner(s): \_\_\_\_\_

Folio #: \_\_\_\_\_

Property Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Name of Dispensing Facility subject to the spacing reservation request to which the Affidavit pertains:

\_\_\_\_\_

Before me this date personally appeared the undersigned(s), who after being first duly sworn, hereby state(s) as follows:

1. I(We) am(are) the owner(s) of the above mentioned property.
2. I(We) understand that a request to site a low THC / medical cannabis dispensing facility on my(our) property is being made and I(we) do hereby consent to same.
3. On the basis of this affidavit and accompanying spacing survey signed and sealed by a licensed surveyor, the Miami-Dade County Department of Regulatory and Economic Resources may provide a spacing reservation letter for the proposed low THC / medical cannabis dispensing facility.
4. This affidavit can and may be placed in the Public Records of Miami-Dade County, Florida.
5. I(We) am(are) familiar with the nature of an oath and with the penalties as provided by the laws of the state for falsely swearing to statements made in an instrument of this nature.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_

Affiant(s) is/are personally known to me or produced \_\_\_\_\_  
as identification.

\_\_\_\_\_  
Signature  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
Print Name  
My Commission Expires \_\_\_\_\_

## **Instructions to Surveyors for the Spacing Survey for a Low-THC or Medical Cannabis Dispensing Facility**

Pursuant to Section 33-149.5 of the Miami-Dade County Code, no low-THC or medical cannabis dispensing facility (dispensing facility) shall be located:

- within 1 mile from any other low-THC or medical cannabis dispensing facility;
- within 1,000 feet of any child care facility, preschool, kindergarten, elementary school, middle school, junior high school, or religious facility;
- within 500 feet of any properties in an EU or RU Zoning District (except for RU-5A), or any area designated R in an Urban Center or Urban Area District.

In order to establish a dispensing facility, an applicant must provide a spacing survey (the “survey”) in substantially the same form as provided in the instructions herein:

1. The survey shall identify all sites that meet the criteria described below:
  - a. **Dispensing facilities within a 1-mile radius of the proposed dispensing facility.** Distances shall be measured by drawing a straight line between the front doors of the respective dispensing facilities.
  - b. **Child care facilities, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, or religious facilities within a 1,000-foot radius of the proposed dispensing facility.** Distances shall be measured by following a straight line from the front door of the proposed dispensing facility to the nearest point of the structure of each listed child care facility, school, and religious facility on the survey. The coordinates of the front door of the proposed dispensing facility must be clearly specified.
  - c. **Any property in an EU or RU Zoning District (except RU-5A), or designated R in an Urban Center or Urban Area District within the 500-foot radius of the proposed dispensing facility.** Distances shall be measured by following a straight line from the front door of the proposed dispensing facility to the nearest point of the residential structure. The coordinates of the front door of the proposed dispensing facility must be clearly depicted.
2. A radius map showing the required distances and routes as described above shall be included. The map must clearly depict a multi-ring buffer showing the 1-mile, 1000-foot, and 500-foot, radii, with a label for each radius. The map also must show a point corresponding to the front door coordinates of the proposed dispensing facility.
3. The legend must include the following:
  - a. Name, Address, folio(s), and legal description of the proposed site of the dispensing facility.
  - b. Front door coordinates of the proposed site of the dispensing facility.
  - c. Date of survey.
  - d. Purpose:

“The purpose of the survey is to locate all dispensing facilities within 1 mile of the proposed dispensing facility; all child care facilities, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, or religious facilities within 1,000 feet of the proposed dispensing facility; and any property in an EU or RU Zoning District (except RU-5A), or designated R in an Urban Center or Urban Area District within 500 feet of the proposed dispensing facility.”

e. Methodology:

Explain the method used to locate and identify the above establishments / properties. Surveyors may use the links listed below for assistance in searching for sites, however, it is the surveyor's responsibility to ensure that the survey includes all relevant sites, regardless of whether such sites are included in any of the below listed websites.

- Charter Schools:  
[http://gis.mdc.opendata.arcgis.com/datasets/2ee624731ebd40b3860d79bde64b8c92\\_1](http://gis.mdc.opendata.arcgis.com/datasets/2ee624731ebd40b3860d79bde64b8c92_1)
- Daycares:  
[http://gis.mdc.opendata.arcgis.com/datasets/61d09223825c463aacd58323246cf71a\\_0](http://gis.mdc.opendata.arcgis.com/datasets/61d09223825c463aacd58323246cf71a_0)
- Head Start:  
[http://gis.mdc.opendata.arcgis.com/datasets/02846f307b2b4587bd39f00cbb030d0\\_2](http://gis.mdc.opendata.arcgis.com/datasets/02846f307b2b4587bd39f00cbb030d0_2)
- Private Schools:  
[http://gis.mdc.opendata.arcgis.com/datasets/7139aad11a404f639faf6812deb28f7b\\_3](http://gis.mdc.opendata.arcgis.com/datasets/7139aad11a404f639faf6812deb28f7b_3)
- Public Schools:  
[http://gis.mdc.opendata.arcgis.com/datasets/d27bba9d06964aae96cacb9aa7748fac\\_0](http://gis.mdc.opendata.arcgis.com/datasets/d27bba9d06964aae96cacb9aa7748fac_0)

f. Surveyor's Notes:

If applicable, a list of all sites found within the required radius of the proposed site. (Include name of the establishment, address, and prescribed distance from proposed dispensing facility. If another dispensing facility is found, include the front door coordinates of said facility.)

g. Scale of survey should be 1" to 300'.

h. Certification (signed and raised seal of licensed surveyor):

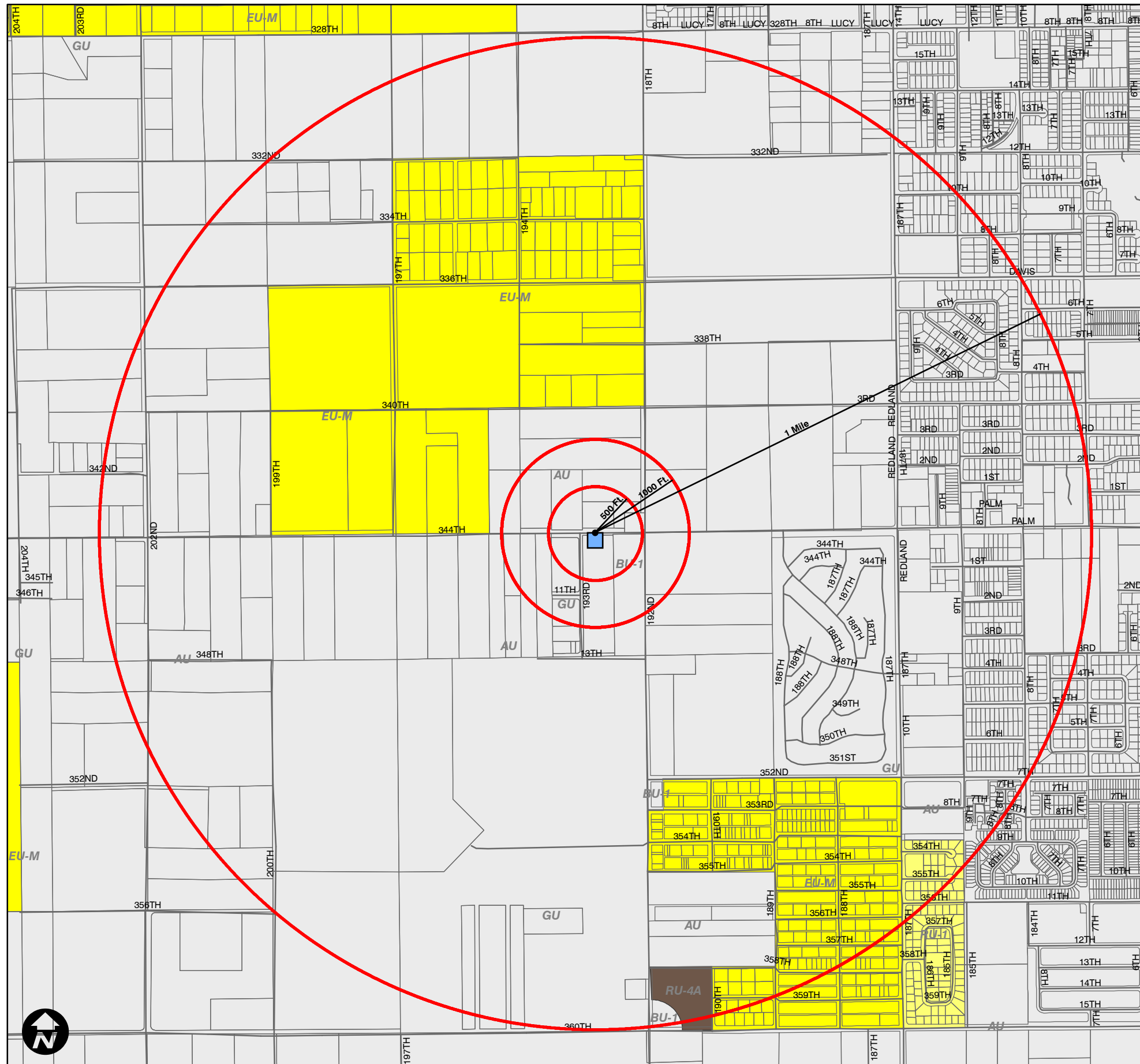
The surveyor must certify all that apply with the following text:

"I \_\_\_\_\_ certify that as of \_\_\_\_\_ (date): there are no dispensing facilities within a one-mile radius of the proposed dispensing facility; there are no child care facilities, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, or religious facilities within 1,000 feet of the proposed dispensing facility; and there are no properties in an EU or RU Zoning District (not including RU-5A), or designated R in an Urban Center or Urban Area District within 500 feet of the proposed dispensing facility."

4. In case of dispute, the measurement scaled by the Director shall govern.



# Sample Dispensing Facility Spacing Survey



## Proposed Dispensing Facility Information

Name:  
 Address:  
 Front Door Coordinates: x \_\_\_\_\_ y \_\_\_\_\_  
 Folio/s:

Legal Description:

Date of Survey:

Purpose of Survey:

“The purpose of the survey is to locate all dispensing facilities within 1 mile of the proposed dispensing facility; all child care facilities, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, or religious facilities within 1,000 feet of the proposed dispensing facility; and any property in an EU or RU Zoning District (except RU-5A), or designated R in an Urban Center or Urban Area District within 500 feet of the proposed dispensing facility.”

Methodology:

Explain the method used to locate and identify the above establishments / properties. Surveyors may use the links listed in the survey instructions for assistance in searching for sites, however, it is the surveyor’s responsibility to ensure that the survey includes all relevant sites, regardless of whether such sites are included in any of the listed websites.

Surveyor’s Notes:

- Front door location of Proposed Dispensing Facility (include coordinates)
- Name of Proposed Dispensing Facility

If applicable, provide a list of all sites found within the required radius of the proposed site. (Include name of the establishment, address, and prescribed distance from proposed dispensing facility. If another dispensing facility is found, include the front door coordinates of said facility.)

**Certification (Signed and raised seal of licensed surveyor.)**

The surveyor must certify all that apply with the following text:

“I \_\_\_\_\_ certify that as of \_\_\_\_\_ (date): there are no dispensing facilities within a one-mile radius of the proposed dispensing facility; there are no child care facilities, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, or religious facilities within 1,000 feet of the proposed dispensing facility; and there are no properties in an EU or RU Zoning District (not including RU-5A), or designated R in an Urban Center or Urban Area District within 500 feet of the proposed dispensing facility.”

**Scale** (Please provide survey at a 1” to 300’ scale)