



C H A T H A M C O U N T Y - S A V A N N A H

**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:** SEPTEMBER 29, 2022  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

Text Amendment to the City of Savannah Zoning Ordinance

**Re:** Amendment to Section(s) 13.2, 5.4, 9-3.1 and 8.4 (new use 8.4.51),  
Medical Marijuana Dispensary

**Petitioner:** Bridget Lidy, City of Savannah

**File No.** 22-003953-ZA

**MPC ACTION:**

**Approval** of the request to amend  
Sections 13.2, 5.4, 9-3.1 and 8.4 (new  
use 8.4.51) as identified.

**MPC STAFF RECOMMENDATION:**

**Approval** of the request to amend  
Sections 13.2, 5.4, 9-3.1 and 8.4 (new  
use 8.4.51) as identified.

**MEMBERS PRESENT:** 11 + Chairman

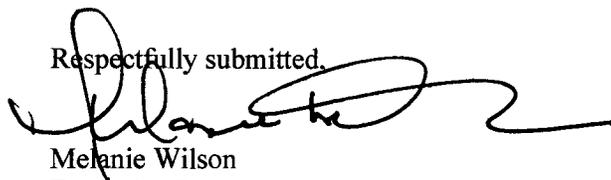
Joseph Welch, Chairman  
Travis Coles  
Shedrick Coleman  
Elizabeth Epstein  
Joseph Ervin  
Karen Jarrett  
Michael Kaigler  
Jay Melder  
Wayne Noha

Jeff Notrica  
Dwayne Stephens  
Tom Woiwode

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (10-2)

<b>APPROVAL Votes: 10</b>	<b>DENIAL Votes: 2</b>	<b>ABSENT</b>
Coles Coleman Epstein Ervin Jarrett Kaigler Melder Noha Stephens Woiwode	Welch Notrica	Boles Watkins

Respectfully submitted,



Melanie Wilson  
Executive Director

/ca

Enclosure

cc: Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Zarina Davis, Department of Inspections  
Bridget Lidy, Department of Inspections  
Candra Teshome, Department of Inspections





# METROPOLITAN PLANNING COMMISSION

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**TO:** The Mayor and Aldermen, City of Savannah

**FROM:** The Planning Commission

**DATE:** September 6, 2022

**SUBJECT:** Text Amendment to the City of Savannah Zoning Ordinance  
Re: Amendment to Section 13.2, 5.4, 9.3-1 and 8.4 (new use  
8.4.51). Adding Definition of "Medical Cannabis Dispensary"

**Applicant:** City of Savannah

**Marcus Lotson, Director of Development Services**

**MPC FILE NO:** 22-003953-ZA

**ISSUE:**

Proposed amendments to the Savannah Zoning Ordinance related to a proposed "Medical Cannabis Dispensary" use. To add such use in the Table of Permitted Uses, to create a definition for such use and to establish conditions required to establish such use.

**BACKGROUND:**

In July of 2021, the State of Georgia passed legislation to allow treatment with and the delivery of medical cannabis, provisions related to dispensing low-THC products and State licensing procedures for cannabis producers. This action followed a series of other legislative actions beginning in 2015 which included creating a patient registry for those with qualifying conditions, expanding access to hospice patients, and provision for in-state cultivation to be overseen by the Georgia Access to Medical Cannabis Commission.

**FINDINGS:**

1. In an effort to prepare for the local impact of the State legislative decisions, the City of Savannah adopted a resolution on March, 22 2022 which established a temporary stay (180 days) on the granting of any local licenses or permits associated with the sale or dispensation of medical cannabis. The further purpose of the stay was to "...formulate appropriate public safety plans and zoning criteria to ensure that dispensaries are permitted only within zoning districts that will not compromise the public health, safety and general welfare of the citizens of the City of Savannah..."
2. Since the establishment of the stay, City officials and staff have been preparing the various aspects of the safety and administrative protocols associated with managing the establishment of potential dispensaries. Part of the administrative aspect will fall within the zoning ordinance. Proposed

amendments to address the dispensary use include a definition, use conditions and in what zoning districts the use may be permitted. The additions are as follows:

**Amend 13.2 Defined Terms, General to include:**

Medical cannabis dispensary means a business or organization that is granted a license for the sale and distribution of medicinal cannabis products, as defined in O.C.G.A. § 16-12-190 and elsewhere regulated by the State of Georgia.

**Amend 5.4 Principal Use Table to:**

- Include "Medical Cannabis Dispensary or Medical Marijuana Dispensary" as a use.
- Identify "B-C" as the zoning district where a Special Use Permit is required.

**Amend 8.4 Commercial Use Standards for Limited to:**

Include 8.4.51 Medical Cannabis Dispensary or Medical Marijuana Dispensary with the following conditions:

- a. State medical cannabis dispensary or marijuana dispensary license shall be required prior to application.
- b. A Medical Cannabis Dispensary or Medical Marijuana Dispensary shall not be closer than 2,000 feet to a:
  - i. Civic Uses (botanical garden, arboretum, cemetery, community garden, park (general), wildlife refuge).
  - ii. Community Services (library/community center, museum, post office, police/fire station or substation, EMS substation/ambulance service, shelter (emergency), shelter (transitional), soup kitchen)
  - iii. Day Care Services (child/adult day care home, child/adult day care center, child/adult care home (24 hour), child/adult care center, 24 hour)
  - iv. Educational (College/university/seminary, educational building used by a college/university/seminary, school/public or private (K-12), school/trade/vocational/business)
  - v. Places of Worship
  - vi. Club or Lodge (Private club/lodge)
  - vii. Detention and Correctional Facilities (All detention and correctional facilities, correctional transitional facility)
  - viii. Health Care Facilities (Substance recovery facility)
  - ix. Eating and Drinking Establishments (Package stores)
- c. At the time of application, the Petitioner shall submit the following information:
  - i. Information on the proposed structure the facility will be located including total square footage, security installations/security plan including type of security system and plans to address operations when security and surveillance system malfunction and building code compliance.
  - ii. Hours of operation.
  - iii. A licensee may be required to revise and resubmit its public safety plan, to include implementation of additional public safety measures, which may include, without limitation, the installation of security cameras with technical capabilities as specified by the police chief, where it appears that the operation of the licensee's business has resulted in an extraordinary expenditure of public safety resources. The failure of a licensee or its employees, agents, and servants to adhere to the terms and conditions of an approved public safety plan shall constitute a violation

of this article, in addition to any other applicable statute, ordinance or regulation, and subject the licensee to the penalty provisions set forth in Sec. 12, as amended.

- d. No flashing lights, search lights, spotlights, or other similar lighting systems may be used on the exterior of the building.
- e. Electronic message boards and temporary signs not allowed.
- f. Hours of operation are 6:00 a.m. until 10:00 p.m.
- g. This use shall be in a stand-alone building.
- h. Facility may not conduct any sales or distribution of cannabis other than as authorized by State law.
- i. Onsite consumption of cannabis by the public shall not be allowed on the premises.
- j. The use shall be prohibited in Alcohol Density Overlay Districts.

Amend Sec. Table 9.3-1 Minimum Space Requirements to include:

Retail Sales	Vehicle	Bicycle
Medical cannabis dispensary	1 per 250 SF	5% of vehicle parking

**POLICY ANALYSIS:**

The proposed language and conditions are consistent with other Ordinances in the State and address the public health and safety needs that City Council identified in the adopted resolution. In review of the language and conditions.

**RECOMMENDATION:**

The Planning Commission recommends approval of the amendments to Sections **13.2, 5.4, 9-3.1 and 8.4 (new use 8.4.51) as identified in the staff report.**