

# Medical Cannabis Dispensary

City Council Workshop

September 22, 2022



# Georgia Legislation

## April 2015 - Haleigh's Hope Act (HB 1)

- Patient registry for persons with qualifying medical conditions and permitted possession of oil with less than 5% THC by weight

## May 2018 (SB 16)

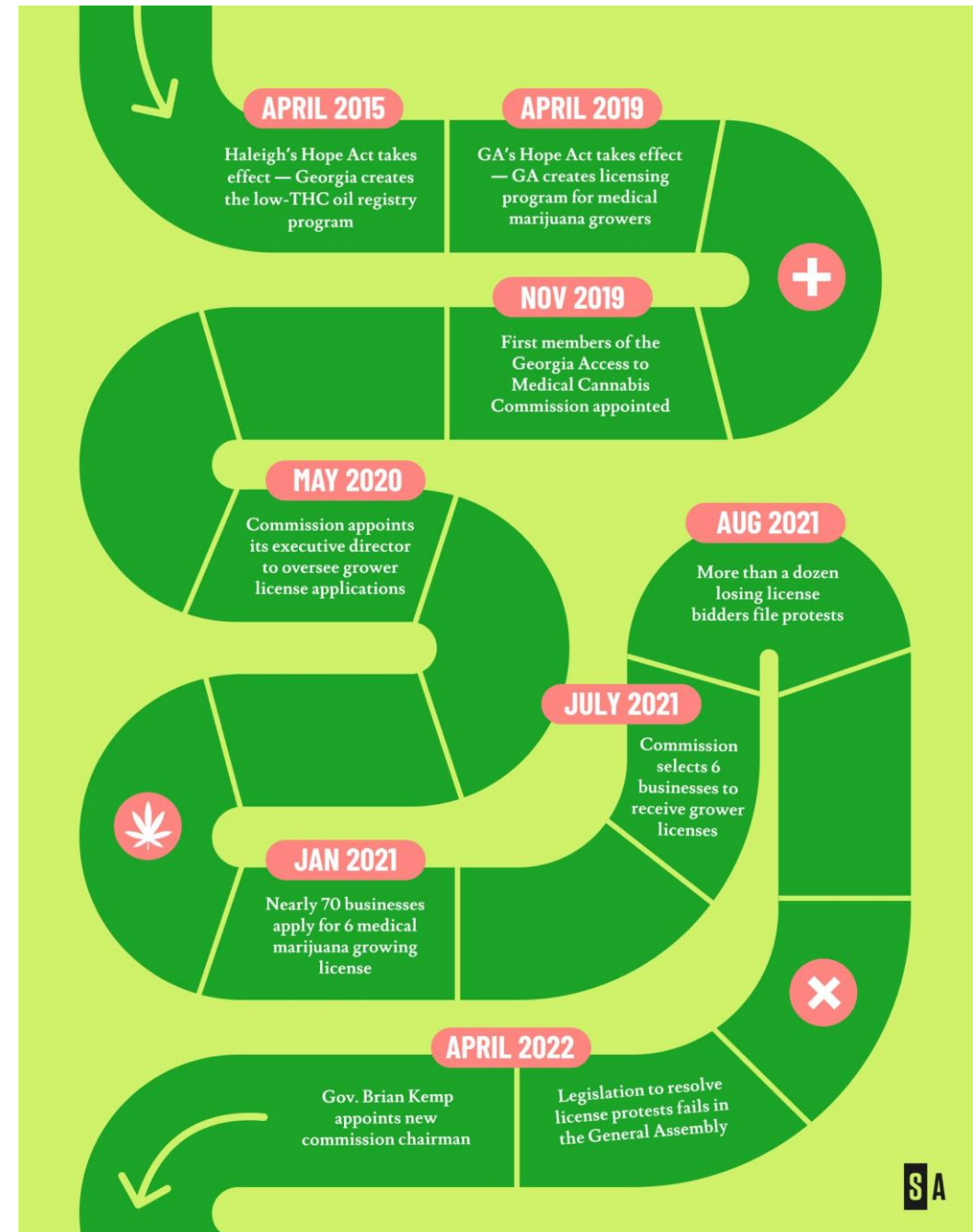
- Expanded patient access to low-THC oil
- Included Hospice Care residents

## July 2019 - Georgia's Hope Act (HB 324)

- Authorized the Georgia Access to Medical Cannabis Commission
- Oversee licensing of limited, in-state cultivation, production, and manufacturing
- Dispense to registered patients on the state's Low-THC Oil Registry not to exceed 20 ounces

## November 2019

- 7-member Commission appointed



# Georgia Recent Legislation

## July 2021 (Act 141)

- Provides new treatment and delivery methods for medical cannabis of low-THC oil products
- Revised provisions related to the dispensation of low-THC oil products
- Medical cannabis producers must obtain state dispensary license

## Legislation

- Allows the legitimate use of medical cannabis for health care
- Maintains public policy and laws against illegal drug use
- Does not advocate, authorize, promote, or legally or socially accept the use of marijuana for children or adults for any non-medical use
- Deeply opposes any recreational or nonmedical use of marijuana
- Encourages active participation by minority, women, and veteran owned businesses
- Takes steps to ensure there is no discrimination in the issuance of licenses or participation in business activities resulting from this Act



# Qualify for the Low THC Oil Registry

- Cancer, when such diagnosis is end stage or the treatment produces related wasting illness or recalcitrant nausea and vomiting
- Amyotrophic lateral sclerosis, when such diagnosis is severe or end stage
- Seizure disorders related to diagnosis of epilepsy or trauma related head injuries
- Multiple sclerosis, when such diagnosis is severe or end stage
- Crohn's disease
- Mitochondrial disease
- Parkinson's disease, when such diagnosis is severe or end stage
- Sickle cell disease, when such diagnosis is severe or end stage
- Tourette's syndrome, when such syndrome is diagnosed as severe
- Autism spectrum disorder, when (a) patient is 18 years of age or more, or (b) patient is less than 18 years of age and diagnosed with severe autism
- Epidermolysis bullosa
- Alzheimer's disease, when such disease is severe or end stage
- AIDS when such syndrome is severe or end stage
- Peripheral neuropathy, when symptoms are severe or end stage
- Patient is in hospice program, either as inpatient or outpatient
- Intractable pain
- Post-traumatic stress disorder resulting from direct exposure to or witnessing of a trauma for a patient who is at least 18 years of age



# City Resolution

- Prepare for impact of the State legislative decisions
  - Stay on the granting of any local licenses or permits associated with the sale or dispensation of medical cannabis
  - 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
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- Researched several Georgia communities (Alpharetta, Doraville, and DeKalb County)
  - Coordinated with Savannah Police Department



# Amending Zoning Ordinance

## Proposed text amendment

1. Define “Medical Cannabis Dispensary”
2. Incorporate new use into the Table of Permitted Uses
3. Require a Special Use Permit
4. Establish conditions required to establish such use
5. Address parking



# Define “Medical Cannabis Dispensary”

- 13.2 Defined Terms, General
  - 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.



# Incorporate use into Table of Permitted Uses

- Amend 5.4 Principal Use Table to include “Medical Cannabis Dispensary” as a use
- Special Use Permit required for these zoning districts:
  - B-C (Community Business)
  - D-CBD (Downtown-Central Business District)

[Map of B-C and D-CBD Zoning Districts](#)





# Special Use Permit Conditions

- a. State medical cannabis dispensary or marijuana dispensary license shall be required prior to application.
- b. A Medical Cannabis Dispensary shall not be closer than 1,000 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. Substance recovery facilities
  - ix. Package stores

# Special Use Permit Conditions

- 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 7:00 a.m. until 8:00 p.m.
- g. This use shall be in a stand-alone building or structure that shall meet public safety measures as approved by the Savannah Police Department.
- 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.

# Address Parking Standards

- Amend Sec. Table 9.3-1 Minimum Space Requirements

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