

Ordinance No. 2022-5

AN ORDINANCE OF THE MAYOR AND ALDERMEN AMENDING THE CITY OF NATCHEZ DEVELOPMENT CODE TO PERMIT AND REGULATE MEDICAL CANNABIS; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREOF.

WHEREAS, the Mississippi Medical Cannabis Act permitting the use of medical cannabis to treat certain debilitating medical conditions was signed into law on February 2, 2022; and

WHEREAS, the Mississippi Medical Cannabis act established a licensing program requiring medical marijuana cultivation facilities, disposal entities, processing facilities, research facilities, testing facilities, transportation entities, and dispensaries to obtain state issued licenses and authorizes local governments to establish additional standards, requirements, and regulation for local licenses and permits; and

WHEREAS, the Mayor and Aldermen of the City of Natchez desires to adopt medical marijuana zoning standards and regulations for personal medical marijuana use, dispensing, and distribution; and

WHEREAS, the purpose of these regulations is to allow for the permitting of commercial cannabis activity within the City based on specific standards and procedures intended to protect the health, safety, and welfare of the residents of the City of Natchez by prescribing the manner in which such businesses and establishments can be conducted in the City. By enacting these regulations, the City of Natchez does not intend to encourage or promote the establishment of any business or operation or the commitment of any act, that constitutes or may constitute a violation of state or federal law. As of the date of the enactment of these regulations, the use, possession, distribution, and sale of marijuana is illegal under Federal law and those who engage in such activities do so at their own risk of criminal prosecution.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Natchez, Mississippi as follows:

SECTION 1. That the matters and things set forth in the above preamble are hereby accepted as stated as the findings of the Mayor and Board of Aldermen.

SECTION 2. That the City of Natchez Development Code is amended to add Section III, Chapter 11: Sections 11.15.1 -11.15.2 entitled “Zoning Use Districts, Standards and Uses” as follows:

B-5 HIGHWAY BUSINESS & MEDICAL

11.15.1 Objectives

The purpose of the B-5 Highway Business & Medical District is to provide areas for intensive, high impact, commercial and small-scale light industrial establishments, as well as medical-related land uses, some of which generate large volumes of heavy truck traffic. Consequently, these districts are found along highways and in pockets of back lots off of arterial streets. Most retail office and personal service establishments are incompatible, and, therefore, are not to be mixed in these heavy commercial and light industrial areas.

11.15.2 Dimensional Standards of General Applicability

All uses and structures in the B-5 Highway Business & Medical District shall meet the following dimensional standards, except as otherwise provided by this Ordinance:

Minimum Lot Area - None

Minimum Lot Width - 70 feet

Minimum Front Yard - 25 feet

Minimum Side Yards - None

Minimum Rear Yard - 20 feet

Maximum Building Height - 35 feet

Maximum Lot Coverage - 40%

SECTION 3. That the City of Natchez Development Code Section III, Chapter 12 “Development Standards” Part 2. *Specific Use Standards* is amended to add as follows:

12.16 MEDICAL CANNABIS DISPENSARY

(a) Location Requirements:

1. A medical cannabis dispensary shall not be located within 1,000 feet of the nearest boundary line of any school, church (places of worship), or childcare facility which exists or has acquired necessary real property for the operation of such facility before the date of the medical cannabis dispensary application.
2. A medical cannabis dispensary must be at least 1,500 feet from the main entry point of another dispensary’s entrance.
3. A medical cannabis dispensary may not share office space with or refer patients to a practitioner.

(b) Parking Requirements: One parking space per 250 square feet of gross floor area.

(c) Sales & Hours of Operation:

1. Hours of operation shall be 8 am to 7 pm
2. A medical cannabis dispensary shall only make sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary.
3. The Mississippi Department of Health (MDOH) has been designated to regulate advertising, signage, and displays. Sign permits are still required through the City of Natchez after MDPH approval.

(d) Approved products for sale: Cannabis Dispensaries may only sell the following items on the licensed premises: medical cannabis, equipment used for medical cannabis or related supplies and educational materials. These items shall be sold only to cardholders.

(e) Other Requirements:

1. Cannabis Dispensaries must have a license with the Mississippi Department of Revenue before submitting for a Certificate of Occupancy with the City of Natchez.
2. Cannabis Dispensaries shall place a copy of its dispensary license in a conspicuous location within the point-of-sale area in a manner that may be clearly viewed by patients.
3. All medical cannabis dispensaries shall adhere to local and state laws and regulations implemented by the Mississippi Department of Revenue and Mississippi Department of Health.

SECTION 4. That the City of Natchez Development Code Section VIII, Appendix A “Definitions” is amended to add as follows:

CANNABIS: All parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds, or its resin, including whole plant extracts. Such term shall not mean cannabis-derived drug products approved by the Federal Food and Drug Administration under Section 505 of the Federal Food, Drug, and Cosmetic Act.

MEDICAL CANNABIS: cannabis, cannabis products, and edible cannabis that are intended to be used by registered qualifying patients.

MEDICAL CANNABIS DISPENSARY: An entity licensed and registered with the Mississippi Department of Revenue that acquires, possesses, stores, transfers, sells supplies, or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders.

CARDHOLDER: A registered qualifying patient or a registered designated caregiver who has been issued and possesses a valid registry identification card.

SECTION 5. That the City of Natchez Development Code Section VIII, Appendix B “Permitted Use Table” is amended to add as follows:

Zoning Districts	B-5
Business and Office Uses	
Air Conditioning Sales and Service	P
Ambulance Service	P
Amusement Establishments	P
Antique Store	P
Art Gallery	P
Automobile Sales	P
Automobile Service Station	P
Automotive Repair Service and Garages	P
Barber Shop or Beauty Shop	P
Bars and Nightclubs	P
Carwash	P
Catalogue Sales, Showroom & Display	P
Convenience Store	P
Day Care Center	P
Drive Through Facility	P
Drug Store	P
Financial Establishments	P
Fitness Center/Health Club	P
Flea Market Indoor	P
Flea Market Outdoor	P
Funeral Home	P
Furniture Sales and Showroom	P
Hotels & Motels	P
Liquor Store	P
Newspaper Publishing, Printing & Distribution	P
Offices, Medical/Dental	P
Offices, other than medical	P
Office Park	P
Offices, Real Estate Sales	P
Parking Garages	SE
Pawn Shop	P
Pay Advance	P
Personal Service Establishment	P
Plant Nursery & Green House	P
Printing Establishments	P
Prosthesis & Medical Supplies	P
Radio & TV Broadcasting Studio	P
Restaurant, Fast Food	P
Restaurant, Full Service	P
Retail Stores	P

Retail Stores - Medical Cannabis Dispensary	SE
Shopping Center	P
Shopping Mall	P
Small Engine Repair	P
Specialty Retail Shop	P
Super Market	P
Truck Stop	P
Vehicle Sales & Rental	P
Public and Civic Uses	
Amusement Park	SE
Animal Shelter	SE
Auditorium	P
Churches/Religious Assembly	SE
Clubs and Lodges, Civic and Fraternal	P
Convention Center	SE
Day Care Center	P
Golf Driving Range	P
Government Offices	P
Parking Lots on Separate Lots	P
Public Safety Stations	P
Transportation Facility	P
Residential Personal Care Home	P
Veterinary Hospital	SE
Manufactured Home Sales	P
Manufacturing, Light	P
Mini Warehouses	SE
Outdoor Storage	P
Recycling and Salvage Operations	SE
Shooting Range, Indoor	SE
Tire Recapping	SE
Warehousing & Distribution Establishment	SE
Wholesale or Jobbing Establishment	P
Woodworking & Cabinet Shops	SE
Miscellaneous Group	
Accessory Use or Structure	P
Aircraft Sales and Service	SE
Billboard/Outdoor Advertising	P
Telecommunications Tower and Site	SE

SECTION 6. SEVERABILITY.

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of the Ordinance.

SECTION 7. The City Clerk is hereby directed to cause a summary of this ordinance in a form allowed by law to be published in the local newspaper.

SECTION 8. Amendment shall take effect ten (10) days after its passage, approval, and publication.

SO ORDAINED this the 9th day of AUGUST, 2022



 Dan M. Gibson, Mayor

Attest:



 Megan McKenzie, City Clerk

Geoportal Map



June 29, 2022

1 inch = 1,343 feet



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