

AN ORDINANCE OF THE CITY OF PEACHTREE CORNERS, GEORGIA, TO AMEND THE 2012 ZONING RESOLUTION, AS AMENDED, BY MODIFYING ARTICLE III, DEFINITIONS AND ARTICLE XIII, USE PROVISIONS IN ORDER TO AMEND SECTION 1307, C-1 GENERAL BUSINESS DISTRICT AND SECTION 1308, C-2 GENERAL BUSINESS DISTRICT IN ORDER TO ADD DEFINITIONS AND REGULATIONS FOR MEDICAL CANNABIS DISPENSARIES; REPEALING ALL CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Peachtree Corners are charged with the protection of the public health, safety, and welfare of the citizens of Peachtree Corners; and

WHEREAS, in 2021, Senate Bill 195 took effect to provide for new treatment and delivery methods for medical cannabis, revising provisions relating to the dispensation of low-THC oil products, and permitting medical cannabis producers to obtain state dispensation licenses; and

WHEREAS, the State currently enforces a 1000-foot buffer from medical cannabis dispensaries to any public or private school, early care and education program, church, synagogue or other place of worship, as measured from property boundary to property boundary; and

WHEREAS, the Mayor and Council of the City of Peachtree Corners desire to protect the health, safety, general welfare and comfort of its residents and to regulate for the safe and legal dispensing of medical cannabis with minimal impact upon neighborhoods and residential areas.

WHEREAS, pursuant to Section 1.12(a) of the City Charter, the City is charged with exercising the powers of zoning; and

WHEREAS, the Mayor and Council desire to amend the 2012 Zoning Resolution, as amended;

NOW THEREFORE, IT IS HEREBY ORDAINED by the governing authority of the City of Peachtree Corners, Georgia as follows:

Section 1: The City of Peachtree Corners 2012 Zoning Resolution shall be amended by adding (underlined words) and deleting (~~struck through words~~) to Article III, Definitions, Article XIII, Use Provisions, Sec. 1307, C-1 Neighborhood Business District, and Sec. 1308, C-2 General Business District, as follows:

ARTICLE III. - DEFINITIONS

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Medical Cannabis Dispensary – *an existing full-service pharmacy that holds a dispensing license as authorized by O.C.G.A. § 16-12-206(b) for the purpose of selling and distributing medical cannabis products as defined by O.C.G.A. § 16-12-190 or related products as defined in O.C.G.A. § 16-12-200(15). All medical cannabis dispensaries shall adhere to applicable state and local laws, rules, regulations, and ordinances, including, but not limited to, O.C.G.A. §§ 16-12-200 to 16-12-236 and the rules and regulations promulgated by the Georgia Access to Medical Cannabis Commission and the State Board of Pharmacy where appropriate.*

ARTICLE XIII. – USE PROVISIONS

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SECTION 1307 C-1 GENERAL BUSINESS DISTRICT

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Permitted Uses. Only the following permitted uses shall be allowed in the C-2 General Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of the amendment; b) special uses as permitted herein; or c) accessory uses defined in Article III, Definitions; or d) other uses which are clearly similar to and consistent with the purpose of this District.

A. Retail and Service Uses.

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22. *Jewelry stores.*

23. *Medical Cannabis Dispensary, provided that the following conditions are met:*

a. A dispensing license has been obtained pursuant to O.C.G.A. § 16-12-206(b)

b. No medical cannabis dispensaries shall be located within 1,000-feet from any places of worship, public or private schools, daycare facilities, and daycare centers as measured by the most direct route of travel on the ground from the main entrance of the establishment to the main entrance or front door of the protected building.

c. No medical cannabis dispensaries shall be within 3 miles of each other.

d. No more than 2 medical cannabis dispensaries shall be allowed in the City.

24. *Museums*

25. *Music Studios*

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SECTION 1308 C-2 GENERAL BUSINESS DISTRICT

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A. Retail and Service Uses.

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47. *Locksmith shops.*

48. *Medical Cannabis Dispensary, provided that the following conditions are met:*

a. A dispensing license has been obtained pursuant to O.C.G.A. § 16-12-206(b)

b. No medical cannabis dispensaries shall be located within 1,000-feet from any places of worship, public or private schools, daycare facilities, and daycare centers as measured by the most direct route of travel on the ground from the main entrance of the establishment to the main entrance or front door of the protected building.

c. No medical cannabis dispensaries shall be within 3 miles of each other.

d. No more than 2 medical cannabis dispensaries shall be allowed in the City.

49. Mobile Buildings (temporary, while any of the permitted or special uses are under construction, but not to exceed six (6) months).

50. Museums and libraries.

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Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDAINED AND EFFECTIVE, this 23 day of April, 20 24.

ATTEST:

APPROVED:



Kym Chereck, City Clerk

(SEAL)



Mike Mason, Mayor

