

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF AUGUSTA, GEORGIA, SECTION 26, TO PROVIDE FOR A SPECIAL EXCEPTION FOR DISPENSING LICENSEES OF LOW-THC OIL TO OPERATE NEAR COVERED ENTITIES, TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**WHEREAS**, the State of Georgia has provided for the sale of low-THC oil through the “Georgia’s Hope Act”,

**WHEREAS**, the State of Georgia, through the Georgia Access to Medical Cannabis Commission, issues dispensing licenses to stand-alone low-THC oil dispensaries and independent pharmacies to sell low-THC oil;

**WHEREAS**, the State of Georgia permits local jurisdictions to make decisions under its zoning power as to whether dispensing licensees may operate within 1,000 feet, measured from property boundary to property boundary, of a public or private school, an early care and education program, or a place of public religious worship;

**WHEREAS**, the Augusta-Richmond County Commission wishes to permit potential dispensing licensees to apply for a special exception through the Comprehensive Zoning Ordinance to operate within 1,000 feet of the aforementioned entities,

**BE IT ORDAINED** by the Augusta-Richmond County Commission, and it is hereby ordained by authority of the same as follows:

**SECTION 1.** The Comprehensive Zoning Ordinance of Augusta, Georgia, Section 26-1 *Special Exceptions*, is hereby amended by adding subsection “v” as described in Exhibit “A”.

**SECTION 2.** This ordinance shall become effective upon adoption.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PASSED, ADOPTED, SIGNED, APPROVED AND EFFECTIVE** this \_\_\_\_ day of \_\_\_\_\_, 2024.

(SEAL)

**AUGUSTA, GEORGIA**

By: \_\_\_\_\_

Garnett L. Johnson

Mayor

Attest:

\_\_\_\_\_  
Clerk of Commission

**STATE OF GEORGIA**

**RICHMOND COUNTY**

FIRST READING \_\_\_\_\_

SECOND READING \_\_\_\_\_

**CLERK'S CERTIFICATE**

I, **LENA J. BONNER**, Clerk of Commission, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of an ordinance adopted by the Augusta-Richmond County Commission ("the Commission") at an open public meeting duly called and lawfully assembled at 2:00 P.M., on the \_\_\_\_ day of \_\_\_\_\_, 2024, in connection with the foregoing ordinance, that such ordinance has not been modified or rescinded as of the date hereof, and the original of such ordinance being duly recorded in the Minute Book of the Commission, which Minute Book is in my custody and control.

I do hereby **CERTIFY** that there was a quorum of the Commissioners present at such meeting, and that such ordinance was duly adopted by the pursuant to the constituting and governing laws of the Augusta-Richmond County Commission.

Witness my hand and the official seal of Augusta, Georgia this \_\_\_\_ day of \_\_\_\_\_, 2024

(SEAL)

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Lena J. Bonner  
Clerk of Commission

DRAFT

Exhibit “A”

(v) Dispensing licensees under the Georgia Access to Medical Cannabis Act who wish to operate within a 1,000 foot radius of a “covered entity” as that term is defined in O.C.G.A. § 16-12-215(a):

(1) The dispensing licensee’s location is needed to allow retail outlets to be established to service registered patients, as that term is defined in O.C.G.A. 16-12-200(11), residing within Augusta, Georgia; and

(2) The dispensing licensee’s location is in conformity with the comprehensive plan; and

(3) The dispensing licensee’s operation shall be consistent with all applicable state permit and licensing requirements; and

(4) The Planning Commission shall determine that the foregoing requirements have been satisfied, and further, that the benefits of the proposed dispensing licensee are greater than any possible depreciating effects and damages to neighboring properties.