



Department of Urban Development

MEMORANDUM

TO: TO ALL IT MAY CONCERN
FROM: GINGER M. LOWREY, AICP, PLANNING DIVISION MANAGER
DATE: July 7, 2022
SUBJECT: LAND DEVELOPMENT CODE– MEDICAL CANNABIS

To all it may concern, the Hattiesburg City Council adopted Ordinance 3312 on May 17, 2022, amending the Land Development Code (LDC) to address uses related to the medical cannabis industry. Below is a summary all medical cannabis related uses and relevant LDC regulations.

❖ USES/BUSINESS TYPES RELATED TO MEDICAL CANNABIS

a. Cultivating “Cannabis cultivation”

i. **By right/Permitted with Conditions in Industrial zones, Conditional Use in A-1 General Agricultural zones**

1. Conditional Use in Agricultural zones because cultivation is required to be inside of a building. This type of development would be more consistent with Industrial developments than traditional agricultural developments.

ii. Condition

1. *Odor prevention plan to mitigate odor from leaving the building, suite and/or site.*
2. *Cannabis bi-product or waste shall not be stored outside of the building.*

b. Processing “Cannabis processing”

i. **By right/Permitted with Conditions in Industrial zones, Conditional Use in A-1 General Agricultural zones**

ii. Conditions

1. *Agricultural zones only permitted if combined with Cultivating.*
2. *Odor prevention plan to mitigate odor from leaving the building, suite and/or site.*

- 3. *Cannabis bi-product or waste shall not be stored outside of the building.*
- c. Lab “Cannabis laboratory”
 - i. **By right/Permitted with Conditions in Industrial zones, Conditional Use in in A-1 General Agricultural zones, By right/Permitted with Conditions in B-5 Regional Business zones**
 - ii. Conditions
 - 1. *Agricultural zones only permitted if combined with Cultivating.*
 - 2. *Odor prevention plan to mitigate odor from leaving the building, suite and/or site.*
 - 3. *Cannabis bi-product or waste shall not be stored outside of the building.*
- d. Dispensary “Cannabis Dispensary”
 - i. **By right/Permitted in B-3 Community Business, B-4 Downtown Business and B-5 Regional Business zones**
 - ii. Conditions
 - 1. *Locations adjacent to residentially zoned properties require Planning Commission approval.*
 - 2. *Odor prevention plan to mitigate odor from leaving the building, suite and/or site.*
 - 3. *Cannabis bi-product or waste shall not be stored outside of the building.*
- e. Disposal “Cannabis Disposal”
 - i. **By right/Permitted with Conditions in all Industrial zones**
 - ii. Conditions
 - 1. *Odor prevention plan to mitigate odor from leaving the building, suite and/or site.*
 - 2. *Cannabis bi-product or waste shall not be stored outside of the building.*
- f. Transportation Cannabis related transportation will not be regulated any different than any other transportation business by the City.

❖ SIGNAGE – Sec 10.9.12 – No outdoor advertising signs may contain depictions of cannabis plants or cannabis products. This includes an image or visual representation of a cannabis leaf, plant, or the likeness thereof that explicitly suggests or represents a cannabis leaf or plant, or an image that indicates the presence of a product, such as smoke, etc. Nor may any signage be designed in any manner that would be especially appealing to children or other persons under twenty-one years of age.

❖ DEFINITION: “Cannabis – All Medical Cannabis related terms referenced herein are as defined by the State of Mississippi. All Cannabis related businesses must be licensed with the State and City prior to operating. of