

ORDINANCE NO. _____

AN AMENDMENT TO ZONING ORDINANCES
OF THE CITY OF KOSCIUSKO, MISSISSIPPI
REGARDING MEDICAL CANNABIS

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Kosciusko, Attala County, Mississippi, in a regular recessed meeting on this the 16th day of August, 2022, as follows, to-wit:

SECTION 1.

The following Amendments to the current Zoning Ordinances for the City of Kosciusko, Mississippi, are hereby made as follows:

1. **Definitions:** Add “Cannabis” to the Definitions Section of the Zoning Ordinance as Definition No. 141 on page 16 as follows:

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.

2. Add new Subsection “E” to the “Sign” Section on page 73. Said Subsection E shall read as follows:

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 21 years of age.

3. Add new Section to the Zoning Ordinance Book entitled “Medical Cannabis”, with said Section beginning on new page 101. Said Section shall read as follows:

- A. Cannabis Cultivation will be permitted with conditions in I-1 Light Industrial District and I-2 Heavy Industrial District, and as a conditional use in A-1 General Agricultural District. Conditional use is required in Agricultural District because cultivation is required to be inside a building.
- B. Cannabis Dispensary shall be allowed as a permitted use in C-1 Neighborhood Commercial District, C-2 General Commercial District, C-3 Highway Commercial District and C-4 Planned Commercial District.
- C. Cannabis Disposal will be permitted with conditions use in I-1 Light Industrial District and I-2 Heavy Industrial District.
- D. Cannabis Laboratory will be permitted with conditions use in I-1 Light Industrial District and I-2 Heavy Industrial District.

- E. Cannabis Processing will be permitted with conditions use in I-1 Light Industrial District and I-2 Heavy Industrial District.
- F. Cannabis Transportation Businesses shall be permitted in I-1 Light Industrial District, I-2 Heavy Industrial District and C-2 General Commercial District and C-3 Highway Commercial District.
- G. An odor prevention plan to mitigate odor from leaving the building, suite and/or cite shall be required for all cannabis-related businesses.
- H. Cannabis Dispensaries located adjacent to residentially zoned properties shall require Planning Commission approval.
- I. All cannabis-related businesses shall not allow cannabis bi-product or waste to be stored outside of the building.
- J. The Mississippi Medical Cannabis Act requires that a medical cannabis establishment shall not be within 1,000 feet of the nearest property boundary line of a school, church or childcare facility, unless the dispensary applicant is able to obtain a waiver from the school, church or childcare facility. Regardless of the waiver, a dispensary may not be located with 500 feet of any school, church or childcare facility property boundary line. Said Act also prohibits a dispensary from being located within 1,500 feet of the main point of entry for an existing dispensary.
- K. All cannabis-related businesses located in the City of Kosciusko, Mississippi, shall also comply with all statutes, rules and regulations as set forth by the State of Mississippi, as well as rules and regulations set forth by the Mississippi Department of Health and the Mississippi Department of Revenue. In addition to licenses required by the State of Mississippi, all cannabis-related businesses in the City of Kosciusko, Mississippi, shall also obtain a local operating license from the City of Kosciusko, Mississippi.

SECTION 2. Municipal Code.

The provisions of the amendments to the Zoning Ordinances shall be included and incorporated in the Municipal Code of the City of Kosciusko, Mississippi as an addition or amendment to said Zoning Ordinances and shall be appropriately renumbered to conform to the uniform numbering system of said Zoning Ordinance.

SECTION 3. Effective Date.

This ordinance shall be in full force and effect one month from and after its passage.

This ordinance shall be signed by the Mayor, certified by the City Clerk, recorded in the Ordinance Book, and published one time in *The Star Herald*, a weekly newspaper published in this municipality.

**SO ORDAINED, ENACTED, AND PASSED by the Mayor and Board of Aldermen of
the City of Kosciusko, Mississippi, on this the 16th day of August, 2022.**

TIM KYLE, MAYOR

(SEAL)

ATTEST:

MICHELLE QUESNOT, CITY CLERK