



Municipal Role in Medical Cannabis Zoning (Georgia Low-THC Program)

Georgia's Low-THC medical cannabis program is authorized under the Low THC Oil Patient Access Act (O.C.G.A. § 16-12-191 through § 16-12-207) and is overseen by the Georgia Access to Medical Cannabis Commission (O.C.G.A. § 31-2A-1 et seq.).

While the State regulates licensing, dispensing, security, and patient verification, municipalities retain their traditional land-use and zoning authority over where lawful uses may operate.

Local governments may:

- Confirm zoning compatibility of a proposed medical cannabis pharmacy
- Apply standard zoning classifications (e.g., Neighborhood Commercial districts)
- Issue variances or administrative confirmations related to distance or site-specific requirements
- Maintain local records for compliance, audit, and operational documentation

Municipal variances do not override state regulation; they document local land-use alignment for a state-authorized medical healthcare service, similar to other regulated uses such as pharmacies, healthcare facilities, or alcohol-licensed establishments.

This framework allows cities to support lawful medical access while ensuring zoning consistency and public welfare protections.

Georgia's medical Low-THC cannabis program is authorized under the Low THC Oil Patient Access Act, originally enacted by HB 1 (2015) and updated through HB 324 (2019), codified at O.C.G.A. § 16-12-191 et seq., while the State licensing and dispensing system is governed by SB 195 (2019), codified at O.C.G.A. § 31-2A-1 et seq.

Georgia's medical cannabis program is authorized under the Low THC Oil Patient Access Act, codified at: *O.C.G.A. § 16-12-191 through § 16-12-207*

Additionally, the licensing and regulation of dispensaries is overseen through the Georgia Access to Medical Cannabis Commission pursuant to: *O.C.G.A. § 31-2A-1 et seq.*

These statutes establish that dispensing is a state-authorized medical activity, subject to state licensure, security, patient verification, and product controls. Importantly, while the State governs licensure and dispensing, municipalities retain authority over:

- Zoning classification
- Permitted commercial uses

- Distance and compatibility considerations
- Variances as a land-use administrative tool

In practice, local variances do not “override” state regulation, they simply document that the proposed medical use is compatible with local zoning administration, similar to how municipalities address other state-regulated uses (pharmacies, alcohol licensing, healthcare facilities, etc.).

State Contact for Official Program Oversight

The primary state agency responsible for licensing and oversight is:

Georgia Access to Medical Cannabis Commission (GAMCC)

2 Martin Luther King Jr. Dr. SE Atlanta, GA 30334

Main Line: (404) 656-3040

Website: <https://gamcc.georgia.gov>

For operational dispensing compliance, the Georgia Board of Pharmacy also plays a role:

Georgia Board of Pharmacy

2 Peachtree Street NW

Atlanta, GA 30303

Phone: (404) 651-8000

Website: <https://gbp.georgia.gov>