



Building/Zoning Department  
301 Coleman Avenue  
Waveland, MS 39576  
(228)466-2549  
(228)467-5177 FAX

### Application for Conditional Use

302.16 Conditional Use: A conditional use is a use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such conditional use are made in this zoning ordinance.

\*Current Zoning: C-3 Highway Commercial

Name of Applicant: Gulf Shore Investments, LLC

Date of Application: \_\_\_\_\_

Phone#: \_\_\_\_\_

E-mail (optional): \_\_\_\_\_

Property Physical Address(s): \_\_\_\_\_ US-90, Waveland, MS (Community Center Bldg)

Current Zoning of Property and Proposed Conditional Use: (See\*) Medical Marijuana Processing/Extraction

(Note: To submit a Conditional Use Application you must provide proof of current ownership or a document from the current owner granting you permission to seek a Conditional Use (specific to use) for this property.)

906.3 Conditional Uses: Subject to the provisions of Sections 901 and 902 of this Article, the Planning and Zoning Commission shall set a hearing and make a recommendation to the Board of Mayor and Aldermen to grant a conditional use for the uses enumerated as conditional uses in any district as herein qualified and may impose appropriate conditions and safeguards including a specified period of time for the use to protect property and property values in the neighborhood.

Applications for conditional use for uses authorized by this Ordinance shall be made to the Planning and Zoning Commission. A public hearing shall be held, after giving at least fifteen (15) days' notice of the hearing in an official paper specifying the time and place for said hearing. The application shall be specified by the governing authority. The Planning and Zoning Commission will investigate all aspects of the application giving particular regard to whether such use will:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the city.
5. Overtax public utilities or community facilities.
6. Be in conflict with the Comprehensive Plan.

If the findings by the Planning and Zoning Commission relative to the above subjects are that the City would benefit from the proposed use and the surrounding area would not be adversely affected, then the Commission may recommend the project for approval to the Board of Mayor and Aldermen.

B. Any proposed conditional use shall otherwise comply with all regulations set forth in this Zoning Ordinance for the district in which such use is located.

Please provide a letter providing as much detail as possible regarding the proposed Conditional Use, including but not limited to description of purpose of the conditional Use. Please review the above items regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter).

Applicant Signature: Steve Drown, Pres. 

Date: 3/18/22

Zoning Official Sign-Off: \_\_\_\_\_

Date: \_\_\_\_\_







April 13, 2022

City of Waveland Planning & Zoning Commission  
Attn: Mr. David Draz  
301 Coleman Avenue  
Waveland, MS 39576

Dear Commissioners,

We are requesting a Conditional Use permit for 527 Highway 90, (the Community Center building being part of the Hancock-Whitney bank property) for the purposes of operating a Medical Cannabis Processing facility.

This facility will contain a commercial kitchen, extraction lab and manufacturing & packaging area, all strictly adhering to MS Dept. of Health and all other City and/or State regulations.

The reason for this request is highlighted in yellow in the attached excerpt from Senate Bill 2095, (The Mississippi Medical Cannabis Act), which states that a cannabis processing facility must be located in Agricultural or Industrial zoning UNLESS it is authorized by the municipality by "granting a variance to an existing zoning ordinance or by adopting a change in the zoning ordinance that allows for those entities to be located in specific commercial areas.

As the two (2) buildings included in the Hancock-Whitney property are currently zoned "C-3, Commercial Highway District", our Dispensary, to be located in the Bank building, already has the correct zoning. Given that our sizeable investment (over \$4 million) will be wholly dependent on our ability to operate the Processing/Manufacturing Center as a necessary and integral part of our project. Without this zoning variance, our purchase and conversion of the Bank campus will not be viable, and we'll have to drop the project.

As you can imagine, from a security perspective, there is no better property to locate these businesses than an existing bank. With its vault to secure products and cash and its video security system in place, it is an ideal location for our project. The superior quality, appeal and commercial highway location of these Class A buildings assure us and the City of Waveland that we'll be a destination beneficial to us all.

I have provided to Mr. David Draz a brief, bound proposal describing the project for each of you to review. I trust that you will approve this Conditional Use Permit & we look forward to being a great addition to your City. If you should have any questions or need additional information, please don't hesitate to call or email me.

Best Regards,



John Newman  
Zenlabs-Coast Canna

**SECTION 19. Local ordinances.** (1) A municipality or county may enact ordinances or regulations not in conflict with this chapter, or with regulations enacted under this chapter, governing the time, place, and manner of medical cannabis establishment operations in the locality. A municipality or county may establish penalties for violation of an ordinance or regulation governing the time, place and manner of a medical cannabis establishment that may operate in the municipality or county.

(2) No municipality or county may prohibit dispensaries either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction. The main point of entry of a medical cannabis establishment shall not be located within one thousand (1,000) feet of the nearest property boundary line of any school, church or child care facility. A medical cannabis establishment may receive a waiver to this distance restriction by receiving approval from the school, church or child care facility and by applying for a waiver with its respective licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility.

(3) A dispensary, cannabis research facility or cannabis testing facility may be located in any area in a

municipality or county that is zoned as commercial or for which commercial use is otherwise authorized or not prohibited, provided that it being located there does not violate any other provisions of this chapter. A cannabis cultivation facility and/or cannabis processing facility may be located in any area in a municipality or county that is zoned as agricultural or industrial or for which agricultural or industrial use is otherwise authorized or not prohibited, provided that it being there does not violate any other provision of this chapter. A cannabis cultivation facility and/or cannabis processing facility may be located in any area in a municipality or county that is zoned as commercial or for which commercial use is otherwise authorized or not prohibited, provided that the municipality or county has authorized the entity to be located in such area and that it being there does not violate any other provision of this chapter. The municipality or county may authorize this by granting a variance to an existing zoning ordinance or by adopting a change in the zoning ordinance that allows for those entities to be located in specific commercial areas.

(4) A municipality or county may require a medical cannabis establishment to obtain a local license, permit or registration to operate, and may charge a reasonable fee for the local license, permit or registration, provided that this fee is consistent with fees charged to

businesses that are not involved in the cannabis industry.

(5) No medical cannabis dispensary may be located within a one-thousand-five-hundred-foot radius from the main point of entry of the dispensary to the main point of entry of another medical cannabis dispensary. If the sole basis of denial by the licensing agency in refusing to issue the medical cannabis dispensary a license to operate is that the dispensary fails the distance requirement of this subsection (5), then the licensing agency may refund all or part of the license application fee in Section 18(5) of this act to the applicant.

















City of Waveland  
Building Zoning Department  
301 Coleman Ave.  
Waveland, MS 39576

Re: Gulf Shore Investments, LLC  
527 US-90, Waveland, MS (Community Center Building)

To Whom It May Concern:

Hancock Whitney Bank, as seller of the property located at 527 US-90, Waveland, MS, grants permission for the purchaser to apply for Conditional Use. If you need any further information, please feel free to contact me at [REDACTED]

Thank you,

A handwritten signature in blue ink that reads 'mel at'.

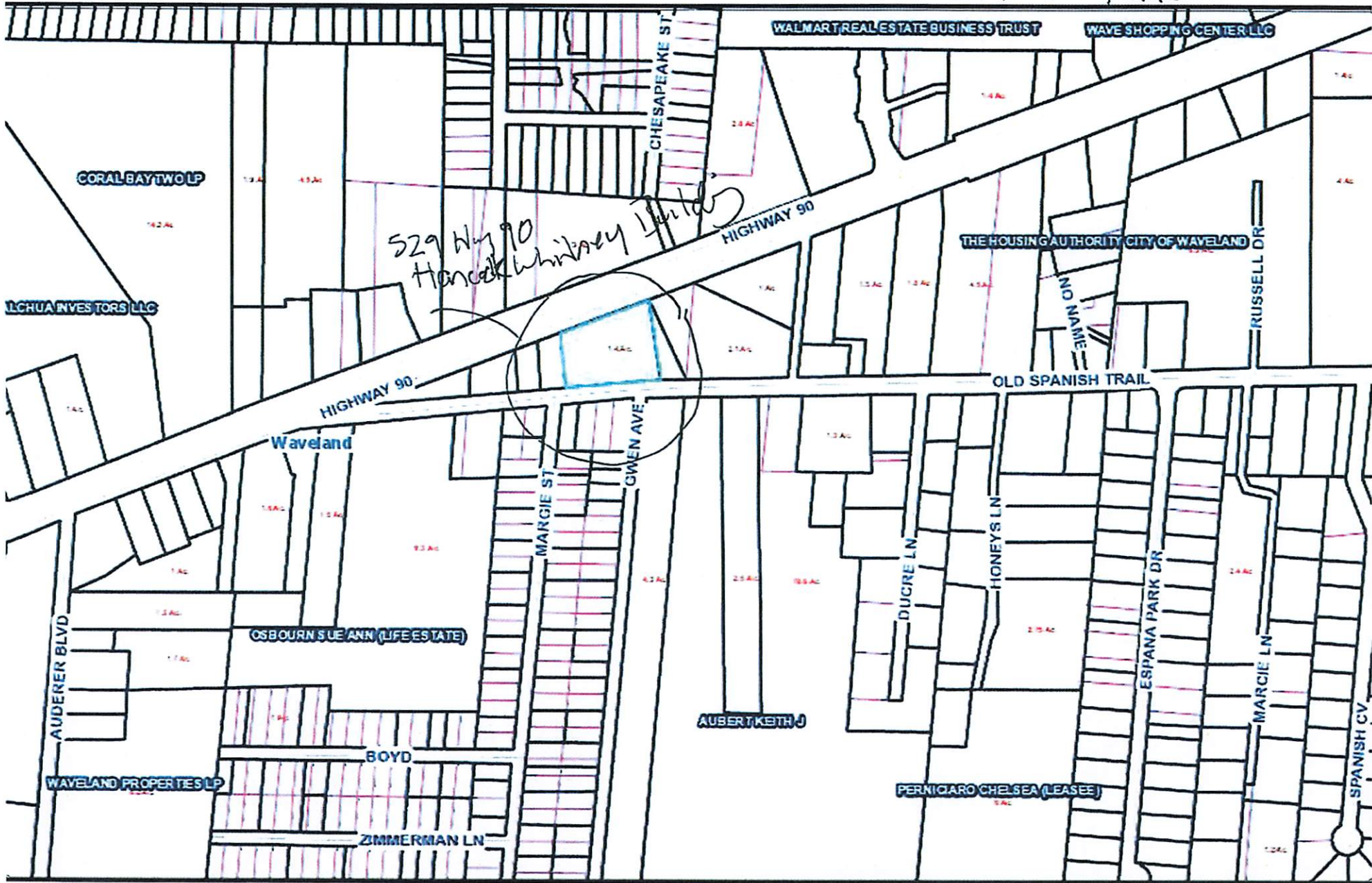
Melissa Airhart  
Assistant Vice President, Asset Manager  
Melissa.Airhart@hancockwhitney.com







# Geoportal map LOCATION MAP



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April 28, 2022

1 inch = 400 feet

