

# LAND MANAGEMENT CODE TEXT AMENDMENT PROPOSAL

Number: 2024-16	Is this a new issue or one previously discussed?	Previous
Version: 3	Is this new text proposed since last discussion in need of initial review?	Yes
	Is this revised text in need of confirmation that it conforms to prior editorial direction?	No
<b>Summary:</b> Amendments to cannabis related enterprises and to have alcohol sales stores be consistently treated with cannabis sales stores.		
<b>Justification :</b> To be consistent with amended State cannabis regulations and meet local priorities for location of certain uses.		

Existing text to be removed is in ~~strikeout~~. New text to be added is in red. Staff direction is in blue.

## Article 3: Definitions

**CANNABIS INCUBATOR** - a State-licensed facility to house micro-growers, micro-processors, and/or delivery-only micro dispensaries. The three micro-use types are defined in Section 36-401 of the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland.

**CBD AND HEMP STORES** - a business establishment for which more than 50% of sales are based on retail sale of products derived from hemp or cannabidiol (CBD) with a tetrahydrocannabinol (THC) concentration less than 0.3% on a dry weight basis, and any paraphernalia utilized with such products. Any products containing greater than 0.3% THC are regulated by the State of Maryland and only allowed for sale in a State-licensed cannabis dispensary.

## Article 4: Zoning

### Section Z. Chart of Permitted and Special Exception Uses

Due to the odor associated with cannabis growers and processors, Planning Commission recommends deleting Indoor plant cultivation and processing facilities from the CC-MU and POM zones, and adding cannabis incubators of certain sizes to the industrial districts as allowed for the indoor plant cultivation and processing facilities.

At the request of an economic development prospect, the Planning Commission also recommends allowing indoor plant cultivation and processing facilities of any size in the PUD-R, which is currently limited to facilities 25,000 sq.ft. or less in gross floor area.

Use	CC-MU
Indoor plant cultivation and processing facilities, when interior space is 5,000 sq.ft. or less in gross floor area.	<del>P</del>

Use	PO M	I-MU	IR	IG	PUD- R
Indoor plant cultivation and processing facilities, when interior space is 25,000 sq.ft. or less in gross floor area.	<del>SE</del>	P	P	P	P
Indoor plant cultivation and processing facilities, when interior space is over 25,000 sq.ft. in gross floor area.	<del>SE</del>	SE	P	P	<del>P</del>
Cannabis Incubator, when interior space is 25,000 sq.ft. or less in gross floor area		P	P	P	
Cannabis Incubator, when interior space is over 25,000 sq.ft. in gross floor area.		SE	P	P	

2024 amendment to State law requires cannabis dispensaries to be treated the same as alcoholic beverage stores in local zoning codes. Currently, alcoholic beverage stores are interpreted under the broad category of retail while cannabis dispensaries are more restricted in their permitted locations.

Rather than allowing cannabis dispensaries in all commercial zones as is the case for alcoholic beverage stores, Planning Commission recommends adding alcoholic beverage stores, as well as CBD and Hemp stores, to the same use category as tobacco stores, vapor and hookah lounges, and cannabis dispensaries, with the same 500 foot separation requirement from all uses in this category. The vast majority of alcoholic beverage stores in the city are in the CG and CR districts, and the County Liquor Board ensures these uses are not placed close to one another. The two CC-MU stores would become non-conforming but still permitted to operate.

State law also allows local jurisdictions to require a maximum 500-foot separation distance between cannabis dispensaries and pre-existing primary and secondary schools, child day cares, playgrounds, rec centers, libraries, parks and places of worship. The Planning Commission recommends that all uses in this category have a mandatory minimum 500 sq.ft. separation distance from these other 7 uses.

Use	C G	C R	PUD- V	PUD- R
Tobacco stores, vapor and hookah lounges, <b>CBD and Hemp stores, alcoholic beverage stores,</b> and cannabis dispensaries and sales facilities located at least 500 feet from any existing <del>tobacco store, vapor and hookah lounge, or cannabis dispensary and sales facility</del> <b>use in this category. These uses shall also be located at least 500 feet from any pre-existing primary or secondary school, licensed or registered child day care provider, playground, recreation center, library, public park, or religious sanctuary.</b>	P	P	P	P

March 3, 2025