



# Prince George's County Council

## Agenda Item Summary

**Meeting Date:** 5/31/2016

**Effective Date:** 5/31/2016

**Reference No.:** CB-005-2016

**Chapter Number:** 12

**Draft No.:** 2

**Public Hearing Date:** 5/31/2016 @1:30 PM

**Proposer(s):** Harrison, Glaros and Davis

**Sponsor(s):** Harrison, Glaros, Davis, Lehman and Taveras

**Item Title:** AN ORDINANCE CONCERNING MEDICAL CANNABIS for the purpose of providing definitions related to Medical Cannabis uses in the Zoning Ordinance and permitting certain Medical Cannabis uses in the O-S, R-A, C-O, C-S-C, I-1, I-2, M-U-I, M-X-T, T-D-O and D-D-O Zones of Prince George's County, under certain circumstances.

**Drafter:** Karen T. Zavakos, Zoning and Legislative Counsel

**Resource Personnel:** Rodney C. Streeter, Chief of Staff / Legislative Aide, District 5

Aimee E. Olivo, Chief of Staff / Legislative Aide, District 3

Nellvenia W. Johnson, Chief of Staff / Legislative Aide, District 6

### LEGISLATIVE HISTORY:

| <b>Date:</b> | <b>Acting Body:</b>   | <b>Action:</b>                        | <b>Sent To:</b> |
|--------------|---|---------------------------------------|-----------------|
| 02/16/2016   | County Council  | presented and referred                | PZED            |
|              | <b>Action Text:</b><br>This Council Bill was presented by Council Members Harrison, Glaros and Davis and referred to the Planning, Zoning and Economic Development Committee  |                                       |                 |
| 03/02/2016   | PZED  | Held in Committee                     |                 |
|              | <b>Action Text:</b><br>This Council Bill was Held in Committee  |                                       |                 |
| 05/02/2016   | PZED  | Favorably recommended with amendments | County Council  |
|              | <b>Action Text:</b><br>A motion was made by Vice Chair Glaros, seconded by Council Member Taveras, that this Council Bill be Favorably recommended with amendments to the County Council. The motion carried by the following vote:<br>Aye: 4 Harrison, Glaros, Franklin and Taveras<br>Absent: 1 Toles |                                       |                 |
| 05/03/2016   | County Council  | introduced                            |                 |

**Action Text:**

This Council Bill was introduced by Council Members Harrison, Glaros, Davis, Lehman and Taveras

05/03/2016 County Council Clerk directed to expedite scheduling of public hearing

**Action Text:**

The Clerk was directed to expedite scheduling of the public hearing for this Council Bill

05/31/2016 County Council public hearing held

**Action Text:**

This public hearing was held.

05/31/2016 County Council rules suspended

**Action Text:**

A motion was made by Council Member Harrison, seconded by Vice Chair Glaros, that the Council Rules of Procedure be suspended to allow for an effective date on the date of adoption. The motion carried by the following vote:

Aye: 8 Davis, Franklin, Glaros, Harrison, Patterson, Taveras, Toles and Turner

Absent: 1 Lehman

05/31/2016 County Council enacted

**Action Text:**

A motion was made by Council Member Harrison, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 8 Davis, Franklin, Glaros, Harrison, Patterson, Taveras, Toles and Turner

Absent: 1 Lehman

**AFFECTED CODE SECTIONS:**

27-445.16 27-372.01 27-548.22 27-548.05 27-547 27-546.17 27-515 27-473 27-461  
27-441 27-464.08 27-475.06.08

**BACKGROUND INFORMATION/FISCAL IMPACT:**

During its 2014 Regular Session, the Maryland General Assembly enacted, and Governor signed into law on April 14, 2014, legislation to establish certain limited, State licensing authority for specified medical cannabis uses in Maryland. Effective from June 1, 2014, Chapters 240 and 256, 2014 Laws of Md., set forth certain medical cannabis uses and direct the issuance of certain licensing procedures with specified limitations and other requirements necessary to operate in the State. In turn, and as required by the 2014 enactments, the Maryland Department of Health and Mental Hygiene promulgated certain regulations for Medical cannabis uses in the State within Title 10, Chapter 62 Code of Maryland Regulations (“COMAR”). These regulations set forth licensing and regulatory requirements necessary

for operation of a Medical cannabis dispensary, a Medical cannabis growing facility, and a Medical cannabis processing facility in the State of Maryland.

In accordance with the District Council's zoning and land use regulatory powers conferred by the legislature through the Regional District Act in Division II, Land Use Article, this bill updates the County Zoning Ordinance to reflect the State-licensed Medical cannabis uses and facilities enacted by the State, and sets forth local land use regulations in order to safeguard the public safety, health, and welfare of County citizens and residents, including a special exception approval process by which State-licensed Medical cannabis uses may locate and operate in Prince George's County.

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**Document(s):** B2016005, CB-5-2016 AIS, CB-005-2016 Report