



THE PRINCE GEORGE'S COUNTY GOVERNMENT


BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774

TELEPHONE (301) 952-3220

MEMORANDUM

To: Jackie Brown, Director, PHED Committee
From: Barbara Stone, Administrator, Board of Appeals 
RE: CB-070-2023, Cannabis Dispensaries-Dispensary

1. The Board of Appeals would request clarification, within this legislation, as to whether the Board has the authority to grant variances to Section 27-464.08.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2023 Legislative Session

Bill No. CB-070-2023

Chapter No.

Proposed and Presented by Council Members Oriadha, Burroughs, Blegay, and Olson

Introduced by

Co-Sponsors

Date of Introduction

ZONING BILL

1 AN ORDINANCE concerning

2 Cannabis Dispensaries-Dispensary

3 For the purpose of amending the additional requirements related to Cannabis use in the R-A, R-E,
4 R-L, R-R, R-S, R-80, R-55 Zones.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 27. ZONING.

7 Section 27-464.08

8 The Prince George's County Code

9 (2019 Edition; 2022 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
12 District in Prince George's County, Maryland, that Section 27-464.08 of the Zoning Ordinance of
13 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be
14 and the same is hereby repealed and reenacted with amendments:

15 PART 6. COMMERCIAL ZONES.

16 DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

17 Sec. 27-464.08

18 (a) The boundaries of property used as a [medical] cannabis dispensary, whether medical or
19 recreational, shall be limited to the IH zone and be at least:

20 (1) [300] 2,500 feet from any R-A, R-E, R-L, R-R, R-S, R-80, or R-55 Zone;

21 (2) [500] 2,500 feet from any land owned by the Maryland-National Capital Park and

1 Planning Commission, unless the land has no recreational facilities within 500 feet
2 of the dispensary property or there is a regulated stream or a County master plan
3 roadway with a functional transportation classification as arterial separating the
4 recreational facilities from the property;

5 (3) [500] 2,500 feet from any Day Care Center for Children or Recreational Program,
6 Before- and After-School land uses, to include summer day camps; and

7 (4) [500] 2,500 feet from any school land uses.

8 [(b)] [Parking requirements for a medical cannabis dispensary shall be at least equivalent to
9 the minimum parking requirements applicable to a medical practitioner's office/medical
10 clinic, as set forth in Part 11 of this Subtitle.]

11 (b) [(c)] A [medical] cannabis dispensary shall not be permitted as an accessory use.

12 (c) [(d)] The boundaries of property used as a [medical] cannabis dispensary shall be at least
13 one (1) mile from any other [medical] cannabis dispensary use.

14 (d) There shall be no on-site consumption of cannabis or cannabis products.

15 (e) Outdoor signage shall be limited to building mounted signs only.

16 (f) The use shall be limited to specified daily hours of operation, which shall be from 10:00
17 a.m. until 8:00 p.m.

18 (g) Any previously established cannabis dispensary that is not in compliance with this
19 section shall have twenty-four (24) months from the date of enactment to fully comply
20 with the mandates in this section.

21 (h) There shall be no special exceptions granted to zoning requirements in section.

22 (i) Any cannabis dispensary that fails to comply with the mandates in this section shall be
23 fined each day it is not in compliance with the mandates in this section in accordance
24 with and in the civil fine amount(s) found in section 28-110, et seq.

25 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance are hereby
26 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
27 sentence, clause, phrase, or word of this Ordinance is declared invalid or unconstitutional by a
28 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
29 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
30 Ordinance of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph,
31 subparagraph, subsection, or section.

1 SECTION 3. BE IT FURTHER ENACTED that this ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

3

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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