

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2021 Legislative Session

Bill No. CB-6-2021

Chapter No. _____

Proposed and Presented by Council Member Ivey

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Medical Cannabis

3 For the purpose of altering the additional requirements related to Medical Cannabis uses in the
4 M-U-I, M-X-T, O-S, C-O, C-S-C, I-1 and I-2 Zones, and permitting certain Medical Cannabis
5 uses in the I-1 (Light Industrial) and I-2 (Heavy Industrial) Zones of Prince George’s County,
6 under certain circumstances.

7 BY repealing and reenacting with amendments:

8 Sections 27-372.01, 27-445.16, 27-464.08, 27-473, and 27-475.06.08,
9 The Zoning Ordinance of Prince George's County, Maryland,
10 being also

11 SUBTITLE 27. ZONING.

12 The Prince George's County Code
13 (2019 Edition; 2020 Supplement).

14 BY adding:

15 Section 27-475.06.08.01,
16 The Zoning Ordinance of Prince George's County, Maryland,
17 being also

18 SUBTITLE 27. ZONING.

19 The Prince George's County Code
20 (2019 Edition; 2020 Supplement).

1 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
2 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
3 District in Prince George's County, Maryland, that Sections 27-372.01, 27-445.16, 27-464.08,
4 27-473, and 27-475.06.08 of the Zoning Ordinance of Prince George's County, Maryland, being
5 also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and
6 reenacted with the following amendments:

7 **SUBTITLE 27. ZONING.**

8 **PART 4. SPECIAL EXCEPTIONS.**

9 **DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL**
10 **EXCEPTIONS.**

11 **Sec. 27-372.01. Medical Cannabis Uses—Dispensary (M-U-I and M-X-T Zones).**

- 12 (a) The boundaries or property used as a medical cannabis dispensary shall be:
 - 13 [(1)] [within one-half mile of a Metrorail Line station, as measured from the center of
 - 14 the transit station platform;]
 - 15 [(2)](1) at least [500] 300 feet from any R-A, R-E, R-L, R-R, R-S, R-80, or R-55 Zone.
 - 16 The distance shall be measured from the customer entrance of the building in which the
 - 17 dispensary is located, following the shortest direct distance on public right-of-way to
 - 18 the property line of R-A, R-E, R-L, R-R, R-S, R-80, or R-55 zones; and
 - 19 [(3)] [at least 500 feet from any land owned by the Maryland-National Capital Park and
 - 20 Planning Commission;]
 - 21 [(4)] (2) at least [500] 300 feet from any school land uses[; and]. The distance shall be
 - 22 measured from the customer entrance of the building in which the dispensary is
 - 23 located, following the shortest direct distance on public right-of-way to the property
 - 24 line of any school land uses.
 - 25 [(5)] [at least one mile from any other medical cannabis dispensary use.]
- 26 [(b)] [A medical cannabis dispensary shall be located within 500 feet of a medical facility,
- 27 as defined in Section 27-107.01 of this Subtitle.]
- 28 [(c)](b)Minimum parking requirements for a medical cannabis dispensary shall be at least
- 29 equivalent to the minimum parking requirements for a medical practitioner's office/medical
- 30 clinic set forth in Part 11 of this Subtitle.
- 31 [(d)] (c) Medical cannabis dispensary is not permitted as an accessory use.

1 [(e)] (d) Outdoor signage shall be limited to building mounted signs and advertisement for
2 cannabis or cannabis products is prohibited.

3 **PART 5. RESIDENTIAL ZONES.**

4 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

5 **Sec. 27-445.16. Medical Cannabis Uses—Growers and Processors (O-S Zone).**

6 (a) The boundaries or property used for Medical Cannabis Grower and/or Processor uses
7 shall be at least [500] 300 feet, measured from the entrance of the building following
8 the shortest direct distance on public right-of-way to the property line, from:

9 (1) any R-A, R-E, R-L, R-R, R-S, R-80, or R-55 Zone; and

10 [(2)] [any land owned by the Maryland-National Capital Park and Planning
11 Commission; and]

12 [(3)] (2) any school land uses.

13 (b) Minimum parking required shall be at least equivalent to minimum parking
14 requirements prescribed within Part 11 of this Subtitle for a wholesale establishment,
15 unless a Departure from Parking and Loading Standards is approved in accordance
16 with the requirements of this Subtitle.

17 (c) Medical Cannabis Grower and/or Processor is not permitted as an accessory use.

18 [(d)] [Buildings, structures, and parking shall be setback from property lines by at least 200
19 feet.]

20 [(e)] [The minimum net lot area shall be 10 acres.]

21 [(f)] (d) Cultivation may be conducted outdoors pursuant to State licensing regulations. All
22 other aspects of the uses shall be conducted within a fully enclosed building, in accordance
23 with all applicable laws, rules, and regulations.

24 [(g)] (e) Outdoor cultivation areas shall be set back at least 100 feet from a street and/or
25 property line and fenced in accordance with applicable State licensing regulations; and a
26 planted bufferyard between the fence line and cultivation area shall be installed.

27 [(h)] (f) Outdoor signage shall be limited to building mounted signs and advertisement for
28 cannabis or cannabis products is prohibited.

29 **PART 6. COMMERCIAL ZONES.**

30 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

31 **Sec. 27-464.08. Medical Cannabis Uses—Dispensary.**

1 (a) The boundaries or property used as a medical cannabis dispensary , measured from the
 2 customer entrance of the building following the shortest direct distance on public right-
 3 of-way to the property line, shall be at least:

4 (1) 300 feet from any R-A, R-E, R-L, R-R, R-S, R-80, or R-55 Zone;

5 [(2)] [500 feet from any land owned by the Maryland-National Capital Park and
 6 Planning Commission, unless the land has no recreational facilities within 500 feet of
 7 the dispensary property or there is a regulated stream or a County master plan roadway
 8 with a functional transportation classification as arterial separating the recreational
 9 facilities from the property;]

10 [(3)](2) [500] 300 feet from any Day Care Center for Children or Recreational
 11 Program, Before- and After- School land uses, to include summer day camps; and

12 [(4)](3) [500] 300 feet from any school land uses.

13 [(b)] [A medical cannabis dispensary shall be located within 500 feet of a medical facility,
 14 as specified in Section 27-107.01 of this Subtitle.]

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

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

19 [(e)] [The boundaries of property used as a medical cannabis dispensary shall be at least
 20 one mile from any other medical cannabis dispensary use.]

21 **PART 7. INDUSTRIAL ZONES.**

22 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

23 **Sec. 27-475.06.08. Medical Cannabis Uses—Growers and Processors (I-1 and I-3 Zones).**

24 (a) The boundaries of property used as medical cannabis grower and/or processor shall be
 25 at least [500] 300 feet, measured from the entrance of the building following the
 26 shortest direct distance on public right-of-way to the property line ,from:

27 (1) any R-A, R-E, R-L, R-R, R-S, R-80, or R-55 Zone; and

28 (2) [any land owned by the Maryland-National Capital Park and Planning
 29 Commission; and]

30 [(3)] any school land uses.

31 (b) Minimum parking required shall be at least equivalent to the minimum parking

1
2
3
4
5
6
7
8
9

requirements set forth in Part 11 of this Subtitle for a wholesale retail establishment.

(c) Medical cannabis grower and/or processor is not permitted as an accessory use.

[(d)] [Buildings, structures, and parking shall be setback from property lines by at least 50 feet.]

[(e)] (d) All aspects of the uses shall be conducted within a fully enclosed building, in accordance with any and all applicable laws, rules, and regulations.

[(f)] (e) Outdoor signage shall be limited to building mounted signs and advertisement for cannabis or cannabis products is prohibited.

* * * * *

**PART 7. INDUSTRIAL ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE				
	I-1 ³³	I-2 ³³	I-3	I-4	U-L-I
(1) COMMERCIAL:					
* * * * *	*	*	*	*	*
(c) Offices:					
* * * * *	*	*	*	*	*
<u>Medical Cannabis Dispensary</u>	<u>P⁷⁷</u>	<u>P⁷⁷</u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*

77 Subject to conformance with Section 27-475.06.08.01 of this Subtitle.

1 SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland,
2 sitting as the District Council for that part of the Maryland-Washington Regional District in
3 Prince George's County, Maryland, that Section 27-475.06.08.01 of the Zoning Ordinance of
4 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
5 be and the same is hereby added:

6 **SUBTITLE 27. ZONING.**

7 **PART 7. INDUSTRIAL ZONES.**

8 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

9 **Sec. 27-475.06.08.01. Medical Cannabis Uses—Dispensary (I-1 and I-2 Zones)**

- 10 (a) The boundaries or property used as a medical cannabis dispensary, measured from the
11 customer entrance of the building following the shortest direct distance on public right-
12 of-way to the property line, shall be at least:
 - 13 (1) 300 feet from any R-A, R-E, R-L, R-R, R-S, R-80, or R-55 Zone;
 - 14 (2) 300 feet from any Day Care Center for Children or Recreational Program, Before-
15 and After- School land uses, to include summer day camps; and
 - 16 (3) 300 feet from any school land uses.
- 17 (b) Parking requirements for a medical cannabis dispensary shall be at least equivalent to
18 the minimum parking requirements applicable to a medical practitioner's office/medical
19 clinic, as set forth in Part 11 of this Subtitle.
- 20 (c) A medical cannabis dispensary shall not be permitted as an accessory use.

21 * * * * *
22

1
2

SECTION #. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this ____ day of _____, 2021.

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: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

* * * * *