The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
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July 14, 2026

TECHNICAL STAFF REPORT

TO: Prince George's County Planning Board

FROM: Natalia Gomez Rojas, AICP, Planner IV - Planning Director's Office

SUBJECT: Legislative Drafting Request LDR-151-2026
Cannabis Dispensaries

The Prince George's County Planning Department's legislative team has reviewed the proposed legislative amendment to the Zoning Ordinance and presents the following evaluation and findings leading to a recommendation of **SUPPORT**.

I. BACKGROUND

A. **Purpose:** LDR-151-2026 would amend section 27-5102(e)(9) of the Zoning Ordinance that is out of alignment with State law. Specifically, it will add "place of worship" to the uses from which a cannabis dispensary or cannabis micro-dispensary must be located at least 500 away and add "pre-existing" to the protected uses subject to the required separation distances.

B. **Impacted Property:** This bill will impact all properties in Prince George's County that allow cannabis uses. The bill will also allow cannabis uses to locate on additional properties within the County where required by State law.

II. EVALUATION CRITERIA

Proposed legislative amendments to the Zoning Ordinance are reviewed under the requirements of Section 27-3501, Legislative Amendment, of the Prince George's County Zoning Ordinance. The Planning Department has considered the following in reviewing this proposed legislative amendment:

A. The Prince George's County Zoning Ordinance;

B. The Alcoholic Beverages & Cannabis Article of the Maryland Code;

C. The *Plan Prince George's 2035 Approved General Plan*;

D. The current area master plans, sector plans, and functional master plans for Prince George's County;

E. The Prince George's County Climate Action Plan; and

F. Referral comments.

III. COMPLIANCE WITH LAW, ASSESSMENT OF TECHNICAL DRAFTING CONVENTIONS, AND PROPOSED AMENDMENTS

The Department has determined that the proposed bill was drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

IV. POLICY ANALYSIS

Background: To implement the legalization of recreational cannabis, the Maryland General Assembly passed the Maryland Cannabis Reform Act ("MCRA"), which became effective on July 1, 2023. The MCRA allows for standard and micro cannabis grower, processor, and dispensary licenses to be issued by the Maryland Cannabis Administration. In response, Prince George's County Council passed Council Bill CB-13-2024 ("CB 13"), which became effective on May 28, 2024, and provides zoning regulations for uses corresponding to each license type.

On 2025, the Planning Department reviewed and presented a recommendation to the Planning Board to support LDR-078-2025. This LDR proposed to amend those provisions of the Prince George's County Zoning Ordinance that would unduly burden cannabis licensees because they are stricter than State law allows. In addition, LDR-078-2025 revised the zoning regulations for standard and micro cannabis grower, and dispensary uses in the Zoning Ordinance. No changes to the standard and micro cannabis processor uses are proposed. This LDR-078-2025 became CB-065-2025 and was enacted in November 2025.

LDR-151-2025: The proposed bill would expand the Zoning Ordinance's cannabis dispensary and micro-dispensary distance limitations to be identical with those established in Section 36-410 of the Alcoholic Beverages and Cannabis Article of the Maryland Code. Under State law, a licensed dispensary may not locate within 500 feet of a pre-existing primary or secondary school, licensed childcare center, registered family childcare home, playground, recreation center, library, public park, or place of worship, or within 1,000 feet of another dispensary. However, State law also authorizes political subdivisions to reduce—but not increase—the 500-foot distance requirements applicable to these protected uses, while allowing the dispensary-to-dispensary separation distance to be increased up to one-half mile by local ordinance as cited below:

> "(b) Except as provided in subsection (d) of this section, a licensed dispensary may not locate within:
>
> (1) 500 feet of:
>
> (i) a pre-existing primary or secondary school in the State, or a licensed child care center or registered family child care home under Title 9.5 of the Education Article; or
>
> (ii) a pre-existing playground, recreation center, library, public park, or place of worship; or
>
> (2) 1,000 feet of another dispensary under this title.

(c)

(1) Except as provided in paragraph (2) of this subsection, a political subdivision may adopt an ordinance reducing, but not increasing, the distance requirements under subsection (b) of this section.

(2) A political subdivision may by ordinance increase the distance limitation for dispensaries under subsection (b)(2) of this section to not more than one-half mile."

Accordingly, the proposed amendment would align the text of the Zoning Ordinance with the language of Section 36-410 of the Maryland Code by incorporating both the term "pre-existing" and the additional protected use of "place of worship."

Although the amendment would make the local ordinance identical to State law, the current Zoning Ordinance is not necessarily out of alignment with State law because State law expressly authorizes counties to reduce the 500-foot separation requirements applicable to protected uses. Specifically, although State law includes a 500-foot distance limitation from houses of worship, counties may reduce it. Md. Code Ann., Alc. Bev. & Cann. § 36-410(b),(c). Because the current Zoning Ordinance does not impose a separation requirement from places of worship, the County has arguably exercised its authority to reduce that particular distance requirement to zero. Accordingly, adding a 500-foot separation from places of worship is a policy choice that the County may adopt, but it is not required by State law.

By contrast, adding the descriptor "pre-existing" would provide consistency with State law and clarify that the required separation distances apply only to uses that existed before the establishment of the cannabis dispensary or cannabis micro-dispensary. This clarification improves regulatory certainty and helps avoid situations in which a lawfully established dispensary could become nonconforming due to the subsequent development of a protected use nearby.

V. COMPLIANCE WITH EVALUATION CRITERIA

Pursuant to Section 27-3501(c)(2)(B), staff finds the following with respect to the proposed amendment:

(i) Is consistent with the goals, policies, and strategies of Plan Prince George's 2035 (or any successor General Plan), area master plans, sector plans, functional master plans, and any other applicable approved plans;

LDR-151-2026 is "consistent with the goals, policies and strategies of Plan Prince George's 2035 ("Plan 2035") (or any successor General Plan), area master plans, sector plans, functional master plans, and any other applicable approved plans" pursuant to Section 27-3501(c)(2)(B)(i) of the Zoning Ordinance".

Consistency with General Plan

Modern, Streamlined, Simpler Ordinance: The first critical initiative identified in Plan 2035 is to "undertake a comprehensive update of the County's Zoning and Subdivision Ordinances to modernize, streamline, and simplify the County's

regulatory environment." Making the distance limitations for cannabis dispensary and cannabis micro dispensary identical to those in State law simplifies the County's regulatory environment. Specifically, this bill will clarify that the 500-foot distance limitation from a place of worship in State law applies in the County. It also clarifies that the dispensary uses need only distance from pre-existing incompatible uses and are not rendered nonconforming if such uses are established after the applicable dispensary use.

Consistency with Area Master and Sector Plans

There are no relevant recommendations within the County's approved Area Master, Sector, or Transit District Development Plans to evaluate the consistency of the proposed legislation.

(ii) Addresses a demonstrated community need;

"Identified community need" is not defined by the Zoning Ordinance and is subjective. There is no identified community need addressed by this legislation.

(iii) Is consistent with the purpose and intent of the zones in this Ordinance, or would improve compatibility among uses and ensure efficient development within the County;

LDR-151-2026 is consistent with the purposes of the zones where cannabis dispensary and cannabis micro-dispensary are permitted. Presently, cannabis dispensary and cannabis micro-dispensary are permitted in a variety of nonresidential and transit-oriented/activity center base zones. The purposes of nonresidential zones often focus on promoting harmony among the uses permitted therein. For example, two purposes of nonresidential zones are to: 1) "Create suitable environments for various types of businesses and protect them from the adverse effects of incompatible development"; and 2) "Create suitable environments for various types of mixed-use development, where business, office, retail, and residential development is designed and integrated in compatible ways". Zoning Ordinance § 27-4203(a)(3),(4). Specific transit-oriented/activity center base zones have similar purposes. For example, a purpose of the TAC zone is "[t]o encourage development that is well integrated in terms of complementary uses, access and circulation and compatible design." 27-4204(d)(1)(C). Requiring separation between cannabis dispensaries and cannabis micro-dispensaries and pre-existing, incompatible uses promote these purposes. The General Assembly has deemed that dispensaries are not compatible with places of worship. Therefore, it imposed a 500' distance limitation between these uses. Accordingly, importing this restriction into the Zoning Ordinance arguably, therefore, promotes greater harmony among incompatible uses.

(iv) Is consistent with the implementation of the strategies and priority recommendations of the Prince George's County Climate Action Plan;

LDR-151-2026 will have minimal impact, if any, on the draft Prince George's County Climate Action Plan.

(v) Is consistent with other related State and local laws and regulations; and

As discussed above, LDR-151-2025 is consistent with the language of Section 36-410 of the Maryland Alcoholic Beverages and Cannabis Article.

(vi) Would avoid creating significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

LDR-151-2026 complies with this criterion.

VI. PLANNING BOARD PUBLIC HEARING

Section 27-3501(c)(2)(D) requires the Prince George's County Planning Board to hold a public hearing and make comments on the proposed legislative amendment within 30 days of the date of the transmittal of the Clerk of the Council. Said public hearing must be noticed by electronic mail at least 21 days prior to the public hearing, sent to every community organization in the County registered pursuant to Section 27-3407(b)(3) of the Zoning Ordinance, and to any person or organization registered pursuant to Section 27-3402(d) of the Zoning Ordinance.

Notice for the public hearing on LDR-151-2026 was sent on July 2, 2026, as required by the Zoning Ordinance. The Planning Board public hearing will be held on July 23, 2026, thus meeting the notice requirement of the Zoning Ordinance.

Comments offered by the public prior to and during the Planning Board's public hearing will be summarized, along with the Planning Board's comments, in the Board's recommendation to Clerk of the Council.

VII. PROPOSED AMENDMENTS

The Department does not have amendments at this time.

VIII. RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Planning Department's legislative team recommends that the Planning Board adopt the findings of this report and recommend Planning Board **SUPPORT** LDR-151-2026.