

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2015, Legislative Day No. 13

Bill No. 61-15

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Councilmembers Almond & Marks

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By the County Council, August 3, 2015

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A BILL  
ENTITLED

AN ACT concerning

Zoning Regulations - Medical Cannabis

FOR the purpose of permitting State-licensed medical cannabis growing, processing, and distribution facilities in certain zones under certain conditions; defining terms; providing certain limitations and conditions on the location of facilities; and generally relating to the location of State-licensed medical cannabis facilities.

BY adding  
Article 4D. Medical Cannabis Facilities  
Sections 4D-101 to 4D-103  
Baltimore County Zoning Regulations

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1 ARTICLE 4D. MEDICAL CANNABIS FACILITIES

2 §4D - 101. DEFINITIONS.

3 (A) AS USED IN THIS ARTICLE, THE FOLLOWING TERMS HAVE THE  
4 MEANINGS INDICATED.

5 (B) “MEDICAL CANNABIS DISPENSARY” MEANS A PERSON OR ENTITY  
6 LICENSED BY THE STATE THAT ACQUIRES, POSSESSES, TRANSFERS, SELLS,  
7 DISPENSES, OR DISTRIBUTES PRODUCTS CONTAINING MEDICAL CANNABIS AND  
8 RELATED SUPPLIES AND PRODUCTS ~~AT A STATE-LICENSED DISPENSARY~~ PURSUANT  
9 TO COMAR 10.62.01 TO 10.62.35.

10 (C) “MEDICAL CANNABIS GROWER” MEANS A PERSON OR ENTITY  
11 LICENSED BY THE STATE THAT CULTIVATES, MANUFACTURES, GROWS, PACKAGES,  
12 OR DISTRIBUTES MEDICAL CANNABIS TO A LICENSED PROCESSOR OR A  
13 REGISTERED INDEPENDENT TESTING LABORATORY PURSUANT TO COMAR 10.62.01  
14 TO 10.62.35.

15 (D) “MEDICAL CANNABIS GROWER FACILITY” MEANS A LOCATION OR  
16 FACILITY AT WHICH A LICENSED MEDICAL CANNABIS GROWER OPERATES.

17 (E) “MEDICAL CANNABIS PROCESSOR” MEANS A PERSON OR ENTITY  
18 LICENSED BY THE STATE THAT TRANSFORMS MEDICAL CANNABIS INTO ANOTHER  
19 PRODUCT OR EXTRACT, AND PACKAGES AND LABELS MEDICAL CANNABIS AND  
20 TRANSFERS ITS PRODUCT TO A LICENSED DISPENSARY PURSUANT TO COMAR  
21 10.62.01 TO 10.62.35.

1 (F) "MEDICAL CANNABIS PROCESSOR FACILITY" MEANS A FACILITY AT  
2 WHICH A LICENSED MEDICAL CANNABIS PROCESSOR OPERATES.

3 §4D - 102. LOCATION OF MEDICAL CANNABIS DISPENSARIES.

4 ~~A. MEDICAL CANNABIS DISPENSARY IS PERMITTED IN THE OR-2 AND~~  
5 ~~B.M. ZONES, BY RIGHT, AS A PRINCIPAL USE LEGALLY AFFILIATED WITH A HEALTH~~  
6 ~~CARE AND SURGERY CENTER.~~

7 ~~B(A) 1. A MEDICAL CANNABIS DISPENSARY IS PERMITTED IN THE B.R.,~~  
8 ~~B.M., B.L., B.L.R., O.T., OR-1, OR-2, O-3, M.L., M.R., M.L.R., AND M.H. AND O-3 ZONES BY~~  
9 ~~RIGHT, AS A PRINCIPAL USE LEGALLY AFFILIATED WITH A STATE LICENSED~~  
10 ~~MEDICAL CLINIC.~~

11 2. A MEDICAL CANNABIS DISPENSARY IS PERMITTED ONLY BY  
12 SPECIAL EXCEPTION IN A B.R., B.M., B.L., B.L.R., OR O-3 ZONE THAT IS LOCATED IN  
13 A COMMERCIAL REVITALIZATION DISTRICT.

14 ~~C. 1. A MEDICAL CANNABIS DISPENSARY IS PERMITTED IN THE B.L.,~~  
15 ~~OR-1, OR-2, M.L., AND M.R. ZONES, BY RIGHT, AS A PRINCIPAL USE LEGALLY~~  
16 ~~AFFILIATED WITH A MEDICAL CLINIC.~~

17 2 (B) A MEDICAL CANNABIS DISPENSARY USE IN COMBINATION  
18 WITH A MEDICAL CLINIC MAY NOT BE LOCATED WITHIN 1,000 FEET OF:

19 (A) ~~A HOUSE OF WORSHIP;~~

20 (B) (I) WITHIN 500 FEET OF A PUBLIC OR PRIVATE ELEMENTARY  
21 SCHOOL, MIDDLE SCHOOL, OR HIGH SCHOOL; OR

22 (C) ~~A PUBLIC PARK OR PUBLIC RECREATIONAL FACILITY;~~

23 ~~(D) A PUBLIC LIBRARY;~~

1 ~~\_\_\_\_\_ (E) A CHILD CARE HOME, CHILD CARE INSTITUTION OR FAMILY~~  
2 ~~DAY CARE HOME LICENSED OR REGISTERED UNDER MARYLAND LAW.~~

3 ~~\_\_\_\_\_ (F) A LOT ZONED RESIDENTIALLY OR DEVOTED PRIMARILY TO~~  
4 ~~RESIDENTIAL USE; OR~~

5 ~~(G) WITH (II) WITHIN 2,500 FEET OF ANOTHER MEDICAL CANNABIS~~  
6 ~~DISPENSARY.~~

7 (C) ALL SETBACKS UNDER SUBSECTION (B) SHALL BE  
8 MEASURED FROM THE NEAREST PROPERTY LINE OF THE MEDICAL CANNABIS  
9 DISPENSARY USING A DIRECT LINE TO THE NEAREST PROPERTY LINE OF THE  
10 SCHOOL OR OTHER DISPENSARY.

11  
12 §4D - 103. LOCATION OF MEDICAL CANNABIS GROWER FACILITY AND  
13 MEDICAL CANNABIS PROCESSOR FACILITY.

14 (A) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL  
15 CANNABIS PROCESSOR FACILITY MAY BE LOCATED IN A R.C.2, S.E. OR M.L.-I.M.  
16 ZONE, BY RIGHT.

17 (B) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL  
18 CANNABIS PROCESSOR FACILITY MAY BE LOCATED IN A R.C. 7 OR R.C. 8 ZONE, BY  
19 SPECIAL EXCEPTION ONLY.

20 (C) A MEDICAL CANNABIS GROWER FACILITY OR A MEDICAL  
21 CANNABIS PROCESSOR FACILITY IS PERMITTED ONLY BY SPECIAL EXCEPTION IN A  
22 M.L.-I.M. ZONE LOCATED WITHIN THE CHESAPEAKE ENTERPRISE ZONE.

1           SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the  
2 affirmative vote of five members of the County Council, shall take effect on September 21, 2015.

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