

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2023-21**

BILL NO. 2023-11 As Amended

Title of Bill: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements.

Introduced by: Council President at the request of the County Executive

Introduced and order posted on: November 21, 2023

Public Hearing Scheduled on: December 19, 2023 at 7:00 pm

Consideration scheduled on: January 2, 2024

By: 
Council Manager

Notice of time and place of public hearing and title of Bill having been posted by November 21, 2023 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on December 6, 2023 and December 13, 2023, a public hearing was held on December 19, 2023 and concluded on December 19, 2023.

By: 
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
~~Strike through~~ indicate matter deleted from existing ordinance.
Underlining indicates language added by amendment.
~~Double Strike through~~ indicates language deleted by amendment.

BILL NO. 2023-11 As Amended
Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

1 **WHEREAS**, pursuant to the Annotated Code of Maryland, Division 1, Title 4, Subtitle 1, Section
2 4-101(a)(1), Land Use Article it is the policy of the State that orderly development and use of land and
3 structure requires comprehensive regulation through the implementation of planning and zoning
4 controls; and

5 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-102, Land Use Article, a
6 legislative body may regulate to promote the health, safety, and general welfare of the community;
7 and

8 **WHEREAS**, pursuant to Annotated Code of Maryland Section 4-103, Land Use Article, a
9 legislative body may impose any additional conditions or limitations that the legislative body considers
10 appropriate to improve or protect the general character and design of the land and improvements
11 being zoned or rezoned; and

12 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-202, Land Use Article, the
13 legislative body shall adopt zoning regulations in accordance with the plan, with reasonable
14 consideration for the character of the district or zone and its uses and with a view to conserve the value
15 of property and encourage the orderly development of the most appropriate use of land; and

16 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(a), Land Use Article, a
17 legislative body shall provide for the manner in which its zoning regulations and the boundaries of the
18 districts and zones shall be established, enforced and amended; and

19 **WHEREAS**, the 2023 Maryland General Assembly enacted Senate Bill 516 (Enrolled Chapters
20 254/255) which enacted comprehensive Cannabis Reform legislation including, but is not limited to,
21 delineating the regulated actions that political subdivisions of the states may take regarding cannabis
22 business; and

23 **WHEREAS** Md. Code Ann., Alcoholic Beverages and Cannabis §36-401 establishes a standard
24 and micro license types for cannabis growers, processors, dispensaries, incubator spaces, and on-site
25 consumption; and

26 **WHEREAS**, Md. Code Ann., Alcoholic Beverages and Cannabis §36-405 establishes that a
27 political subdivision may establish reasonable zoning requirements for cannabis businesses; and

28 **WHEREAS**, Md. Code Ann., Alcoholic Beverages and Cannabis §36-407 establishes that on-site
29 consumption operations may be prohibited by a County; and

BILL NO. 2023-11 As Amended
Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

30 **WHEREAS**, Md. Code Ann., Alcoholic Beverages and Cannabis §36-410 establishes minimum
31 location criteria for dispensaries throughout the state; and

32 **WHEREAS** pursuant to Annotated Code of Maryland, Section 4-203(b)(1), Land Use Article, a
33 legislative body shall hold at least one public hearing on a proposed zoning regulation or boundary at
34 which parties of interest and citizens have an opportunity to be heard; and

35 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(b)(2), Land Use Article, the
36 legislative body shall publish notice of the time and place of the public hearing, together with a
37 summary of the proposed zoning regulations or boundary, in at least one newspaper of general
38 circulation in the local jurisdiction once each week for 2 successive weeks, and

39 **WHEREAS**, an amendment to the Zoning Ordinance has been proposed to amend Article II, Part
40 I, Section 12 by adding the definitions to Cannabis terms; Dispensary, Cannabis Grower, Cannabis
41 Independent Testing Laboratory, Cannabis On-Site Consumption Establishment; and Cannabis
42 Processor; and

43 **WHEREAS**, an amendment to the Zoning Ordinance has been proposed to amend Article IV,
44 Section 54, Permissible Uses Table, in order to insert 12.17.000, Cannabis Grower, 12.17.100, Cannabis
45 Processor, 12.17.200, Cannabis Independent Testing Laboratory, 12.17.300, Dispensary 12.17.400,
46 Cannabis On-Site Consumption Establishment; and

47 **WHEREAS**, an amendment to the Zoning Ordinance has been proposed to amend Article V, Part
48 III, Section 79, Home Occupations, in order to correct the numbering due to number five (5) being
49 missed in the zoning ordinance and insert number six (6); and

50 **WHEREAS**, an amendment to the Zoning Ordinance has been proposed to Insert Article V, Part
51 XII, Sections 164A, 164B, 164C, & 164D, Cannabis in order to insert supplementary use requirements
52 for Cannabis Grower, Cannabis Processor, Cannabis Independent Testing Laboratory, Dispensary, and
53 Cannabis On-Site Consumption Establishment; and

54 **WHEREAS**, an amendment to the Zoning Ordinance has been proposed to Amend Article XIII,
55 Section 263, Prohibited Signs to insert number thirteen (13); and

56 **WHEREAS**, an amendment to the Zoning Ordinance has been proposed to Amend Article XIV,
57 Section 276, Accessibility and Parking Requirements, General Loading Specifications; and

58 **WHEREAS**, to prepare the Cecil County Zoning Ordinance for implementation of Maryland's
59 Cannabis Reform; and

BILL NO. 2023-11 As Amended
Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

60 **WHEREAS**, the Cecil County Planning Commission reviewed the proposed amendments on
61 November 20, 2023.

62 **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
63 **MARYLAND**, that the proposed amendments to Article II, Part I, Section 12, Definitions of the Cecil
64 County Zoning Ordinance is hereby adopted as follows:

65 **Section 12. Definitions**

66 **DISPENSARY – A DISPENSARY IS:**

- 67 **1. ANY ENTITY LICENSED UNDER THE MARYLAND CANNABIS ADMINISTRATION THAT ACQUIRES,**
68 **POSSESSES, REPACKAGES, TRANSPORTS, SELLS, DISTRIBUTES, OR DISPENSES CANNABIS OR**
69 **CANNABIS PRODUCTS, INCLUDING BUT NOT LIMITED TO, TINCTURES, AEROSOLS, OILS, AND**
70 **OINTMENTS, RELATED SUPPLIES, AND EDUCATIONAL MATERIALS FOR THE USE BY**
71 **QUALIFYING PATIENTS, CAREGIVERS, OR CONSUMERS THROUGH A STOREFRONT OR**
72 **DELIVERY SERVICE BASED ON LICENSED TYPE.; OR**
- 73 **2. ANY OTHER ENTITY THAT ACQUIRES, POSSESSES, REPACKAGES, TRANSPORTS, SELLS,**
74 **DISTRIBUTES OR DISPENSES ANY HEMP-DERIVED PRODUCT, OR ANY OTHER PRODUCT THAT**
75 **IS CREATED BY A CHEMICAL REACTION THAT CHANGES THE MOLECULAR STRUCTURE OF ANY**
76 **CHEMICAL SUBSTANCE DERIVED FROM CANNABIS SATIVA, INTENDED FOR HUMAN**
77 **CONSUMPTION.**

78 **CANNABIS GROWER – AN ENTITY LICENSED UNDER MARYLAND CANNABIS ADMINISTRATION THAT**
79 **CULTIVATES, OR PACKAGES CANNABIS AND IS AUTHORIZED BY THE MARYLAND CANNABIS**
80 **ADMINISTRATION TO PROVIDE CANNABIS TO OTHER CANNABIS LICENSEES AND REGISTERED**
81 **INDEPENDENT LABORATORIES.**

82 **CANNABIS INDEPENDENT TESTING LABORATORY – A FACILITY, AN ENTITY, OR A SITE REGISTERED**
83 **WITH THE MARYLAND CANNABIS ADMINISTRATION TO PERFORM TESTS RELATED TO THE**
84 **INSPECTION AND TESTING OF CANNABIS AND PRODUCTS CONTAINING CANNABIS.**

85 **CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT – AN ENTITY LICENSED UNDER §36-401(C)(4) OF**
86 **THE MARYLAND CANNABIS ADMINISTRATION TO DISTRIBUTE CANNABIS PRODUCTS FOR ON-SITE**
87 **CONSUMPTION OTHER THAN CONSUMPTION BY SMOKING INDOORS.**

88 **CANNABIS PROCESSOR – AN ENTITY LICENSED UNDER MARYLAND CANNABIS ADMINISTRATION**
89 **THAT TRANSFORMS CANNABIS INTO ANOTHER PRODUCT OR AN EXTRACT AND PACKAGES AND**

90 **LABELS THE CANNABIS PRODUCT AND IS AUTHORIZED BY THE MARYLAND CANNABIS**
91 **ADMINISTRATION TO PROVIDE CANNABIS TO LICENSED DISPENSARIES AND REGISTER INDEPENDENT**
92 **TESTING LABORATORIES.**

93 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
94 the proposed amendments to Article IV, Section 54, Permissible Uses Table of the Cecil County Zoning
95 Ordinance is hereby adopted as follows:

96 **Section 54. Permissible Uses Table**

97 **As shown in attachment 1.**

98 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
99 the proposed amendments to Amend Article V, Part III, Section 79, Home Occupations (3.05.000) of the
100 Cecil County Zoning Ordinance is hereby adopted as follows:

101 **Section 79. Home Occupation (3.05.000)**

102 Home occupations may be permitted in the RMU zone and permitted as a Special Exception in the NAR, SAR, RR,
103 LDR, ST, VR, UR, RM and MEA zones provided that:

- 104 1. Home occupations are conducted on the same property as the residence and do not change the
105 residential character of the property.
- 106 2. No type of advertisement for the home occupations shall be carried out on the property, except one (1)
107 unlighted sign identifying the home occupation, limited to three (3) square feet in size.
- 108 3. No goods for sale or rent shall be stored on the property in a manner as to be seen from off the
109 premises.
- 110 4. Parking is provided in accordance with Article XIV.
- 111 ~~5.6.~~ No equipment or process shall be used which creates noise, vibration, glare, fumes, odor, or electrical
112 interference detectable from adjoining properties.

113 **6. ANY PROPOSED USE REGULATED BY THE MARYLAND CANNABIS ADMINISTRATION OR IS A**
114 **DISPENSARY SHALL NOT BE CONSIDERED AS A HOME OCCUPATION AND IS SUBJECT TO THE DESIGNED**
115 **REGULATIONS FOR THE SPECIFIC USE DELINEATED IN THIS ORDINANCE.**

116 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
117 the proposed amendments to Insert Article V, Part XII, Sections 164A, 164B, 164C, & 164D –
118 Cannabis of the Cecil County Zoning Ordinance is hereby adopted as follows:

119 **SECTION 164A CANNABIS GROWER (12.17.000)**

BILL NO. 2023-11 As Amended
Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

- 120 1. A CANNABIS GROWER FACILITY ~~MAY~~ SHALL BE PERMITTED AND EXEMPT IN NAR AND SAR ZONES
121 PROVIDED THE FACILITY WAS PROPERLY LICENSED AND OPERATING PRIOR TO DECEMBER 31, 2023.
- 122 2. A CANNABIS GROWER FACILITY MAY BE PERMITTED AS A SPECIAL EXCEPTION IN THE BI, M1, & M2
123 ZONES PROVIDED:
- 124 a. THE MINIMUM SITE AREA SHALL BE TEN (10) ACRES.
 - 125 b. STRUCTURES ERECTED OR TO BE USED SHALL BE AT LEAST 100 FEET FROM ANY PROPERTY
126 LINE.
 - 127 c. THE CUMULATIVE TOTAL OF STRUCTURES IS LIMITED TO 300,000 SQUARE FEET.
 - 128 d. USES SHALL BE CONFINED TO A STRUCTURE.
 - 129 e. A MAJOR SITE PLAN MUST BE APPROVED BY THE DEPARTMENT OF LAND USE AND
130 DEVELOPMENT SERVICES.
 - 131 f. A CANNABIS GROWING FACILITY MAY NOT BE LOCATED WITHIN A 1-MILE RADIUS OF
132 ANOTHER CANNABIS GROWING FACILITY.
 - 133 g. ACCESS FROM AN ARTERIAL OR COLLECTOR ROAD IS PROHIBITED. ACCESS MUST BE FROM AN
134 INTERNAL ROAD SERVICING THE BI, M1 & M2 SITE.
 - 135 h. OFF-STREET PARKING SHALL BE 100 FEET FROM ANY PROPERTY LINE.
 - 136 i. A BUFFERYARD MEETING THE BUFFERYARD E STANDARD SHALL BE REQUIRED:
 - 137 i. FROM ALL ROADS.
 - 138 ii. FROM CONTIGUOUS RESIDENTIAL USES OR ZONING DISTRICTS.
 - 139 j. A FACILITY THAT IS LICENSED AS BOTH A MEDICAL CANNABIS GROWER AND A MEDICAL
140 CANNABIS PROCESSOR MAY BE CO-LOCATED IN THE SAME STRUCTURE.
 - 141 k. SIGNAGE
 - 142 i. ONLY ONE ON-SITE SIGN LIMITED TO DISPLAYING THE FOLLOWING INFORMATION:
143 NAME OF BUSINESS; LOGOGRAM OF BUSINESS; AND BUSINESS' ADDRESS, HOURS OF
144 OPERATION AND CONTACT INFORMATION. OTHER THAN THE FOREGOING
145 INFORMATION, NO ADVERTISING FOR CANNABIS OR CANNABIS PRODUCTS SHALL BE
146 DISPLAYED ON ANY SIGN IN A PUBLICLY VISIBLE LOCATION. THE ALLOWABLE TOTAL
147 SIGN AREA OF THIS SIGN SHALL NOT EXCEED A MAXIMUM SIZE OF 100 SQUARE FEET.
 - 148 ii. THE MAXIMUM HEIGHT OF THE SIGN SHALL BE EIGHT (8) FEET AS MEASURED FROM
149 WHERE THE SIGN MEETS THE GROUND.
 - 150 iii. ANY SIGN REQUIRED BY LAW OR REQUIRED OR RECOMMENDED BY A GOVERNMENT
151 AGENCY OR UTILITY COMPANY, IS ALLOWED.

Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

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- iv. ANY SIGN OR SIGNS IDENTIFYING THAT THE PREMISES ARE PROTECTED BY A SECURITY COMPANY IS ALLOWED, AND THE AGGREGATE AREA OF SUCH SIGNS IS LIMITED TO 3 SQUARE FEET.
- v. ANY SIGN, INCLUDING TEMPORARY SIGNAGE, SHALL BE IN CONFORMANCE OF THESE PROVISIONS AND ARTICLE XIII BY THE 90TH DAY THESE PROVISIONS ARE EFFECTIVE.

- I. A COPY OF THE LICENSE ISSUED BY THE MARYLAND CANNABIS ADMINISTRATION SHALL BE SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

SECTION 164B CANNABIS PROCESSOR (12.17.100) & CANNABIS INDEPENDENT TESTING LABORATORY (12.17.200)

- 1. A CANNABIS PROCESSOR FACILITY ~~MAY~~ SHALL BE PERMITTED AND EXEMPT IN NAR AND SAR ZONES PROVIDED THE FACILITY WAS PROPERLY LICENSED AND OPERATING PRIOR TO DECEMBER 31, 2023.
- 2. A CANNABIS PROCESSOR FACILITY MAY BE PERMITTED AS A SPECIAL EXCEPTION IN THE BI, M1, & M2 ZONES PROVIDED:
 - a. THE MINIMUM SITE AREA SHALL BE FIVE (5) ACRES.
 - b. STRUCTURES ERECTED OR TO BE USED SHALL BE AT LEAST 100 FEET FROM ANY PROPERTY LINE.
 - c. THE CUMULATIVE TOTAL OF STRUCTURES IS LIMITED TO 50,000 SQUARE FEET.
 - d. USES SHALL BE CONFINED TO A STRUCTURE.
 - e. A MAJOR SITE PLAN MUST BE APPROVED BY THE DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.
 - f. FACILITIES SHALL BE LOCATED AT LEAST TWO THOUSAND, FIVE HUNDRED (2,500) FEET FROM ANOTHER CANNABIS PROCESSING FACILITY.
 - g. ACCESS FROM AN ARTERIAL OR COLLECTOR ROAD IS PROHIBITED. ACCESS MUST BE FROM AN INTERNAL ROAD SERVICING THE BI, M1 & M2 SITE.
 - h. OFF-STREET PARKING SHALL BE 100 FEET FROM ANY PROPERTY LINE.
 - i. A BUFFERYARD MEETING THE BUFFERYARD E STANDARD SHALL BE REQUIRED:
 - i. FROM ALL ROADS.
 - ii. FROM CONTIGUOUS RESIDENTIAL USES OR ZONING DISTRICTS.
 - j. SIGNAGE
 - i. ONLY ONE ON-SITE SIGN LIMITED TO DISPLAYING THE FOLLOWING INFORMATION: NAME OF BUSINESS; LOGOGRAM OF BUSINESS; AND BUSINESS' ADDRESS, HOURS OF OPERATION AND CONTACT INFORMATION. OTHER THAN THE FOREGOING INFORMATION, NO ADVERTISING FOR CANNABIS OR CANNABIS PRODUCTS SHALL BE

Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

- 185 DISPLAYED ON ANY SIGN IN A PUBLICLY VISIBLE LOCATION. THE ALLOWABLE TOTAL
- 186 SIGN AREA OF THIS SIGN SHALL NOT EXCEED A MAXIMUM SIZE OF 64 SQUARE FEET.
- 187 ii. THE MAXIMUM HEIGHT OF THE SIGN SHALL BE EIGHT (8) FEET AS MEASURED FROM
- 188 WHERE THE SIGN MEETS THE GROUND.
- 189 iii. ANY SIGN REQUIRED BY LAW OR REQUIRED OR RECOMMENDED BY A GOVERNMENT
- 190 AGENCY OR UTILITY COMPANY, IS ALLOWED.
- 191 iv. ANY SIGN OR SIGNS IDENTIFYING THAT THE PREMISES ARE PROTECTED BY A SECURITY
- 192 COMPANY IS ALLOWED, AND THE AGGREGATE AREA OF SUCH SIGNS IS LIMITED TO 3
- 193 SQUARE FEET.
- 194 v. ANY SIGN, INCLUDING TEMPORARY SIGNAGE, SHALL BE IN CONFORMANCE OF THESE
- 195 PROVISIONS AND ARTICLE XIII BY THE 90TH DAY THESE PROVISIONS ARE EFFECTIVE.
- 196 k. A COPY OF THE LICENSE ISSUED BY THE MARYLAND CANNABIS ADMINISTRATION SHALL BE
- 197 SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

SECTION 164C DISPENSARY (12.17.300)

A DISPENSARY MAY BE PERMITTED AS A SPECIAL EXCEPTION IN THE EMU, BG, OR BI, ZONES PROVIDED:

- 200 1. DISPENSARIES SHALL BE EQUALLY DISTRIBUTED AMONG THE COUNCILMANIC DISTRICTS. EACH
- 201 DISTRICT SHALL HAVE AN EQUAL AMOUNT OF DISPENSARIES PRIOR TO THE ALLOWANCE OF AN
- 202 ADDITIONAL NUMBER DISPENSARIES FOR EACH COUNCILMANIC DISTRICT.
- 203 2. THE MINIMUM SITE AREA SHALL BE ONE (1) ACRE.
- 204 3. THERE SHALL BE ONLY ONE STRUCTURE LOCATED ON SITE AND THE DISPENSARY SHALL BE THE ONLY
- 205 USE WITHIN THE STRUCTURE. THE USE OF THE PROPERTY FOR MULTIPLE TENANTS OR USES IS
- 206 PROHIBITED.
- 207 4. STRUCTURES ERECTED OR TO BE USED SHALL BE AT LEAST 75 FEET FROM ANY PROPERTY LINE.
- 208 5. THE STRUCTURE IS LIMITED TO 10,000 SQUARE FEET.
- 209 6. DISPENSARY USE SHALL BE CONFINED TO A STRUCTURE.
- 210 7. SALES OF ACCESSORY ITEMS THAT ARE NOT REGULATED BY THE MARYLAND CANNABIS
- 211 ADMINISTRATION ARE PROHIBITED. SUCH ITEMS MAY INCLUDE APPAREL, PARAPHERNALIA,
- 212 SOUVENIRS, OR SIMILAR ITEMS.
- 213 8. AREAS OF WASTE STORAGE SHALL NOT BE GREATER THAN 200 SQUARE FEET IN A SELF-ENCLOSED
- 214 AREA THAT SHALL BE SECURED FROM TAMPERING AND LOCKED WHEN NOT IN USE.
- 215 9. SPECIAL EXCEPTIONS FOR THIS USE MAY NOT EXCEED THREE YEARS, SUBJECT TO RENEWAL.
- 216 10. A MAJOR SITE PLAN MUST BE APPROVED BY THE DEPARTMENT OF LAND USE AND DEVELOPMENT
- 217 SERVICES.

Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

218 11. FACILITIES SHALL BE LOCATED:

- 219 a. AT LEAST ONE-THOUSAND FEET (1,000) FEET FROM A DWELLING, PLAYGROUND, RECREATION
- 220 CENTER, LIBRARY, PUBLIC PARK, PRE-EXISTING PRIMARY OR SECONDARY SCHOOL IN THE
- 221 STATE, OR LICENSED DAY CARE CENTER OR REGISTERED FAMILY CHILD CARE HOME UNDER
- 222 TITLE 9.5 OF MD. EDUCATION CODE ANN., OR ANY MUNICIPAL COPROATE LIMITS.
- 223 b. AT LEAST ONE THOUSAND FIVE HUNDRED FEET (1,500) FROM ANOTHER CANNABIS
- 224 DISPENSARY
- 225 c. THE DISTANCE REQUIREMENTS UNDER SUBPARAGRAPH A. DO NOT APPLY TO A DISPENSARY
- 226 THAT WAS PROPERLY ZONED AND OPERATING PRIOR TO JULY 1, 2023 IN ACCORDANCE WITH
- 227 MD. ALCOHOLIC BEVERAGES AND CANNABIS CODE ANN. §36-410 (D).

228 12. ACCESS SHALL BE FROM AN ARTERIAL ROAD OR INTERNAL ROAD SERVICING THE EMU, BG, OR BI SITE.

229 13. A BUFFERYARD MEETING THE BUFFERYARD D STANDARD SHALL BE REQUIRED:

- 230 a. FROM ALL ROADS.
- 231 b. FROM CONTIGUOUS RESIDENTIAL USES OR ZONING DISTRICTS.

232 14. SIGNAGE

- 233 a. ONLY ONE ON-SITE SIGN LIMITED TO DISPLAYING THE FOLLOWING INFORMATION: NAME OF
- 234 BUSINESS; LOGOGRAM OF BUSINESS; AND BUSINESS' ADDRESS, HOURS OF OPERATION AND
- 235 CONTACT INFORMATION. OTHER THAN THE FOREGOING INFORMATION, NO ADVERTISING
- 236 FOR CANNABIS OR CANNABIS PRODUCTS SHALL BE DISPLAYED ON ANY SIGN IN A PUBLICLY
- 237 VISIBLE LOCATION. THE ALLOWABLE TOTAL SIGN AREA OF THIS SIGN SHALL NOT EXCEED A
- 238 MAXIMUM SIZE OF 40 SQUARE FEET.
- 239 b. THE MAXIMUM HEIGHT OF THE SIGN SHALL BE EIGHT (8) FEET AS MEASURED FROM WHERE
- 240 THE SIGN MEETS THE GROUND.
- 241 c. ANY SIGN REQUIRED BY LAW OR REQUIRED OR RECOMMENDED BY A GOVERNMENT AGENCY
- 242 OR UTILITY COMPANY, IS ALLOWED.
- 243 d. ANY SIGN OR SIGNS IDENTIFYING THAT THE PREMISES ARE PROTECTED BY A SECURITY
- 244 COMPANY IS ALLOWED, AND THE AGGREGATE AREA OF SUCH SIGNS IS LIMITED TO 3 SQUARE
- 245 FEET.
- 246 e. ANY SIGN, INCLUDING TEMPORARY SIGNAGE, SHALL BE IN CONFORMANCE OF THESE
- 247 PROVISIONS AND ARTICLE XIII BY THE 90TH DAY THESE PROVISIONS ARE EFFECTIVE.

248 15. PARKING SHALL BE AT LEAST 50 FEET FROM ANY PROPERTY LINE.

249 16. A COPY OF THE LICENSE ISSUED BY THE MARYLAND CANNABIS ADMINISTRATION SHALL BE
250 SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

BILL NO. 2023-11 As Amended
Amendment – Zoning Ordinance – Cannabis Definitions, Permissible Uses, Home Occupation Prohibited Signs and General Loading Specifications

251 **SECTION 164D CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT (12.17.400)**

252 **A CANNABIS ON-SITE CONSUMPTION FACILITY IS PROHIBITED IN CECIL COUNTY. {SEE MD. ALCOHOLIC**
253 **BEVERAGES AND CANNABIS CODE ANN. §36-407 (B)(1)}**

254 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
255 the proposed amendments to Amend Article XIII, Section 263, Prohibited Signs of the Cecil County
256 Zoning Ordinance is hereby adopted as follows:

257 **SECTION 263. PROHIBITED SIGNS**

258 **13. ANY DISCERNIBLE ADVERTISING FOR CANNABIS, CANNABIS PRODUCTS, OR CANNABIS APPURTENANCES IN**
259 **A PUBLICLY VISIBLE LOCATION.**

260 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
261 the proposed amendments to Amend Article XIV, Section 276, General Loading Specifications of the
262 Cecil County Zoning Ordinance is hereby adopted as follows:

263 **As shown in attachment 2.**

264 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
265 this Act shall take effect in 60 calendar days from the date it becomes law.

CERTIFICATION

I HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time, and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and a copy was made available on the Cecil County website.


BY: Council Manager

BILL NO: 2023-11 as Amended

Title of Bill: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

[Signature]
Council Manager

[Signature]
Council President

Date: January 2, 2024

Date: January 2, 2024

BY THE COUNCIL

Read the third time.

Passed – LSD 2024-01

Failed of Passage – LSD _____

BY: [Signature]
Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this

3rd day of January, 2024 at 9:00 am/pm.
(10 business days from adoption per Charter 306)

BY: [Signature]
Council Manager



BY THE EXECUTIVE:
[Signature]
Cecil County Executive

APPROVED Date: 1-5-24

VETOED Date: _____
(10 business days from presentation per Charter 306)

BY THE COUNCIL

Bill No. 2023-11 having been approved by the Executive and returned to the Council becomes law on

January 2, 2024 with an effective date of March 4, 2024.
(60 calendar days after enactment unless otherwise specified per Charter 307)

BY: [Signature]
Council Manager

Amendment No. 1

To Bill 2023-11

Title: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements

Introduced by: Council President Gregory and Vice President Meffley

On Page 9, line 222 add:

, or any municipal corporate limits.

Vice President Meffley made a motion to approve Amendment 1 to Bill 2023-11, seconded by Councilwoman Culberson.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

Amendment No. 2

To Bill 2023-11

Title: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements

Introduced by: Vice President Meffley

On Page 8, line 210 through 212 strike:

7. SALES OF ACCESSORY ITEMS THAT ARE NOT REGULATED BY THE MARYLAND CANNABIS ADMINISTRATION ARE PROHIBITED. SUCH ITEMS MAY INCLUDE APPAREL, PARAPHERNALIA, SOUVENIRS, OR SIMILAR ITEMS.

add:

7. RESERVED

Vice President Meffley made a motion to approve Amendment 2 to Bill 2023-11, seconded by Councilman Miller.

Roll call vote: Hamilton – N, Miller -Y, Culberson – N, Meffley – Y, Gregory- N
The motion was defeated 3 to 2.

Amendment No. 3

To Bill 2023-11

Title: Amendment – Zoning Ordinance – Cannabis – Definitions, Permissible Uses, Home Occupation, Prohibited Signs, and General Loading Specifications

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article II, Part I, Section 12, Definitions in order to add and define Cannabis Terms; Amend Article IV, Section 54, Permissible Uses Tables in order to amend by insertion; Amend Article V, Part III, Section 79, Home Occupations in order strike number 5 due to inaccurate numbering and insert number six (6); in order to Insert Article V, Part XII, Section 164A, 164B, 164C, & 164D, Cannabis Section 164A Cannabis Grower, Section 164B Cannabis Processor & Cannabis Independent Testing Laboratory, Section 164C Dispensary, & 164D Cannabis On-Site Consumption Establishment; Amend Article XIII, Section 263, Prohibited Signs in order to add number thirteen (13); Amend Article XIV, Section 276, General Loading Specifications in order to add to Use, Loading Space, and Off Street Parking Requirements

Introduced by: President Gregory

On Page 6, line 120 strike:

may

Add:

shall

On page 7, line 161 strike:

may

Add:

shall

Councilwoman Hamilton made a motion to approve Amendment 3 to Bill 2023-11, which was seconded by Vice President Meffley.

Roll call vote: Hamilton – Y, Miller -Y, Culberson – Y, Meffley – Y, Gregory- Y
The motion was approved 5 to 0.

Amend Article IV, Section 54. Permissible Uses Table as follows:

Use Description (Article V citation)	NAR	SAR	RR	MH	LDR	ST	UR	VR	RM	RMU	EMU	BL	BG	BI	MB	M1	M2	MEA	OS
12.17.000 Cannabis Grower*(Section 164A)	PC	PC												SC		SC	SC		
12.17.100 Cannabis Processor*(Section 164B)	PC	PC												SC		SC	SC		
12.17.200 Cannabis Independent Testing Laboratory*(Section 164B)														SC		SC	SC		
12.17.300 Dispensary*(Section 164C)											SC		SC	SC					
12.17.400 Cannabis On-Site Consumption Establishment (Section 164D)¹																			

P= Permitted PC= Permitted with Conditions SC=Special Exception with Conditions SE=Special Exception *See Note on last page

* When these uses are proposed to occur or expand within the Chesapeake Bay Critical Area Resource Conservation Area (RCA) the applicant must apply for, and receive Growth Allocation as described in Article XI, Part I, of this Ordinance prior to final approval.

¹ A cannabis on-site consumption facility is prohibited in Cecil County. {See Md. Alcoholic Beverages and Cannabis Code Ann. §36-407 (b)(1)}

Amend Article XIII Signs Section 263 – Prohibited signs as follows:

13. Any discernible advertising for cannabis, cannabis products, or cannabis appurtenances in a publicly visible location.

Amend Article XIV Accessibility and Parking Requirements, Section 276 General Loading Specifications as follows:

USE	Loading Space	Off Street Parking Requirement
Cannabis Grower*	As required	1 space per employee at maximum project capacity
Cannabis Processor*	2	1 space per 200 sq. ft. GFA
Cannabis Independent Testing Laboratory*	As required	1 space per 200 sq. ft. GFA
Cannabis On-Site Consumption Establishment	N/A	N/A
Dispensary*	1	1 space per every 2 people at rated capacity