

**ST. MARY'S COUNTY GOVERNMENT  
OFFICE OF THE COUNTY ATTORNEY**

*David A. Weiskopf, County Attorney  
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**Commissioners of St. Mary's County**

James R. Guy, President  
Michael L. Hewitt, Commissioner  
Eric Colvin, Commissioner  
Todd B. Morgan, Commissioner  
John E. O'Connor, Commissioner

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**MEMORANDUM**

TO: Planning Commission

CC: David A. Weiskopf, Interim County Administrator  
Bill Hunt, Director, Department of Land Use & Growth Management

FROM: John Sterling Houser, Assistant County Attorney

RE: Addendum to Staff Report of May 9, 2022 re: Proposed Text Amendments Relating to Medical Cannabis Use Types

DATE: June 6, 2022

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**Summary**

This addendum is meant to supplement the prior staff report by providing a summary of cannabis-specific setbacks and related regulations adopted by other Maryland localities, as well as providing a visual map to the Planning Commission of the areas in St. Mary's County where development would be allowed under proposed setbacks.

**Cannabis Use-Type Regulations Across Maryland**

The below table covers counties and cities for which current information is publicly accessible. It does not cover any setbacks or restrictions which may apply in counties which have not adopted cannabis-specific use types or regulations, but rely on regulating medical cannabis industries within the framework of existing use-types.

**Comparison of Maryland Cannabis Industry Setbacks**

	Growers		Processors		Dispensaries		
Locality	Residences	Schools	Residences	Schools	Residences	Schools	Notes & Code Sections:
<b>City of Annapolis (Anne Arundel Co.)</b>	-	-	-	-	-	1,000'	* <b>PROPOSED LEGISLATION ONLY: Ordinance-6-22</b> * Dispensary cannot be located within two miles of another dispensary
<b>Anne Arundel</b>	1,000'	1,000'	1,000'	1,000'	1,000'	1,000'	§ 18-10-125; § 18-11-131 * Setbacks do not apply in RA, but are conditional approval only
<b>Baltimore County</b>	-	-	-	-	500'	500'	§ 4D-102; § 4D-103 * Dispensary cannot be located within 500' of a daycare facility * Dispensary cannot be located within 2,500' of another dispensary
<b>City of Cambridge (Dorchester Co.)</b>	-	1,000'	-	1,000'	-	1,000'	§ 4.2.3(D)(7)-(9) * Dispensary cannot be located within 1,000' of drug rehabilitation facilities * Dispensary cannot be located within 2,500' of another dispensary
<b>Carroll</b>	400' or 600'	400' or 600'	400' or 600'	400' or 600'	400' or 600'	400' or 600'	§ 158.040(B)(5), (9), (10); § 158.059 * Setbacks also apply to religious establishment and "institutions for human care" * 600' setback applies if parcel is greater than 6 acres * Variances from setbacks are not allowed * Outdoor growing is prohibited in all districts

<b>Charles</b>	-	1,000'	-	-	-	1,000'	§ 297-212(12.1)1.05.300 * Dispensary cannot be located within 1,000' of any school, day-care facility, substance rehabilitation facility, or other dispensary
<b>Prince George's</b>	500'	500'	500'	500'	300'or500'	500'	§ 27-372.01; § 27-445.16; § 27-464.08; § 27-475.06.08* 500' dispensary residence setback applies if in M-U-I or M-X-T zones* Dispensary cannot be located within 500 feet from land owned by Maryland-National Capital Park and Planning Commission, day-care facilities* Dispensary cannot be located within 1 mile of another dispensary* Growers/processors cannot be located within 500' of any land owned by the Maryland-National Capital Park and Planning Commission* Growers/processors only allowed in O-S zone if net lot area is 10 acres or more* Growers/processors in I-1 and I-3 zones must conduct all operations indoors, in fully enclosed facility
<b>Queen Anne's</b>	-	1,000'	-	1,000'	500'	1,000'	§ 18:1-14(C)(8); § 18:1-35.1(B)(20); § 18:1-21(C)(6); § 18:1-22(C)(7); § 18:1-24(C)(5); § 18:1-35(B)(3)(m); § 18:1-95(U)(1-3) * Growers in Agricultural District must be located on lots 20 acres or more, must be at least 1,000 feet away from day-care facilities * Processors may not be located within 1,000' of any day-care facility * Dispensary may not be located on parcel abutting any property with existing residential use * Dispensary shall be located at least 2,500 feet from another medical dispensary * Dispensary restrictions and setbacks do not apply in Grasonville Gateway and Medical Center District

### **Graphical Information System (GIS) Mapping**

The St. Mary's County IT Department was able to create an interface on the county's Graphical Information System (GIS) system. This interface will allow a user to view 250', 500', and 750' boundaries from residences, schools, daycare facilities, and substance abuse rehabilitation facilities within St. Mary's County, as well as depicting the boundaries of all zoning districts for which medical cannabis use types were allowed in the original proposed text amendment. Options have been allowed to show the zoning districts for growers/processors and dispensaries independently of each other, and to omit residences from the setback boundaries.

The interface may be accessed at the following link:

<https://stmarysmd.maps.arcgis.com/apps/webappviewer/index.html?id=4eecaaf280eb4a6b86f5be79bda24a2b>

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John Sterling Houser  
Assistant County Attorney