



# CITY OF LAUREL, MARYLAND

## ORDINANCE NO. 2012

### TEXT AMENDMENT NO. 263

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND THE UNIFIED LAND DEVELOPMENT CODE, CHAPTER 20 "LAND DEVELOPMENT AND SUBDIVISION REGULATIONS," TO UPDATE THE DEFINITION SECTION, THE USE TABLE IN THE COMMERCIAL ZONE, AND TO UPDATE THE SPECIAL EXCEPTION SECTION, ALL TO INCLUDE PERSONAL NON-MEDICAL CANNABIS AS A SPECIAL EXCEPTION USE IN CERTAIN ZONES.**

*Sponsored by the President at the request of the Administration.*

**WHEREAS**, on March 28, 2011, the Mayor and City Council of Laurel, Maryland adopted City Ordinance Number 1702, Text Amendment Number 223, enacting Laurel City Code, Chapter 20: "Land Development and Subdivision Regulations", known as the "City of Laurel Unified Land Development Code," which contains all requirements for development within the City; and

**WHEREAS**, the Maryland State Legislature, in its 2023 Session, has passed legislation to legalize the sale and use of personal non-medical cannabis, and allowed municipalities to adopt zoning regulations with regard to this matter; and

**WHEREAS**, the City Council desires to make the changes to Chapter 20 of the Unified Land Development Code to address this matter, as recommended by City staff, as set forth herein.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Mayor and City Council of Laurel, Maryland that the following sections of the Laurel City Code, Chapter 20 "Land Development and Subdivision," Article I "Zoning" be and hereby are amended as follows: Division 1 "In General", Section 20-1.7. "Definitions", Division 5 "Zoning Districts", Section 20-7.8. "Table of commercial uses.", Division 10 "Special Exceptions", Section 20-22.72. "Licensed premises of licensed dispensaries".

#### **Section 20-1.7. Definitions.**

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*Cannabis*. The plant *Cannabis Sativa L.* and any part of the plant, including all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a Delta-9-tetrahydrocannabinol concentration greater than 0.3% on

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*Strikethroughs indicate language deleted.*

*\* \* \* Asterisks indicate intervening language and section unchanged.*

a dry weight basis, and includes cannabis products. This does not include hemp or hemp products, as defined in the Annotated Code of Maryland, Agriculture Article, Section 14-101.

\* \* \* \*

Licensed dispensary of cannabis for personal non-medical use. An entity licensed by the Maryland Cannabis Administration that acquires, possesses, repackages, transports, sells, distributes, or dispenses, cannabis or cannabis products (products composed of cannabis, cannabis concentrate, cannabis extract, or other ingredients, and are intended for use or consumption, including edible products, oils and tinctures) for personal use, along with related supplies, and related products, including tinctures, aerosols, oils, or ointments, and educational materials for use by a qualifying user, through a storefront or through a delivery service, based on license type. The use of cannabis for personal non-medical use is limited to individuals at least 21 years of age.

Licensed dispensary of medical cannabis. An entity licensed by the Maryland Cannabis Administration that acquires, possesses, repackages, transports, sells, distributes, or dispenses cannabis or cannabis products containing medical cannabis, related supplies, related products including tinctures, aerosols, oils, and ointments, and educational materials for use by qualifying patients or caregivers.

\* \* \*

*Retail sales with smoking lounge.* A business establishment that may include in part, the smoking of tobacco products, electronic cigarettes, hookah/shisha including but not limited to establishments known variously as cigar lounges, hookah lounges, tobacco clubs, tobacco bars, etc. (collectively referred to as smoking lounge(s). Smoking lounges shall include the retail sale of tobacco products, smoking accessories, and related items as an accessory use to the smoking lounge. The sale or consumption of medical and/or personal non-medical cannabis on the premises is prohibited. Smoking must take place completely indoors at the establishment.

\* \* \*

**Section 20-7.8. Table of commercial uses.**

\* \* \*

Use	C-N	C-C	C-G	C-SH	C-V	C-VAC
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<del>State licensed premises of a licensed dispensary of medical cannabis, as defined in COMAR 10.62.01.01. (II)</del> <u>Licensed dispensary of medical cannabis (II)</u>	X	X	SE	X	X	X
<u>Licensed dispensary of cannabis for personal non-medical use (pp)</u>	<u>X</u>	<u>X</u>	<u>SE</u>	<u>X</u>	<u>X</u>	<u>X</u>

\* \* \*

(jj) Retail sales of cigars, flavored tobacco, hookahs and accessories. The sale, distribution, consumption and smoking of medical and/or personal non-medical cannabis on the premises is prohibited. Hookah/shishas is a water pipe used to smoke tea, herbs and/or flavored tobacco. It can have single or multiple hoses and tips to share among a group.

A retail store and smoking lounge is subject to the following conditions:

- (1) All lounge patrons and occupants must be at least twenty-one (21) years of age.
- (2) Smoking lounge can only sell pre-packaged snacks such as chips and nuts no on-site food preparation.
- (3) Live performance by a band or other performing group permitted, no dancing allowed. Performances limited to two (2) events per month. The business owner shall give written notice seven (7) days before the event to the Department of Economic and Community Development. The notice shall include the band or group in order for the Laurel Police Department to determine security needs.

\* \* \*

(pp) Premises must front on U.S. Route 1 (Washington Boulevard, Second Street, or Baltimore Avenue).

\* \* \*

**Sec. 20-22.72. - Licensed premises of licensed dispensaries for medical and/or personal non-medical cannabis.**

(a) Licensed premises of a licensed dispensary of medical and/or personal non-medical cannabis as a special exception as defined in the Code of Maryland Regulations ("COMAR") 10.62.01.01. shall comply with all of the following requirements:

- (1) Premises shall not be located within one thousand (1,000) feet of a lot line of a public or private school, or real property owned by the Prince George's

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County Board of Education or a house of worship; within five hundred (500) feet of a pre-existing licensed childcare center or registered family child care home; or within five hundred (500) feet of a playground, recreation center, library, or public park.

- (2) Vehicular access shall be from an arterial or higher classification road.
- (3) "No Loitering" signs shall be conspicuously posted in all parking areas for the dispensary.
- (4) The premises may not be located within one (1) mile of any other licensed premises of a licensed dispensary of medical and/or personal non-medical cannabis within the city limits of the City of Laurel.
- (5) The premises may not have any displays of medical and/or personal non-medical cannabis visible to its customers or the general public.
- (6) The premises may not have an on-site physician for the purpose of issuing written certifications for medical cannabis.
- (7) A premises may sell both medical and personal non-medical cannabis with applicable special exception application approval.

\* \* \*

**AND, BE IT FURTHER ENACTED AND ORDAINED**, that this Ordinance shall take effect on the date of its passage.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

\_\_\_\_\_  
**SARA A. GREEN, CMC**  
City Clerk

\_\_\_\_\_  
**BRENCIS D. SMITH**  
President of the City Council

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**CRAIG A. MOE**  
Mayor

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