

PROPOSED ORDINANCE

ORDINANCE NO. 1061

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO AMEND SECTION 9.2 OF THE CITY'S UNIFIED DEVELOPMENT CODE TO INCLUDE DEFINITIONS AS THEY PERTAIN TO MEDICAL CANNABIS AND TO AMEND TABLE 1 "PERMITTED USES" IN SECTION 4.2 OF THE UNIFIED DEVELOPMENT CODE BY ADDING PERMITTED USES WITH CONDITIONS IN THE CMU AND INDUSTRIAL ZONE DISTRICTS.

WHEREAS, the State of Maryland established the Medical Marijuana Law in 2013 establishing the Maryland Cannabis Commission to oversee the licensing and regulation of the cannabis plant to be used in the production of medications for various illnesses; and

WHEREAS, the State of Maryland further refined this law by signing into law House Bill 490 on May 12, 2015; and

WHEREAS, the Commissioners of Cambridge recognize the importance of having such an enterprise located within the city for the purpose of job creation and meeting the medical needs of area residents; and

WHEREAS, upon the consideration of the recommendation of the Planning & Zoning Commission, and upon consideration of the staff of the Department of Planning and Zoning, and the comments made at the public hearing before Planning Commission, held on September 1 and October 6, 2015, and a public hearing held before the City Council on December 14, 2015, the Commissioners of Cambridge find that the proposed amendment is needed to promote and protect the public's health, safety and welfare; and

WHEREAS, the amendment would define medical cannabis and allow the growing, processing and dispensing of medical cannabis as a permitted use with conditions in the Industrial and the dispensing and lab testing use as a permitted use with conditions within the Commercial Mixed Use Zone Districts.

WHEREAS, a public hearing on the proposed text amendment was held before the Commissioners of Cambridge on December 14, 2015.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cambridge, that the City's Unified Development Code is hereby amended as follows:

FIRST: Section 9.2 is amended by adding the following:

Drug Rehabilitation Center - a licensed facility that specializes in the evaluation and treatment of drug addiction, alcoholism and associated disorders. This center may provide residential treatment, partial hospitalization treatment or outpatient treatment services.

Medical Cannabis - any product containing usable cannabis or medical cannabis finished product.

Medical Cannabis concentrate - a product derived from medical cannabis concentrate means a product derived from medical cannabis that is kief, hashish, bubble hash, oil, wax or other product, produced by extracting cannabinoids from the plant through use of solvents; carbon dioxide or heat, screens, presses or steam distillation.

Medical Cannabis finished product - any product containing a medical cannabis concentrate or medical cannabis-infused product packaged and labeled for release to a qualifying patient.

Medical Cannabis-infused product - oil, wax, ointment, salve, tincture, capsule, suppository, dermal patch, cartridge or other product containing medical cannabis concentrate or usable cannabis that has been processed so that the dried leaves and flowers are integrated into another material. It does not include a food as the term is defined in Health General Article 21-101, annotated Maryland Code.

Medical Cannabis Outdoor Consumption - consumption of Medical Cannabis outdoors on public, private property or within a motor vehicle.

SECOND:

Table 1 of the "Permitted Uses" in Section 4.2 is hereby amended by adding medical cannabis as a land use and making the growing, processing and dispensing of medical cannabis as a permitted use with conditions in the Industrial, the dispensing and lab testing use as a permitted use with conditions within the Commercial Mixed Use Zone Districts and the outdoor public consumption to be prohibited in all zone districts.

THIRD:

Section 4.2.3 B. is amended by adding the following:

Medical Cannabis Grow Facility

Permitted Use with Conditions in the Industrial Zone District

The facility shall:

1. **Not be located within 1,000 feet of a school.**
2. **Signage shall be no larger than 4 square feet, externally lit, located on the building frontage in a discreet manner as to not draw undue attention and shall be reviewed and approved by the Zoning Official.**

Medical Cannabis Processing Facility

Permitted Use with Conditions in the Industrial Zone District

The facility shall:

1. **Not be located within 1,000 feet of a school.**
2. **Signage shall be no larger than 4 square feet, externally lit, located on the building frontage in a discreet manner as to not draw undue attention and shall be reviewed and approved by the Zoning Official.**

Medical Cannabis Dispensing Facility

Permitted Use with Conditions in the CMU and Industrial Zone Districts

The facility shall:

1. **Not be located within 1,000 feet of a school or drug rehabilitation center.**
2. **Not be located within 2,500 feet of another dispensing facility.**
3. **Signage shall be no larger than 4 square feet, externally lit, located on the building frontage in a discreet manner as to not draw undue attention and shall be reviewed and approved by the Zoning Official.**

Medical Cannabis Grow/Processing Facility

Permitted Use with Conditions in the Industrial Zone District

The facility shall:

1. **Not be located within 1,000 feet of a school.**
2. **Signage shall be no larger than 4 square feet, externally lit, located on the building frontage in a discreet manner as to not draw undue attention and shall be reviewed and approved by the Zoning Official.**

Medical Cannabis Independent Testing Laboratory

Permitted Use with Conditions in the CMU and Industrial Zone Districts

The facility shall:

1. **Not be located within 1,000 feet of a school.**
2. **Signage shall be no larger than 4 square feet, externally lit, located on the building frontage in a discreet manner as to not draw undue attention and shall be reviewed and approved by the Zoning Official.**

AND BE IT FURTHER enacted and ordained that this Ordinance shall become effective on the tenth (10th) day following the date of adoption.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

_____ By: _____
Victoria Jackson-Stanley, Mayor

Introduced the 23rd day of November, 2015
Adopted the _____ day of December, 2015
Effective the _____ day of December, 2015

NOTE: Word(s) which are in bold and underscored are to be added to the City Code of Laws; words in double bold brackets to be deleted from the City Code of Laws.