



County Commissioners:

James J. Moran, At Large
Jack N. Wilson, Jr., District 1
J. Patrick McLaughlin, District 2
Philip L. Dumenil, District 3
Christopher M. Corchiarino, District 4

Telephone Planning: (410) 758-1255
Fax Planning: (410) 758-2905
Telephone Permits: (410) 758-4088
Fax Permits: (410) 758-3972

MEMORANDUM

DATE: MARCH 13, 2025
TO: QUEEN ANNE'S COUNTY PLANNING COMMISSION
FROM: STEPHANIE JONES, PRINCIPAL PLANNER
SUBJECT: COUNTY COMMISSIONER SPONSORED TEXT AMENDMENT
#25-01 – CANNABIS REGULATION UPDATE

County Commissioner sponsored text amendment #25-01, Cannabis Regulation Update, was introduced and conveyed from the County Commissioners to the Planning Commission on January 28, 2025 for investigation and recommendation.

Background and Objective:

The intent of Text Amendment/County Ordinance #25-01 is to amend the existing licensed cannabis grower, processor, and dispensary standards in Queen Anne's County to be more consistent with State law. SB 516, Cannabis Reform, became effective July 1, 2023, and HB 805, Cannabis Licensee Locations - Restrictions became effective June 1, 2024. Both bills applied standards that impact zoning for cannabis businesses through the MD Annotated Code, specifically applying an "unduly burden" test as included in SB 516 and further defined in HB 805. The State law, as indicated in the Alcohol, Beverage, and Cannabis Article of the Annotated Code, indicates how land use regulations can be applied, or not applied, in relation to cannabis businesses.

Following the adoption of SB 516, Cannabis Reform, on March 12, 2024, the County Commissioners adopted and made effective through emergency legislation County Ordinance #24-04, Cannabis Regulations. This ordinance was to amend the existing medical cannabis licensed growers, processors, and dispensary to no longer be exclusive to medical cannabis and to allow adult use cannabis consistent with the medical provisions.

The intent of this proposed ordinance is to remove standards that are more restrictive than what can be applied according to state law. The inclusion of zoning standards within state law leaves counties with minimal land use authority and options for addressing local zoning concerns.

Proposed Text Amendment/ County Ordinance to amend § 18:1-14 Agricultural (AG) District, § 18:1-15 Countryside (CS) District, § 18:1-21 Suburban Commercial (SC) District, § 18:1-21.1 Kent Island Suburban Commercial (KISC) District, § 18:1-22 Urban Commercial (UC) District, § 18:1-23 Suburban Industrial (SI) District, § 18:1-24 Light Industrial Highway Service (LIHS) District, § 18:1-25 Village Center (VC) District, § 18:1-28 Town Center (TC) District, § 18:1-35 Suburban Industrial Business Employment (SIBE) District, § 18:1-35.1 Grasonville Gateway and Medical Center (GGMC) District add § 18:1-57.1 Cannabis Licensed: Grower, Processor, and

Dispensary Supplemental Regulations, repealing § 18:1- 95 (U) Cannabis Licensed: Grower, Processor, and Dispensary Additional Standards for Specified Conditional Uses.

- See attachment for proposed ordinance.

Comments:

- According to the Md. Code Ann., the Alcoholic Beverages and Cannabis Article indicates that a political subdivision may not establish zoning or other requirements that unduly burden a cannabis licensee or impose licensing, operating, or other fees or requirements on a cannabis licensee that are disproportionately greater or more burdensome than those imposed on other business with similar impacts. Essentially, indicating that cannabis business must be treated as similar uses.
 - Unduly burdensome means imposing a zoning requirement or restriction on the use of property by a cannabis licensee that is more restrictive than those identified in Md. Ann. Code § 36-410 (and described below).
 - Therefore, the manner in which cannabis businesses must be zoned is very specific to the Md. Code Ann., Alcoholic Beverages and Cannabis Article.
- Cannabis growers:
 - According to Md. Ann. Code § 36-410, cannabis growers must be treated as hemp farming was as of June 30, 2023 (including exclusively grown outdoors). The growing of hemp is considered, and treated similar to, an agricultural use.
 - COMAR 15.01.15.03 regulates the authorization to grow and cultivate industrial hemp. A person who contracts with an institution to grow and cultivate industrial hemp shall only grow hemp on land that is at least 1,000 feet from a school or public recreation area when the hemp is being grown outdoors. Since hemp farming is a similar use, this setback condition has been applied as a supplemental regulation for cannabis growing.
 - Like other agricultural operations, the growing of cannabis may result in a nuisance, and can be viewed similar to what is considered a mega farm (see applicable laws for standards). Therefore, as a similar use, the same setback and landscape buffering requirements as a megafarm have been proposed.
 - With the use of artificial lighting for indoor growing and the need for security and outdoor lighting, exterior lighting standards have been applied.
- Cannabis processors:
 - The zoning for a cannabis processor must be treated similar to other processing facilities and uses.
 - In QAC, “food processing and packing plants; manufacturing (including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products)” is defined as a light industrial use. Therefore, processors must be treated similarly and zoned consistently as light industrial uses.
 - The National Fire Protection Association requires that processors (marijuana extraction) not be located in any building containing assembly, educational, day care, health care, ambulatory health care, residential board and care, residential, or detention and correctional facilities. This standard has been included within the amendment.
- Cannabis dispensary:
 - According to Md. Ann. Code § 36-410, zoning for cannabis dispensaries cannot be more restrictive than the zoning requirements for a retail dealer licensed under the Alcoholic Beverages and Cannabis Article. Therefore, the zoning for a cannabis dispensary must be treated similar to liquor stores.

- In QAC, stores selling liquor, beer, and soft drinks are permitted as high commercial uses. Therefore, dispensaries have been proposed to be permitted in districts which permit high commercial.
- According to HB 805, counties have the authority to increase the distance between dispensaries. The current distance of 2,500 feet is proposed to be increased to one-half mile.
- According to HB 805, counties have the authority to require a dispensary to be placed 100 feet from a property zoned for residential use. A similar provision does exist within the code at this time and has been included in the proposed ordinance.
- According to HB 805, the county may not establish zoning requirements, including setbacks, that are more restrictive than they exist in HB 805. To meet this standard, dispensary setbacks are proposed to be amended from 1,000 feet to 500 feet from uses such as pre-existing primary or secondary school, licensed child care center or registered family child care home, pre-existing playground, recreation center, library, public park, or place of worship.
- Currently, mostly all cannabis licenses (grower, processor, and dispensary) are considered conditional uses, with an exception to a few. All requirements of a conditional use approval are proposed to be removed, except if the similar use holds a conditional use requirement in that district. This is being done to address the unduly burdensome standard.
- Cannabis growers, processors, and dispensaries, if approved, will be required to follow supplemental standards for each use. Although the most relevant are listed above, see the attached ordinance for specifics.
- Existing cannabis provisions such as setbacks that exceed state regulations and specific sewer service designations are proposed to be removed due to their inconsistency with state regulations and potentially placing an undue burden on a licensee. Keeping these excessive restrictions, that essentially cause an undue burden, could be viewed as being more restrictive. Although traditionally counties can be more restrictive than the State, in this situation it could cause the County to run afoul of the unduly burdensome standard leaving the County open to litigation.
- As required by the State, signage on the property related to the use must comply with § 36-903 of the Alcoholic Beverages and Cannabis Article. This addresses the prohibited content of the sign.
- Security measures are required by the State and referenced in the proposed amendment.
- Processors and growers will be required to submit an operations and odor abatement plan and provide confirmation of compliance with that plan on an annual basis. This is a similar practice to facilities in western states where cannabis growing and processing has occurred for some time. These plans and annual compliance confirmation will be required to be completed by a professional engineer and certified licensed hygienist. Remediation action will be required if the County receives a noncompliance report.
- The three cannabis uses are proposed to be permitted in the following districts. The underlined text indicates that the use is being added to this district, although some are being amended from conditional use to permitted use.
 - Grower
 - Permitted: Agriculture (AG) and Countryside (CS)
 - Processor

- Permitted: Urban Commercial (UC), Suburban Industrial (SI), Light Industrial Highway Service (LIHS), and Suburban Industrial Business Employment (SIBE) District
 - Conditional use: Suburban Commercial (SC) District
 - Dispensary
 - Permitted: Urban Commercial (UC), Suburban Commercial (SC), Kent Island Suburban Commercial (KISC), Town Center (TC), Grasonville Gateway and Medical Center (GGMC) District
 - Conditional use: Village Center (VC) District
- The 2022 Comprehensive Plan does not mention recreational cannabis but does mention the emerging medical cannabis industry and the opportunity for processors and growers in the county. The legalization of recreational cannabis occurred after the adopted of the plan. The Comprehensive Plan supports agriculture, employment, and commercial viability which are similar uses. See attached applicable laws.

Recommendation:

The standards included in SB 516, Cannabis Reform and HB 805, Cannabis Licensee Locations – Restrictions are extremely prescriptive. Counties may not be more restrictive than these standards; therefore, Planning Staff recommends that the Planning Commission send a favorable recommendation to the Board of County Commissioners.

The Planning Commission recommendation should include consistency with §18:1, Md. Code Ann., Land Use, and Md. Code Ann., Alcoholic Beverages and Cannabis Article.

- See above or include discussion points to provide consistency findings regarding the comprehensive plan and zoning and subdivision regulations.

Resolution:

RESOLVED, that the Planning Commission makes a **FAVORABLE/UNFAVORABLE** recommendation to the Board of County Commissioners regarding Commissioner Sponsored Text Amendment #25-01 to amend the existing licensed cannabis grower, processor, and dispensary standards to be more consistent with State law by amending zoning districts and standards and repealing conditional use standards in legislation adopted in County Ordinance #24-04 (Cannabis Regulations). The Planning Commission provides the following findings:

(*PROVIDE FINDINGS FROM THE STAFF REPORT OR DISCUSSION RELATIVE TO CONSISTENCY/INCONSISTENCY WITH:

- ***THE ZONING AND SUBDIVISION REGULATIONS,***
- ***ANNOTATED CODE OF MARYLAND (ALCOHOLIC BEVERAGES AND CANNABIS AND LAND USE ARTICLE)***
- ***THE COMPREHENSIVE PLAN ****

Attachments: Applicable Laws and Ordinance #25-01

APPLICABLE LAWS

Annotated Code of Maryland/Land Use Article

§ 4-204. Zoning regulations -- Amendment, repeal, and reclassification

- (a) Authority. -- Zoning regulations and boundaries may be amended or repealed.

Annotated Code of Maryland/Alcoholic Beverage and Cannabis Article

§ 36-405. Zoning.

§ 36-410. Operation of a licensed dispensary.

Chapter 18:1

§18:1-58.G Mega Farm.

- (1) A twenty-foot tree buffer is required around the active portion of the property.
- (2) Existing facilities to be grandfathered in under the existing ordinance.
- (3) A setback of 300 feet for buildings associated with the operation.

§18:1-86 Lighting.

Article XXIX. Amendments

§18:1-218.A.1 Proposal of Amendment

A proposal for a text amendment, other than an amendment to the Subdivision Regulations, may be initiated by:

- (a) Resolution of the County Commissioners;
- (b) Resolution of the Planning Commission; or
- (c) Petition of a property owner or property owners acting as a private citizens' group filed with the County Commissioners.

§18:1-220 Action by Planning Commission

- A. Consideration. In considering any proposed amendment, the Planning Commission shall cause such investigation to be made as it deems necessary and for this purpose may require any person concerned to submit pertinent data and information.
- B. Hearing. Before making any recommendation with respect to an amendment involving comprehensive rezoning or an amendment of the Subdivision Regulations, the Planning Commission shall hold at least one public hearing.
- C. Report.
 - (1) The Commission shall submit its report and recommendation to the County Commissioners within 90 days from the date when it receives the proposal, unless an extension of time is granted by the County Commissioners.
 - (2) The recommendations of the Planning Commission shall include discussion of the matters required to be considered by the County Commissioners.

§18:1-221 Consideration by County Commissioners

C.M atters considered. In addition to other matters pertinent to the proposed amendment, the County Commissioners shall give specific consideration to the following matters:

- (1) The purposes set forth in Article 66B of the Annotated Code of Maryland [Land Use Article], the Comprehensive Plan, and this Chapter 18:1;
- (2) The recommendations of the Planning Commission; and

(3) The relation of the proposed amendment to the Comprehensive Plan.

18:App-1 Definitions

FARM

A. A parcel or combination of parcels under the same ownership that is:

- (1) Classified as an agricultural use by the Maryland Department of Assessment and Taxation; and
- (2) Used for agricultural purposes, including farming, dairying, pasturing, agriculture, horticulture, floriculture, viticulture, aquaculture, silviculture and animal and poultry husbandry.

B. Includes necessary accessory uses for packing, treating or storing produce that are purely secondary to and support normal agricultural activities conducted on the parcel.

C. Does not include the business of garbage feeding of hogs or other animals or the raising of such animals as rats, mice, monkeys and the like for use in medical or other tests and experiments.

2022 Queen Anne's County Comprehensive Plan

Chapter 4: Land Use

- “The vision is to maintain and enhance the County as a good place to work and a great place to live through agricultural and rural preservation for the purpose of creating a strong, sustainable rural community, full of diversified agricultural opportunities including forest crop, row crop, viticulture, and a wide array of agriculture alternatives.” Page 4-6

Chapter 8: Economic Development and Tourism

- Goal 8-1: Promote traditional business, emerging industries, and economic development. Page 8-27
- “A somewhat recent economic development opportunity and emerging agricultural-related market is the medical cannabis industry. The changes in the State cannabis laws in recent years provides a potential opportunity for additional marijuana growing and processing facilities in the County. Currently, the County has two licensed cannabis growers/processers.” Page 8-13
 - Note this was prior to the legalization in 2023 of recreational cannabis.

COUNTY ORDINANCE NO. 25-01

A BILL ENTITLED

AN ACT CONCERNING Cannabis Licensed Growers, Processors, and Dispensaries to provide consistency with State law as required by SB516 and HB805;

FOR THE PURPOSE of amending legislation adopted in County Ordinance #24-04 (Cannabis Regulations) and adopting supplemental use regulations for cannabis licensed growers, processors, and dispensaries in Queen Anne’s County; regulating signage for such uses; establishing setbacks; providing for a tree buffer for cannabis growers; providing for odor abatement requirements for cannabis growers and processors; providing for zoning districts where such uses may be permitted and the districts where certain of said uses will be allowed as a conditional use; and generally regulating, addressing and providing for cannabis licensed growers, processors, and dispensaries;

BY ADDING Section 18:1-57.1, AMENDING Sections 18:1-14, 18:1-15, 18:1-21, 18:1-21.1, 18:1-22, 18:1-23, 18:1-24, 18:1-25, 18:1-28, 18:1-35, and 18:1-35.1 and REPEALING Section 18:1-95(U) of the Code of Public Land Laws of Queen Anne’s County;

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND that Section 18:1-57.1 be ADDED to the Code of Public Local Laws to read as set forth as Attachment A incorporated herein;

SECTION II

BE IT FURTHER ENACTED that Sections 18:1-14, 18:1-15, 18:1-21, 18:1-21.1, 18:1-22, 18:1-23, 18:1-24, 18:1-25, 18:1-28, 18:1-35, and 18:1-35.1 of the Code of Public Local Laws be and are hereby AMENDED as set forth as Attachment B incorporated herein;

SECTION III

BE IT FURTHER ENACTED that Section 18:1-95(U) of the Code of Public Local Laws, set forth on Attachment C, be and is hereby REPEALED;

SECTION IV

BE IT FURTHER ENACTED that upon introduction, this Ordinance shall be referred to the Queen Anne’s County Planning Commission for their investigation and recommendation;

SECTION V

BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-sixth (46th) day following its adoption.

INTRODUCED BY: _____

DATE: _____

PUBLIC HEARING HELD: _____

VOTE: _____ YEA _____ NAY

DATE OF ADOPTION: _____

§ 18:1-50. Supplemental use regulations, generally.

Part 3 of this Chapter 18:1 establishes zoning districts and delineates *uses* permitted in each district. However, certain *uses* require additional standards to address location, bulk, *density*, and design matters relating to that particular *use*. This article supplements Part 3 by establishing uniform criteria for particular *uses*.

§ 18:1-57. Miniwarehouses.

§ 18:1-57.1 CANNABIS LICENSED: GROWER, PROCESSOR, AND DISPENSARY.

A.C ANNABIS LICENSED GROWER.

- (1) ANY SIGNAGE ON THE PROPERTY RELATED TO THE USE MUST COMPLY WITH §36-903 OF THE ALCOHOLIC BEVERAGES AND CANNABIS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
- (2) A COPY OF THE STATE ISSUED CANNABIS LICENSE SHALL ACCOMPANY ANY APPLICATION MADE TO THE COUNTY.
- (3) SHALL COMPLY WITH ALL REGULATIONS IN COMAR 14.17.10.
- (4) A TWENTY-FOOT TREE BUFFER CONSISTING OF TWO ROWS OF EVERGREENS FOUR TO SIX FEET IN HEIGHT IS REQUIRED AROUND THE ACTIVE PORTION OF THE PROPERTY.
- (5) A SETBACK OF 300 FEET FOR BUILDINGS ASSOCIATED WITH THE OPERATION.
- (6) AS REQUIRED BY COMAR 15.01.16.03, *CANNABIS* CAN ONLY BE GROWN ON LAND THAT IS AT LEAST 1,000 FEET FROM A SCHOOL OR PUBLIC RECREATION AREA WHEN GROWN IN AN OUTDOOR FIELD OR AN OUTDOOR SITE.
- (7) THE PROPERTY MUST MEET THE DEFINITION OF A *FARM*.
- (8) SHALL COMPLY WITH EXTERIOR LIGHTING STANDARDS AS FOUND IN § 18:1-85.
- (9) SHALL UTILIZE INDUSTRY BEST MANAGEMENT PRACTICES AND PROVIDE AN OPERATION AND ODOR ABATEMENT PLAN TO DOCUMENT HOW ODOR WILL BE MITIGATED WITHIN A GROWING FACILITY OR OUTDOORS. THE PLAN MUST BE COMPLETED BY A PROFESSIONAL MECHANICAL ENGINEER

AND CERTIFIED INDUSTRIAL HYGIENIST.

- (10) ON AN ANNUAL BASIS THE *CANNABIS LICENSED GROWER* MUST PROVIDE DOCUMENTATION FROM A PROFESSIONAL MECHANICAL ENGINEER AND CERTIFIED INDUSTRIAL HYGIENIST THAT ENSURES COMPLIANCE WITH THE OPERATION AND ODOR ABATEMENT PLAN AT THEIR OWN EXPENSE.**

B.C ANNABIS LICENSED PROCESSOR.

- (1) SUBJECT TO THE FOLLOWING STANDARDS, WHETHER ALLOWED AS A PERMITTED OR CONDITIONAL USE.**
- (2) ANY SIGNAGE ON THE PROPERTY RELATED TO USE MUST COMPLY WITH §36-903 OF THE ALCOHOLIC BEVERAGES AND CANNABIS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.**
- (3) A COPY OF THE STATE ISSUED CANNABIS LICENSE SHALL ACCOMPANY ANY APPLICATION MADE TO THE COUNTY.**
- (4) SHALL COMPLY WITH ALL REGULATIONS IN COMAR 14.17.11.**
- (5) SHALL COMPLY WITH ALL NFPA REGULATIONS.**
- (6) IF IN THE CRITICAL AREA MUST BE IN THE IDA.**
- (7) SHALL UTILIZE INDUSTRY BEST MANAGEMENT PRACTICES AND PROVIDE AN OPERATION AND ODOR ABATEMENT PLAN TO DOCUMENT HOW ODOR FROM THE PROCESSING FACILITY WILL BE MITIGATED. THE PLAN MUST BE COMPLETED BY A PROFESSIONAL MECHANICAL ENGINEER AND CERTIFIED INDUSTRIAL HYGIENIST.**
- (8) ON AN ANNUAL BASIS THE *CANNABIS LICENSED PROCESSOR* MUST PROVIDE DOCUMENTATION FROM A PROFESSIONAL MECHANICAL ENGINEER AND CERTIFIED INDUSTRIAL HYGIENIST THAT ENSURES COMPLIANCE WITH THE OPERATION AND ODOR ABATEMENT PLAN AT THEIR OWN EXPENSE.**

C.C ANNABIS LICENSED DISPENSARY.

- (1) SUBJECT TO THE FOLLOWING STANDARDS, WHETHER ALLOWED AS A PERMITTED OR CONDITIONAL USE.**
- (2) ANY SIGNAGE ON THE PROPERTY RELATED TO USE MUST COMPLY WITH §36-903 OF THE ALCOHOLIC BEVERAGES AND CANNABIS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.**
- (3) A COPY OF THE STATE ISSUED CANNABIS LICENSE SHALL ACCOMPANY ANY APPLICATION MADE TO THE COUNTY.**
- (4) SHALL COMPLY WITH ALL REGULATIONS IN COMAR 14.17.12.**

(5) A *CANNABIS LICENSED DISPENSARY* SHALL NOT BE LOCATED:

- (a) WITHIN 100 FEET OF A PROPERTY ZONED FOR RESIDENTIAL USE.**
- (b) WITHIN ONE-HALF MILE OF A PROPERTY CONTAINING ANOTHER *LICENSED CANNABIS DISPENSARY*.**
- (c) WITHIN 500 FEET OF A PROPERTY CONTAINING A PRE-EXISTING PRIMARY OR SECONDARY SCHOOL, OR A LICENSED CHILD CARE CENTER OR REGISTERED FAMILY CHILD CARE HOME UNDER TITLE 9.5 OF THE EDUCATION ARTICLE; OR A PRE-EXISTING PLAYGROUND, RECREATION CENTER, LIBRARY, PUBLIC PARK, OR PLACE OF WORSHIP.**

§ 18:1-58. Additional uses and regulations.

Attachment B

§ 18:1-14. Agricultural (AG) District.

A. Purpose.

- (1) The Agricultural (AG) District is intended to preserve and protect areas of the *County* that are predominately in agricultural *use*. The AG District is characterized by agricultural and related *uses*. A minimal amount of new *residential development* shall be allowed, provided the rural and agricultural character of the area is preserved.
- (2) It is intended that in the AG District, there shall be no basis under state law (COMAR § 5-4-03) or this Chapter 18:1 for recourse against the effects of any normal farming operations conducted in accordance with standard and acceptable *best management practices*. Normal agricultural effects include, but are not limited to, noise, odor, vibration, fumes, dust, spray drift, or *glare*.

B. Permitted *uses*.

- (1) *Agricultural support* (with the exception of *organic fertilizer storage or transfer operations*).
- (2) *Agriculture*.
- (3) *Agricultural/equestrian activity*. [Added 2-24-2009 by Ord. No. 09-01]
- (4) *Agricultural/equestrian events* as provided in § 18:1-58L. [Added 2-24-2009 by Ord. No. 09-01]
- (5) *Aquaculture*, with up to two ponds created by extraction, that are each less than or equal to five *acres* in size, on any single *lot*.
- (6) *Auctions*.
- (7) *Bed-and-breakfast*.
- ~~(7)~~(8) **CANNABIS LICENSED GROWER.**
- ~~(8)~~(9) *Commercial and noncommercial forestry*.
- ~~(9)~~(10) *Commercial and private stables*.
- ~~(10)~~(11) *Effluent disposal*.
- ~~(11)~~(12) *Family day care*.
- ~~(12)~~(13) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.
- ~~(13)~~(14) *Farmers market*.
- ~~(14)~~(15) *Home occupations*.
- ~~(15)~~(16) *Institutional residential* (serving five or fewer residents), except for *assisted living programs*, which may serve up to 16 residents. [Amended 9-7-2004 by Ord. No. 04-04]
- ~~(16)~~(17) *Kennels*.

~~(17)~~(18) Large-lot agricultural *subdivision*.

~~(18)~~(19) Major and minor *single-family cluster subdivision*.

~~(19)~~(20) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

~~(20)~~(21) *Migrant labor camp* as per § 18:1-54 of this Chapter 18:1.

~~(21)~~(22) *Minor extraction and dredge disposal uses*: [Amended 8-19-2008 by Ord. No. 08-15]

(a) Minor extraction that does not require the issuance of a surface mining permit in accordance with COMAR 26.21.01.08 (C), (D), (E) and (F).

(b) *Minor extraction and dredge disposal uses* that require the issuance of a surface mining permit provided that the parcel has not been subject to a *cluster subdivision* nor is the parcel a *developed parcel* for noncontiguous *development* but may be a *transferor parcel*, as defined by this Chapter 18. For the purposes of this subsection, parcel shall mean a lot of record existing on September 1, 2008.

~~(22)~~(23) *Nurseries*.

~~(23)~~(24) *Outdoor recreation*.

~~(24)~~(25) *Public service*.

~~(25)~~(26) Single-family residential, including one single-wide *manufactured home* as the primary residence on a *farm*.

~~(26)~~(27) *Sliding-scale subdivision*. (See § 18:1-13K of this Chapter 18:1.)

~~(27)~~(28) *Veterinary offices*.

C. Conditional *uses*. [Amended 9-5-2006 by Ord. No. 06-10]

(1) *Agricultural conference facilities*.

(2) *Aquaculture*, with more than two ponds created by extraction, or any single pond greater than five *acres* in size created by extraction, on any single *lot*.

(3) *Campgrounds*.

(4) *Commercial apartments*; allowed only in conjunction with a *country store*.

(5) *Country inn*.

(6) *Country store*.

(7) *Major extraction and dredge disposal*.

~~(8) *Cannabis licensed grower*. This use shall not be located within 1,000 feet of any lot line of property containing an institutional use. If proposed in the critical area, the classification of the property shall be Intensely Developed Area (IDA). [Added~~

~~4-11-2017 by Ord. No. 17-06;⁺ amended 3-12-2024 by Ord. No. 24-04]~~

~~(9)~~(8) *Minor extraction and dredge disposal uses*: [Added 8-19-2008 by Ord. No. 08-15²]

- (a) Minor extraction that requires a surface mining permit in accordance with COMAR 26.21.01, except as provided in § 18:1-14B(19)(b).
- (b) *Minor extraction and dredge disposal uses* that require the issuance of a surface mining permit on a parcel that has been subject to a *cluster subdivision* or a parcel that is a *developed parcel* for noncontiguous *development*. For the purposes of this subsection, parcel shall mean a lot of record existing on September 1, 2008.

~~(10)~~(9) *Fraternal organizations*.

~~(11)~~(10) *Funeral homes*.

~~(12)~~(11) *Group day-care center*.

~~(13)~~(12) *Institutional residential* (serving six or more residents).

~~(14)~~(13) *Nonprofit and for-profit institutional*.

~~(15)~~(14) *Organic fertilizer storage and transfer operations*.

~~(16)~~(15) *Private airports*.

~~(17)~~(16) *Private landing strips and heliports*.

~~(18)~~(17) *Public heliports and airports*.

~~(19)~~(18) *Public utilities*.

~~(20)~~(19) *Rural country clubs*.

~~(21)~~(20) *Shooting clubs*.

~~(22)~~(21) *Telecommunications facilities*.

~~(23)~~(22) *Youth camps*.

~~(24)~~(23) *Nonprofit, seasonal, live-performance dinner theatre*. [Added 8-9-2011 by Ord. No. 11-09]

~~(25)~~(24) *Solar arrays*. [Added 12-13-2011 by Ord. No. 11-07]

~~(8)~~(25) *Special events*. [Added 3-26-2013 by Ord. No. 13-01]

§ 18:1-15. Countryside (CS) District.

- A. Purpose. The Countryside (CS) District is intended to preserve and protect the rural and agricultural areas of the *County* that generally lie within the *Chesapeake Bay Critical Area* and contain extremely sensitive natural resources. *Residential development densities* and design standards shall ensure resource protection and preservation of *open space*. This district shall be predominately characterized by *open space*, *farmettes*, and very low-

density residential uses or small single-family cluster developments with significant associated open space.

B. Permitted *uses*.³

(1) *Agriculture.*

(2) *Aquaculture*, with up to two ponds created by extraction, that are each less than or equal to five *acres* in size, on any single *lot*.

(3) *Bed-and-breakfast.*

~~(3)~~(4) **CANNABIS LICENSED GROWER.**

~~(4)~~(5) *Commercial and noncommercial forestry.*

~~(5)~~(6) *Commercial and private stables.*

~~(6)~~(7) *Effluent disposal.*

~~(7)~~(8) *Family day-care center.*

~~(8)~~(9) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.

~~(9)~~(10) *Home occupations.*

~~(10)~~(11) *Institutional residential* (serving five or fewer residents), except for assisted living programs, which may serve up to 16 residents. [Amended 9-7-2004 by Ord. No. 04-04]

~~(11)~~(12) *Kennels.*

~~(12)~~(13) *Large-lot subdivision.* [Added 9-7-2004 by Ord. No. 04-13]

~~(13)~~(14) Major and minor *multifamily.*

~~(14)~~(15) Major and minor *single-family cluster.*

~~(15)~~(16) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter or temporary housing for *farm* workers, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

~~(16)~~(17) *Nurseries.*

~~(17)~~(18) *Outdoor recreation.*

~~(18)~~(19) *Public service.*

~~(19)~~(20) Single-family residential; including one single-wide *manufactured home* as the primary residence on a *farm*.

~~(20)~~(21) *Sliding-scale subdivision.* (See § 18:1-13K of this Chapter 18:1.)

§ 18:1-21. Suburban Commercial (SC) District.

- A. Purpose. The Suburban Commercial (SC) District is intended to provide primarily for a variety of *commercial uses* and limited *light industrial uses* in predominately rural or suburban areas not served by *public sewer*. Extensive landscaping requirements and other restrictions within the SC District are intended to mitigate *commercial use* impacts and preserve surrounding rural or suburban character.
- B. Permitted *uses*.
- (1) *Agricultural support.*
 - (2) *Auctions.*
 - (3) *Bed-and-breakfast.*
 - ~~(3)~~(4) ***CANNABIS LICENSED DISPENSARY.***
 - ~~(4)~~(5) *Carry-out food service.*
 - ~~(5)~~(6) *Coffee shop.*
 - ~~(6)~~(7) *Commercial apartments.*
 - ~~(7)~~(8) *Convenience stores, with or without gas pumps.*
 - ~~(8)~~(9) *Country inn.*
 - ~~(9)~~(10) *Country store.*
 - ~~(10)~~(11) *Deli.*
 - ~~(11)~~(12) *Drive-through beverage stand.*
 - ~~(12)~~(13) *Effluent disposal.*
 - ~~(13)~~(14) *Family day-care center.*
 - ~~(14)~~(15) *Farmers market.*
 - ~~(15)~~(16) *Fraternal organizations.*
 - ~~(16)~~(17) *Funeral homes.*
 - ~~(17)~~(18) *Group day-care center.*
 - ~~(18)~~(19) *High commercial.*
 - ~~(19)~~(20) *Hotels.*
 - ~~(20)~~(21) *Low commercial.*
 - ~~(21)~~(22) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
 - ~~(22)~~(23) *Medium commercial.*
 - ~~(23)~~(24) *Miniwarehouse (with or without exterior storage).*
 - ~~(24)~~(25) *Noncommercial forestry.*

~~(25)~~(26) *Nonprofit and for-profit institutional.*

~~(26)~~(27) *Nurseries.*

~~(27)~~(28) *Outdoor recreation.*

~~(28)~~(29) *Parking.*

~~(29)~~(30) *Public service.*

~~(30)~~(31) *Shopping centers.*

~~(31)~~(32) *Veterinary offices.*

C. *Conditional uses.*

(1) *Campgrounds.*

(2) *Commercial forestry.*

(3) *First-floor commercial apartments.*

(4) *Light industrial.*

(5) *Marinas.*

(6) *Cannabis licensed processor.* ~~This use shall not be located within 1,000 feet of any lot lines of property containing an institutional use. If proposed in the critical area, the classification of the property shall be Intensely Developed Area (IDA). [Added 4-11-2017 by Ord. No. 17-06;⁴ amended 3-12-2024 by Ord. No. 24-04]~~

(7) *Minor extraction and dredge disposal uses.*

(8) *Public utilities.*

(9) *Telecommunications facilities.*

§ 18:1-21.1. Kent Island Suburban Commercial (KISC) District. [Added 6-23-2009 by Ord. No. 09-05]

A. Purpose. The Kent Island Suburban Commercial (KISC) District is intended to provide primarily for a variety of *commercial uses* and limited *light industrial uses*, in predominately rural or suburban areas not served by *public sewer*. Extensive landscaping requirements and other restrictions within the KISC District are intended to mitigate *commercial use* impacts and preserve surrounding rural or suburban character.

B. Permitted *uses*.

(1) *Agricultural support.*

(2) *Auctions.*

(3) *Bed-and-breakfast.*

~~(3)~~(4) ***CANNABIS LICENSED DISPENSARY.***

- ~~(4)~~(5) *Carry-out food service.*
- ~~(5)~~(6) *Coffee shop.*
- ~~(6)~~(7) *Commercial apartments.*
- ~~(7)~~(8) *Convenience stores, with or without gas pumps.*
- ~~(8)~~(9) *Country inn.*
- ~~(9)~~(10) *Country store.*
- ~~(10)~~(11) *Deli.*
- ~~(11)~~(12) *Drive-through beverage stand.*
- ~~(12)~~(13) *Effluent disposal.*
- ~~(13)~~(14) *Family day-care center.*
- ~~(14)~~(15) *Farmers market.*
- ~~(15)~~(16) *Fraternal organizations.*
- ~~(16)~~(17) *Funeral homes.*
- ~~(17)~~(18) *Group day-care center.*
- ~~(18)~~(19) *High commercial.*
- ~~(19)~~(20) *Hotels.*
- ~~(20)~~(21) *Low commercial.*
- ~~(21)~~(22) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- ~~(22)~~(23) *Medium commercial.*
- ~~(23)~~(24) *Miniwarehouse (with or without exterior storage).*
- ~~(24)~~(25) *Noncommercial forestry.*
- ~~(25)~~(26) *Nonprofit and for-profit institutional.*
- ~~(26)~~(27) *Nurseries.*
- ~~(27)~~(28) *Outdoor recreation.*
- ~~(28)~~(29) *Parking.*
- ~~(29)~~(30) *Public service.*
- ~~(30)~~(31) *Shopping centers.*
- ~~(31)~~(32) *Veterinary offices.*

§ 18:1-22. Urban Commercial (UC) District.

A. Purpose. The Urban Commercial (UC) District is intended to provide primarily for a variety of *commercial and limited light industrial uses* in predominately urban areas along major highways. Stringent design and landscaping standards within the UC District are intended to minimize the impacts of highway *commercial uses*.

B. Permitted *uses*.

(1) *Agricultural support.*

(2) *Auctions.*

(3) ***CANNABIS LICENSED DISPENSARY.***

~~(2)~~(4) ***CANNABIS LICENSED PROCESSOR.***

~~(3)~~(5) *Carry-out food service.*

~~(4)~~(6) *Coffee shop.*

~~(5)~~(7) *Commercial apartments.*

~~(6)~~(8) *Convenience stores, with or without gas pumps.*

~~(7)~~(9) *Country inn.*

~~(8)~~(10) *Country store.*

~~(9)~~(11) *Deli.*

~~(10)~~(12) *Drive-through beverage stand.*

~~(11)~~(13) *Effluent disposal.*

~~(12)~~(14) *Family day-care center.*

~~(13)~~(15) *Farmers market.*

~~(14)~~(16) *Fraternal organizations.*

~~(15)~~(17) *Funeral homes.*

~~(16)~~(18) *Group day-care center.*

~~(17)~~(19) *High commercial.*

~~(18)~~(20) *Hotels.*

~~(19)~~(21) *Light industrial.*

~~(20)~~(22) *Low commercial.*

~~(21)~~(23) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

~~(22)~~(24) *Medium commercial.*

~~(23)~~(25) *Miniwarehouse (with or without exterior storage).*

~~(24)~~(26) *Noncommercial forestry.*

~~(25)~~(27) *Nonprofit and for-profit institutional.*

~~(26)~~(28) *Nurseries.*

~~(27)~~(29) *Outdoor recreation.*

~~(28)~~(30) *Parking.*

~~(29)~~(31) *Public service.*

~~(30)~~(32) *Shooting range, indoor; shall be located a minimum of 100 feet from any residential use. [Added 11-12-2024 by Ord. No. 24-13']*

~~(31)~~(33) *Shopping centers.*

~~(32)~~(34) *Veterinary offices.*

C. *Conditional uses.*

(1) *Commercial forestry.*

(2) *First-floor commercial apartments.*

(3) *Marinas.*

~~(4) Cannabis licensed dispensary. [Added 4-11-2017 by Ord. No. 17-06; amended 3-12-2024 by Ord. No. 24-04]~~

~~(5) Cannabis licensed processor. [Added 4-11-2017 by Ord. No. 17-06; amended 3-12-2024 by Ord. No. 24-04]~~

~~(6)~~(4) *Minor extraction and dredge disposal uses.*

~~(7)~~(5) *Private airports.*

~~(8)~~(6) *Public utilities.*

~~(4)~~(7) *Telecommunications facilities.*

§ 18:1-23. Suburban Industrial (SI) District.

A. Purpose. The Suburban Industrial (SI) District is intended to provide primarily for the *development of office, regional commercial, warehouse, and light industrial uses* that are compatible with surrounding *development*. New *development* within the SI District should provide adequate *screening* and *buffer yards* in order to minimize adverse impacts to surrounding areas.

B. Permitted *uses*.

(1) *Agricultural support.*

(2) Business and professional *offices*.

~~(2)~~(3) **CANNABIS LICENSED PROCESSOR.**

- ~~(3)~~(4) *Effluent disposal.*
- ~~(4)~~(5) *Family day-care center.*
- ~~(5)~~(6) *Garden centers, garden supplies, and greenhouses.*
- ~~(6)~~(7) *Grocery stores and supermarkets (excluding convenience stores).*
- ~~(7)~~(8) *Group day-care center.*
- ~~(8)~~(9) *Lawnmower and garden equipment sales.*
- ~~(9)~~(10) *Light industrial.*
- ~~(10)~~(11) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
- ~~(11)~~(12) *Migrant labor camp.*
- ~~(12)~~(13) *Miniwarehouse (with or without exterior storage).*
- ~~(13)~~(14) *Minor extraction and dredge disposal uses.*
- ~~(14)~~(15) *Noncommercial forestry.*
- ~~(15)~~(16) *Nonprofit and for-profit institutional.*
- ~~(16)~~(17) *Nurseries.*
- ~~(17)~~(18) *Parking.*
- ~~(18)~~(19) *Public service.*
- ~~(19)~~(20) *Shooting range, indoor*; shall be located a minimum of 100 feet from any *residential use*. [Added 11-12-2024 by Ord. No. 24-13⁴]
- ~~(20)~~(21) *Shopping centers.*
- ~~(21)~~(22) *Theaters and auditoriums.*
- ~~(22)~~(23) *Trade schools with only indoor activities.*

C. Conditional uses.

- (1) *Agriculture.*
- (2) *Aquaculture.*
- (3) *Commercial forestry.*
- (4) *Major extraction and dredge disposal.*
- (5) *Heavy industrial.*
- (6) *Marinas.*
- ~~(7) *Cannabis licensed processor.* This use shall not be located within 1,000 feet of any lot~~

~~lines of property containing an institutional use. If proposed in the critical area, the classification of the property shall be Intensely Developed Area (IDA). [Added 4-11-2017 by Ord. No. 17-06; ^s amended 3-12-2024 by Ord. No. 24-04]~~

~~(8)~~(7) *Outdoor recreation.*

~~(9)~~(8) *Private airports.*

~~(10)~~(9) *Public heliports and airports.*

~~(11)~~(10) *Public utilities.*

~~(12)~~(11) *Telecommunications facilities.*

~~(13)~~(12) *Truck stops and travel plazas.*

~~(14)~~(13) *Kennels* [Added 1-24-2017 by Ord. No. 16-17]

§ 18:1-24. Light Industrial Highway Service (LIHS) District.

A. Purpose. The Light Industrial Highway Service (LIHS) District is intended to provide *light industrial*, highway service, *office*, and regional *commercial uses* at key intersections along the U.S. Route 301 corridor from the U.S. Routes 50/301 split north to Kent County. The LIHS District is limited to those principal intersections that are planned to be upgraded or can provide safe access/egress to *sites* along the Route 301 corridor that have intermodal transportation access. Extensive landscaping and *screening* is required within the LIHS District in order to mitigate off-site impacts on less intensive *uses*.

B. Permitted *uses*.

(1) *Agricultural support.*

(2) *Agriculture.*

(3) *Aquaculture*, with up to two ponds created by extraction, that are each less than or equal to five *acres* in size, on any single *lot*.

(4) Business and professional *office* complexes over 25,000 square feet.

~~(4)~~(5) ***CANNABIS LICENSED PROCESSOR.***

~~(5)~~(6) *Effluent disposal.*

~~(6)~~(7) *Family day-care center.*

~~(7)~~(8) *Farm employee dwelling* as per § 18:1-55 of this Chapter 18:1.

~~(8)~~(9) *Farmers market.*

~~(9)~~(10) *Garden centers*, garden supplies, and *greenhouses*.

~~(10)~~(11) Grocery stores and *supermarkets* (excluding *convenience stores*).

~~(11)~~(12) *Group day-care center.*

- ~~(12)~~(13) *Hotels.*
- ~~(13)~~(14) *Lawnmower and garden equipment sales.*
- ~~(14)~~(15) *Light industrial.*
- ~~(15)~~(16) *Miniwarehouse (with or without exterior storage).*
- ~~(16)~~(17) *Minor extraction and dredge disposal uses.*
- ~~(17)~~(18) *Noncommercial forestry.*
- ~~(18)~~(19) *Nonprofit and for-profit institutional.*
- ~~(19)~~(20) *Nurseries.*
- ~~(20)~~(21) *Parking.*
- ~~(21)~~(22) *Public service.*
- ~~(22)~~(23) *Theaters and auditoriums.*
- ~~(23)~~(24) *Trade schools with only indoor activities.*

C. *Conditional uses.*

- (1) *Aquaculture*, with more than two ponds created by extraction, or any single pond greater than five acres in size created by extraction, on any single *lot*.
- (2) *Commercial forestry.*
- (3) *Major extraction and dredge disposal.*
- (4) *Heavy industrial.*
- ~~(5) *Cannabis licensed processor.* This use shall not be located within 1,000 feet of any school, lot lines of property containing a place of worship or municipal use. If proposed in the critical area, the classification of the property shall be Intensely Developed Area (IDA). [Added 4-11-2017 by Ord. No. 17-06;⁹ amended 3-12-2024 by Ord. No. 24-04]~~
- ~~(6)~~(5) *Outdoor recreation.*
- ~~(7)~~(6) *Private airports.*
- ~~(8)~~(7) *Public heliports and airports.*
- ~~(9)~~(8) *Public utilities.*
- ~~(10)~~(9) *Telecommunications facilities.*
- ~~(11)~~(10) *Truck stops and travel plazas.*

§ 18:1-25. Village Center (VC) District.

- (1) Purpose. The Village Center (VC) District is intended to preserve the unique mixed-use character of existing crossroads and unincorporated communities throughout the *County*.

Development densities and design standards vary depending upon the availability of *public sewers*. Most nonresidential *uses* must be considered on a case-by-case basis by the Board to ensure compatibility with existing community character within the village.

- (2) Permitted *uses*.
 - (1) *Apartment development*, only with *public sewer*.
 - (2) *Auctions*.
 - (3) *Bed-and-breakfasts*.
 - (4) *Carry-out food service*.
 - (5) *Coffee shop*.
 - (6) *Commercial apartments*.
 - (7) *Country inns*.
 - (8) *Country stores*.
 - (9) *Deli*.
 - (10) *Drive-through beverage stand*.
 - (11) *Effluent disposal*.
 - (12) *Family day-care center*.
 - (13) *Farmers market*.
 - (14) *Fraternal organizations*.
 - (15) *Funeral homes*.
 - (16) *Home occupations*.
 - (17) *Institutional residential use* for five or fewer residents, except for assisted living programs, which may serve up to 16 residents.
 - (18) *Large-lot subdivision*. [Added 9-7-2004 by Ord. No. 04-13]
 - (19) *Low commercial uses*.
 - (20) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.
 - (21) *Minor multifamily*.
 - (22) *Minor single-family cluster*.
 - (23) *Noncommercial forestry*.
 - (24) *Nonprofit institutional uses*.
 - (25) *Outdoor recreation*.

- (26) *Parking.*
- (27) *Private stables.*
- (28) *Public service.*
- (29) *Single-family residential.*
- (30) *Veterinary offices.*
- (3) *Conditional uses.*
 - (1) *Agricultural support.*
 - (2) *Aquaculture.* [Added 7-10-2012 by Ord. No. 12-10¹¹]
 - ~~(2)~~(3) ***CANNABIS LICENSED DISPENSARY.***
 - ~~(3)~~(4) *Commercial forestry.*
 - ~~(4)~~(5) *Commercial stables.*
 - ~~(5)~~(6) *Convenience stores, with or without gas pumps.*
 - ~~(6)~~(7) *First-floor commercial apartments.*
 - ~~(7)~~(8) *Group day-care center.*
 - ~~(8)~~(9) *High commercial.*
 - ~~(9)~~(10) *Hotels.*
 - ~~(10)~~(11) *Institutional residential.*
 - ~~(11)~~(12) *Light industrial.*
 - ~~(12)~~(13) *Major multifamily.*
 - ~~(13)~~(14) *Major single-family cluster.*
 - ~~(14)~~(15) *Marinas.*
 - ~~(15)~~(16) *Medium commercial.*
 - ~~(16)~~(17) *Miniwarehouse (with or without exterior storage).*
 - ~~(17)~~(18) *Minor extraction and dredge disposal uses.*
 - ~~(18)~~(19) *Nonprofit and for-profit institutional.*
 - ~~(19)~~(20) *Nurseries.*
 - ~~(20)~~(21) *Private covered slips.*
 - ~~(21)~~(22) *Public utilities.*
 - ~~(22)~~(23) *Telecommunication facilities.*

§ 18:1-28. Town Center (TC) District.

- A. Purpose. This district is intended to provide higher-density, mixed-use *development* and redevelopment along the Chester Main Street corridor as identified in the Chester/Stevensville Community Plan (MD Route 18, Main Street, Postal Road and Piney Creek Service Road). Design standards and guidelines are incorporated within this district to foster an attractive, pedestrian-oriented pattern of mixed-use *residential* and *nonresidential development* that focuses on the local roads as opposed to U.S. 50/301. [Amended 8-19-2008 by Ord. No. 08-11¹²]
- B. Location. The TC District is intended to have specific application to the planning area identified by the Chester/Stevensville Community Plan. [Amended 8-19-2008 by Ord. No. 08-11¹³]
- C. *Uses.*
- (1) Permitted *uses*.¹⁴
- (a) *Agricultural support.*
 - (b) *Apartment development.*
 - (c) *Bed-and-breakfasts.*
 - ~~(e)~~(d) ***CANNABIS LICENSED DISPENSARY.***
 - ~~(d)~~(e) *Carry-out food service.*
 - ~~(e)~~(f) *Coffee shop.*
 - ~~(f)~~(g) *Commercial apartments.*
 - ~~(g)~~(h) *Convenience stores, with or without gas pumps.*
 - ~~(h)~~(i) *Country inn.*
 - ~~(i)~~(j) *Country store.*
 - ~~(j)~~(k) *Deli.*
 - ~~(k)~~(l) *Drive-through beverage stand.*
 - ~~(l)~~(m) *Effluent disposal.*
 - ~~(m)~~(n) *Family day-care center.*
 - ~~(n)~~(o) *Farmers market.*
 - ~~(o)~~(p) *First-floor commercial apartments.*
 - ~~(p)~~(q) *Fraternal organizations.*
 - ~~(q)~~(r) *Funeral homes.*
 - ~~(r)~~(s) *Group day-care center.*

~~(s)~~(t) *High commercial.*

~~(t)~~(u) *Home occupations.*

~~(u)~~(v) *Hotels.*

~~(v)~~(w) *Institutional residential.*

~~(w)~~(x) *Institutional residential use for five or fewer residents.*

~~(x)~~(y) *Large-lot subdivision.* [Added 9-7-2004 by Ord. No. 04-13]

~~(y)~~(z) *Low commercial uses.*

~~(z)~~(aa) *Major multifamily.*

~~(aa)~~(bb) *Manufactured home* single-wide; allowed only as a replacement for any legal existing *mobile home* or single-wide home; and to provide temporary shelter, provided the provisions of § 18:1-53 of this Chapter 18:1 have been met.

~~(bb)~~(cc) *Marinas.*

~~(cc)~~(dd) *Medium commercial.*

~~(dd)~~(ee) *Minor multifamily.*

~~(ee)~~(ff) *Nonprofit and for-profit institutional.*

~~(ff)~~(gg) *Nurseries.*

~~(gg)~~(hh) *Outdoor recreation.*

~~(hh)~~(ii) *Parking.*

~~(ii)~~(jj) *Private stable.*

~~(jj)~~(kk) *Public services.*

~~(kk)~~(ll) *Public utilities.*

~~(ll)~~(mm) *Regional shopping centers.*

~~(mm)~~(nn) *Shopping centers.*

~~(nn)~~(oo) *Single-family residential.*

~~(oo)~~(pp) *Veterinary offices.*

~~(pp)~~(qq) All *light industrial uses* except:

[1] Bulk materials or machinery;

[2] Food processing and packing;

[3] Fuel oil storage and sales;

[4] Materials sales or storage yards; and

[5] *Miniwarehouses.* [Amended 9-7-2004 by Ord. No. 04-19]

(qq) Mixed-use *development* incorporating permitted *uses* on the same *site* or within the same *structure* are permitted.

(rr) *Self-storage facility (interior access only)*. [Added 7-13-2021 by Ord. No. 21-03]

§ 18:1-35. Suburban Industrial Business Employment (SIBE) District.

A. Purpose. The Suburban Industrial Business/Employment (SIBE) District is to provide for the *development* of moderate-intensity *office*, regional commercial, *warehouse*, and *light industrial uses* to generate employment and business opportunities creating a major employment center in the *County*. New *development* within the SIBE District should provide for quality design and architecture.

B. Permitted *uses*.

(1) Business and professional *office* complexes.

(2) *Group day-care center*.

(3) Light industry *uses* including:

(a) Blacksmith shops;

(b) Boat building;

(c) Bulk materials or machinery storage (fully enclosed);

(d) Business cluster facilities (an incubator facility offering space and support services for early stage companies engaged in the development of products or services with commercial potential);

~~(d)~~(e) ***CANNABIS LICENSED PROCESSOR***.

~~(e)~~(f) Contractors' *offices* and equipment storage yards;

~~(f)~~(g) Dry-cleaning and laundry plants serving more than one outlet;

~~(g)~~(h) Food processing and packing plants;

~~(h)~~(i) Fuel oil (storage and sales);

~~(i)~~(j) Furniture refinishing shops;

~~(j)~~(k) Incidental retail stores, not to exceed 25,000 square feet of gross *floor area*, associated with building and plumbing supply distribution operations;

~~(k)~~(l) Manufacturing/warehousing (including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products) in plants with fewer than 500 employees on a single shift;

~~(l)~~(m) Materials sales;

~~(m)~~(n) *Cannabis licensed processor*. This *use* shall not be located within 1,000 feet of any school, day care, lot lines of property containing a place of worship or municipal use. If proposed in the critical area, the classification of the property shall

~~be Intensely Developed Area (IDA). [Added 4-11-2017 by Ord. No. 17-06;¹⁸
amended 3-12-2024 by Ord. No. 24-04]~~

- (n) Ornamental iron workshops;
 - (o) Printing plants;
 - (p) Scientific (e.g., research, testing or experimental) laboratories;
 - (q) Showrooms;
 - (r) Trade shops (including cabinet, carpentry, planing, plumbing, refinishing and paneling);
 - (s) *Truck terminals*; and
 - (t) Wholesale business and storage.
- (4) Limited low *commercial uses* and service with the primary purpose of supporting the existing business/employees in the SIBE District. The proposed *uses* are to be of a size and scale to not draw people into the park but support existing businesses including:
- (a) Banks;
 - (b) Barbershop/hair dresser;
 - (c) *Coffee shop*;
 - (d) Dry cleaner (outlet);
 - (e) Fitness center;
 - (f) *Medical office*;
 - (g) Non-fast-food *restaurants* such as cafeterias or deli;
 - (h) Retail sales that do not exceed 25,000 square feet of gross *floor area*;
 - (i) *Nonprofit and for-profit institutional*;
 - (j) *Public serviceuses*;
 - (k) *Satellite parking*; and
 - (l) Trade schools with only indoor activities.
- (5) Shooting range, indoor; shall be located a minimum of 100 feet from any residential use.
[Added 11-12-2024 by Ord. No. 24-13]

§ 18:1-35.1. Grasonville Gateway and Medical Center (GGMC) District. [Added 1-24-2012 by Ord. No. 11-17]

- A. Purpose. This district will create a sense of place as the entry in the community of Grasonville and provide for the development of *mixed uses* including medical-related *uses*, retail and limited residential and to supply health-care-related services, employment and business

opportunities in the *County*. New *development* within the Grasonville Gateway and Medical Center District should provide for quality design and architecture consistent with the existing *buildings* in the zoning district dedicated to medical services.

B. Permitted *uses*.

(1) Assisted living facilities.

(2) Banks and other financial institutions.

(3) Barbershop/hair dresser.

(4) Business and professional offices.

~~(4)~~(5) ***CANNABIS LICENSED DISPENSARY.***

~~(5)~~(6) *Carry-out food service.*

~~(6)~~(7) *Coffee shop.*

~~(7)~~(8) *Commercial apartments.*

~~(8)~~(9) Diagnostic centers.

~~(9)~~(10) Domiciliary care facilities.

~~(10)~~(11) Dry cleaner.

~~(11)~~(12) *Emergency center.*

~~(12)~~(13) Fitness center.

~~(13)~~(14) *Funeral home.*

~~(14)~~(15) *Group day-care center.*

~~(15)~~(16) Hospital.

~~(16)~~(17) *Hotels.*

~~(17)~~(18) *Institutional, residential* serving five or fewer residents.

~~(18)~~(19) *Institutional, nonprofit.*

~~(19)~~(20) *Institutional, for-profit.*

~~(20)~~(21) *Cannabis licensed dispensary.* **[Added 4-11-2017 by Ord. No. 17-06;¹⁹ amended 3-12-2024 by Ord. No. 24-04]**

(21) Medical *offices* and clinics.

(22) Medical training facilities.

(23) Medical specialties and medical support services.

(24) Minor *multifamily development.*

(25) Non-*fast-food restaurants.*

(26) *Nursing homes.*

(27) *Professional offices.*

(28) *Pharmacy or formulary associated with medical offices.*

(29) *Public service uses.*

(30) *Rehabilitation centers.*

(31) *Retail pharmacy.*

(32) *Scientific (e.g., medical, research, testing or experimental) laboratories.*

(33) *Veterinary offices.*

C. *Conditional uses.*

(1) *Institutional, residential serving six or more residents.*

(2) *Major multifamily development.*

(3) *Public utilities.*

D. *Development standards.*

(1) In general. Applications for *development* in the GGMC District shall meet the following standards in addition to all other applicable requirements for this Chapter 18 that do not conflict with the standards contained in this section. In cases where other standards in this Chapter 18:1 may conflict with standards contained in this section, only the standards in this section shall apply.

(a) The *Planning Commission* may establish modified *building* restriction lines, *parking*, landscaping and *buffer yard* requirements on a case-by-case basis to insure consistency with the Grasonville Community Plan.

(b) *Compatibility with surrounding development.* New *development*, infill and redevelopment projects in this zone shall reflect the existing architecture represented in the emergency center and professional office building and shall be compatible with or complement the established proportions and *building* mass of these *buildings*. This includes *building* materials in the *facade* and roof, placement, type and size of window, roofs should be pitched or gabled, mechanical equipment hidden and utilities placed underground. The *Planning Commission* may require additional design criteria to insure the Grasonville Gateway is consistent with established *buildings* in the zone.

(c) No individual *use* and/or tenant space in a *structure* shall occupy more than 65,000 square feet of gross *floor area*, except for the following *uses*:

[1] Banks and other financial facilities;

[2] *Commercial apartments*;

[3] *Medical offices* and clinics;

[4] Hospital;

- [5] *Hotel*;
- [6] *Institutional, nonprofit*;
- [7] *Offices*: business or professional; medical *offices* and clinics; veterinary *offices*; and all other *offices*;
- [8] *Public uses*; and
- [9] Where approved by conditional *use* granted from the Board of Appeals:
 - [a] *Major multifamily development*;

(2) *Residential development standards.*

(a) *Density/intensity requirements.*

- [1] Maximum residential *density*.
 - [a] *Multifamily*: 10.
 - [b] In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(b) *Dimensional and bulk requirements.*

- [1] Minimum *open space ratio*.
 - [a] *Multifamily*: .10.
- [2] Minimum *lot area*.
 - [a] One acre.
- [3] Minimum setbacks: see § 18:1-36.
- [4] Maximum *building height*: see § 18:1-36.
- [5] Minimum *lot width*: see § 18:1-36.
- [6] Minimum *lot frontage*: § 18:1-36.

(3) *Nonresidential development standards.*

(a) *Density/intensity requirements.*

- [1] Maximum nonresidential *floor area ratio*.
 - [a] 0.50.
 - [b] In the *growth areas*, *floor area* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(b) *Dimensional and bulk requirements.*

- [1] Maximum *impervious surface ratio*.
 - [a] *All uses*: .65.

[b] In the *growth areas*, *impervious surface ratio* allowed can be increased by a maximum of 25% using TDRs in accordance with Chapter 18:1, Part 6, Article XX.

(c) Minimum *lot frontage*: 35 feet.

(d) Minimum setbacks.

[1] Front: 15 feet.

[2] U.S. Routes 50/301: 75 feet.

[3] Arterial: 50 feet.

[4] Side and rear: 10 feet.

(e) Maximum *building height*.

[1] All: 45 feet.

~~(4) *Cannabis licensed dispensary*. [Added 4-11-2017 by Ord. No. 17-06]~~

~~(a) Shall be located at least 1,000 feet of any *lot lines* of property containing a place of worship, public or private day care, school, playground, recreation center, library, public park, or correction facility. [Amended 3-12-2024 by Ord. No. 24-04]~~

~~(b) Shall be located on a property at least 100 feet from any property containing residential *dwelling unit* or *units*;~~

~~(c) Shall be located 2,500 feet from another *cannabis licensed dispensary*. [Amended 3-12-2024 by Ord. No. 24-04]~~

E. Forest conservation standards. Forest conservation standards for *development* in the GGMC District outside of the *Chesapeake Bay Critical Area* are contained in Chapter 18:2 of this Chapter 18.

§ 18:1-95. Additional standards for specified conditional uses.

A. In general. The additional standards set forth in this section must be met for the particular conditional *uses*.

~~U. *Cannabis licensed: grower, processor, and dispensary.* [Added 4-11-2017 by Ord. No. 17-06; amended 3-12-2024 by Ord. No. 24-04]~~

~~a. *Cannabis licensed grower:*~~

~~i. Shall be located on a property that comprises 20 acres or more.~~

~~ii. Shall not be located within 1,000 feet of any *lot lines* of property containing public or private day care, school.~~

~~iii. If proposed in the critical area, the classification shall be Intensely Developed Area (IDA).~~

~~iv. Shall comply with all regulations as described in the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland.~~

~~b. *Cannabis licensed processor:*~~

~~i. Shall not be located within 1,000 feet of any public or private day care, school;~~

~~ii. If proposed in the critical area, the classification shall be Intensely Developed Area (IDA); and~~

~~iii. Shall comply with all regulations as described in the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland.~~

~~c. *Cannabis licensed dispensary:*~~

~~i. Shall not be located on a property that abuts any property with an existing *residential use*;~~

~~ii. Shall be located at least 1,000 feet from any *lot lines* of property containing a place of worship, public or private day care, school, playground, recreation center, library, public park, or correction facility;~~

~~iii. Shall be located on a property at least 100 feet from any *lot lines* of property containing residential *dwelling unit* or *units*;~~

~~iv. Shall be located on a property designated sewer service S-1 or S-2 as identified by the 2011 Comprehensive Water and Sewerage Plan;~~

~~v. Shall comply with all regulations as described in the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland;~~

~~vi. Shall take access from a public right of way that meets or exceeds Queen Anne's County Public Road Standards;~~

- ~~vii. Shall be located more than 2,500 feet from another *licensed cannabis dispensary*;~~
- ~~viii. Shall not have an on-site physician for the purpose of issuing written certifications for *medical cannabis*;~~
- ~~ix. The *use* shall be limited to the retail sale of *cannabis* and related products.~~