

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FURTHER ENACTED that Section 18:1-95(U) of the Code of Public Local Laws, set forth on Attachment C, be and is hereby REPEALED;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

DATE: January 28, 2025

PUBLIC HEARING HELD: May 13, 2025

VOTE: 3 YEA 2 NAY

DATE OF ADOPTION: June 10, 2025

§ 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. CANNABIS 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. *CANNABIS 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. *CANNABIS 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.

§ 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*.

~~*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;¹ 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]

~~(26)~~(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. 24-13¹]*

~~(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;⁶ 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.*

~~(9)~~(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;⁸ 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.*

~~*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.

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

~~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]~~

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

~~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.~~