

Zoning Text Amendment No.: 15-13
Concerning: Takoma Park Overlay –
Cannabis Dispensing
Draft No. & Date: 1 - 12/1/15
Introduced: December 8, 2015
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Hucker

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Establish standards for the location of cannabis dispensing facilities in the Takoma Park Overlay Zone

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-4.9. “Overlay Zones”
Section 59-4.9.14. “Takoma Park/East Silver Spring Commercial Revitalization (TPESS) Overlay Zone”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-4.9 is amended as follows:**

2 **DIVISION 4.9. Overlay Zones**

3 * * *

4 **Section 4.9.14. Takoma Park/East Silver Spring Commercial**
5 **Revitalization (TPESS) Overlay Zone**

6 **A. Purpose**

7 The purpose of the TPESS Overlay zone is to:

- 8 1. Foster economic vitality and attractive community character in areas
9 needing revitalization.
- 10 2. Promote an enhanced pedestrian environment and an improved
11 circulation system to pedestrians and bicycles as well as motor
12 vehicles.
- 13 3. Substantially conform with the master plan vision for specific existing
14 commercial areas.
- 15 4. Provide for the combination of residential with commercial uses.

16 **B. Land Uses**

17 * * *

- 18 2. In the CRT and NR zones, the following additional Recreation and
19 Entertainment Facility, Indoor (Capacity up to 1,000 Persons) uses are
20 permitted: bowling alley and theater.
- 21 3. In the CRT and NR zones, the following uses, as allowed in the
22 underlying zone, are allowed in the Overlay zone only if the use does
23 not abut or confront land in a Residential Detached zone:
 - 24 a. Car Wash;
 - 25 b. Filling Station;
 - 26 c. Funeral Home, Undertaker;
 - 27 d. Light Vehicle Sales and Rental (Indoor);

- 28 e. Light Vehicle Sales and Rental (Outdoor);
- 29 f. Repair (Major); and
- 30 g. Repair (Minor).
- 31 4. In the NR zone, the following additional uses are permitted:
 - 32 a. Clinic (More than 4 Medical Practitioners);
 - 33 b. Cultural Institution;
 - 34 c. Research and Development; and
 - 35 d. Artisan Manufacturing and Production.
- 36 5. In CRT and NR zones, Cannabis Dispensing, a facility where
- 37 marijuana, in any form or formulation, is sold or otherwise legally
- 38 distributed to individual consumers under Maryland law, is allowed if
- 39 the facility is located at least 500 feet from the property line of any lot
- 40 on which any elementary school, middle school, or high school is
- 41 located.

42 * * *

43 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
44 date of Council adoption.

45
46 This is a correct copy of Council action.

47
48 _____
49 Linda M. Lauer, Clerk of the Council