

1 **..Title**
2 **Temporary Moratorium on City Consideration of Applications by Businesses Related**
3 **to the Cannabis Industry** – For the purpose of adopting a temporary moratorium on the
4 processing, review, and approval of applications, site plans, permits, and other
5 authorizations for the location, construction, and selling of cannabis for nine months to
6 allow the City sufficient time to enact reasonable, thoughtful, and lawful zoning
7 requirements and other regulations pertaining thereto as deemed necessary to protect the
8 public health, safety, and welfare.

9 **..Body**

10 **CITY COUNCIL OF THE**
11 **City of Annapolis**

12
13 **Resolution 10-24**

14
15 **Introduced by: Alderwoman Tierney**
16 **Co-sponsored by:**

17
18 **A RESOLUTION** concerning

19
20 **Temporary Moratorium on City Consideration of Applications by Businesses**
21 **Related to the Cannabis Industry**

22
23 **FOR** the purpose of adopting a temporary moratorium on the processing, review, and
24 approval of applications, site plans, permits, and other authorizations for the
25 location, construction, and selling of cannabis for nine months to allow the City
26 sufficient time to enact reasonable, thoughtful, and lawful zoning requirements and
27 other regulations pertaining thereto as deemed necessary to protect the public
28 health, safety, and welfare.

29
30 **WHEREAS,** Under Local Government Article § 5-202 and § 5-204 of the Maryland
31 Code, the City of Annapolis may enact local laws to preserve peace and
32 good order, secure persons and property, protect the health and convenience
33 of residents, and establish and regulate markets in the City to do so; and

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35 **WHEREAS,** On November 8, 2022, Maryland voters passed a ballot referendum
36 legalizing cannabis use for individuals age 21 and older as of July 1, 2023,
37 which was followed by the Maryland General Assembly enacting
38 comprehensive cannabis reform statutes during the 2023 legislative
39 session under House Bill 556 and Senate Bill 516; and

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41 **WHEREAS,** On May 3, 2023, the Governor of Maryland signed into law the Maryland
42 Cannabis Reform Act, Acts of Maryland ("Chapter 254"), effective July 1,
43 2023, which regulates the legalization of adult-use cannabis and provides

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1 political subdivisions with the power to establish zoning requirements and
2 otherwise regulate cannabis subject to certain limitations; and
3

4 **WHEREAS,** The Annapolis City Council recognizes the significant planning, zoning,
5 property, economic, and secondary effects arising from or related to the
6 location, construction, and operation of businesses engaged in growing,
7 processing, and selling cannabis; and
8

9 **WHEREAS,** The City currently lacks regulations regarding businesses engaged in
10 growing, processing, and selling cannabis; and
11

12 **WHEREAS,** The City Council recognizes the potential negative impacts of regulations
13 regarding businesses engaged in growing, processing, and selling cannabis
14 use stemming from inadequate and hurried deliberations; and
15

16 **WHEREAS,** The City Council has determined that enacting hastily prepared regulations
17 before the complete understanding of Chapter 254 and the State
18 regulations promulgated pursuant thereto would fail to meet the spirit and
19 intent of Chapter 254 while potentially creating confusion, unintended
20 consequences, unreasonable and inequitable outcomes, and litigation,
21 and would otherwise be prejudicial to the public health, safety, and
22 welfare; and
23

24 **WHEREAS,** The City Council requires sufficient time for appropriate study and public
25 input to ensure the establishment of effective and durable zoning text
26 amendments and other necessary regulations applicable to businesses
27 engaged in growing, processing, and selling cannabis; and
28

29 **WHEREAS,** The City Council has determined that a temporary moratorium, for a term
30 of nine months, to be a reasonable length of time for the due consideration
31 of zoning text amendments and other regulations for the safe, practical,
32 and legal implementation of Chapter 254 in the County.
33

34
35 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL**
36 **that:**

- 37 1. **Moratorium Established.** A temporary moratorium is hereby established on the
38 processing, review, and approval of applications, site plans, permits, and other
39 authorizations, including but not limited to zoning, occupancy, and building
40 certificates and permits and approvals, for businesses engaged in growing,
41 processing, and selling cannabis for nine months.
- 42 2. **Recommendations and Legislation.** This temporary moratorium is established to
43 allow a reasonable time within which City staff, with the assistance of subject

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- 1 matter experts where appropriate, can prepare recommendations for review by the
2 Planning Commission; the Planning Commission can prepare recommendations
3 for the City Council; and the City Council can consider and enact legislation to:
- 4 a. Efficiently and fairly establish zoning requirements and other
5 regulations for cannabis;
 - 6 b. Promote the policies articulated in the State's cannabis legalization
7 statutes as approved by Governor Wes Moore on May 3, 2023; and
 - 8 c. Consider other related matters that the City Council, the Planning
9 Commission, and City staff deem appropriate.
- 10 3. **Applications.** During the duration of this temporary moratorium, the City shall
11 not process, review, or approve any application, site plan, permit, or other
12 authorization, including but not limited to any zoning, occupancy, or building
13 certificate or permit within the City's jurisdiction, for a business engaged in
14 growing, processing, and selling cannabis.
- 15 4. **Extension.** The City Council reserves the right to extend or modify this temporary
16 moratorium for such additional period(s) and upon such terms and conditions as
17 it deems necessary to protect the public health, safety, and welfare.
- 18
19 **AND BE IT FINALLY RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that
20 this resolution shall take effect upon passage.

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