

ORDINANCE NO. 10-25

ORDINANCE: To amend City Code Chapter 25, titled "Zoning Ordinance," to add "cannabis dispensary" and "cannabis dispensary with drive-through dispensing services" as defined terms, and to permit cannabis dispensaries and cannabis dispensaries with drive-through dispensing services as conditional uses in the I-L and Mixed Use (MX) Zones

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND that Chapter 25 of the Rockville City Code entitled "Zoning Ordinance" be amended as follows:

Chapter 25
ZONING ORDINANCE

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ARTICLE 3. – DEFINITIONS; TERMS OF MEASUREMENTS AND CALCULATIONS

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Sec. 25.03.02. - Words and terms defined.

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Canopy means a marquee, porte-cochere, or other unenclosed covering structure projecting from and attached to a building, with or without supporting members, protecting pedestrians and vehicles outside of an entrance doorway from inclement weather.

Cannabis dispensary means any retail establishment that is licensed by the state of Maryland to sell cannabis to patients or consumers.

Cannabis dispensary with drive-through dispensing services means any retail establishment that is licensed by the state of Maryland to sell cannabis to patients or consumers and that includes a window or other opening in an exterior wall that enables a registered dispensary agent to serve individuals who drive a vehicle to the dispensary, subject to all applicable state laws and regulations.

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ARTICLE 12. - INDUSTRIAL ZONES

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Sec. 25.12.03. Land use tables.

The uses permitted in the industrial zones are shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of article 15.

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
a. Residential uses	Live/work unit	P	N	Includes dwelling unit for caretaker in connection with a self-storage warehouse
	Personal living quarters	S	N	See Sec. 25.15.02.1.
b. Institutional uses	Adult day care	P	N	
	Charitable or philanthropic institution	P	N	
	Child care center	P	N	
	Educational institution, private	P	N	
	Places of worship	P	N	
c. Medical services	Ambulance service	C	N	Conditional use must not adjoin residential uses
	Hospital	S	N	Sec 25.15.02.i.
	Veterinary office and animal hospital	P	N	
d. Temporary uses	Christmas tree sales	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Garden produce	C	N	
	Temporary building or yard for construction materials or equipment	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Temporary carnival, flea market, or festival	C	C	
	Temporary office or model home	C	C	

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Mobile uses	C	N	
	Portable storage units	C	C	
e. Commercial, office, and industrial uses	Alcoholic beverages for consumption on the premises of any restaurant	P	N	
	Auctioneer and commercial gallery	P	N	
	Boats and marine supplies	P	N	
	Garden supplies	P	N	
	Home improvement service	P	P	
	Home maintenance services	P	P	
	Pawnbroker	S	N	See Section 25.15.02.m.
	Public transportation station	C	C	Conditional use must comply with any Plan recommendation
	Repair of household appliances, inc'l home electronic equipment	P	N	
	Taxicab service	P	N	
	Wearing apparel and related accessories	P	N	
	Wearing apparel services	P	N	
	Caterer, no seating	P	N	
	Carry-out	P	N	
	Restaurant	S	N	See Sec. 25.15.02.o.
	Office uses:			
	Duplicating service	P	N	

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Office	C	N	Conditional use limited to 25% of the gross floor area of a building
	Medical or dental laboratory	P	N	
	Research and development	P	N	
	Automobile filling station (Class I and II)	S	S	See Sec. 25.15.02.c.
	Automobile fluid maintenance station	P	N	
	Automotive repair garage	P	N	
	Mechanical car wash	P	N	
	Motor vehicle and trailer sales, including new and reconditioned parts and accessories and service incidental thereto	P	N	
	Motor vehicle towing service, without storage on the premises	P	N	
	Tires, batteries, and accessory sales, including service incidental thereto	P	N	
	Tobacco and vape shop	C	N	Conditional use subject to the requirements of Sec. 25.13.04.f.
	<u>Cannabis dispensary</u>	<u>C</u>	<u>N</u>	<u>Conditional use subject to the requirements of Sec. 25.13.04.g</u>
	<u>Cannabis dispensary with drive-through dispensing services</u>	<u>C</u>	<u>N</u>	<u>Conditional use subject to the requirements of Sec. 25.13.04.h.</u>

Key: P = Permitted Use; S = Special Exception; C = Conditional Use; N = Not Permitted

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ARTICLE 13. - MIXED-USE ZONES

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Sec. 25.13.03. Land use tables.

The uses permitted in the mixed-use zones are as shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of Article 15.

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
a. Residential	Dwelling, single unit detached	N	C	C	C	N	C	P	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, semi-detached (duplex)	N	N	C	P	N	C	N	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, townhouse	P	P	P	P	P	P	N	C	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, attached	P	P	P	P	P	P	N	C	Conditional use density must not exceed 6 dwelling units per acre
	Dwelling, multiple-unit	P	P	P	P	P	P	C	C	Conditional use subject to the requirements of Sec. 25.13.04.a
	Live/work unit	P	P	P	P	P	P	P	P	
	Personal living quarters	P	P	P	P	P	P	N	P	
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h. Commercial and office uses	Retail sales and services:									
	Alcoholic beverages for consumption off the premises	P	P	P	N	C	C	C ¹	C	For conditional use, tenant area limited to 5,000 sq. ft. of gross floor area

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	Alcoholic beverages for consumption on the premises of any restaurant	P	P	P	P	P	P	P	P	
	Auctioneer and commercial gallery	P	P	P	P	P	C	C	C	For conditional use, tenant area limited to 2,500 sq. ft. of gross floor area
	Boats and marine supplies	N	C	N	C	N	N	N	N	For conditional use, all sales and storage must be indoors
	Business equipment sales and service	P	P	P	P	P	N	P	N	
	<u>Cannabis dispensary</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Conditional use subject to Sec. 25.13.04.g</u>
	<u>Cannabis dispensary with drive-through dispensing services</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Conditional use subject to the requirements of Sec. 25.13.04.h.</u>

Key: P = Permitted Use; C = Conditional Use; S = Special Exception; N = Not Permitted

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Sec. 25.13.04. - Special regulations for conditional uses.

- a. *Residential.* Where residential uses are permitted as conditional uses in a mixed-use zone, other than the MXC zone...

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- g. Cannabis dispensary. Where a cannabis dispensary is allowed as a conditional use, it must meet all applicable requirements of State law and regulations, including, but not limited to, any distance requirements in § 36-410 of the Alcoholic Beverages and Cannabis Article of the Maryland Annotated Code, as may be amended.

- h. Cannabis dispensary with drive-through dispensing services. Where a cannabis dispensary with drive-through dispensing services is allowed as a conditional use it must meet all applicable

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requirements of State law and regulations, including, but not limited to, any distance requirements in § 36-410 of the Alcoholic Beverages and Cannabis Article of the Maryland Annotated Code, as may be amended, and all applicable state regulations governing drive-through dispensing services. In addition, the drive-through must be arranged so as to not obstruct traffic circulation within the site. Sufficient reservoir spaces must be provided and must be located so as not to obstruct vehicle or pedestrian circulation or parking within the site or accessing the site.

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I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of June 9, 2025.



Sara Taylor-Ferrell,

City Clerk/Director of Council Operations