



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Timothy Keane, Acting Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	March 20, 2026
SUBJECT	25-0114 Zoning – Uses – Smoke Shop

Position: Favorable

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 25-0114 Zoning – Uses – Smoke Shop for the purpose of making smoke shops a conditional use by approval of the Board of Municipal and Zoning Appeals in all commercial zoning and mixed-use districts; setting use standards for smoke shops; making conforming changes; and defining certain terms.

If enacted, City Council Bill 25-0114 would define “Smoke Shops,” create their use standards, and clarify the measurement methodology for the implementation and enforcement of those use standards. If approved, this Bill will take effect on the 30th day following its enactment.

SUMMARY OF POSITION

This Bill would define “Smoke Shop” within the Zoning Code and establish them as a conditional use by approval of the Board of Municipal and Zoning Appeals in all commercial and mixed-use zoning districts. This Bill would also prohibit smoke shops from being located within 500 feet of any school, park, or recreation center, and within 1,500 feet of any other smoke shop. This Bill further codifies that those distances would be calculated by measuring the shortest distance from one property line to another.

DHCD recognizes the concerns surrounding the potential overconcentration of “Smoke Shops” within City neighborhoods. Investigations into allegations of Zoning noncompliance are undertaken by DHCD’s Special Investigations Unit (SIU) As such, SIU would be responsible for investigating allegations of noncompliance with the new use standards introduced by this Bill. Given that investigations into potentially noncompliant “Smoke Shops” would largely proceed as any other investigation into potential Zoning violations would, we do not feel that a new 311

option would be required. It is our understanding that any currently operating “Smoke Shops” as defined within the Bill would be “grandfathered” in as legal non-conforming uses. Our investigators would distinguish between an establishment which began their operations before or after the enactment of this Bill based on the date on which they were granted their Use and Occupancy permit. With all these considerations, DHCD does not object to the Bill as currently written and does not anticipate the additional responsibilities related to implementation to be unduly burdensome.

FISCAL IMPACT

It is difficult to estimate how many complaints DHCD would receive if this Bill were enacted. Without knowing the volume of complaints, and consequentially how many inspections would need to be performed, we cannot currently forecast its potential impact on inspector workload.

AMENDMENTS

DHCD does not seek any amendments to this Bill at this time.