Guidance for Cannabis Canopy (Indoor and Outdoor)

Purpose

This guidance provides a standardized approach for understanding cannabis canopy for reporting and compliance purposes. It is intended to assist licensees in consistently calculating flowering cannabis canopy regardless of cultivation method. This guidance summarizes applicable statutory and regulatory requirements and does not replace Maryland law or regulation.

What is Canopy?

Canopy is the **total square footage of space used to produce flowering cannabis plants**. Licensed growers should:

- Measure only areas occupied by **flowering cannabis plants**.
- For **vertical cultivation**, **each layer** of flowering plants on racks or shelving counts separately toward total canopy.
- Areas used for non-flowering production or operational functions are **not** included.

Areas Included

Count the square footage of:

- Total surface area of all spaces used for flowering plants
- Total surface area of all equipment directly used to plant cannabis, such as grow trays and tables
- Every flowering tier on vertical racks or shelving

Areas Excluded

Canopy **does not** include space used for:

- Mother plants
- Propagation
- Immature or vegetative plants
- Processing
- Drying
- Curing
- Trimming

- Storage
- Offices
- Hallways
- Pathways
- Work areas; or
- Other administrative or non-production uses

See COMAR 14.17.01.01B(7)

How to Measure

Indoor Cultivation

1. Measure the length × width of each flowering area.
2. Calculate the square footage for each flowering tier independently.
3. Sum all flowering tiers to determine the total indoor canopy.

Example

- Flower Room A: 1,000 ft²
- Flower Room B: 800 ft²
- Vertical Rack (3 flowering tiers, each 250 ft²):
    - 250 × 3 = 750 ft²

Total Indoor Canopy = 2,550 ft²

Outdoor Cultivation

1. Measure only the ground area occupied or that will be occupied by flowering cannabis plants.
2. Exclude roadways, sidewalks, pathways, aisles, buffers, irrigation infrastructure, equipment staging, and non-flowering areas.
3. Sum all flowering plots to determine the total outdoor canopy.

Indoor-to-Outdoor Conversion

For compliance with Maryland canopy limits:

1 square foot of indoor canopy = 4 square feet of outdoor canopy. Maximum allowable indoor canopy is 300,000 square feet or its outdoor equivalent - 1,200,000 square feet.

Licensees operating both indoor and outdoor cultivation should use this conversion when determining compliance with authorized canopy limits.

Best Practices

- Maintain current floor plans, identifying flowering canopy.
- Clearly distinguish flowering, vegetative, and support areas.
- Submit a modification request to MCA for approval prior to expanding and/or reconfigurating the canopy area.
- Update canopy calculations whenever flowering space changes.
- Retain measurement records, diagrams, and calculations for inspection.
- Verify reported canopy before the annual submission on or before October 1 to the Maryland Cannabis Administration.

Compliance Note: The Maryland Cannabis Administration may inspect licensed premises to verify reported canopy, as required in COMAR 14.17.06.06C and 14.17.07.05C, and may take enforcement action if reported canopy exceeds authorized limits or is inaccurately reported.

Conditional licensees preparing for pre-licensing inspection must provide the MCA with a calculation for their planned canopy area and a basis for their canopy calculations (e.g. measurements, drawings, etc.). This calculation will be used by the MCA as a baseline for future canopy reporting and expansion request requirements.

See Alcoholic Beverages and Cannabis Article, §36-401 and §36-402, Annotated Code of Maryland.

Canopy Expansion

If you are planning a canopy expansion or reconfiguration, you must submit a Request for Modification/Renovation of Premises form, which **must be approved by the MCA** prior to a licensee expanding their canopy or making any other modification to their premises.

Indoor vs. Outdoor Cultivation

The MCA defines **"indoor cultivation"** as producing cannabis plants in a permanent structure that provides control of environmental conditions using artificial heating, air conditioning, or other climate control. A permanent structure means a building, shipping container, greenhouse, or other structure that is used for cultivation for 180 days or more in a one-year period.

"Outdoor cultivation" refers to producing flowering cannabis plants in an area that is directly or indirectly exposed to outdoor elements and may not be enclosed by a permanent structure or employ any artificial heating, air conditioning, or other climate control.

In determining whether a cultivation premises qualifies as outdoor, the Administration may consider the number of cultivation cycles that can be produced at the facility.

Example:

A licensee grows plants in an outdoor area but covers their flowering cannabis plants with a retractable crop covering system that stays in place for over 180 days. The system employs no other artificial climate control systems aside from the crop covering tarp. The licensee is able to complete one full cultivation cycle from this grow area. The MCA may make a determination that this qualifies as an outdoor grow based on: 1) the nature of the permanent structure (overhead crop covering only); 2) the absence of artificial climate controls such as artificial heating or air conditioning; and 3) the number of cultivation cycles achieved in one year from the grow area (one).

See COMAR 14.17.10.02