

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 5

Bill No. 14-19

Introduced by Ms. Fiedler

By the County Council, March 4, 2019

Introduced and first read on March 4, 2019
Public Hearing set for and held on April 1, 2019
Bill AMENDED on April 15, 2019
Public Hearing on AMENDED bill set for and held on May 6, 2019
Bill AMENDED and VOTED on May 6, 2019
Bill Expires June 7, 2019

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Farm Breweries in Residential Districts

2
3 FOR the purpose of allowing farm breweries as conditional uses in RLD and R1 residential
4 zoning districts; amending the conditional use requirements for farm breweries; making
5 certain technical changes; and generally relating to zoning.

6
7 BY repealing and reenacting, with amendments: § 18-1-101(24); ~~and~~ 18-4-106; and ~~18-10-~~
8 ~~111(5) and (6)~~ 18-10-111(1) and (8), (5), and (6)
9 Anne Arundel County Code (2005, as amended)

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11 BY repealing: § 18-10-111(5) and (6)
12 Anne Arundel County Code (2005, as amended)

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14 BY renumbering: § 18-10-111(7) and (8) to be § 18-10-111(5) and (6)
15 Anne Arundel County Code (2005, as amended)

16
17 BY adding: § ~~18-10-111(9)~~ § 18-10-111(7)
18 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

1 ~~SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*~~
2 ~~That Section(s) of the Anne Arundel County Code (2005, as amended) reads as follows:~~

3
4 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
5 That § 18-10-111(5) and (6) of the Anne Arundel County Code (2005, as amended) are
6 hereby repealed.

7
8 SECTION 2. *And be it further enacted, That § 18-10-111(7) and (8), respectively, of*
9 the Anne Arundel County Code (2005, as amended) is hereby renumbered to be § 18-10-
10 111(5) and (6), respectively.

11
12 SECTION 3. *And be it further enacted, That Section(s) of the Anne Arundel County*
13 Code (2005, as amended) read as follows:

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15 **ARTICLE 18. ZONING**

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17 **TITLE 1. DEFINITIONS**

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19 **18-1-101. Definitions.**

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21 Unless defined in this article, the Natural Resources Article of the State Code, or
22 COMAR, words defined elsewhere in this Code apply in this article. The following words
23 have the meanings indicated:

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25 (24) “Brewery, farm” means a facility that has been issued a Class 8 farm brewery
26 license under [Article 2B] THE ALCOHOLIC BEVERAGES ARTICLE of the State Code that
27 produces not more than 15,000 barrels of beer per year.

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29 **TITLE 4. RESIDENTIAL DISTRICTS**

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31 **18-4-106. Permitted, conditional, and special exception uses.**

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33 The permitted, conditional, and special exception uses allowed in each of the residential
34 districts are listed in the chart in this section using the following key: P = permitted use; C
35 = conditional use; SE = special exception use. A blank means that the use is not allowed in
36 the district. Except as provided otherwise in this article, uses and structures customarily
37 accessory to the listed uses also are allowed, except that guest houses as accessory
38 structures are prohibited and outside storage as an accessory use is limited to the lesser of
39 10% of the allowed lot coverage or 500 square feet.

Permitted, Conditional, and Special Exception Uses	RA	RLD	R1	R2	R5	R10	R15	R22
Brewery, farm	C	C	C					

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42 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

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45 **18-10-111. Brewery, farm.**

1 A farm brewery shall comply with all of the following requirements.

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(1) The facility shall be located on a farm of at least 10 acres, and the farm shall produce at least one acre of the grain, hops or other natural ingredients, excluding water, that is used to brew the beer. IN ADDITION, A FACILITY LOCATED IN AN R1 ZONING DISTRICT SHALL BE LOCATED ON LAND THAT HAS RECEIVED A FARM OR AGRICULTURAL USE ASSESSMENT FROM THE STATE PURSUANT TO § 8-209 OF THE TAX-PROPERTY ARTICLE OF THE STATE CODE.

~~(5) Special brewery promotional events licensed under [Article 2B, § 2-209(e),] § 2-210(j) OF THE ALCOHOLIC BEVERAGES ARTICLE of the State Code for the brewery shall be limited to six nonconsecutive single day promotional events PER BREWERY. IN AN R1 DISTRICT, SPECIAL BREWERY PROMOTIONAL EVENTS SHALL ALSO BE LIMITED TO SATURDAYS, SUNDAYS, AND FEDERAL HOLIDAYS.~~

~~(6) Multibrewery activities or festivals licensed under [Article 2B, § 2-209(d),] § 2-210(i) OF THE ALCOHOLIC BEVERAGES ARTICLE of the State Code are not permitted.~~

[(8)] (6) A farm brewery must submit a site plan to the Office of Planning and Zoning for approval. The site plan must include information regarding screening or siting under subsection [(7)] (5) and parking for regular business hours as well as for events [under subsection (5)].

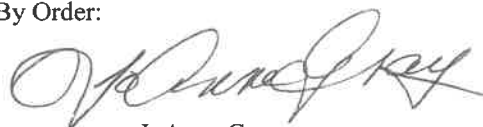
(9) (7) IN AN RLD OR R1 DISTRICT, VEHICULAR ACCESS SHALL BE LOCATED ON A MINOR ARTERIAL OR HIGHER CLASSIFICATION ROAD AND SHALL BE SUFFICIENT TO PREVENT TRAFFIC CONGESTION ON ROADS IN ADJOINING RESIDENTIAL AREAS.

SECTION 2.4. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENTS ADOPTED: April 15 and May 6, 2019

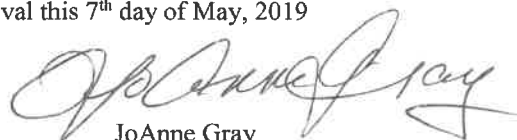
READ AND PASSED this 6th day of May, 2019

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 7th day of May, 2019



JoAnne Gray
Administrative Officer

Bill No. 14-19

Page No. 4

APPROVED AND ENACTED this 15th day of May, 2019



Steuart Pittman
County Executive

EFFECTIVE DATE:

JUN 29 2019

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
14-19. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer