

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 2

Bill No. 8-15

Introduced by The Entire Council

By the County Council, January 20, 2015

Introduced and first read on January 20, 2015
Public Hearing set for and held on February 17, 2015
Bill Expires April 25, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

- 1 AN ORDINANCE concerning: Zoning – Breweries, Craft Breweries, and Farm
2 Breweries
3
4 FOR the purpose of defining certain terms; adding farm breweries as a conditional use in
5 an RA zoning district; adding craft breweries as a permitted use in certain
6 commercial, industrial and mixed use districts; adding breweries as a permitted use in
7 certain industrial zoning districts; establishing the conditional use requirements for a
8 farm brewery; and generally related to zoning.
9
10 BY renumbering: §§ 18-1-101 (13) through (16) and (17) through (130) to be 18-1-101
11 (14) through (17) and (21) through (133), respectively; and 18-10-107 through 18-10-
12 143 to be 18-10-108 through 18-10-144, respectively
13 (Anne Arundel County Code, 2005, as amended)
14
15 BY adding: §§18-1-101 (13), (18), (19) and (20); and 18-10-107
16 (Anne Arundel County Code, 2005, as amended)
17
18 BY repealing and reenacting with amendments: §§ 18-4-106; 18-5-102; 18-6-103 and 18-
19 8-301(b)
20 (Anne Arundel County Code, 2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That §§ 18-1-101 (13) through (16) and (17) through (130); and 18-10-107 through 18-10-143 (Anne Arundel County Code, 2005 as amended) are hereby renumbered to be §§ 18-1-101 (14) through (17) and (21) through (133); and 18-10-108 through 18-10-144, respectively.

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

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(13) "BEER" HAS THE MEANING STATED IN ARTICLE 2B, §1-102(A)(3) OF THE STATE CODE.

(17) "BREWERY" MEANS A FACILITY THAT HAS BEEN ISSUED A CLASS 5 MANUFACTURER'S LICENSE UNDER ARTICLE 2B OF THE STATE CODE THAT PRODUCES MORE THAN 22,500 BARRELS OF BEER PER YEAR.

(18) "BREWERY, CRAFT" MEANS A FACILITY THAT HAS BEEN ISSUED A CLASS 5 MANUFACTURER'S LICENSE UNDER ARTICLE 2B OF THE STATE CODE THAT PRODUCES NOT MORE THAN 22,500 BARRELS OF BEER PER YEAR.

(19) "BREWERY, FARM" MEANS A FACILITY THAT HAS BEEN ISSUED A CLASS 8 FARM BREWERY LICENSE UNDER ARTICLE 2B OF THE STATE CODE THAT PRODUCES NOT MORE THAN 15,000 BARRELS OF BEER PER YEAR.

TITLE 4. RESIDENTIAL DISTRICTS

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

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

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

Bed and breakfast inns	SE		SE	SE	SE			

BREWERY, FARM	C							

TITLE 5. COMMERCIAL DISTRICTS

18-5-102. Permitted, conditional, special exception, and business complex auxiliary uses.

The permitted, conditional, and special exception uses allowed in each of the commercial districts, and uses auxiliary to a business complex, are listed in the chart in this section using the following key: P=permitted use; C = conditional use; SE = special exception use; and A = auxiliary to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed.

Permitted, Conditional, Special Exception, and Business Complex Auxiliary Uses	C1	C2	C3	C4

BRAC Mixed Use Development				C
BREWERY, CRAFT				P

TITLE 6. INDUSTRIAL USES

18-6-103. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in each of the industrial districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and A= auxiliary use to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed, except that outside storage as an accessory use in W1 is limited to 15% of the allowed lot coverage.

Permitted, Conditional, and Special Exception Uses	W1	W2	W3

BRAC Mixed Use Development	C		
BREWERY		P	P
BREWERY, CRAFT	P	P	P

TITLE 8. MIXED USE DISTRICTS

1 **18-8-301. Permitted uses; conditional uses.**

2
3 (b) **Categories in chart.** The chart in this section divides the permitted and
4 conditional uses allowed under the optional method of development into the categories of
5 residential, retail and service, office, and industrial, and the uses are subject to the
6 percentage limitations on those categories described in § 18-8-302.
7

	MXD-R	MXD-C	MXD-E	MXD-T

Industrial				
BREWERY, CRAFT			P	

9
10 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

11
12 **18-10-107. Brewery, Farm**

13
14 A FARM BREWERY SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS.

15
16 (1) THE FACILITY SHALL BE LOCATED ON A FARM OF AT LEAST 10 ACRES, AND
17 THE FARM SHALL PRODUCE AT LEAST 25% OF THE GRAIN, HOPS OR OTHER NATURAL
18 INGREDIENTS, EXCLUDING WATER, THAT IS USED TO BREW THE BEER.

19
20 (2) THE MINIMUM SETBACK FROM ANY LOT LINE FOR A STRUCTURE, STORAGE,
21 PARKING, PICNIC AREA, OR LOADING AREA SHALL BE 100 FEET EXCEPT THAT, IF THE
22 FARM IS BOUNDED BY A ROAD, THE MINIMUM SETBACK FROM THE ROAD MAY BE
23 REDUCED TO 50 FEET UPON APPROVAL BY THE PLANNING AND ZONING OFFICER.

24
25 (3) THE PUBLIC MAY ACCESS THE FARM BREWERY FOR THE PURPOSES OF
26 TOURING THE FACILITY, SAMPLING AND PURCHASING BEER, AND ATTENDING
27 ORGANIZED PROMOTIONAL EVENTS AT THE FARM.

28
29 (4) THE SALE OF PROMOTIONAL ITEMS INCLUDING GLASSWARE, CLOTHING,
30 BOTTLE OPENERS OR SIMILAR ITEMS, AND PLANTS OR PRODUCE GROWN AT THE FARM,
31 IS PERMITTED AS AN ACCESSORY USE.

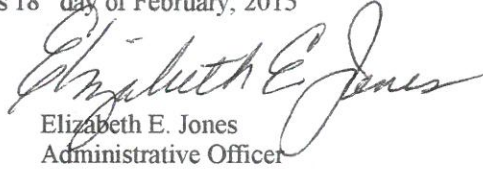
32
33 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
34 from the date it becomes law.

READ AND PASSED this 17th day of February, 2015


By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 18th day of February, 2015

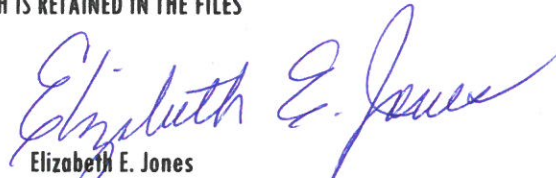

Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 23 day of February, 2015


Steven R. Schuh
County Executive

EFFECTIVE DATE: April 9, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
8-15. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer