

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2017, Legislative Day No. 11

Bill No. 34-17

Councilmembers Quirk & Marks

By the County Council, June 5, 2017

A BILL
ENTITLED

AN ACT concerning

Breweries

FOR the purpose of permitting a certain type of brewery as a matter of right in certain manufacturing zones of the County under certain conditions; providing for height, setback, parking, and area requirements; providing signage requirements; and generally relating to breweries in manufacturing zones.

BY adding
Section 4E-101 to 4E-103
Article 4E – Class 5A and Class 5B Breweries
Baltimore County Zoning Regulations

BY adding
Section 450.4.5(q)
Baltimore County Zoning Regulations

EXPLANATION: CAPITALS indicate matter added to existing law.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF
2 BALTIMORE COUNTY, MARYLAND, that Baltimore County Zoning Regulations
3 read as follows:

4 ARTICLE 4E – CLASS 5A AND CLASS 5B BREWERIES IN MANUFACTURING
5 ZONES.

6

7 § 4E-101. LOCATION AND USES.

8 A. NOTWITHSTANDING ANY OTHER SECTION OF THESE REGULATIONS
9 TO THE CONTRARY, A BREWERY, CLASS 5A OR CLASS 5B, AS
10 DEFINED BY SECTION 101 OF THESE ZONING REGULATIONS, IS
11 PERMITTED BY RIGHT IN ACCORDANCE WITH THE TERMS OF THIS
12 SECTION. IN THE EVENT OF A CONFLICT WITH ANY OTHER SECTION,
13 THIS SECTION SHALL GOVERN.

14 1. A BREWERY IS PERMITTED AS A MATTER OF RIGHT AS A
15 PRINCIPAL USE ON A TRACT OF LAND AT LEAST 40 ACRES IN
16 SIZE, UNDER COMMON OWNERSHIP OR CONTROL, WHICH IS
17 ZONED A COMBINATION ML AND MH AND IS LOCATED WITHIN
18 500 FEET OF THE RIGHT OF WAY OF AN INTERSTATE HIGHWAY
19 AND HAS FRONTAGE ON A STATE ROAD.

20 2. ACCESSORY OR AUXILIARY USES ASSOCIATED WITH THE
21 BREWERY ARE PERMITTED AS A MATTER OF RIGHT AND
22 INCLUDE, BUT ARE NOT LIMITED TO, OFFICES, RETAIL/GIFT SHOP,
23 GAME ROOM OR ARCADE, TAP ROOM, TAVERN, RESTAURANT,

1 FOOD SERVICE AND PUBLIC CATERING, LIVE MUSIC OR OTHER
2 ENTERTAINMENT, TOURS, EXHIBITION AND DISPLAY, FESTIVALS
3 AND SPECIAL EVENTS, AND PARKING. ACCESSORY OR
4 AUXILIARY USES MAY INVOLVE THE USE OF INTERIOR OR
5 EXTERIOR SPACE AND ARE PERMITTED ANYWHERE ON THE
6 TRACT.

7 B. BUILDINGS ON THE TRACT MAY ALSO BE UTILIZED FOR THE
8 DISTILLATION OR MANUFACTURE OF BEVERAGE SPIRITS AND
9 ASSOCIATED ACTIVITIES AS A USE PERMITTED BY RIGHT IN
10 COMBINATION WITH THE BREWERY. ANY BUILDINGS ON THE
11 TRACT USED FOR SUCH PURPOSES ARE GOVERNED BY THE AREA
12 REGULATIONS CONTAINED IN THIS SECTION.

13
14 § 4E-102. AREA REGULATIONS.

15 A. HEIGHT. THE HEIGHT REGULATION SHALL BE THE SAME AS THAT
16 IN MH ZONES.

17 B. SETBACK. BUILDING SETBACKS SHALL BE AS FOLLOWS:

- 18 1. FRONT YARD: THE FRONT BUILDING LINE SHALL NOT BE
19 LESS THAN 25 FEET FROM THE TRACT BOUNDARY AND
20 NOT LESS THAN 50 FEET FROM THE CENTER LINE OF ANY
21 STREET.

1 2. SIDE AND REAR YARDS: THE SIDE AND REAR BUILDING
2 LINES SHALL NOT BE LESS THAN 30 FEET FROM THE TRACT
3 BOUNDARY.

4 3. BUILDING TO BUILDING SETBACKS: UNLESS THERE IS A
5 PHYSICAL CONNECTION, BUILDINGS MUST MAINTAIN A
6 MINIMUM 9 FOOT SETBACK FROM ANY OTHER BUILDINGS
7 ON SITE.

8 C. FLOOR AREA RATIO: MAXIMUM PERMITTED FAR: 2.0

9

10 § 4E-103. PARKING REQUIREMENTS.

11 A. REQUIRED OFF-STREET PARKING FOR THE BREWERY SHALL BE
12 CALCULATED BASED ON THE FOLLOWING USES AND MAY BE
13 LOCATED ANYWHERE ON THE TRACT:

14 ~~1. MANUFACTURING/WAREHOUSE USES: 1 SPACE PER EMPLOYEE~~
15 ~~ON LARGEST SHIFT~~

16 ~~2. INTERIOR SPACE DEVOTED TO USES OTHER THAN~~
17 ~~MANUFACTURING/WAREHOUSE: 5 SPACES PER 1,000 SQUARE~~
18 ~~FEET OF GROSS FLOOR AREA~~

19 1. INTERIOR SPACE FOR MANUFACTURING/WAREHOUSE USES
20 ASSOCIATED WITH BREWERY OPERATIONS, INCLUDING OFFICES
21 AND STORAGE: 1 SPACE PER EMPLOYEE ON LARGEST SHIFT

22 2. INTERIOR SPACE FOR ACCESSORY OR AUXILIARY USES THAT IS
23 ACCESSIBLE TO THE PUBLIC.

1 A. AREA DEVOTED TO FOOD OR BEVERAGE SERVICE: 10
2 SPACES PER 1,000 SQUARE FEET OF GROSS AREA.

3 B. AREA DEVOTED TO ACCESSORY OR AUXILIARY USES
4 OTHER THAN FOOD OR BEVERAGE SERVICE: 5 SPACES PER 1,000
5 SQUARE FEET OF GROSS FLOOR AREA.

6 3. NOTWITHSTANDING THE ABOVE PARKING REQUIREMENTS,
7 ON APPLICATION, THE DIRECTOR OF THE DEPARTMENT OF
8 PERMITS, APPROVALS AND INSPECTIONS MAY APPROVE A
9 REDUCTION IN THE AMOUNT OF PARKING REQUIRED UPON A
10 SHOWING THAT THE PARKING PROVIDED ONSITE IS SUFFICIENT
11 FOR THE USES PROPOSED OR THAT SUFFICIENT OFFSITE
12 PARKING WILL BE PROVIDED WITH TRANSPORTATION BEING
13 PROVIDED TO AND FROM THE OFFSITE PARKING.

14
15 B. PARKING SPACES MAY BE CREATED BY STRIPING EXISTING PAVING
16 WITHOUT THE REQUIREMENT TO BRING THOSE PARKING AREAS
17 INTO COMPLIANCE WITH THE CURRENT PARKING DESIGN
18 STANDARDS.

1 §450 – SIGNS.

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3

4 § 450.4 Table of Sign Regulations.
5. Enterprise signs.

Structural Type	Zone or Use	Permit Req'd	Maximum Area/Face	Maximum No. /Premises	Height	Ill.	Additional Limitations
(Q)(1) WALL-MOUNTED	CLASS A OR CLASS B BREWERY IN MH/ML ZONE PER SECTION 4E	USE	10% OF THE TOTAL AREA OF THE FAÇADE WALL TO WHICH THE SIGNS ARE AFFIXED	4 PER BUILDING, NO MORE THAN 2 PER FAÇADE	N/A	YES	
(Q) (2) MURAL, WALL-MOUNTED	CLASS A OR CLASS B BREWERY IN MH/ML ZONE PER SECTION 4E	USE	25% OF THE TOTAL AREA OF THE FAÇADE WALL TO WHICH THE SIGN IS AFFIXED	2	N/A	YES	MURAL MAY BE PAINTED OR BE CLOTH, CANVAS OR SIMILAR FLEXIBLE MATERIAL AND SHALL BE MOUNTED FLUSH WITH WALL. EXTERNAL ILLUMINATION ONLY.
(Q) (3) ROOF	CLASS A OR CLASS B BREWERY IN MH/ML ZONE PER SECTION 4E	USE	10% OF THE TOTAL AREA OF THE FAÇADE WALL ABOVE WHICH THE SIGN IS LOCATED.	1	N/A	YES	NO CHANGEABLE COPY IS PERMITTED.

5 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been
6 passed by the affirmative vote of five members of the County Council, shall take effect
7 on July 17, 2017.