

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 14

Bill No. 64-15

Mr. Wade Kach, Councilman

By the County Council, September 8, 2015

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations - Micro-brewery (Class 7) and Farm Brewery (Class 8)

FOR the purpose of permitting a micro-brewery (Class 7) or a farm brewery (Class 8) in certain R.C. Zones of the County, by special exception; amending the definition of brewery and defining a farm brewery; permitting temporary promotional events in certain cases; and generally relating to a micro-brewery or farm brewery.

BY repealing and re-enacting, with amendments
Section 101.1, the Definition of "Brewery"

adding

Section 101.1, the Definition of "Brewery, Class 8" and

Sections 1A01.2.C.30.j., 1A03.3.B.23., 1A04.2.B.24., 1A07.3.B.15.d., 1A08.3.B.15., and 1A09.3.B.10.

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.

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

1 Section 101.1. Word usage; definitions.

2 BREWERY – An establishment with a valid alcoholic beverage manufacturer’s license Class
3 5, 6, [or] 7 OR 8 issued in accordance with the Annotated Code of Maryland, Article 2B,
4 Section 2-206, 2-207, [or] 2-208 OR 2-209.

5 BREWERY, CLASS 8 – A BREWERY LOCATED ON A MINIMUM OF 10 ACRES
6 WITH A CLASS 8 (FARM BREWERY) LICENSE, WHICH SELLS AND DELIVERS
7 MALT BEVERAGE MANUFACTURED IN A FACILITY ON THE LICENSED FARM
8 WITH AN INGREDIENT FROM A MARYLAND AGRICULTURAL PRODUCT
9 GROWN THEREON, AND PRODUCES NO MORE THAN 15,000 BARRELS OF MALT
10 BEVERAGE PER YEAR.

11 Section 1A01 R.C.2 (Agricultural Zone)

12 1A01.2 Use Regulations.

13 C. Use permitted by special exception. The following uses, only, may be permitted by special
14 exception in any R.C.2 Zone, provided that in each case the hearing authority empowered to hear the
15 petition finds that the use would not be detrimental to the primary agricultural uses in its vicinity;

1 and, in the case of any use permitted under Item 29, further provided that the hearing authority finds
2 that the use would support the primary agricultural use in its vicinity and would not itself be situated
3 on land more appropriately used for primary agricultural uses:

4 30. The following “agricultural-support” uses as principal commercial uses:

5 J. ~~MICRO-BREWERY OR FARM BREWERY AS DEFINED AND~~
6 ~~LICENSED BY THE COMPTROLLER~~ BREWERY, CLASS 7 OR CLASS 8, INCLUDING
7 ACCESSORY RETAIL AND WHOLESALE DISTRIBUTION OF BEER PRODUCED ON THE
8 PREMISES. TEMPORARY PROMOTIONAL EVENTS, SUCH AS BEER TASTING OR
9 PUBLIC GATHERINGS ASSOCIATED WITH THE ~~MICRO-BREWERY OR FARM BREWERY~~
10 BREWERY, ARE PERMITTED SUBJECT TO APPROVAL BY THE ADMINISTRATIVE LAW
11 JUDGE OR BOARD OF APPEALS ON APPEAL.

12 §1A03.3. R.C. 4 (Watershed Protection) Zone

13 1A03.3. Use Regulations.

14 B. Uses permitted by special exception. The following uses, only, are permitted by special
15 exception in R.C. 4 Zones:

16 23. ~~MICRO-BREWERY OR FARM BREWERY AS DEFINED AND LICENSED~~
17 ~~BY THE COMPTROLLER~~ BREWERY, CLASS 7 OR CLASS 8, INCLUDING ACCESSORY
18 RETAIL AND WHOLESALE DISTRIBUTION OF BEER PRODUCED ON THE PREMISES.
19 TEMPORARY PROMOTIONAL EVENTS, SUCH AS BEER TASTING OR PUBLIC
20 GATHERINGS ASSOCIATED WITH THE ~~MICRO-BREWERY OR FARM BREWERY~~

1 BREWERY, ARE PERMITTED SUBJECT TO APPROVAL BY THE ADMINISTRATIVE LAW
2 JUDGE OR BOARD OF APPEALS ON APPEAL.

3 §1A04. R.C. 5 (Rural-Residential) Zone

4 1A04.2. Use Regulations

5 B. Uses permitted by special exception. The following uses, only, are permitted by
6 special exception in R.C. 5 Zones:

7 24. ~~MICRO-BREWERY OR FARM BREWERY AS DEFINED AND~~
8 ~~LICENSED BY THE COMPTROLLER~~ BREWERY, CLASS 7 OR CLASS 8, INCLUDING
9 ACCESSORY RETAIL AND WHOLESALE DISTRIBUTION OF BEER PRODUCED ON THE
10 PREMISES. TEMPORARY PROMOTIONAL EVENTS, SUCH AS BEER TASTING OR
11 PUBLIC GATHERINGS ASSOCIATED WITH THE ~~MICRO-BREWERY OR FARM BREWERY~~
12 BREWERY, ARE PERMITTED SUBJECT TO APPROVAL BY THE ADMINISTRATIVE LAW
13 JUDGE OR BOARD OF APPEALS ON APPEAL.

14 §1A07. R.C. 6 (Rural Conservation and Residential) Zone

15 1A07.3. Use Regulations.

16 B. Uses permitted by special exception. The following uses, only, are permitted by special
17 exception in an R.C. 6 Zone:

1 D. ~~MICRO-BREWERY OR FARM BREWERY AS DEFINED AND LICENSED~~
2 ~~BY THE COMPTROLLER~~ BREWERY, CLASS 7 OR CLASS 8, INCLUDING ACCESSORY
3 RETAIL AND WHOLESALE DISTRIBUTION OF BEER PRODUCED ON THE PREMISES.
4 TEMPORARY PROMOTIONAL EVENTS, SUCH AS BEER TASTING OR PUBLIC
5 GATHERINGS ASSOCIATED WITH THE ~~MICRO-BREWERY OR FARM BREWERY~~
6 BREWERY, ARE PERMITTED SUBJECT TO APPROVAL BY THE ADMINISTRATIVE LAW
7 JUDGE OR BOARD OF APPEALS ON APPEAL.

8 §1A08. R.C. 7 (Resource Conservation) Zone

9 1A08.3. Use Regulations.

10 B. Uses permitted by special exception. The following uses, only, are permitted by special
11 exception in an R.C. 7 Zone:

12 15. ~~MICRO-BREWERY OR FARM BREWERY AS DEFINED AND LICENSED~~
13 ~~BY THE COMPTROLLER~~ BREWERY, CLASS 7 OR CLASS 8, INCLUDING ACCESSORY
14 RETAIL AND WHOLESALE DISTRIBUTION OF BEER PRODUCED ON THE PREMISES.
15 TEMPORARY PROMOTIONAL EVENTS, SUCH AS BEER TASTING OR PUBLIC
16 GATHERINGS ASSOCIATED WITH THE ~~MICRO-BREWERY OR FARM BREWERY~~
17 BREWERY, ARE PERMITTED SUBJECT TO APPROVAL BY THE ADMINISTRATIVE LAW
18 JUDGE OR BOARD OF APPEALS ON APPEAL.

1 §1A09. R.C. 8 (Environmental Enhancement) Zone

2 1A09.3. Use Regulations.

3 B. Uses permitted by special exception. The following uses, only, are permitted by special
4 exception in an R.C. 8 Zone:

5 10. ~~MICRO-BREWERY OR FARM BREWERY AS DEFINED AND LICENSED~~
6 ~~BY THE COMPTROLLER~~ BREWERY, CLASS 7 OR CLASS 8, INCLUDING ACCESSORY
7 RETAIL AND WHOLESALE DISTRIBUTION OF BEER PRODUCED ON THE PREMISES.
8 TEMPORARY PROMOTIONAL EVENTS, SUCH AS BEER TASTING OR PUBLIC
9 GATHERINGS ASSOCIATED WITH THE ~~MICRO-BREWERY OR FARM BREWERY~~
10 BREWERY, ARE PERMITTED SUBJECT TO APPROVAL BY THE ADMINISTRATIVE LAW
11 JUDGE OR BOARD OF APPEALS ON APPEAL.

1 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-
2 five (45) days after its enactment.