

PROPOSED

AMENDED
April 15, 2019

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 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), (5), and (6)
9 Anne Arundel County Code (2005, as amended)

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

13
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)

19
20 ~~SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland,~~
21 ~~That Section(s) of the Anne Arundel County Code (2005, as amended) reads as follows:~~

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 § 18-10-111(5) and (6) of the Anne Arundel County Code (2005, as amended) are
3 hereby repealed.

4
5 SECTION 2. *And be it further enacted, That § 18-10-111(7) and (8), respectively, of*
6 the Anne Arundel County Code (2005, as amended) is hereby renumbered to be § 18-10-
7 111(5) and (6), respectively.

8
9 SECTION 3. *And be it further enacted, That Section(s) of the Anne Arundel County*
10 Code (2005, as amended) read as follows:

11
12 **ARTICLE 18. ZONING**

13
14 **TITLE 1. DEFINITIONS**

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16 **18-1-101. Definitions.**

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

21
22 (24) “Brewery, farm” means a facility that has been issued a Class 8 farm brewery
23 license under [Article 2B] THE ALCOHOLIC BEVERAGES ARTICLE of the State Code that
24 produces not more than 15,000 barrels of beer per year.

25
26 **TITLE 4. RESIDENTIAL DISTRICTS**

27
28 **18-4-106. Permitted, conditional, and special exception uses.**

29
30 The permitted, conditional, and special exception uses allowed in each of the residential
31 districts are listed in the chart in this section using the following key: P = permitted use; C
32 = conditional use; SE = special exception use. A blank means that the use is not allowed in
33 the district. Except as provided otherwise in this article, uses and structures customarily
34 accessory to the listed uses also are allowed, except that guest houses as accessory
35 structures are prohibited and outside storage as an accessory use is limited to the lesser of
36 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					

37
38
39 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

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41
42 **18-10-111. Brewery, farm.**

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

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

7
8 ***

9
10 ~~(5) Special brewery promotional events licensed under [Article 2B, § 2-209(e),] §~~
11 ~~2-210(j) OF THE ALCOHOLIC BEVERAGES ARTICLE of the State Code for the brewery shall~~
12 ~~be limited to six nonconsecutive single day promotional events PER BREWERY. IN AN R1~~
13 ~~DISTRICT, SPECIAL BREWERY PROMOTIONAL EVENTS SHALL ALSO BE LIMITED TO~~
14 ~~SATURDAYS, SUNDAYS, AND FEDERAL HOLIDAYS.~~

15
16 ~~(6) Multibrewery activities or festivals licensed under [Article 2B, § 2-209(d),] §~~
17 ~~2-210(i) OF THE ALCOHOLIC BEVERAGES ARTICLE of the State Code are not permitted.~~

18
19 ***

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21 ~~(9) (7) IN AN RLD OR R1 DISTRICT, VEHICULAR ACCESS SHALL BE LOCATED ON A~~
22 ~~MINOR ARTERIAL OR HIGHER CLASSIFICATION ROAD AND SHALL BE SUFFICIENT TO~~
23 ~~PREVENT TRAFFIC CONGESTION ON ROADS IN ADJOINING RESIDENTIAL AREAS.~~

24
25 SECTION 2. 4. And be it further enacted, That this Ordinance shall take effect 45 days
26 from the date it becomes law.