

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 1074 (Senator Klausmeier)
Education, Health, and Environmental Affairs

Baltimore County - Alcoholic Beverages - Licenses in Mixed-Use Developments

This bill prohibits the Baltimore County Board of License Commissioners from issuing more than five Class B beer, wine, and liquor (BWL) licenses within a single election district for a mixed-use development. The bill specifies that this restriction is an exception to Rule 19 of the rules and regulations of the board.

The bill takes effect July 1, 2016.

Fiscal Summary

State Effect: None.

Local Effect: Baltimore County operations or finances are not materially affected.

Small Business Effect: Minimal.

Analysis

Current Law: No statute currently limits the number of licenses of any type that may be issued for locations in a single election district or generally used for mixed-use developments. However, the Rules and Regulations of the Baltimore County Board of License Commissioners address population and numerical limitations on licenses, and include a mixed-use development exception to the limitations.

Rules and Regulations

Population and Numerical Limitations: In Baltimore County, the maximum number of alcoholic beverage licenses in each of the election districts is limited to one on-sale license, excluding club licenses, for every 2,500 people in each district, and one off-sale license for every 4,000 people in each district, based on the most current population report by the Baltimore County Office of Planning and Zoning. A license may not be transferred from the election district in which it was originally located.

Exception for Mixed-use Developments: Generally, a mixed-use development is a development that contains specified retail, office, and residential components. Each mixed-use development that contains at least 400,000 square feet, and meets other specified requirements related to the distribution of retail, office, and residential components, is entitled to two “mixed-use exception” Class B (on-sale) BWL licenses. For every additional 200,000 square feet, a mixed-use development is entitled to one additional license. Such licenses are not counted as part of the population limitation. With specified exceptions, no more than five mixed-use exception licenses may be issued in any mixed-use development.

Background: Baltimore County reports that, as of March 8, 2016, there were 80 mixed-use exception license issued in the county. There were a total of 769 alcoholic beverages licenses issued for use in Baltimore County in 2015.

Local Fiscal Effect: While the bill does not impact current licenses, the bill has the effect of limiting the total number of Class B BWL mixed-use exception licenses that may be issued in a given election district in the future. Baltimore County advises that an individual election district may contain multiple mixed-use developments, and that once all available licenses are issued under the bill, subsequent mixed-use developments would be ineligible for additional licenses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore County, Department of Legislative Services

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