

HARFORD COUNTY BILL NO. 19-015 As Amended

Brief Title (Zoning-Breweries)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Meghan A. D.
Council Administrator

Date 6/11/19

ENROLLED

Patrick McDevitt
Council President

Date 6/11/19

BY THE COUNCIL

Read the third time.

Passed: LSD 19-018

Failed of Passage: _____

By Order

Meghan A. D.
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 12th day of June, 2019 at 3:00 p.m.

Meghan A. D.
Council Administrator



BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVE

APPROVED: Date 6/12/19

BY THE COUNCIL

This Bill No. 19-015 As Amended having been approved by the Executive and returned to the Council, becomes law on June 12, 2019.

EFFECTIVE: August 12, 2019

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 19-015 (As Amended)

Introduced by _____ Council President Vincenti at the request of the County Executive

Legislative Day No. 19-013 Date May 7, 2019

AN ACT to add the definitions of “brewery, micro”, “brewery, production”, “brewery, pub”, “distillery, full” and “distillery, limited” to Section 267-4, Definitions, of Article I, General Provisions; TO REPEAL AND REENACT WITH AMENDMENTS, SUBSECTION B(3), FARM BREWERIES, OF SECTION 267-73, AGRICULTURAL/COMMERCIAL, OF ARTICLE VIII, DESIGN STANDARDS FOR SPECIAL DEVELOPMENTS; to repeal and reenact, with amendments, Subsection F(2), Restaurants, of Section 267-73, Agricultural/commercial, of Article VIII, Design Standards for Special Developments; and to repeal and reenact, with amendments, Subsection H(9), Restaurants, of Section 267-88, Specific standards, of Article IX, Special Exceptions, all of Part 1, Standards; and to repeal and reenact, with amendments, the Permitted Uses Chart, all of Chapter 267, Zoning, of the Harford County Code, as amended; to create definitions for micro brewery, production brewery, pub brewery, full distillery and limited distillery and establish in what zoning districts they are permitted by right, by special exception or as a special development; TO CLARIFY THE CALCULATION OF SQUARE FOOTAGE FOR FARM BREWERIES; and generally relating to zoning.

By the Council, May 7, 2019

Introduced, read first time, ordered posted and public hearing scheduled

on: June 4, 2019

at: 6:30 PM

By Order: *Mylia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on June 4, 2019, and concluded on June 4, 2019.

Mylia A. Dixon, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that the definitions
2 of “brewery, micro”, “brewery, production”, “brewery, pub”, “distillery, full” and “distillery, limited”
3 be, and they are hereby, added to Section 267-4, Definitions, of Article I, General Provisions; that
4 SUBSECTION B(3), FARM BREWERIES, AND Subsection F(2), Restaurants, of Section 267-73,
5 Agricultural/commercial, of Article VIII, Design Standards for Special Developments, be, and it is
6 hereby, repealed and reenacted, with amendments; that Subsection H(9), Restaurants, of Section 267-
7 88, Specific standards, of Article IX, Special Exceptions, be, and it is hereby, repealed and reenacted,
8 with amendments, all of Part 1, Standards; and that the Permitted Uses Chart be, and it is hereby,
9 repealed and reenacted, with amendments, all of Chapter 267, Zoning, of the Harford County Code, as
10 amended, and all to read as follows:

11 **Chapter 267. Zoning**

12 **Part 1. Standards**

13 **Article I. General Provisions**

14 **§ 267-4. Definitions.**

15 As used in this Part, the following terms shall have the meanings indicated:

16 BREWERY, MICRO – A FACILITY THAT PRODUCES MALT BASED LIQUORS SUCH AS
17 BEER, ALE, PORTER, STOUT AND SIMILAR GRAIN BASED BEVERAGES ON THE
18 PREMISES AND WHICH POSSESSES THE APPROPRIATE LICENSE FROM THE
19 STATE OF MARYLAND. THE FACILITY MAY BREW, BOTTLE, CONTRACT, STORE
20 AND ENTER INTO TEMPORARY DELIVERY AGREEMENTS WITH DISTRIBUTORS.
21 PRODUCTS MAY BE BREWED ONSITE AND SOLD FOR ON-PREMISES OR OFF-
22 PREMISES CONSUMPTION IN ACCORDANCE WITH THE LIMITS OF THE
23 APPROPRIATE LICENSE FROM THE STATE OF MARYLAND. SAID FACILITY MAY
24 ALSO INCLUDE SITE TOURS AND PRODUCT TASTING.

25 BREWERY, PRODUCTION – A FACILITY THAT PRODUCES ANY AMOUNT OF MALT

1 BASED LIQUORS SUCH AS BEER, ALE, PORTER, STOUT AND SIMILAR GRAIN
2 BASED BEVERAGES TO BE SOLD OFFSITE AND WHICH POSSESSES THE
3 APPROPRIATE LICENSE FROM THE STATE OF MARYLAND. SAID FACILITY MAY
4 ALSO INCLUDE SITE TOURS AND PRODUCT TASTING.

5 BREWERY, PUB – A RESTAURANT THAT IS PERMITTED TO PRODUCE MALT BASED
6 LIQUORS SUCH AS BEER, ALE, PORTER, STOUT AND SIMILAR GRAIN BASED
7 BEVERAGES ON THE PREMISES FOR CONSUMPTION ON THE PREMISES AND
8 WHICH POSSESSES THE APPROPRIATE LICENSE FROM THE STATE OF
9 MARYLAND. IF THE RESTAURANT USE CEASES, THE USE OF THE PREMISES
10 WOULD BE CONSIDERED AND SUBJECT TO THE REGULATIONS OF A BREWERY,
11 MICRO.

12 DISTILLERY, FULL – THE ESTABLISHMENT AND OPERATION OF A PLANT FOR
13 DISTILLING, RECTIFYING AND BLENDING AN UNLIMITED AMOUNT OF BRANDY,
14 RUM, WHISKEY, ALCOHOL AND NEUTRAL SPIRITS AND WHICH POSSESSES THE
15 APPROPRIATE LICENSE FROM THE STATE OF MARYLAND. THE SALE AND
16 DELIVERY OF THE ALCOHOLIC BEVERAGES TO A PERSON IN THE STATE OR
17 OUTSIDE THE STATE THAT IS AUTHORIZED TO ACQUIRE THE BEVERAGES, THE
18 MANUFACTURING OF ALCOHOLIC BEVERAGES IN THE NAME OF CERTAIN
19 OTHER PERSONS, ACQUIRING ALCOHOLIC BEVERAGES FROM CERTAIN
20 PERSONS, CONDUCTING GUIDED TOURS OF THE PREMISES AND SELLING OR
21 SERVING LIMITED QUANTITIES OF PRODUCTS MANUFACTURED ON THE
22 PREMISES SHALL BE PERMITTED. THE SALE OF THE MANUFACTURED
23 PRODUCT FOR OFF-PREMISES CONSUMPTION TO A PERSON ON A GUIDED TOUR
24 OF THE DISTILLERY IN ACCORDANCE WITH REGULATIONS OF THE STATE OF
25 MARYLAND SHALL BE PERMITTED.

1 DISTILLERY, LIMITED – THE ESTABLISHMENT AND OPERATION OF A PLANT FOR
2 DISTILLING, RECTIFYING AND BOTTLING BRANDY, RUM, WHISKEY, ALCOHOL
3 AND NEUTRAL SPIRITS WHICH SHALL BE OPERATED IN CONJUNCTION WITH A
4 RESTAURANT OR BAR AND WHICH POSSESSES THE APPROPRIATE LICENSE
5 FROM THE STATE OF MARYLAND. SAID OPERATION MAY ALSO INCLUDE
6 RETAIL SALES FOR ON-PREMISES OR OFF-PREMISES CONSUMPTION AS
7 PERMITTED BY THE STATE OF MARYLAND.

8
9 **Article VIII. Design Standards for Special Developments**

10 **§ 267-73. Agricultural/commercial.**

11 B. Amusements.

12 (3) Farm breweries.

13 (a) Adequate parking shall be provided on site and screened from any off-site
14 residence.

15 (b) Planting of the grain, produce or fruit, as applicable, used as the ingredient in
16 the brewing of the product is required to be initiated upon approval.

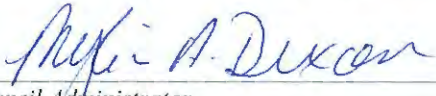
17 (c) Hours of operation are permitted between 10:00 a.m. and 10:00 p.m.

18 (d) Any enclosed structure, or portion thereof, to be used for tastings, sales or
19 events shall not exceed 2,500 square feet. CALCULATION OF THE 2,500
20 SQUARE FEET DEVOTED TO TASTINGS, SALES AND EVENTS WILL
21 BE BASED ON THE FLOOR AREA DEVOTED TO CUSTOMER
22 SERVICE, EXCLUDING REST ROOMS AND STORAGE.

23 (e) Events designed to promote the farm brewery shall be permitted on the
24 property, subject to the applicable requirements and conditions set forth in
25 [Article 2B, Alcoholic Beverages,] THE ALCOHOLIC BEVERAGES

BILL NO. 19-015
As Amended

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator

1 ARTICLE of the Maryland Annotated Code, as amended.

2 (f) The owner shall obtain all other necessary and required federal and state
3 licenses and approvals prior to operating.

4 F. Services.

5 (2) Restaurants AND BREWERY, PUB.

6 (a) Shall not have seating capacity to accommodate more than 30 patrons.

7 (b) Any lighting shall be shielded and directed away from any off-site residence
8 and may be used only during permitted hours of operation.

9 (c) Adequate on-site parking shall be gravel covered and a minimum of 100 feet
10 from any lot line except road frontage and 200 feet from any off-site residence.

11 (d) Shall not be in operation between 10:00 p.m. and 6:00 a.m.

12

13 **Article IX. Special Exceptions**

14 **§ 267-88. Specific standards.**

15 The special exceptions enumerated herein, in addition to other conditions as may be imposed by the
16 Board, shall comply with the following requirements:

17 H. Services.

18 (9) Restaurants AND BREWERY, PUB. These uses may be granted in the VB and B1
19 Districts, provided that:

20 (a) The use is located with direct access to an arterial or collector road.

21 (b) A Type “A” buffer, pursuant to § 267-30 (Buffer yards), must be provided
22 along the public road(s) and any adjacent residential lot.

23 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date
24 it becomes law.

EFFECTIVE: August 12, 2019

USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
SERVICES																
Blacksmiths	P								P			P	P		P	
BREWERY, MICRO											P	P	P		P	P
BREWERY, PUB	SD								SE	SE	P	P	P			P
Business services, including commercial schools							SD		P	P	P	P	P	P		P
Carpet and rug cleaning service									P		P	P	P	P	P	
Construction services and suppliers	SE								SE			P	P	P	P	
Corporate offices												P	P	P	P	P
Corporate Office Parks (COPS)													SD	SD		
DISTILLERY, LIMITED											P	P	P			P
Financial, insurance and real estate services							SD		P	P	P	P	P	P		P
Fortune telling											P	P				
Funeral homes and mortuaries	SE								P		P	P	P			
Health services and medical clinics							SE		P	P	P	P	P	P		P
Kennels	SE										P	P	P			
Lawn and landscaping services	SE								SE		P	P	P			
Mixed Use Center						SD				SD	SD	SD	SD	SD	SD	
Personal services, excluding tattoo parlors						SD	SD	SE	P	P	P	P	P			P
Pet grooming	SE								P	P	P	P	P			
Planned Employment Center						SD(1)						SD(1)	SD(1)	SD(1)	SD(1)	
Professional services						SD	SD	SE	P	P	P	P	P		P	P
Restaurants	SD					SD			SE	SE	P	P	P			P
Restaurants, take-out									P	P	P	P	P			P
Small engine repair	SE								P		P	P	P			
Tattoo parlors											P	P				
Veterinary clinics or hospitals	SE								P		P	P	P			
Veterinary practice, large animals	SD/SE															

PERMITTED USE CHARTS

(1) Indicates permitted in the Edgewood Neighborhood Overlay District (ENOD) only.
(2) RO - maximum of 4 units.
(3) Indicates permitted in the Chesapeake Science and Security Corridor (CSSC) only.
(4) The following shoppers merchandise stores-business and office equipment rental or leasing, business equipment sales, party supply shops, photography equipment and supply shops, and medical equipment rental and sales, are permitted in the RO District.

KEY:	
"P"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VIII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article IX.
"T"	indicates permitted subject to temporary-use regulations, pursuant to § 267-28 (temporary uses).
	A blank cell indicates that the use is not permitted.
"SE*"	indicates permitted subject to special-exception regulations, pursuant to Article XI.

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USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
INDUSTRIAL																
Ammunition (SIC-3482 and 3483)														SE	SE	
Apparel and other textile products (SIC-23)													P		P	
Asbestos products (SIC-3292)															SE	
Bakery products (SIC-205)	P											P	P	P	P	
Biological products (SIC-2831)													SE	SE	SE	P
Biomedical laboratories													P	P	P	P
Blast furnace (SIC-3312)															P	
Boat building and repairing (SIC-3732)													P		P	
Bottled and canned soft drinks (SIC-2086)													P	P	P	
BREWERY, PRODUCTION													P	P	P	
Chemicals and allied products (SIC-28), unless otherwise listed															P	
Communication equipment (SIC-366)													P	P	P	P
Concrete and asphalt manufacturing															P	
Construction and related equipment (SIC-353)															P	
Custom made wood household furniture	SD												P		P	
Dairy products (SIC-202)	P												P	P	P	
DISTILLERY, FULL													P	P	P	
Electric and electronic equip. (SIC-36), unless otherwise listed													P	P	P	P
Electrometallurgical products (SIC-3313)													P	P	P	
Electronic components and accessories (SIC-367)													P	P	P	P
Engines and turbines (SIC-351)															P	

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	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
INDUSTRIAL																
Fabricated metal products (SIC-34), unless otherwise listed													P	P	P	
Fabricated plate work (SIC-3443)															P	
Fabricated structural metal (SIC-3441)													P	P	P	
Farm machinery and equipment (SIC-352)	SD														P	
Fertilizers, mixing only (SIC-2875)	SD												P		P	
Flat glass (SIC-321)													P	P	P	
Flavoring extracts and syrups (SIC-2087)													P	P	P	
Food and kindred products (SIC-20), unless otherwise listed														P	P	
Furniture and fixtures (SIC-24), unless otherwise listed	SD												P		P	
Glass and glassware, pressed or blown (SIC-322)	SD												P	P	P	
Glass products of purchased glass (SIC-323)													P	P	P	
Instruments and related products (SIC-38)													P	P	P	
Laboratory research experimental or testing (SIC-873)	SE											P	P	P	P	P
Leather and leather products (SIC-31), unless otherwise listed	SD												P		P	
Leather tanning and finishing (SIC-3111)	SD														P	
Lubricating oils and greases (SIC-2992)															SE	

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	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
INDUSTRIAL																
Lumber and wood products (SIC-24), unless otherwise listed	SD														P	
Machinery, except electrical (SIC-35), unless otherwise listed													P		P	
Manufactured ice (SIC-2097)												P	P	P	P	
Medical chemicals & botanical products (SIC-2832)													P	P	P	P
Metal forgings and stampings (SIC-346)															P	
Metal stampings, unless otherwise listed (SIC-3469)													P	P	P	
Millwork															P	
Miscellaneous chemical plants (SIC-2899)													P		P	
Miscellaneous converted paper products (SIC-264)													P	P	P	
Miscellaneous electrical machinery (SIC-369)													P	P	P	
Miscellaneous fabricated metal products (SIC-349)													P		P	
Miscellaneous manufacturing (SIC-39)													P	P	P	
Newspapers (printing shop in excess of 5,000 s.f. (SIC-271)													P	P	P	
Non-metallic mineral products (SIC-3299)													P		P	
Offal or dead animal disposal or processing	SE														SE	
Office, computing and accounting machines (SIC-357)													P	P	P	P

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	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO		
							"SE*"	indicates permitted subject to special-exception regulations, pursuant to Article XI.										
Ordinance and accessories (SIC-348)														SE	P			
Paper and allied products (SIC-26), unless otherwise listed															SE			
Paper bond containers and boxes (SIC-265)													P	P	P			
Perfumes, cosmetics and other toilet preparations (SIC-2844)													P	P	P			
Petroleum and coal products (SIC-29), unless otherwise listed													P		P			
Petroleum refining (SIC-291)															SE			
Pharmaceutical preparation (SIC-2834)													P	P	P	P		
Preserved fruits and vegetables (SIC-203)	P												P	P	P			
Primary metal industries (SIC-33), unless otherwise listed													P		P			
Primary smelting and refining (SIC-333)															P			
Printing and publishing (SIC-27), unless otherwise listed												P	P	P	P			
Reclaimed rubber (SIC-3031)															P			
Recycling Center															P			
Rubber & misc. plastic products (SIC-30), unless otherwise listed													P	P	P			
Secondary smelting and refining (SIC-334)															P			
Stone, clay and glass products (SIC-32), unless otherwise listed	SD													P	P			

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INDUSTRIAL	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
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	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
INDUSTRIAL																
Textile mill products (SIC-22)													P		P	
Tires and inner tubes (SIC-301)															P	
Tobacco manufacturers (SIC-21)													P		P	
Transportation equipment (SIC-37)															P	
Wood containers (SIC-244)	SD												P		P	
Wood kitchen cabinets (SIC-2434)	SD												P		P	
Wood products (SIC-2499)	SD												P		P	

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