

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

House Bill 687  
Economic Matters

(Montgomery County Delegation)  
Education, Health, and Environmental Affairs

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Montgomery County - Alcoholic Beverages License - Rock Spring Centre  
MC 2-12

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This bill authorizes the Montgomery County Board of License Commissioners by unanimous vote to approve applications for alcoholic beverages licenses for establishments located in Rock Spring Centre in Montgomery County if certain conditions are met. The licenses will authorize the holder to keep for sale and sell alcoholic beverages for on-premises consumption only.

The bill takes effect July 1, 2012.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** Montgomery County revenues increase by \$6,300 in FY 2014 and by \$5,000 annually beginning in FY 2015. County expenditures are not affected.

**Small Business Effect:** Potential meaningful for an establishment that is able to obtain a license.

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Analysis

**Bill Summary:** In addition to the board's vote being unanimous, the issuance of the license must not adversely affect nearby schools, churches, youth centers, or the nearest residential community. Although the bill exempts establishments in Rock Spring Centre from the proximity limitations to schools, places of worship, and youth centers as specified in statute, the restaurants must otherwise meet any statutory requirements for the license requested.

“Rock Spring Centre” is the mixed use center located in Montgomery County and bordered by Rock Spring Drive, Rockledge Drive, Interstate 270, and Old Georgetown Road in Bethesda.

**Current Law:** Generally, the Montgomery County Board of License Commissioners may not issue any license to sell alcoholic beverages within 750 feet of any secondary or elementary school, church or other place of worship, or youth center sponsored or conducted by any governmental agency. However, upon unanimous vote, the board may approve a license for a premises more than 300 feet from a school, church, other place of worship, or youth center provided that the land upon which the building is situated in which the licensee would operate is classified in a commercial or industrial zone under the applicable zoning ordinance and is adjacent or contiguous to other land which is similarly classified.

Chapter 348 of 2011 authorized the Montgomery County Board of License Commissioners by unanimous vote to approve applications for alcoholic beverages licenses for restaurant establishments in the Hillandale Shopping Center and Burtonsville Town Square in Montgomery County under conditions similar to those in this bill.

**Background:** Walter Johnson High School, a Montgomery County public high school is located at 6400 Rock Spring Drive in Bethesda. The Montgomery County Board of License Commissioners indicates that the bill addresses the proximity of Rock Spring Centre to this public school. The Rock Spring Centre project is projected to break ground in 2012 and open in spring 2014.

**Local Fiscal Effect:** The bill will affect future establishments within Rock Spring Centre that are within 300 feet of the Walter Johnson High School. Development plans indicate that approximately two establishments will be within 300 feet of the high school. These establishments may be eligible for an alcoholic beverages license, with the unanimous vote of the Montgomery County Board of License Commissioners.

Montgomery County revenue increases will depend on the number and type of each license that is issued. *For illustrative purposes only*, if two Class B beer, wine, and liquor licenses are issued, annual revenues will increase by \$6,326 in fiscal 2014 and by \$5,000 annually beginning in fiscal 2015. This represents the \$663 application fee for each license in fiscal 2014 and a \$2,500 annual license fee for Class B beer, wine, and liquor licenses, beginning annually in fiscal 2015.

## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County, *The Washington Post*, Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2012  
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