

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 5

Bill No. 23-20

Introduced by Ms. Haire

By the County Council, March 2, 2020

Introduced and first read on March 2, 2020
Public Hearing set for April 6, 2020 (Postponed)
Public Hearing set for and held on June 1, 2020
Bill AMENDED and VOTED on June 1, 2020
Bill Expires June 5, 2020 (Expiration Date Extended to July 23, 2020)

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Farm Breweries and Wineries

2
3 FOR the purpose of amending the conditional use requirements for farm breweries and
4 wineries to restrict the distance that direct vehicular access may be located from
5 residential properties; amending the conditional use requirements for farm breweries
6 and wineries to allow vehicular access from private roads under specific circumstances;
7 and generally relating to zoning.

8
9 BY repealing and reenacting, with amendments: §§ 18-10-111(7); and 18-10-157(3)
10 Anne Arundel County Code (2005, as amended)

11
12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
13 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

14
15 **ARTICLE 18. ZONING**

16
17 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

18
19 **18-10-111. Brewery, farm.**

20
21 A farm brewery shall comply with all of the following requirements:

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.

1 (7) ~~[[In an RLD or R1 District,]]~~ DIRECT vehicular access:

2

3 (I) shall be located on ~~[[a minor]]~~ AN arterial or ~~[[higher classification]]~~
4 COLLECTOR road, EXCEPT THAT THE PLANNING AND ZONING OFFICER SHALL ALLOW
5 ACCESS FROM A PRIVATE ROAD IF ACCESS FROM A PUBLIC ROAD IS NOT FEASIBLE AND,
6 IF THE PRIVATE ROAD IS SHARED, THE APPLICANT SUBMITS AFFIDAVITS OF CONSENT
7 FROM AND MAINTENANCE AGREEMENTS WITH THOSE WHO SHARE THE PRIVATE ROAD;
8 ~~[[and]]~~

9

10 (II) shall be sufficient to prevent traffic congestion on roads in adjoining
11 residential areas; AND

12

13 (III) MAY NOT BE CLOSER THAN 40 FEET TO THE LOT LINE OF A RESIDENTIALLY
14 ZONED ADJOINING LOT THAT IS NOT PART OF THE FARM BREWERY UNLESS THE
15 APPLICANT SUBMITS AFFIDAVITS OF CONSENT FROM ALL OWNERS OF THE
16 RESIDENTIALLY ZONED LOT.

17

18 **18-10-157. Wineries.**

19

20 A winery shall comply with all of the following requirements.

21

22 (3) ~~[[Vehicular]]~~ DIRECT VEHICULAR access:

23

24 (I) shall be located on an arterial or collector road, EXCEPT THAT THE PLANNING
25 AND ZONING OFFICER SHALL ALLOW ACCESS FROM A PRIVATE ROAD IF ACCESS FROM A
26 PUBLIC ROAD IS NOT FEASIBLE AND, IF THE PRIVATE ROAD IS SHARED, THE APPLICANT
27 SUBMITS AFFIDAVITS OF CONSENT FROM AND MAINTENANCE AGREEMENTS WITH THOSE
28 WHO SHARE THE PRIVATE ROAD; ~~[[and]]~~

29

30 (II) shall be sufficient to prevent traffic congestion on roads in adjoining
31 residential areas ~~[[.]]~~; AND

32

33 (III) ~~[[No point of a vehicular access drive]]~~ may NOT be closer than 40 feet to
34 the lot line of a residentially zoned ~~[[property]]~~ ADJOINING LOT that is not part of the winery
35 UNLESS THE APPLICANT SUBMITS AFFIDAVITS OF CONSENT FROM ALL OWNERS OF THE
36 RESIDENTIALLY ZONED LOT.

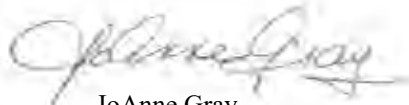
37

38 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
39 from the date it becomes law.

AMENDMENTS ADOPTED: June 1, 2020

READ AND PASSED this 1st day of June, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 2nd day of June, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 11th day of June, 2020



Steuart Pittman
County Executive

EFFECTIVE DATE: July 26, 2020

I HEREBY CERTIFY THAT THIS IS TRUE AND CORRECT COPY OF
BILL NO. 23-20. THE ORIGINAL OF WHICH IS RETAINED IN THE
FILES OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer