

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 19-015

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 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; 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 _____, and concluded on _____.
_____, 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 F(2), Restaurants, of Section 267-73, Agricultural/commercial, of Article VIII, Design
5 Standards for Special Developments, be, and it is hereby, repealed and reenacted, with amendments;
6 that Subsection H(9), Restaurants, of Section 267-88, Specific standards, of Article IX, Special
7 Exceptions, be, and it is hereby, repealed and reenacted, with amendments, all of Part 1, Standards; and
8 that the Permitted Uses Chart be, and it is hereby, repealed and reenacted, with amendments, all of
9 Chapter 267, Zoning, of the Harford County Code, as amended, and all to read as follows:

10 **Chapter 267. Zoning**

11 **Part 1. Standards**

12 **Article I. General Provisions**

13 **§ 267-4. Definitions.**

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

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

24 BREWERY, PRODUCTION – A FACILITY THAT PRODUCES ANY AMOUNT OF MALT
25 BASED LIQUORS SUCH AS BEER, ALE, PORTER, STOUT AND SIMILAR GRAIN

1 BASED BEVERAGES TO BE SOLD OFFSITE AND WHICH POSSESSES THE
2 APPROPRIATE LICENSE FROM THE STATE OF MARYLAND. SAID FACILITY MAY
3 ALSO INCLUDE SITE TOURS AND PRODUCT TASTING.

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

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

25 DISTILLERY, LIMITED – THE ESTABLISHMENT AND OPERATION OF A PLANT FOR

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

7
8 **Article VIII. Design Standards for Special Developments**

9 **§ 267-73. Agricultural/commercial.**

10 F. Services.

11 (2) Restaurants AND BREWERY, PUB.

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

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

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

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

18
19 **Article IX. Special Exceptions**

20 **§ 267-88. Specific standards.**

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

23 H. Services.

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

- 1 (a) The use is located with direct access to an arterial or collector road.
- 2 (b) A Type “A” buffer, pursuant to § 267-30 (Buffer yards), must be provided
- 3 along the public road(s) and any adjacent residential lot.

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

EFFECTIVE:

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

| 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 | |

PERMITTED USE CHARTS

BILL NO. 19-015

(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). |
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BILL NO. 19-

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| 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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| 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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| Ordnance 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 |
| | | | | | | | "SE*" indicates permitted subject to special-exception regulations, pursuant to Article XI. | | | | | | | | | | | | | | | |

As Introduced

| USE CLASSIFICATION | ZONING DISTRICTS | | | | | | | | | | | | | | | |
|-----------------------------------|------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| | 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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| | 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 | | | | | | | | | | | | | | | |

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