

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2021 Legislative Session

Bill No. CB-13-2021

Chapter No. 8

Proposed and Presented by Council Member Turner

Introduced by Council Members Turner, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey

Co-Sponsors _____

Date of Introduction March 30, 2021

ZONING BILL

1 AN ORDINANCE concerning

2 Farm Breweries

3 For the purpose of providing a definition for Farm brewery, amending the Residential Table of
4 Uses in the Zoning Ordinance to permit Farm brewery uses in the O-S (Open Space) Zone of
5 Prince George’s County, subject to certain specified requirements.

6 BY repealing and reenacting with amendments:

7 Sections 27-107.01 and 27-441(b),

8 The Zoning Ordinance of Prince George's County, Maryland,

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2019 Edition; 2020 Supplement).

13 BY adding:

14 Section 27-445.20,

15 The Zoning Ordinance of Prince George’s County, Maryland,

16 being also

17 SUBTITLE 27. ZONING.

18 The Prince George’s County Code

19 (2019 Edition, 2020 Supplement).

1 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
2 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
3 District in Prince George's County, Maryland, that Sections 27-107.01 and 27-441(b) of the
4 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
5 George's County Code, be and the same are hereby repealed and reenacted with the following
6 amendments:

7 **SUBTITLE 27. ZONING.**

8 **PART 2. GENERAL.**

9 **DIVISION 1. DEFINITIONS.**

10 **Sec. 27-107.01. Definitions.**

11 (a) Terms in the Zoning Ordinance are defined as follows:

12 * * * * *

13 (87.1.01) **Farm brewery.** A facility that has been approved for a Class 8 farm
14 brewery license pursuant to the Alcoholic Beverages Article of the State Code that produces not
15 more than 15,000 barrels of beer per year.

16 * * * * *

17 **PART 5. RESIDENTIAL ZONES.**

18 **DIVISION 3. USES PERMITTED.**

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
(1) COMMERCIAL:									
* * * * *	*	*	*	*	*	*	*	*	*
<u>Farm Brewery in accordance with Section 27-445.20</u>	<u>X</u>	<u>P</u>	<u>X</u>						
* * * * *	*	*	*	*	*	*	*	*	*

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(1) COMMERCIAL:								
* * * * *	*	*	*	*	*	*	*	*
<u>Farm Brewery in accordance with Section 27-445.20</u>	<u>X</u>							
* * * * *	*	*	*	*	*	*	*	*

1 SECTION 2. BE IT FURTHER ENACTED that Section 27-445.20 be and the same is
 2 hereby added:

3 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

4 **Sec. 27-445.20. Farm brewery.**

5 (a) General Requirements. A Farm brewery is permitted subject to the following:

6 (1) A Farm brewery shall be located on a parcel of land of at least four (4) acres in size.
 7 The Farm brewery shall be operated in accordance with all local, state, and federal laws.

8 (2) Sampling and the sale for on- and off-site consumption of beer and associated
 9 products produced by the licensee shall be permitted in accordance with State alcohol laws and
 10 regulations.

11 (3) Areas designated for tastings (tasting rooms) are allowed and shall not exceed sixty
 12 percent (60%) of the total gross floor area of the principal building used for brewing purposes or
 13 five thousand (5,000) square feet, whichever is less.

14 (4) Snack foods or prepackaged foods like sandwiches, soups, or salads, and other
 15 beverages that are consumed on the premises are allowed, however, food or beverage stores are
 16 not permitted as an accessory use to a Farm brewery.

17 (5) An eating and drinking establishment may be permitted by special exception
 18 subject to Section 27-317 of this Subtitle, and shall be compatible with the rural character of the
 19 surrounding area.

20 (6) Retail sales of merchandise or items other than beer are permitted subject to the
 21 following conditions:

22 (A) The items sold are primarily associated with the Farm brewery (e.g.,
 23 glassware and souvenirs) or are locally produced goods which would be permitted to be sold at
 24 an artisan's and crafter's market or farmers' market; and

25 (B) The retail sales are conducted within the Farm brewery or an accessory
 26 structure; and the area designated for the retail sales shall not exceed twenty percent (20%) of all
 27 Farm brewery buildings combined.

28 (6) Promotional or special events related to agritourism, such as, but not limited to,
 29 beer festivals, publicly advertised functions, workshops, fund-raising or charitable functions,
 30 weddings, receptions, social events or cultural exhibits where the number of persons in
 31 attendance at any given time exceeds two hundred (200) persons shall be restricted to eight (8)

1 events per calendar year. Smaller, less attended functions, such as, but not limited to, tastings,
 2 private parties, brewery tours, meetings or picnics are permitted without limitation on the
 3 number of events. All events allowed shall comply with the requirements of this Ordinance and
 4 with State alcohol laws and regulations.

5 (7) The minimum setback from any lot line for any newly-constructed buildings or
 6 storage facilities used in conjunction with the manufacturing of beer shall be fifty (50) feet.

7 (8) Adequate parking for visitors to the farm brewery shall be provided at a minimum
 8 ratio of one (1) space per every 1,000 square feet of gross floor area of all farm brewery
 9 buildings combined. Loading spaces shall be required at a ratio of one (1) loading space for
 10 every 10,000 square feet of gross floor area above the first 10,000 square feet of gross floor area.
 11 No visitors parking shall be allowed on public or private rights-of-way.

12 (9) Signage for the use shall conform with the requirements of Part 12 of this Subtitle.

13 (10) The use shall not be permitted on a lot or open space within a subdivision defined
 14 as a parcel of land under which there is a governance structure and regulations (i.e., a
 15 homeowners' association and recorded covenants).

16 (11) The Farm brewery shall not interfere with the implementation of soil conservation
 17 and water quality best management practices. The Farm brewery shall minimize impacts to
 18 sensitive natural resources on the farm, such as floodplains, wetlands or stream buffers. The
 19 Farm brewery shall be operated in accordance with all local, state, and federal laws, and shall be
 20 compatible with the rural character of the surrounding area.

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SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this 4th day of May, 2021.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.