

COUNTY ORDINANCE NO. 20-08

A BILL ENTITLED

AN ACT CONCERNING provisions for alcohol production facilities (to include distilleries) in the Agricultural and Countryside Districts in Queen Anne's County, defining certain terms and correcting the definition of farm brewery;

FOR THE PURPOSE of creating conditional use provisions in Agricultural and Countryside Districts in Queen Anne's County for alcohol production facilities; prohibiting such uses in the permitted open space areas of Queen Anne's County; defining alcohol production facilities and distilleries and correcting a typographical error in the definition of farm brewery in Chapter 18App-1 (Definitions) of the Code of Public Local Laws of Queen Anne's County, Maryland.

BY AMENDING Sections 18:1-12, 18:1-14, 18:1-15, and 18App-1 of the Code of Public Local Laws of Queen Anne's County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Sections 18:1-12, 18:1-14, 18:1-15, and 18App-1 of the Code of Public Local Laws be and are hereby AMENDED to read as follows:

§ 18:1-14 Agricultural (AG) District

. . .

C. Conditional uses.

[Amended 9-5-2006 by Ord. No. 06-10]

. . .

(2.5) Alcohol production facility.

. . .

§ 18:1-15 Countryside (CS) District.

. . .

C. Conditional uses.

[Amended 9-5-2006 by Ord. No. 06-10]

. . .

(2.5) Alcohol production facility.

. . .

§ 18:1-12 Permitted uses in open space.

A. The following are permitted or conditional uses allowed in open space areas required by this Chapter 18:1.

Any use not specifically listed below is not permitted in required open space areas.

[Amended 6-12-2007 by Ord. No. 06-22; 8-19-2008 by Ord. No. 08-15; 12-13-2011 by Ord. No. 11-07; 8-13-2013 by Ord. No. 13-15; 1-23-2018 by Ord. No. 17-17]

A	B	C
Non-contiguous Open Space/TDR	<i>Multifamily/ Manufactured Home Community/ Master Planned Residential Development</i>	<i>Single-Family Cluster Development</i>

Allowable Uses			NC	All Other	
Agricultural uses	Y	N	Y	Y	
<u>Alcohol production facility</u>	N	N	N	N	

§ 18App-1 Definitions.

. . .

AGRICULTURE

All methods of production or management of livestock, poultry, crops, vegetation and soil, other than commercial logging and timber harvesting operations; and includes but is not limited to:

- A. Tillage, plowing, seeding, fertilization, pest control, harvesting, maintenance of best management practices, and marketing;
- B. Feeding, housing, grazing, raising, and maintaining animals such as cattle, dairy cows, sheep, hogs, poultry and equine and the handling of their by-products;
- C. Orchards, nurseries, vineyards, cheese making, winery, and U-pick operations, and farm breweries [~~Amended 3-21-2017 by Ord. No. 16-21~~]; and
- D. Silviculture, sod production, and aquaculture.
- E. Alcohol production facilities including but not limited to limited to distilleries, farm breweries\*, vineyards, and wineries. [\*Amended 3-21-2017 by Ord. No. 16-21]

. . .

ALCOHOL PRODUCTION FACILITY

An accessory farm-based business for the manufacture of alcoholic beverages by a state-licensed brewery, distillery, or winery. This use is secondary to the primary agricultural use of the property where the activities such as on-farm processing of agricultural products and agritourism promotional events occur. At least 2 acres of the agricultural product used to produce the alcoholic beverage shall be grown on site.

. . .

DISTILLERY

A part of a producing farm operation that establishes and operates a plant for distilling, rectifying, blending, and bottling spirits under a Class 1 Manufacturer's license pursuant to §2-202 of the Alcoholic Beverages Article, as amended, of the Annotated Code of Maryland. Retail sales and tasting facilities for distilled spirits and related promotional items shall be permitted as part of the use.

. . .

FARM BREWERY

A part of a producing farm operation that brews beer from ingredients grown and produced on the farm. Incidental operations include fermenting, distilling, blending, aging, storing, administrative activities, warehousing, bottling, and shipping facilities. Retail sales and tasting facilities for beer and related promotional items shall be permitted as part of the use. Planned promotional events or other organized activities as permitted under ~~Section 2-110~~ § 2-210 of the Alcoholic Beverages Article, as amended, of the Annotated Code of Maryland are included in this definition. [Added 3-21-2017 by Ord. No. 16-21]

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-sixth (46<sup>th</sup>) day following its adoption.

INTRODUCED BY: Commissioner Moran

DATE: September 8, 2020

PUBLIC HEARING HELD: October 13, 2020 @ 6:15 pm

VOTE: \_\_\_\_\_ Nay \_\_\_\_\_

DATE OF ADOPTION: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_