

Ordinance No.: 18-35
Zoning Text Amendment No.: 17-07
Concerning: Light Manufacturing and
Production – Brewing
and Distilling
Draft No. & Date: 3 – 12/7/17
Introduced: September 26, 2017
Public Hearing: November 7, 2017
Adopted: December 12, 2017
Effective: January 1, 2018

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Riemer
Co-sponsors: Councilmembers Leventhal, Hucker, Katz, Rice, and Navarro and
Council President Berliner

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- revise the definition and standards for light manufacturing and production;
- allow for the brewing and distilling of alcoholic beverages under certain circumstances;
- allow light manufacturing and production use as a limited use in additional zones; and
- generally amend the provisions for light manufacturing and production

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 3.1.	“Use Table”
Section 3.1.6.	“Use Table”
Division 3.6.	“Industrial Uses”
Section 3.6.4.	“Manufacturing and Production”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment No. 17-07 was introduced on September 25, 2017. It would allow for the brewing and distilling of alcoholic beverages under certain circumstances. To be more permissive of brewing and distilling within volume limits, the ZTA would allow light manufacturing and production as a limited use in Commercial/Residential zones.

The Council conducted a public hearing on November 7, 2017. All testimony supported the approval of ZTA 17-07.

In its report to the Council, the Montgomery County Planning Board recommended approval of a revision to clarify that light manufacturing of alcoholic beverages would be allowed in Commercial/Residential Neighborhood (CRN) zones.

The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on November 27, 2017 to review the text amendment. The Committee recommended approval of ZTA 17-07 with amendments. The first amendment would clarify that brewing and distilling would be allowed in CRN zoned properties. The second amendment would allow odors from “food or beverage production” in light industrial uses.

The District Council reviewed Zoning Text Amendment No. 17-07 at a worksession held on December 12, 2017. The Council agreed with the Committee’s recommendation to approve ZTA 17-07 with amendments.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 17-07 will be approved as amended.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-3.1 is amended as follows:**

2 * * *

3 Section 3.1.6. Use Table

4 The following Use Table identifies uses allowed in each zone. Uses may be
5 modified in Overlay zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential		Residential														Commercial/ Residential			Employment				Industrial		
					Residential Detached								Residential Townhouse			Residential Multi-Unit												
			AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM
* * *																												
MANUFACTURING AND PRODUCTION	3.6.4																											
Artisan Manufacturing and Production	3.6.4.A																	P	P	P						P	P	
Heavy Manufacturing and Production	3.6.4.B																										P	
Light Manufacturing and Production	3.6.4.C																	L	L	L				L	P	P	P	
* * *																												
Key: P = Permitted Use L = Limited Use C = Conditional Use Blank Cell = Use Not Allowed																												
* * *																												

6

7 **Sec. 2. DIVISION 59-3.6 is amended as follows:**

8 **Division 3.6. Industrial Uses**

9 * * *

10 **Section 3.6.4. Manufacturing and Production**

11 * * *

12 **C. Light Manufacturing and Production**

13 1. Defined

14 Light Manufacturing and Production means a building used for the
15 manufacturing of finished products or parts, including processing,
16 fabrication, assembly, treatment, and packaging of such products and
17 parts, and incidental storage, sales, and distribution, where all
18 manufacturing processes and noise, odor from processes other than
19 [[brewing and baking]] food or beverage production, smoke, heat,
20 glare and vibration resulting from the manufacturing processes are
21 contained entirely within a building.

22 2. Use Standards

23 Where Light Manufacturing and Production is allowed as a limited
24 use, and the subject lot abuts or confronts a property zoned
25 Agricultural, Rural Residential, or Residential Detached that is vacant
26 or improved with an agricultural or residential use, site plan approval
27 is required under Section 7.3.4.

28 a. In [[CR and]] CRN, CRT, and CR zones, the only allowed light
29 manufacturing uses allowed are:

30 i. brewing alcoholic beverages up to 22,500 barrels a year;
31 and

32 ii. distilling alcoholic beverages up to 50,000 gallons per
33 year.

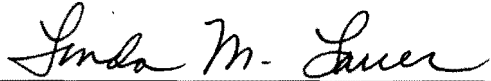
34 b. In the EOF zone, the only use limitations are:

35 i. brewing alcoholic beverages up to 60,000 barrels a year;
36 and

37 ii. distilling alcoholic beverages up to 100,000 gallons per
38 year.

39
40 **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the
41 date of Council adoption.

42
43 This is a correct copy of Council action.

44
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46 Linda M. Lauer, Clerk of the Council