

(Attachment F.)

Criss, Jeremy

From: Criss, Jeremy
Sent: Friday, March 09, 2012 2:41 PM
To: Rice, Craig; Floreen, Nancy; Elrich, Marc
Cc: Silverman, Steve; 'David Weitzer'
Subject: ZTA 12-03 Agricultural zones-Wineries

Hello Council members Rice, Floreen, and Elrich,
The Montgomery County Agricultural Advisory Committee will be discussing the ZTA 12-03 on Wineries during the March 20, 2012 meeting.

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=6&clip_id=2380&meta_id=30004

The proposed ZTA 12-03 helps to expand upon the conditions for permitting wineries in the RDT zone as part of footnote 38 in Chapter 59 zoning.

The AAC will participate during the public hearing which is scheduled for Tuesday March 27, 2012 at 1:30 pm. The Department of Economic Development has removed reference of wineries from the proposed DED-ZTA for certain agricultural and horticultural uses.

Steve Silverman will be presenting this DED-ZTA to the Sugarloaf Citizens Association on Monday March 12, 2012 to gain their input and feedback.

Please let us know if you have any questions.

Have a great weekend. J

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3/9/2012

(F.)

AGENDA ITEM #4
February 14, 2012

Introduction

**ZTA REVISED
BY COUNCIL**

MEMORANDUM

February 10, 2012

TO: County Council

FROM: Jeffrey L. Zyontz, Legislative Attorney

SUBJECT: Introduction – Zoning Text Amendment 12-03, Agricultural Zones - Wineries

Zoning Text Amendment (ZTA) 12-03, sponsored by Councilmembers Rice, Floreen, and Elrich, is scheduled for introduction on February 14, 2012. A public hearing on ZTA 12-03 will be scheduled for March 27, 2012 at 1:30 p.m.

The purpose of ZTA 12-03 is to allow wineries in the RDT zone greater latitude on the number of public events allowed before a special exception is required. Currently, two public events are allowed before a special exception is required. In the opinion of the sponsors, limiting wineries to two public events per year is unduly restrictive in a zone where agriculture is the preferred use.

This Packet Contains
ZTA 12-03

© number
1 – 2

(F.)

Zoning Text Amendment No.: 12-03
Concerning: Agricultural Zones - Wineries
Draft No. & Date: 2 - 2/14/12
Introduced: February 14, 2012
Public Hearing:
Adopted:
Effective:
Ordinance No.:

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

By: Councilmembers Rice, Floreen, and Elrich

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- revise the definition of a winery;
- revise the number of public events that a winery can hold annually as of right in certain zones; and
- generally amend the provision for wineries.

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

DIVISION 59-A-2 "DEFINITIONS AND INTERPRETATIONS"
Section 59-A-2.1 "Definitions"
DIVISION 59-C-9 "AGRICULTURAL ZONES"
Section 59-C-9.3 "Land Uses"

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 that text 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.*

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:

Sec. 1. DIVISION 59-A-2 is amended as follows:

DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.

Sec. 59-A-2.1. Definitions.

* * *

Winery: A facility for processing grapes or other fruit into wine for sale on site or through wholesale or retail outlets. At least 20 percent of the fruit used in the winemaking process must be grown on the site of the winery.

* * *

Sec. 2. DIVISION 59-C-9 is amended as follows:

DIVISION 59-C-9. AGRICULTURAL ZONES.

* * *

Sec. 59-C-9.3. Land uses.

No use is allowed except as indicated in the following table:

— **Permitted uses.** Uses designated by the letter “P” are permitted on any lot in the zones indicated, subject to all applicable regulations.

— **Special exception uses.** Uses designated by the letters “SE” may be authorized as special exceptions under Article 59-G.

	Rural	RC	LDRC	RDT	RS	RNC	RNC/TDR
* * *							
(b) Agricultural-Industrial:							
* * *							
Winery. ³⁸	SE/P	SE/P	SE/P	SE/P	SE/P	SE ²	SE ²
* * *							

³⁸ Permitted by right [provided] if no more than two public events are held per year; however, in the RDT zone, a winery is permitted by right if no more than 6 public events are held per year.

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

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council