

Zawitoski, John

From: Criss, Jeremy
Sent: Tuesday, May 05, 2015 4:41 PM
To: 'jessica@wardaca.com'; 'Rob Work'; 'John Muth'; 'Phil Muth'; 'Steven Fistere'; 'Sjoybutler (sjoybutler@aol.com)'; 'Paul Poto'; 'WADE BUTLER'; 'Greg Glenn' (greg@rocklandsfarmmd.com); 'Soleado Lavender'; robert@windridgefarm.com; 'Tim McGrath' (timm@machomes.com)
Cc: Miller, Sarah K; 'Charles Schuster'; Zawitoski, John; 'Caroline Taylor' (caroline@mocoalliance.org); 'Barbara Weitzer' (weitzer@starpower.net); 'weitzer@erols.com'; Beall, Mark; 'Penn, Joshua'; Welch, Kenneth; Matthews, Catherine
Subject: First Subcommittee meeting of the Agricultural Advisory Committee-Wednesday May 27, 2015 at 7:00 pm-UpCounty Regional Services Center 12900 Middlebrook Road Germantown Room B
Attachments: AAC-Zoningamendments.docx

Hello Everyone,

I am following up on the message I sent a few weeks ago regarding your interest to participate in a Subcommittee of the Agricultural Advisory Committee-AAC.

I have heard back from most of you and so we are scheduling the first meeting on Wednesday May 27, 2015 at 7:00 pm in Germantown.

We will meet in Room B at the UpCounty Regional Services Center located at 12900 Middlebrook Road.

Please let me know if you cannot attend.

Thank you for your willingness to serve on this subcommittee and I look forward to seeing everyone.

J

Jeremy V. Criss
Agricultural Services Manager
Department of Economic Development
Agricultural Services Division
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830
301-590-2839 (Fax)
jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agsservices>

From: Criss, Jeremy
Sent: Tuesday, April 21, 2015 4:34 PM
To: 'jessica@wardaca.com'; 'Rob Work'; 'John Muth'; 'Phil Muth'; 'Steven Fistere'; Sjoybutler (sjoybutler@aol.com); 'Paul Poto'; 'WADE BUTLER'; jcollins@sugarloafsustainablefarms.com; 'Greg Glenn' (greg@rocklandsfarmmd.com); 'Soleado Lavender'
Cc: Miller, Sarah K; 'Charles Schuster'; Zawitoski, John; 'Caroline Taylor' (caroline@mocoalliance.org); 'Barbara Weitzer' (weitzer@starpower.net); weitzer@erols.com; Beall, Mark; Penn, Joshua
Subject: Request for your assistance on a Subcommittee of the Agricultural Advisory Committee-AAC to propose new uses for brewery, cider, and distillery, etc. in the AR zone

Hello everyone,

I am contacting you as staff to the Montgomery County Agricultural Advisory Committee-AAC.

I am following up on a request from the Agricultural Advisory Committee to study and research some new land uses in the Agricultural Reserve AR zone of the County.

You have been identified as someone that is interested in these uses and I hope you will be interested in becoming a member of the AAC sub-committee.

There are several land uses that we will discuss that are described in more detail below.

The Zoning Code has a defined winery within the zoning code as outlined below that allows a winery as both a Limited=L use and Conditional=C use in the AR zone.

Section 3.2.10. Winery

A. Defined

Winery means any structure and land for processing grapes or other fruit into wine for sale on-site or through wholesale or retail outlets where a minimum of 5 acres of grapes or other fruit must be grown on the same parcel or lot as the processing facility.

B. Use Standards

1. Where a Winery is allowed as a limited use, it must satisfy the following standards:

a. In the AR zone:

i. A maximum of 9 days of events that require an entrance ticket or a cover charge is allowed each calendar year.

Additional events require conditional use approval by the Hearing Examiner under Section 7.3.1.

ii. The maximum lighting level at any lot line is 0.1 footcandle.

b. In the R and RC zone, a maximum of 2 special events such as a wedding, festival, or other similar event are allowed each calendar year. Additional events require conditional use approval by the Hearing Examiner under Section 7.3.1.

2. Where a Winery is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:

a. The minimum lot area is 10 acres.

b. The minimum setback for any structure from any lot line is 75 feet, except that the minimum front setback may be reduced to 50 feet if the Hearing Examiner finds the reduced setback is compatible with abutting and confronting agricultural uses.

c. The lot must front on and have access to a road built to primary residential or higher standards.

It is my understanding that your proposed operations are not clearly defined in the code with respect to the production of beer, hard cider, and distillery spirits including the associated tasting rooms and private events you want to hold at your farm.

The definition of agricultural processing as outlined below includes the production of these products but it does not include standards for the tasting room like the winery has above.

Section 3.2.2. Agricultural Processing

A. Defined

Agricultural Processing means any operation that transforms, packages, sorts, or grades farm products into goods that are used for intermediate or final consumption, including goods for non-food use, such as the products of forestry.

Agricultural Processing includes milk plant, grain elevator, and mulch or compost production and manufacturing, but does not include Slaughterhouse (see Section 3.2.8, Slaughterhouse).

B. Use Standards

Where Agricultural Processing is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:

1. The minimum lot area is 10 acres.

2. The minimum setback for an Agricultural Processing structure from any lot line is 75 feet.

3. The lot must front on and have access to a road built to primary residential road or higher standards unless processing materials are produced on-site.

4. If the subject lot abuts property in the AR zone, screening under Division 6.5 is not required

Under the definition of Farming Agriculture includes processing on the farm of an agricultural product to prepare the product for market and may cause a change in the natural form or state of the product. Farming includes the following accessory uses:

- A. Accessory agricultural processing and storage of products grown or raised on-site or on property owned, rented, or controlled by the farmer. Accessory agricultural processing includes a milk plant, grain elevator, on-farm animal slaughtering, and mulch or compost production and manufacturing.

The purpose of the AAC sub-committee is to study the appropriate definitions for these uses and propose language that can be reported back to the full AAC.

We will also be discussing the use of private events on farms in the AR zone since the requests for these types of events are increasing as people visit farms and experience the Ag Reserve.

Attached you will find a draft of the uses we will be discussing.

Please let me know if you are willing to participate in the AAC sub-committee and I will follow up with some dates times and place to meet.

Thanks J

Jeremy V. Criss
Agricultural Services Manager
Department of Economic Development
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jeremy.criss@montgomerycountymd.gov
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