

AMENDMENT 1 to Bill No. 17-04

Introduced By: Council President Bud Otis on behalf of County Executive Jan Gardner

Introduction Date:

Adopted Rejected/Withdrawn:

April 4, 2017

with amendment

An ACT to: Amend Chapter 1-19 of the Frederick County Code to allow farm distilleries, farm distillery tasting rooms, and limited tasting rooms for farm breweries, wineries, and distilleries in the Agriculture and Resource Conservation zoning districts.

Amend Section 1-19-8.431. Limited Farm Alcoholic Beverages Tasting Rooms in the Resource Conservation and Agricultural Districts.

On Exhibit 1, Page 2, Amend Subsection 1-19-8.431(E) as follows:

**(E) [Amplified musical events shall be held indoors only. Only non-amplified musical events, as approved by the Zoning Administrator and in accord with 1.19-8.700 may be held outdoors.] MUSIC IS PERMITTED INDOORS OR IN ACCESSORY OUTDOOR SPACE, SUCH AS PATIOS OR DECKS. AMPLIFIED MUSIC OR SOUND SHALL BE CONTAINED TO THE ACCESSORY OUTDOOR SPACE. HOURS WHEN AMPLIFIED MUSIC IS ALLOWED SHALL BE DEFINED IN THE ZONING CERTIFICATE. THE ZONING CERTIFICATE MAY BE REVOKED IF THE ZONING ADMINISTRATOR FINDS: (1) AMPLIFIED MUSIC IS HEARD OR OBSERVED OUTSIDE THE HOURS DEFINED IN THE ZONING CERTIFICATE; OR (2) AMPLIFIED MUSIC VOLUMES ARE RECORDED IN VIOLATION OF THE NOISE ORDINANCE, OR (3) MUSICAL ACTIVITIES UNREASONABLY INTERFERE WITH NEIGHBORING PROPERTY OWNERS' PEACEFUL ENJOYMENT OF THEIR HOMES.**

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EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.

AMENDMENT 2 to Bill No. 17-04

Introduced By: Council President Bud Otis on behalf of County Executive Jan Gardner

Introduction Date:

Adopted/Rejected/Withdrawn: April 4, 2017

An ACT to: Amend Chapter 1-19 of the Frederick County Code to allow farm distilleries, farm distillery tasting rooms, and limited tasting rooms for farm breweries, wineries, and distilleries in the Agriculture and Resource Conservation zoning districts.

This proposed amendment to the 'Definitions' section is in response to comments from the Frederick County Planning Commission to clarify that the tasting room can be located in space other than an "accessory structure."

Amend Section 1-19-11.100. Definitions as follows:

On Exhibit 1, Page 3, 1-19-11.100. Definitions is hereby amended to add and delete the following text:

\* \* \* \*

FARM ALCOHOLIC BEVERAGES TASTING ROOM, LIMITED. A farm brewery, farm distillery or farm winery may have one accessory structure for the purpose of tasting and retail sales of alcoholic beverages and spirits that are brewed, distilled or produced on the farm in accordance with this chapter. The [accessory] structure **WITHIN WHICH THE TASTING ROOM IS LOCATED** shall have no more than 1,500 square feet of customer service area devoted to tasting and retail sales of the farm alcoholic beverages. Calculation of the 1,500 square feet devoted to tasting and retail sales will be [calculated] based on the floor area devoted to customer service, excluding **REST ROOMS, FOOD PREPARATION AREA, AND storage.**

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EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.

AMENDMENT 3 to Bill No. 17-04

Introduced By:

Council Member Tony Chmelik

Introduction Date:

Adopted/Rejected/~~Withdrawn~~

April 4, 2017

An ACT to: Amend Chapter 1-19-8.431

***§ LIMITED FARM ALCOHOLIC BEVERAGES TASTING ROOMS IN THE  
RESOURCE CONSERVATION AND AGRICULTURAL ZONING DISTRICTS.***

The following provisions shall apply to limited farm alcoholic beverages tasting rooms in the Resource Conservation and Agricultural zoning districts.

Amend Subsection by adding § 1-19-8.431(F):

**(F) MAY HAVE UP TO TWELVE (12) FARM-BASED ALCOHOL BEVERAGE  
PROMOTIONAL ACTIVITIES PER YEAR.**

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EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.

AMENDMENT 1 to Bill No. 17-04

Introduced By:

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An ACT to: Amend Chapter 1-19 of the Frederick County Code to allow farm distilleries, farm distillery tasting rooms, and limited tasting rooms for farm breweries, wineries, and distilleries in the Agriculture and Resource Conservation zoning districts.

On Exhibit 1, Page 3, Amend Chapter § 1-19-11.100. Definitions as follows:

To add:

\* \* \* \*

**FARM-BASED ALCOHOL BEVERAGE PROMOTIONAL ACTIVITY. A FARM-BASED ALCOHOL BEVERAGE PRODUCTION FACILITY, SUCH AS A FARM WINERY, FARM BREWERY, OR FARM DISTILLERY MAY HAVE PROMOTIONAL ACTIVITIES NOT SUBJECT TO § 1-19-8.700. FARM BASED ALCOHOL BEVERAGE PROMOTIONAL ACTIVITIES SHALL NOT INCLUDE MUD RUNS/RACES, RODEOS, MOTOR SPORT EVENTS, MONSTER TRUCK RALLIES, OR CONCERTS IN EXCESS OF 1,500 GUESTS.**

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EXPLANATION:

BOLD CAPITALS INDICATE MATTER ADDED TO THE BILL.

[Brackets] indicate matter deleted from the bill.