

Ordinance No. 03-18

ORDINANCE:

To grant Text Amendment Application No. TXT2018-00246, as amended, Mayor and Council of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, filed Text Amendment Application TXT2018-00246 for the purpose of amending Chapter 25 of the Rockville City Code, "Zoning," so as to revise Chapter 25 for the purpose of adding provisions for the regulation of the production of alcoholic beverages; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of August 9, 2017, and provided comments and recommendations to the Mayor and Council; and

WHEREAS, pursuant to the Land Use Article of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on September 11, 2017, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on September 11, 2017, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council directed the staff to schedule an additional public hearing for October 16, 2017, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on October 16, 2017, said application came on for the additional hearing as requested by the Mayor and Council at the September 11, 2017 hearing; and

WHEREAS, zoning text amendment TXT2018-00247, adopted by the Mayor and Council on January 22, 2018 created the MXCT Zone, which has been inserted into this ordinance within the land use tables for Section 25.13.03; and

WHEREAS, the Mayor and Council, having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council have decided that the granting of this application, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

Amend Article 3, "Definitions; Terms of Measurements and Calculations", as follows:

* * *

Alcoholic beverage production: The production of any alcoholic beverage or neutral spirits by means of distilling, fermenting, brewing, or rectifying under the following Maryland State production classifications: Classes 1, 2, 3, 4, 5, 6, 7, and 9. Tastings or samplings of products are permitted in accordance with State law.

Alcoholic beverage production, limited: The production of any alcoholic beverage or neutral spirits by means of distilling, fermenting, brewing, or rectifying under the following Maryland State production classifications: Classes 4, 6, and 7, and 9. Tastings or samplings of products are permitted in accordance with State law.

Amend Article 12, "Industrial Zones", as follows:

25.12.03 – Land Use Tables

* * *

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
* * *				
g. Industrial and service uses	<u>Alcoholic beverage production</u>	<u>C</u>	<u>P</u>	<u>Conditional use must not adjoin or confront a residential use in a residential zone.</u>
	<u>Alcoholic beverage production, limited</u>	<u>C</u>	<u>P</u>	<u>Conditional use must not adjoin or confront a residential use in a residential zone.</u>
	Heavy industrial use	N	P	
	Light industrial use	P	P	
* * *				

Amend Article 13, "Mixed-Use Zones", as follows:

* * *

25.13.03 – Land Use Tables

Uses	Zones								Conditional requirements or related regulations	
	Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)		
j. Industrial and service uses	N	N	C	N	N	N	N	N	N	<p>Conditional use must not be located within 500 feet of a residential use in a residential zone.</p> <p>Conditional use must be at least 250' from a lot with a public or private school providing pre-school and/or K-12 education. In addition, in the MXB Zone a conditional use must not adjoin or confront single-unit dwellings</p>
	P	C	C	C	C	N	N	N	N	

Uses	Zones								Conditional requirements or related regulations
	Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
Light industrial use	N	N	P	N	N	N	N	N	Conditional use must not adjoin or confront single-unit dwellings
Service industrial use	N	N	P	C	N	N	N	N	

Amend Article 16, "Parking and Loading", as follows:

25.16.03 – Number of Spaces Required

Use Category	Use	Auto Parking Spaces		Bicycle Parking Spaces			Additional Requirements
		Unit Measure	Base Number Required	Unit Measure	Short Term Space	Long Term Space	
* * *							
Industrial and service	<u>Alcoholic beverage production, including limited production</u>	<u>Per each 1,000 GFA</u>	<u>1</u> and	<u>Square feet of gross floor area</u>	<u>1</u>	<u>2 per 15,000 SF</u>	<u>Plus additional spaces as may be required by the Approving Authority depending on the character of the use. See also Sec. 25.16.03.j.2.</u>
		<u>Per each vehicle used with the business</u>	<u>1</u>				
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j. *Provisions for Off-Site Parking*

1. The parking requirements set forth in Section 25.16.03 may be met with the execution of a formal agreement in a form satisfactory to the Chief of Planning Zoning and the City Attorney to use off-site parking spaces for some or all of the required parking.
2. In the case of parking in connection with alcoholic beverage production, the Approving Authority may consider the availability of on-street parking to serve patrons for periodic tours or tasting events.

NOTE: ~~Strikethroughs~~ indicate material deleted
Underlining indicates material added
Double underlining indicated material added following introduction of the ordinance
Asterisks * * * indicate material unchanged by this ordinance

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of February 5, 2018.


Kathleen Conway, City Clerk /Director
of Council Operations