


TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #14-0309/ ZONING – BEER AND ALE: BREWING		

TO

DATE:

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

February 28, 2014

At its regular meeting of February 27, 2014, the Planning Commission considered City Council Bill #14-0309, for the purpose of allowing the brewing of beer and ale as a permitted use in the M-1 Zoning District; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #14-0309 and adopted the following resolution; seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #14-0309 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliopé Parthemos, Deputy Chief for Economic and Neighborhood Development
 Mr. Alex Sanchez, Chief of Staff
 Ms. Angela Gibson, Mayor’s Office
 The Honorable Rochelle “Rikki” Spector, Council Rep. to Planning Commission
 Mr. David Tanner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Sharon Daboin, DHCD
 Ms. Barbara Zektick, DOT
 Ms. Elena DiPietro, Law Dept.
 Ms. Karen Randle, Council Services
 Ms. Melissa Krafchik, PABC



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

February 27, 2014

REQUEST: City Council Bill 14-0309/ Zoning – Beer and Ale: Brewing

For the purpose of allowing the brewing of beer and ale as a permitted use in the M-1 Zoning District; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER(S): Councilmember Branch, at the request of PSA Brewery, LLC

OWNERS: Various, City-wide, located in the M-1 Zoning District

SITE/ GENERAL AREA

Site Conditions: This bill would apply to all properties currently zoned M-1 within the City of Baltimore. These sites are located in various areas outside the central business district.

General Area: The City of Baltimore contains numerous properties, most currently improved, that would be affected by enactment of this bill. The bill would increase the number and type of permitted uses of such properties, which are not concentrated in any particular area.

HISTORY

There are no previous legislative or Planning Commission actions regarding this proposed revision of the Zoning Code.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, EARN Goal 1, Strengthen Identified Growth Sectors, Objective 1, Retain and Attract Businesses in all Growth Sectors.

ANALYSIS

After decades of brewery consolidation in the 1950s through the 1980s had resulted in loss of all beer and ale production sites in Baltimore City, with a corresponding loss of employment, beginning in the 1990s across the United States there was a resurgence of beer and ale brewing led by creation of many relatively small capacity, small output "craft breweries" providing discerning customers with a wide array of beers and ales having distinctive flavors. The typical craft brewery has both a low production level annually, when measured against the output of larger nationally-based breweries, and a correspondingly lower level of demand on

local infrastructure such as water and sewer systems, highway and rail transportation systems, and power systems. This bill would allow Baltimore to obtain and grow its share in a growing national beverage manufacturing sector, which serves a niche market not generally served by larger national breweries.

The stated regulatory intent of the Industrial Districts is:

1. To promote growth and stability of industrial and related development;
2. To strengthen the economic base of the City;
3. To provide the flexibility needed to meet the changing technological conditions that affect industry, its plants, and products;
4. To encourage the upgrading of industrial operations by the application of good housekeeping standards;
5. To protect the character of the district and its suitability for particular uses; and,
6. To preserve and expand the City's tax base and employment potential. (§7-102).

The M-1 Industrial District is designed to provide areas suitable for industrial and related activities that require, deserve, and promote a relatively nuisance-free environment compatible with and not detrimental to an adjoining Business or Residence District (§7-201). Permitted uses in M-1 Districts include bakery goods manufacturing, beverages manufacturing, bottling works, coffee roasting, food and flavor extracts manufacturing, fermented fruits and vegetable products processing, food products manufacturing and processing, natural and dry ice manufacturing, malting, spices manufacturing and processing, warehousing and storage, and wholesale establishments (§7-206). This partial listing includes a number of component steps in beer and ale brewing and production for distribution, or industrial uses which have very similar processes or activities to those included in beer and ale brewing.

Beer and ale brewing is a permitted use in the M-2 and M-3 Industrial Districts. In these Districts, this activity does not need to comply with Performance Standards contained in the Zoning Code (§7-306.(1) and 7-406.(1)). These Performance Standards, contained in Title 12 of the Zoning Code, regulate noise, vibration, smoke and particulate matter, toxic matter, odorous matter, and glare (§12-102). These standards were formulated to protect residential and commercial areas which might be adjacent to M-1 Districts. Beer and ale brewing in the M-1 District would therefore be subject to these Performance Standards, while larger breweries operating in M-2 or M-3 Districts would not have to comply with them. Thus, Planning staff consider beer and ale brewing in M-1 Districts would be compatible with other uses in those districts and, applying standards already in place, not incompatible with nearby non-M-1 uses.

Notification: 296 organizations were notified of this action by e-mail, including umbrella community organizations, the Baltimore Industrial Group, and the South Baltimore Business Alliance.



Thomas J. Stosur
Director