

**COUNTY COUNCIL**  
**OF**  
**DORCHESTER COUNTY, MARYLAND**

BILL NO.            2026-8

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO AMEND CHAPTER 155 (ZONING), § 155-50 (SUPPLEMENTARY USE REGULATIONS) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSE OF PERMITTING FARM BREWERIES AND FARM DISTILLERIES, SUBJECT TO CERTAIN CONDITIONS; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO ZONING IN DORCHESTER COUNTY, MARYLAND.

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 10-317(a)(4), the County Council of Dorchester County, Maryland (the "County Council") is authorized and empowered to enact local laws to protect and promote public safety, health, morals, comfort, and welfare in Dorchester County, Maryland (the "County"); and

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 10-324(a)(1), the County Council is authorized and empowered to enact local laws relating to zoning and planning and to promote public safety, health, morals, and welfare; and

**WHEREAS**, following a public hearing held on May 6, 2026, the Dorchester County Planning Commission (the "Planning Commission") recommended that the County Council approve a text amendment amending Chapter 155 (Zoning) of the Dorchester County Code (the "County Code") for the purpose of permitting farm breweries and farm distilleries, subject to certain conditions; and

**WHEREAS**, on August 4, 2026, the County Council held a public hearing regarding the foregoing text amendment recommended by the Planning Commission, notice of which was published on July 18, 2026, and July 25, 2026, in The Star Democrat, a newspaper of general circulation in the County, in accordance with Md. Code Ann., Land Use § 4-203(b) and § 155-6(B) of the County Code; and

**WHEREAS**, having considered the recommendations of the Planning Commission and the Department of Planning & Zoning Staff, as well as the comments made during the August 4, 2026, public hearing, the County Council is desirous of amending Chapter 155 of the County Code for the purpose of permitting farm breweries and farm distilleries, subject to certain conditions; and

**WHEREAS**, the County Council finds that the enactments set forth herein are necessary to promote and protect the public health, safety, and welfare.

SECTION ONE: Acting under Md. Code Ann., Local Gov't §§ 10-317(a)(4) and 10-324(a)(1) and Chapter 155 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 155 (Zoning), § 155-50 (Supplementary Use Regulations) of the County Code be and it is hereby amended to read as follows:

**§ 155-50 Supplementary use regulations.**

The following supplementary use regulations apply in addition to the requirements of the applicable zoning district and any requirements in the Table of Permitted Uses.

\* \* \*

JJ. Farm winery, farm brewery, and farm distillery.

(1) General requirements.

(a)

A farm winery, farm brewery, or farm distillery shall be located on a parcel of land containing not less than of at least five acres, ~~and the farm winery shall produce no more than 2,000 gallons of wine for every acre of grapes or other fruit planted on the property or obtained from other property which is under the control of the winery owner.~~

[1] A farm winery shall not produce more than 2,000 gallons of wine per acre of grapes or other fruit grown on the premises or obtained from property under the control of the winery owner.

[2] A farm brewery shall not produce more than 2,000 gallons of beer per acre of hops, grain, or other agricultural products grown on the premises or obtained from property under the control of the brewery owner.

[3] A farm distillery shall not produce more than 2,000 gallons of distilled spirits per acre of fruit, grain, or other agricultural products grown on the premises or obtained from property under the control of the distillery owner.

(b)

~~Grapes, fruit, or juice used for processing of wine may be contracted for purchase from off-site locations, however after an initial five year start up period, at least 50% of the grapes or other fruit that is processed into wine at the winery shall be grown on site or obtained from other off site locations under the control of the winery owner.~~

Agricultural products used in the production of wine, beer, or distilled spirits may be obtained from off-site sources; however, after a five-year start up period, not less than 50% of such products shall be grown on the premises or obtained from property under the control of the winery, brewery, or distillery owner.

(c)

~~The minimum setback from any lot line for a structure, storage, parking, or loading area shall be 200 feet.~~

All structures, storage areas, parking areas, and loading areas shall be set back a minimum of 200 feet from any lot line.

(d)

Wholesale and retail sales of wine, **beer, distilled spirits, or related agricultural products produced on the premises are permitted.** ~~grape, or fruit products produced on the premises is allowed.~~ Retail sales of **other merchandise or items other than wine is allowed is permitted** within the tasting room, ~~and must be~~ **provided such merchandise is** directly related to the **farm winery, farm brewery or farm distillery** and **is** limited to items **such as** ~~like~~ souvenirs, **clothing** ~~clothes~~ bearing the **establishment's winery logo, other industry-related products, and other locally sourced artisanal products** ~~or other wine-related items.~~

(e)

**Tasting rooms are permitted. The total area devoted to tasting rooms** ~~Areas designated for wine tasting (tasting rooms) are allowed and shall not exceed 50% of the total gross floor area of the principal **production** building used for processing of wine or 2,000 square feet, whichever is less.~~

(f)

Snack foods or prepackaged foods **for** ~~like~~ sandwiches, soups, or salads that are consumed on the **on-premises consumption are permitted** ~~are allowed.~~ **A facility may prepare, sell, and serve food consistent with and subject to any restrictions set forth by the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland.** A commercial restaurant **is** ~~shall be~~ expressly prohibited in the RC and AC-RCA (~~Critical Area~~) Zoning Districts. A commercial restaurant **may be permitted** in the AC Agricultural Conservation Zoning District **upon the granting of** ~~may be permitted if a special exception is granted by the Board of Zoning Appeals.~~

(g)

Promotional or special events **in which more than 200 persons may be in attendance at any time shall be limited to eight events per calendar year. Smaller events, including tastings, private parties, tours, meetings, or picnics, are permitted without limitation.** ~~such as, but not limited to, wine festivals, publically advertised functions, conferences, workshops, fund raising or charitable functions, weddings, receptions, social events or cultural exhibits where the number of persons in attendance at any given time exceeds 200 persons shall be restricted to eight events per calendar year. Smaller less-attended functions, such as, but not limited to, wine tastings, private parties, winery tours, meetings or picnics are permitted without limitation on the number of events.~~

(h)

On-site parking shall be provided in accordance with Article XI, Parking and Loading. **One parking space shall be provided** ~~The number of parking spaces provided shall be one space per 300 square feet of principal building area, including tasting **rooms** ~~room~~, reception **areas** ~~area~~, offices, **laboratories** ~~laboratory~~, and other administrative **or** ~~and~~ public **spaces** ~~areas~~. One space shall also be provided per two employees. **Temporary overflow parking may be used for special events** ~~Additional parking for promotional or special events may utilize temporary, overflow parking areas.~~~~

(i)

~~Signage~~ On-site signage shall comply ~~be in accordance~~ with Article XII, Signs signs. One nonilluminated on-site sign identifying the advertising the authorized use (farm winery, farm brewery, or farm distillery) is permitted ~~may be allowed~~. The maximum sign area shall be not exceed 32 square feet, and the maximum sign height shall ~~be not exceed~~ eight feet.

(j)

Vehicular access to ~~the farm winery~~ shall connect directly to a public road ~~that has been~~ designated by the County as a major collector, ~~or minor collector road~~, or a limited access roadway.

(k)

The use ~~farm winery~~ shall be consistent with and supportive of agricultural operation of support the farm ~~and its production~~, and shall not interfere with the implementation of soil conservation or and water quality best management practices. Impacts ~~The winery shall minimize impacts~~ to sensitive natural resources, including ~~on the farm~~, such as floodplains, wetlands, and ~~or~~ stream buffers, shall be minimized.

(l)

The farm winery, farm brewery, or farm distillery shall comply ~~be operated in accordance~~ with all applicable local, state, and federal laws, and shall be compatible with the rural character. ~~Character~~ of the farm and the surrounding area.

SECTION TWO: With respect to the substantive provisions of this Bill set forth in Section 1, additions are shown in bold, underlined font and deletions are shown in strikethrough. Substantive language added after the date of introduction is in bold, italicized font and substantive language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION THREE: And be it further enacted and ordained that if any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Bill, it being the intent of the County Council that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION FOUR: And be it further enacted and ordained that all bills, ordinances, or parts thereof inconsistent with the provisions of this Bill are hereby repealed to the extent of such inconsistency.

SECTION FIVE: And be it further enacted and ordained that General Code Publishers is directed to codify the above amendments to the Dorchester County Code accordingly.

SECTION SIX: And be it further enacted and ordained pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the County Manager shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

SECTION SEVEN: And be it further enacted and ordained that this Bill shall be known as Bill No. 2026-8 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

COUNTY COUNCIL OF DORCHESTER  
COUNTY, MARYLAND

BY: \_\_\_\_\_  
Jerry Jones  
County Manager

BY: \_\_\_\_\_  
George L. Pfeffer, Jr.  
President

Pfeffer –

Detmer –

Kramer –

Nichols –

Travers –