

**File Number: Ord 13-57**

Amending Legislative Code Chapters 63, 65, and 66 pertaining to alcohol production uses.

**STATEMENT OF FINDINGS BY THE COUNCIL**

WHEREAS, the Council of the City of Saint Paul, in Resolution No. 13-256, requested the Saint Paul Planning Commission to report and recommend possible amendments to Zoning Code §§'s 65.910, 65.610, 65.774, 65.820, 65.821, and any other sections of the Code regulating where facilities used in the production of alcoholic beverages through brewing, distilling, or fermenting may be permitted; and

WHEREAS, based upon the Council's request, draft text amendments relating to the said sections of the Zoning Code were prepared by zoning staff and presented to the Planning Commission's Neighborhood Planning Committee for review and analysis; and

WHEREAS, in a memo dated August 15, 2013, the Neighborhood Planning Committee submitted a report to the Planning Commission in which recommendations and a rationale for amending specific sections of the Zoning Code regulating where facilities used in the production of alcoholic beverages through brewing, distilling, or fermenting may be permitted were set forth; and

WHEREAS, on October 4, 2013, the Planning Commission duly conducted a public hearing regarding the amendments recommended in the Neighborhood Planning Committee's Report; and

WHEREAS, on October 18, 2013, the Planning Commission, based upon the Neighborhood Planning Committee's report and all the testimony received from the October 4, 2013 public hearing, duly submitted its recommendation to amend certain sections of the Zoning Code regulating the production of alcoholic beverages through brewing, distilling, or fermenting to the City Council for its review and consideration; and

WHEREAS, a public hearing before the City Council having been duly conducted at which all interested parties were given an opportunity to be heard, and having considered all the testimony and recommendations concerning the proposed zoning text amendments, including the Planning Commission's minutes and the Neighborhood Planning Committee's memorandum and their rationale for the recommended Zoning Code amendments which the Council finds persuasive and thus hereby incorporates by reference into this ordinance for the specific purpose of articulating the Council's reasons and rationale for enacting the recommended amendments as set forth below in Sections 1 through 3, in addition to any other reasons the Council might articulate on the record in adopting these amendments the Council, having considered all the facts and recommendations concerning the proposed zoning amendments and pursuant to the authority granted by and in accordance with the procedures set forth in Minnesota Statutes Sec. 462.357 states as follows:

**THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:**

**SECTION 1**

**Legislative Code Chapter 63**, Article II, 63.200, Parking Requirements, is hereby amended as follows:

**Table 63.207 Minimum Required Off-Street Parking By Use**

[insert Table 63.207]

## SECTION 2

**Legislative Code Chapter 65**, Land Use Definitions and Development Standards, is hereby amended as follows:

### **Secs. 65.772 – 65.773. Reserved.**

#### **Sec. 65.774. ~~Malt liquor production.~~ Brewery, craft.**

A facility with a capacity to manufacture twenty thousand (20,000) or fewer barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

*Standards and conditions in traditional neighborhood and business districts:*

- (a) In traditional neighborhood and B2 business districts, a conditional use permit is required for such uses with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.
- (b) Fewer than five thousand (5,000) barrels of malt liquor shall be produced in a year. In all traditional neighborhood and business districts, a conditional use permit is required for facilities with the capacity to manufacture more than five thousand (5,000) barrels of malt liquor a year in order to ensure operational and design compatibility with the particular location.

#### **Sec. 65.775. Distillery, craft.**

A facility that manufactures distilled spirits, as defined by Minn. Stat. § 340A.301, with a capacity to manufacture forty thousand (40,000) or fewer proof gallons a year.

*Standards and conditions in traditional neighborhood and B2 business districts:*

A conditional use permit is required for facilities with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.

#### **Sec. 65.77~~26~~. Finishing shop.**

### **Secs. 65.777 – 65.779. Reserved.**

#### **Sec. 65.77~~380~~. Limited production and processing.**

#### **Sec. 65.77~~581~~. Plastic products.**

#### **Sec. 65.77~~682~~. Printing and publishing.**

#### **Sec. 65.77~~783~~. Recycling collection center.**

#### **Sec. 65.77~~884~~. Recycling drop-off station.**

#### **Sec. 65.77~~985~~. Warehousing and storage.**

**Sec. 65.786. Winery, craft.**

A facility that manufactures wine, as defined by Minn. Stat. § 340A.301, with a capacity of six hundred twenty thousand (620,000) or fewer gallons a year.

**Standards and conditions in traditional neighborhood and business districts.**

(a) In traditional neighborhood and B2 business districts, a conditional use permit is required for facilities with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.

(b) In all traditional neighborhood and business districts, a conditional use permit is required for facilities with the capacity to manufacture more than one hundred fifty-five thousand (155,000) gallons a year in order to ensure operational and design compatibility with the particular location.

**Sec. 65.78~~07~~. Wholesale establishment.**

**SECTION 3**

**Legislative Code Chapter 66**, Zoning Code – Zoning District Uses, Density and Dimensional Standards, is hereby amended as follows:

**ARTICLE III. 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS**

**Table 66.321. Principal Uses in Traditional Neighborhood Districts**

[insert Table 66.321]

**ARTICLE IV. 66.400. BUSINESS DISTRICTS**

**Table 66.421. Principal Uses in Business Districts**

[insert Table 66.421]

**ARTICLE V. 66.500. INDUSTRIAL DISTRICTS**

**Table 66.521. Principal Uses in Industrial Districts**

[insert Table 66.521]

**SECTION 4**

This ordinance shall become effective thirty (30) days after its passage, approval and publication.