
MEMORANDUM



TO: Mayor & City Council
FROM: Mary Lou DeWitt, Comm. Dev. Zoning Specialist
SUBJECT: **Ordinance Amendment to allow Brewer Tap Room and other styles of Brewers in B-1, B-2, and B-3 Zoning Districts**
DATE: September 23rd, 2021

First Reading for Ordinance #809

Background:

In 2016, Ordinance amendment #733 was approved to allow Brewer, Brewpub, Microbrewery, Microdistillery, and Tap Room and allowance of Microbrewery as a home occupation in the R-1 and R-2 Residential Zoning Districts.

Currently, we have property owners that would like to open a Brewer Tap Room in the proposed B-3 General Commercial District and the closest permitted use to this would be a bar.

Definition for Bar: Establishments serving "on-sale" liquor with or without food

The proposed business would have on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery and includes the sales of malt liquor produced and packaged at the brewery for off-premises consumption as allowed by Minnesota Statutes.

Analysis:

The Planning Commission held a public hearing on September 20th, 2021 for Ordinance #809 to allow with a Conditional Use of Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room in the B-1, B-2, and B-3 zoned districts. A summary of the Ordinance Amendment is as follows:

- * A Conditional Use Permit will be required
- * Minnesota Statute § 340A.301 subd. 6 (c), (i), or (j) along with Alcohol and Tobacco Tax Trade Bureau Title 27, Chapter 1, Subchapter A, Article 25 Beer are to be obeyed
- * Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room will be followed in accordance with conditions outlined in Zoning Ordinance #538

Amendment Review Standards:

The Zoning Ordinance does not outline specific factors upon which a proposed amendment should be considered; therefore, staff is providing the following factors, which are common review standards from other ordinances:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.
2. The proposed use is or will be compatible with present and future land uses of the area.

3. The proposed use conforms with all performance standards contained in this code.
4. The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.
5. Traffic generation by the proposed use is within capabilities of streets serving the property.

Recommendations/Conclusion:

The Planning Commission held a public hearing on September 20th, 2021, and moved to recommend the City Council hold a first reading to introduce Ordinance #809.

ORDINANCE #809
CITY OF PRINCETON, MINNESOTA
AN ORDINANCE AMENDING ZONING ORDINANCE #733, TO ADD DEFINITIONS
AND PROVIDING FOR THE CONDITIONAL USE OF BREWPUB, MICROBREWERY,
MICRO DISTILLERY, AND BREWER TAPROOM IN THE B-1,
B-2 AND B-3 ZONED DISTRICTS, AND ADDING DESCRIPTION TO THE
PERFORMANCE STANDARDS BUSINESS AND COMMERCIAL PARKING SPACES.

SECTION 1. Chapter II (Definitions) of the Zoning Ordinance is amended as follows (underline indicates additions; ~~strikethrough~~ indicates deletions):

Brewer

A person who manufactures malt liquor for sale.

Brewpub

A state licensed brewer under Minn. Stats. § 340A.301, subdiv. 6(d) with a restaurant use operated on the same premises as the brewery. To sell their own malt liquor, a brewpub is required to obtain an intoxicating on-sale liquor license and may obtain an on-sale Sunday liquor license if they want to be open on Sundays. Along with meeting the requirements of the State of Minnesota the entity must also meet the Federal requirements of the Alcohol and Tobacco Tax and Trade Bureau Title 27 Chapter 1 Subchapter A Article 25 BEER.

Brewer Taproom

* Brewer taproom (less than 10,000 barrels)

* Brewer taproom (more than 10,000 barrels)

A state licensed brewer under Minn. Stats. §340A.301 subdiv. 6(c), (i), or (j) permitting the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery or an abutting property in common ownership of the brewer, which may include the sales of malt liquor produced and packaged at the brewery for off-premises consumption as allowed by Minnesota Statutes.

Microbrewery

A facility that is licensed under Minn. Stats. § 340A.301, subdiv. 6(c), (i), or (j) and may brew no more than 20,000 barrels of its own brands of malt liquor annually. The on-site sale of malt liquor is limited to off-sale only. Off-sale malt liquor shall be sold in 64-ounce growler or in 750 milliliter bottles, and is limited to 500 barrels annually. Microbreweries are not permitted to sell more than ten percent of their product on-site. Along with meeting the requirements of the State of Minnesota the entity must also

meet the Federal requirements of the Alcohol and Tobacco Tax and Trade Bureau Title 27 Chapter 1 Subchapter A, Article 25 BEER.

Micro Distillery

A distillery producing premium, distilled spirits in total quantity not to exceed 40,000-proof gallons in a calendar year as regulated by Minnesota Statutes. Along with meeting the requirements of the State of Minnesota the entity must also meet the Federal requirements of the Alcohol and Tobacco Tax and Trade Bureau Title 27 Chapter 1 Subchapter A, Article 19 DISTILLED SPIRITS PLANTS.

Proof gallons

A proof gallon is one liquid gallon of spirits that is 50% alcohol at 60 degrees F. Distilled Spirits bottled at 80 proof (40% alcohol) would be 0.8 proof gallons per gallon of liquid.

Tap room

A state licensed brewer under Minn. Stats. § 340A.301 subdiv. 6(c), (i), or (j) permitting the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery or an abutting property in common ownership of the brewer, which may include the sales of malt liquor produced and packaged at the brewery for off premises consumption as allowed by Minnesota Statutes. Along with meeting the requirements of the State of Minnesota the entity must also meet the Federal requirements of the Alcohol and Tobacco Tax and Trade Bureau Title 27 Chapter 1 Subchapter A, Article 25 BEER.

SECTION 2. Section 8 (B-1 Central Business) of Chapter V (Zoning Districts) of the Zoning Ordinance is amended as follows:

C. Conditional Uses

Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room, in accordance with the conditions outlined in Zoning Ordinance #538.

SECTION 3. Section 9 (B-2 Neighborhood Commercial District) of Chapter V (Zoning Districts) of the Zoning Ordinance is amended as follows:

D. Conditional Uses

Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room, in accordance with conditions outlined in Zoning Ordinance #538.

SECTION 4. Section 10 (B-3 General Commercial District) of Chapter V (Zoning Districts) of the Zoning Ordinance is amended as follows:

C. Conditional Uses

Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room, in accordance with conditions outlined in Zoning Ordinance #538.

SECTION 5. Section 2 (Standards) of Chapter VI (Performances Standards) of the Zoning Ordinance is amended as follows:

Q.3 Number of Minimum Parking Spaces Per Unit of Measure, 3. Business and Commercial

Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room: One space per 50 square feet of gross floor area.

EFFECTIVE DATE. This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:

Public Hearing for the Ordinance Amendment to Chapter II (Definitions) of the Princeton Zoning Ordinance #733 and Chapter V (Zoning Districts) Section 8, 9, and 10 (B-1, B-2, and B-3 Districts) regarding the addition of Brewpub, Microbrewery, Micro Distillery, and Brewer Tap Room, in accordance as a Conditional Use and adding description to Chapter VI (Performance Standards) Section 2, Business and Commercial parking spaces.

ADOPTED by the City Council of the City of Princeton this 14th day of October, 2021.

Thom Walker, Mayor

ATTEST:

Shawna Jenkins Tadych, City Clerk