



Legislation Text

File #: Ord 13-14, **Version:** 2

Amending Legislative Code § 65.774 (c) pertaining to standards and conditions for malt liquor production in Traditional Neighborhood and Business districts.

WHEREAS, on February 13, 2013, the City Council, pursuant to Minn. Stat. § 462.357, Subd. 6, adopted Council Resolution No. 13-256 which duly referred to the Planning Commission certain language proposed by the Council to amend Leg. Code § 65.774 in which, for zoning purposes, the production of malt liquor is regulated in the City; and

WHEREAS, for the reasons set forth in Resolution No. 13-256, which shall be incorporated herein by reference, the Council desires to facilitate the establishment and growth of small-scale commercial breweries which may benefit by municipal regulations authorized under Minn. Stat. § 340A.301, Subd. 6(b) if Leg. Code § 65.774 is amended; and

WHEREAS, Resolution No. 13-256 was received by the Commission and, in a Report dated February 28, 2013, the Commission's Neighborhood Planning Committee reviewed the amendment proposed in Resolution No. 13-256 and, based upon the Report, the Committee recommended to the Commission that it approve the amendment proposed in Resolution No. 13-256 for all the reasons set forth in the Committee's Report, which is attached and incorporated herein by reference; and

WHEREAS, on March 8, 2013, the Commission considered the Committee's Report on the amendments proposed in Council Resolution No. 13-256 and, following discussion of the matter, the Commission, in Planning Commission Resolution No. 13-11, which is attached and incorporated herein by reference, moved to recommend that the proposed amendment of Leg. Code § 65.774 be adopted by the Council; and

WHEREAS, the Council, having received the Planning Commission's recommendation in its Resolution No. 13-11 and for all the reasons set forth in the Commission's Resolution and the Report of the Commission's Committee, which together shall form a part of the Council's written record of articulated reasons related to promoting public health, safety, morals and welfare regarding any inquiry into the Council's rational basis for amending Leg. Code § 65.774;

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN

Section 1

For all the reasons set forth in Council Resolution No. 13-256, in the Report of the Neighborhood Planning Committee of the Saint Paul Planning Commission dated February 28, 2013, and in Planning Commission Resolution No. 13-11, all of which are incorporated herein and made a part of the Council's reasons supporting the following amendment of the Saint Paul Legislative Code, Legislative Code § 65.774, entitled "malt liquor production," shall be amended as follows:

Sec 65.774 Malt liquor production.

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.
- (c) ~~The malt liquor shall not be sold to customers for consumption on the site where manufactured.~~

Section 2

This ordinance shall take effect 30 days after its passage, approval, and publication.