

CITY OF APPLE VALLEY
ORDINANCE NO.

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
CHAPTER 155 OF THE CITY CODE ENTITLED "ZONING" TO ADD
DEFINITIONS AND REGULATIONS REGARDING BREWERIES,
MICRODISTILLERIES AND ALCOHOL SALES FOR BREWER TAPROOMS,
COCKTAIL ROOMS AND SUNDAY OFF-SALE

The City Council of Apple Valley ordains:

Section 1. Section 155.003 of the Apple Valley City Code is hereby amended by adding the following definitions to read as follows:

BREWER TAPROOM shall have the meaning as the term is defined in the alcohol licensing regulations in Chapter 111 of this Code.

COCKTAIL ROOM shall have the meaning as the term is defined in the alcohol licensing regulations in Chapter 111 of this Code.

DISTILLED SPIRITS shall have the meaning as the term is defined in the alcohol licensing regulations in Chapter 111 of this Code.

MICRODISTILLERY shall have the meaning as the term is defined in the alcohol licensing regulations in Chapter 111 of this Code.

SMALL BREWERY shall mean a brewer who manufactures not more than 250,000 barrels of malt liquor for wholesale per year.

Section 2. Section 155.201 of the Apple Valley City Code is hereby amended by adding Section 155.201(L) to read as follows:

§ 155.201 PERMITTED USES.

* * *

(L) Small brewery and microdistillery.

Section 3. Section 155.203 of the Apple Valley City Code is hereby amended by adding Section 155.203(M) to read as follows:

§ 155.203 CONDITIONAL USES.

* * *

(M) On-sale liquor, 3.2 beer or wine in conjunction with a Class I restaurant; on-sale malt liquor in conjunction with a brewer taproom; on-sale distilled spirits in conjunction with a

microdistillery cocktail room; or off-sale malt liquor from the premises of and in conjunction with a small brewery; or off-sale distilled spirits in conjunction with a microdistillery. The parking requirements as set forth in this Code for restaurant uses shall apply and be met on the subject site for brewer taprooms and microdistillery cocktail rooms. A brewer taproom and a microdistillery cocktail room shall not exceed 30% of the total floor area of the brewery or microdistillery with which each is respectively operated.

Section 4. Section 155.204 of the Apple Valley City Code is hereby amended by revising Section 155.204(E) to read as follows:

§ 155.204 PERMITTED ACCESSORY USES.

* * *

(E) Outdoor dining area, subject to the regulations set forth in this chapter or an outdoor patio in conjunction with a brewer taproom or microdistillery cocktail room which shall be subject to the regulations applicable to outdoor dining area and included in the 30% floor area restriction for a brewer taproom or microdistillery cocktail room under a conditional use permit issued hereunder.

Section 5. Section 155.216 of the Apple Valley City Code is hereby amended by revising Section 155.216(B) to read as follows:

§ 155.216 PERMITTED USES.

* * *

(B) The manufacturing, compounding, assembly, packaging, treatment or storage of the following products or materials: brewing (any size of brewery), cement, concrete, stonecutting, brick, glass, batteries (wet cell), ceramic products, microdistillery, millworking, metal polishing and plating, paint (pigment manufacturing), vinegar works, rubber products, plastics, meat-packing, flour, feed, grain milling, coal or tar asphalt distillation, rendering works, distillation of bones, sawmill, lime, gypsum, plaster of Paris, glue, size, cloth and similar uses.

Section 6. Section 155.218 of the Apple Valley City Code is hereby amended by adding Section 155.218(M) to read as follows:

§ 155.218 CONDITIONAL USES.

* * *

(M) On-sale malt liquor in conjunction with a brewer taproom; on-sale distilled spirits in conjunction with a microdistillery cocktail room; or off-sale malt liquor from the premises of and in conjunction with a small brewery; or off-sale distilled spirits in conjunction with a microdistillery. The parking requirements as set forth in this Code for restaurant uses shall apply and be met on the subject site for brewer taprooms and microdistillery cocktail rooms. A brewer taproom and a microdistillery cocktail room shall not exceed 30% of the total floor area of the brewery or microdistillery with which each is respectively operated.

Section 7. Section 155.219 of the Apple Valley City Code is hereby amended to add Section 155.219(C) to read as follows:

§ 155.219 PERMITTED ACCESSORY USES.

Within any I-2 district, the following accessory uses, or uses deemed similar by the City Council, are permitted:

* * *

(C) An outdoor patio in conjunction with a small brewery taproom or microdistillery cocktail room which shall be subject to the regulations applicable to outdoor dining area set forth in this Code and included in the 30% floor area restriction for a brewer taproom or microdistillery cocktail room under a conditional use permit issued hereunder.

Section 8. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____", a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 9. Filing. The City Clerk shall file a copy of this ordinance in her office, which copy shall be available for inspection by any persons during regular office hours.

Section 10. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 11. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary.

PASSED this 22nd day of October, 2015.

Mary Hamann-Roland, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

CITY OF APPLE VALLEY
ORDINANCE NO.

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
CHAPTER 155 OF THE CITY CODE ENTITLED "ZONING" TO ADD
DEFINITIONS AND REGULATIONS REGARDING BREWERIES,
MICRODISTILLERIES AND ALCOHOL SALES FOR BREWER TAPROOMS,
COCKTAIL ROOMS AND SUNDAY OFF-SALE

The following is the official summary of Ordinance No. ____ approved by the City
Council of Apple Valley on October 22, 2015:

Apple Valley City Code, Chapter 155, governing the City's zoning regulations, is
amended to add definitions and to allow small brewery taprooms, microdistillery, and
microdistillery cocktail rooms and related regulations.

A printed copy of the ordinance is available for inspection by any person during regular
office hours at the office of the City Clerk at the Apple Valley Municipal Center, 7100 147th
Street W., Apple Valley, Minnesota 55124.