

Ordinance No. 09-10

An Ordinance Amending the Zoning Ordinance of the City of Brookings and Pertaining to Brewpubs for the Purposes of Administration of the Zoning Ordinance

Be it ordained by the governing body of the City of Brookings, South Dakota: that Chapter 94, Zoning, of the Code of Ordinances shall be amended as follows:

Sec. 94-1. Definitions

Brewpub: A restaurant or drinking establishment that includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops, and yeast into beer or ale by mashing, cooking, and fermenting.

Restaurant: A public eating place

Sec. 94.131. Business B-1 Central District

(e) Conditional Use

7. Brewpub

Sec. 94.132. Business B-2 District

(d) Permitted Special Uses

5. Brewpub

- a. The area used for brewing, including bottling and kegging, shall not exceed 25% of the total floor area of a combined restaurant and drinking establishment and 50% of the total floor area of a drinking establishment without restaurant services.
- b. A malt beverage manufacturer's license must be obtained per state law
- c. An alcohol beverage license must be obtained per city ordinance
- d. The brewery shall not produce more than 1,500 barrels or beer of ale per year. A barrel contains thirty-one (31) gallons.

Sec. 94.134. Business B-3 Heavy District

(d) Permitted Special Uses

14. Brewpub

- a. The area used for brewing, including bottling and kegging, shall not exceed 25% of the total floor area of a combined restaurant and drinking establishment and 50% of the total floor area of a drinking establishment without restaurant services.
- b. A malt beverage manufacturer's license must be obtained per state law
- c. An alcohol beverage license must be obtained per city ordinance
- d. The brewery shall not produce more than 1,500 barrels of beer or ale per year. A barrel contains thirty-one (31) gallons.

Sec. 94.135 Business B-4 District

(d) Permitted Special Uses

12. Brewpub

- a. The area used for brewing, including bottling and kegging, shall not exceed 25% of the total floor area of a combined restaurant and drinking establishment and 50% of the total floor area of a drinking establishment without restaurant services.
- b. A malt beverage manufacturer's license must be obtained per state law
- c. An alcohol beverage license must be obtained per city ordinance
- d. The brewery shall not produce more than 1,500 barrels of beer or ale per year. A barrel contains thirty-one (31) gallons.

Article V. Conditional Uses

Division 3 Standards

Sec. 94.251. Generally

Sec. 94.260.3 Brewpub

A Brewpub shall comply with the following conditions:

- a. The area used for brewing, including bottling and kegging, shall not exceed 25% of the total floor area of a combined restaurant and drinking establishment and 50% of the total floor area of a drinking establishment without restaurant services.
- b. A malt beverage manufacturer's license must be obtained per state law
- c. An alcohol beverage license must be obtained per city ordinance
- d. The brewery shall not produce more than 1,500 barrels of beer or ale per year. A barrel contains thirty-one (31) gallons.
- e. The method and frequency of grain shipments to the site shall be provided.
- f. The method and frequency of spent grain disposal shall be provided.

Any or all ordinances in conflict herewith are hereby repealed.

First Reading: February 9, 2010
Second Reading: February 23, 2010
Published: February 26, 2010

CITY OF BROOKINGS, SD

Tim Reed, Mayor

ATTEST:

Shari Thornes, City Clerk