

Item # 7B
Date: 10-14-24



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October 2024

TO: Mayor - City Council Members
City Administrator Jordan Cook

From: Ryan Hutton
Building & Zoning Official

With the recommendation from the Planning and Zoning Commission, we are seeking approval to add “Brewery” to the definitions in Chapter 165 of the City Ordinance. We are also seeking approval for the change of permitted uses of “Cocktail Lounge” to permitted use in Downtown Corridor and Urban Corridor. Previously the City did not have “Brewery” as a definition. The previous permitted uses required a Special Use permit for a “Cocktail Lounge” to operate in the Downtown Corridor and Urban Corridor.

Best Regards,
Ryan Hutton
Building and Zoning Official

ORDINANCE NO. 1061 (2024/2025)

AN ORDINANCE AMENDING CHAPTER 165, SECTION 08 (USE TYPES) OF THE CITY CODE BY ADDING LANGUAGE PERTAINING TO BREWERIES AND AMENDING TABLE 165.09-2 (PERMITTED USES)

BE IT ENACTED by the City Council of the City of Nevada, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Chapter 165, Section 08 (Use Types) is hereby amended by inserting the following underlined language and deleting the ~~strikethrough~~ language:

7. Commercial Use Types. Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

...

EE. Brewery, micro—establishments that engage primarily in the brewing of beers, ales, and/or similar beverages on-site for distribution, retail or wholesale, on or off-premises and produces no more than 10,000 barrels of beer or ale annually. A microbrewery may include a tasting room for consumption on-premises.

SECTION 2. TABLE MODIFIED. Table 165.09-2 (Permitted Uses by Zoning Districts) is hereby amended by inserting the following underlined language and deleting the ~~strikethrough~~ language:

Table 165.09-2 Permitted Uses by Zoning Districts

Use Types	AR	RR	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	COS	Additional Regulation
Commercial Uses																	165.16 (6) (A & B)
Cocktail Lounge								S <u>P</u>		S	S <u>P</u>	P	S	P	P		
<u>Brewery, micro</u>								<u>P</u>		<u>S</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>		

SECTION 3. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.