

TO: HONORABLE MAYOR AND CITY COUNCIL

From: Samantha Meyer, Zoning Assistant

Subject: Amendment to Zoning Ordinance

Date: March 14, 2018

BACKGROUND:

The City of Cannon Falls Planning Commission met on Monday March 12, 2018 for their regularly scheduled meeting. The Planning Commission discussed options for an amendment to the Zoning Ordinance regarding permitted uses in the Central Business District (B-1). The current Zoning Ordinance does not allow production wineries in the B-1 Zone. The Planning Commission has recommended to the City Council that production wineries be added to the B-1 Zoning District as a Conditional Use.

If Council votes to approve production wineries as a conditional use as recommended by the Planning Commission the winery would need to submit a conditional use permit application and go through the conditional use permit process which includes a public hearing at the Planning Commission and City Council approval.

If Council votes to approve production wineries as a conditional use as recommended by the Planning Commission, Council should also discuss any conditions they would recommend in the ordinance. Planning Commission has recommended the following conditions, Council can accept the ordinance with these conditions, add conditions, remove conditions or amend the recommended conditions.

Conditions:

1. All loading and unloading of semi trucks and related vehicles shall take place on property owned by the production winery facility.
2. A full engineering report including drainage and runoff, utility connection specifications and water quality impacts shall be conducted and information provided to the city engineer for review in a timely manner prior to the issuance of a conditional use permit for a production winery.
3. A production winery shall comply with all State of Minnesota requirements and evidence of such shall be provided to city staff prior to the issuance of a conditional use permit.

Attachment: Planning Commission Packet

City of Cannon Falls
Planning Commission Memorandum
To: Planning Commission
From: Samantha Meyer, Zoning Assistant
Date: March 8, 2018

Item Public Hearing: 6A

Cannon River Winery-Zoning Ordinance Text Amendment

Background:

The Cannon River Winery has proposed to expand their current facility located at 421 Mill Street. Per an agreement with the City Council of the City of Cannon Falls, the City will take responsibility for all land use applications for the winery expansion project. In order to permit the expansion, the B-1 (Central Business District) Zoning Ordinance text must be amended to allow a production winery as either a permitted use or a conditional use.

The Cannon River Winery is currently in the process of acquiring two parcels of land from the City of Cannon Falls and the Cannon Falls EDA. Items such as an environmental study, the demolition of an existing structure, survey and building plans are forthcoming. The purpose of this action is to allow the use of a production winery in the B-1 Zone. Currently, producing and bottling of wine is not a permitted use in the B-1 Zone. The existing winery is operating as an existing non-conforming use. With the proposed expansion the non-conforming status must be brought into compliance.

Text Amendment Information:

With the directive from the City Council to complete all land use procedures, staff will present to the Planning Commission options for allowing a production winery in the B-1 Zoning District. The Planning Commission will evaluate the options and provide a recommendation to the City Council.

A **permitted use** is an allowed use within a district without the need for any special permitting or review by the Planning Commission and City Council. Provided the general standards of the ordinance are adhered to and any needed permits (i.e. building permits) are received, the use may proceed.

A **conditional use** is a use that is allowed within the district, however, the City needs a reasonable degree of discretion to determine its suitability on a given site. Conditions are typically included within the Ordinance and the City may impose additional conditions to protect the public health, safety and general welfare of surrounding properties.

The definition of a production winery is a location where wine is produced and bottled for distribution to other facilities, including retail stores.

An ordinance allowing a production winery as a **permitted use** would allow a production winery anywhere in the B-1 Zone (a map of the existing B-1 Zoning District is attached) pending the use complies with all existing zoning ordinance provisions, some of which are attached to this document.

An ordinance requiring a **conditional use** permit would require conditions be met that are in addition to the existing provisions of the zoning ordinance. If a **conditional use** is recommended and the City Council accepts that recommendation, the Cannon River Winery will need to go through the conditional use permit process before expanding.

Action Needed:

The Planning Commission will recommend to the City Council an amendment to the B-1 Zone allowing a production winery as a permitted use OR a conditional use.

If a conditional use is recommended the Planning Commission should discuss possible conditions for a production winery. Some examples of common conditions for similar uses include:

- Size of a structure required for a production winery
- Truck traffic limitations
- Landscaping or screening requirements
- Lighting requirements

Existing Zoning Ordinance provisions for some of these items are included as an attachment. The Zoning Assistant can research any other existing provisions as requested.

Possible Motions:

1. Motion to recommend an ordinance text amendment to Section 152.626 “Permitted Uses in the B-1 Zoning District” to allow a production winery as a permitted use in the B-1 Central Business District.

OR

2. Motion to recommend an ordinance text amendment to Section 152.628 “Conditional Uses in the B-1 Zoning District” to allow a production winery as a conditional use in the B-1 Central Business District.

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

**ORDINANCE NUMBER 359
FIRST SERIES**

**AN ORDINANCE AMENDING CHAPTER 152 OF THE CANNON FALLS
CITY CODE, THE ZONING ORDINANCE CONCERNING PRODUCTION
WINERY FACILITIES IN THE B-1, CENTRAL BUSINESS DISTRICT.**

Section 1. Section 152.628 of the Cannon Falls City Code is hereby amended to add the following provision:

(E) Production Winery Facilities provided that:

1. All loading and unloading of semi trucks and related vehicles shall take place on property owned by the production winery facility.
2. A full engineering report including drainage and runoff, utility connection specifications and water quality impacts shall be conducted and information provided to the City Engineer for review prior to the issuance of a conditional use permit.
3. A production winery shall comply with all State of Minnesota requirements and evidence of such shall be provided to city staff prior to the issuance of a conditional use permit.

Section 2. This ordinance shall be effective immediately upon its passage and publication according to law.

PASSED AND DULY ADOPTED this _____ day of _____, 2018 by the City Council of the City of Cannon Falls, Minnesota.

CITY OF CANNON FALLS

BY: _____

Lyman M. Robinson, Mayor

ATTEST: _____

Lanell Endres, Interim City Administrator