

OFFICIAL

**BOROUGH OF CRAFTON
ORDINANCE NO. ____**

AN ORDINANCE OF THE BOROUGH OF CRAFTON, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 225 OF THE CRAFTON BOROUGH CODE OF ORDINANCES, ZONING, AS AMENDED, TO ESTABLISH “MICROBREWERY” AND “TAP ROOM” AS PERMITTED USES IN THE C-1 SHOPPING CENTER DISTRICT AND THE C-2 COMMERCIAL CORE DISTRICT, ESTABLISH “MICROBREWERY” AND “MACROBREWERY” AS PERMITTED USES IN THE I INDUSTRIAL DISTRICT, AND ESTABLISH PARKING REQUIREMENTS AND DEFINITIONS.

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, as amended, (“MPC”) authorizes the Borough of Crafton (the “Borough”) to regulate zoning and land use in the Borough; and

WHEREAS, Chapter 225 of the Borough of Crafton Code of Ordinances, Zoning, as amended, (the “Zoning Ordinance”) regulates zoning and land use within the Borough consistent with the requirements of the MPC in order to maintain, preserve and protect the public health, safety and welfare; and

WHEREAS, the Council of the Borough desires to amend Chapter 225 of the Crafton Borough Code of Ordinances, Zoning, to establish “Microbrewery” and “Tap Room” as permitted uses in the C-1 Shopping Center District and the C-2 Commercial Core District, establish “Microbrewery” and “Macrobrewery” as permitted uses in the I Industrial District, and to establish parking requirements and definitions;

NOW, THEREFORE, the Council of the Borough of Crafton hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1. Section 225-12 of the Zoning Ordinance, which sets forth definitions, is amended as follows by inserting the underlined text and deleting the stricken text:

§225-12. Specific Meanings.

The following words and phrases shall have the particular meaning specified for the purposes of this chapter:

BREWERY — A facility that holds a license to manufacture, store and distribute malt or brewed beverages as regulated by Title 47, the Pennsylvania Liquor Code, as amended.

MACROBREWERY —A brewery producing malt or brewed beverages in a quantity greater than seven thousand (7,000) barrels (US barrels) per year.

MALT OR BREWED BEVERAGES - Any beer, lager beer, ale, porter or similar fermented malt beverage containing one-half of one per centum or more of alcohol by volume, by whatever name such beverage may be called, and shall also mean alcoholic cider and mead.

MICROBREWERY — A brewery producing malt or brewed beverages in a quantity of seven thousand (7,000) barrels (US barrels) or less per year.

TAP ROOM — A retail establishment that is attached to a microbrewery and open to the public for the sale of malt or brewed beverages for on-site and/or off-site consumption.

SECTION 2. Section 225-64 of the Zoning Ordinance, which sets forth the authorized uses in the C-1 Shopping Center District is amended as follows by inserting the underlined text:

§225-64. Authorized uses.

In the C-1 Shopping Center District only the following uses are authorized:

A. Permitted uses.

(1) Principal uses:

(cc) Tattoo Parlor and Body Piercing Establishment, not adult-oriented.

(dd) Microbrewery with tap room, subject to Sec. 225-120.L.

SECTION 3. Section 225-74 of the Zoning Ordinance, which sets forth the authorized uses in the C-2 Commercial Core District is amended as follows by inserting the underlined text:

§225-74. Authorized uses.

In the C-2 Commercial Core District only the following uses are authorized:

A. Permitted uses.

(1) Principal uses:

(ee) Tattoo Parlor and Body Piercing Establishment, not adult-oriented.

(ff) Microbrewery with tap room, subject to Sec. 225-120.L.

SECTION 4. Section 225-84 of the Zoning Ordinance, which sets forth the authorized uses in the I Industrial District is amended as follows by inserting the underlined text:

§225-84. Authorized uses.

In the I Industrial District only the following uses are authorized:

A. Permitted uses.

(1) Principal uses:

(x) Adult-oriented business, subject to § 225-118, subpart GG.

(y) Tattoo Parlor and Body Piercing Establishment, adult-oriented, subject to §225-118, subpart OO.

(z) Microbrewery without tap room, subject to Sec. 225-120.L.

(aa) Macrobrewery.

SECTION 5. Section 225-105 of the Zoning Ordinance, which sets forth off-street parking requirements, is amended as follows by inserting the underlined text:

§225-105. Off-Street Parking Requirements.

Commented [KS1]: I Industrial District permits:

Distribution plant, including parcel delivery, ice and cold storage plant, bottling plant, and food commissary or catering establishment.

AND

Manufacture, processing, canning, packaging or treatment of . . . beverages,

As permitted principal uses.

Any new use or change of use in any zoning district shall comply with the following minimum requirements for the provision of off-street parking spaces.

D. The following table of parking requirements specifies the number of spaces required for various categories of uses in any zoning district:

Use	Parking Space Required
*****	*****
<u>Microbrewery</u>	<u>One space per employee on peak shift or one space per 1,500 square feet of floor area of building, whichever is greater, plus one visitor space per 25 employees</u>
<u>Macrobrewery</u>	<u>One space per employee on peak shift or one space per 1,500 square feet of floor area of building, whichever is greater, plus one visitor space per 25 employees</u>
*****	*****

SECTION 6. Section 225-120 of the Zoning Ordinance, which sets forth performance standards, is amended by deleting the stricken text and inserting the underlined text, renumbering the current subpart “L” as subpart “M” and inserting a new subpart “L” to regulate Microbreweries as follows:

§225-120. Performance standards.

The following standards shall apply to all permitted uses, conditional uses and uses by special exception in all zoning districts. In order to determine whether a proposed conditional use or use by special exception will conform to the requirements of this chapter, the Planning Commission, Borough Council or the Zoning Hearing Board may require a qualified consultant whose credentials are acceptable to Council or the Board to testify, whose cost for services shall be borne by the applicant.

L. Microbrewery

- (1) A microbrewery and, if included, a tap room must be licensed by the Pennsylvania Liquor Control Board.
- (2) Any microbrewery that includes a tap room shall meet the off-street parking requirements of Article XIV for eating and drinking establishments for the portion of the building devoted to the tap room in addition to the parking required for a microbrewery. Parking spaces may be located on a lot other than that

containing the principal use only upon the approval by the Borough Council; provided, that safe, convenient pedestrian access is assured, and that any off-street parking spaces required to serve structures or uses on a separate zoning lot shall be within 500 feet of the main entrance of the structure or use served. If not located on the same zoning lot, the required off-street parking spaces shall be located on a zoning lot owned by or leased to the owner of the zoning lot on which the principal use is located. No property located in a residential zoning district may be used for off-site, off-street parking. Evidence of ownership or lease rights shall be presented to the Borough in the form of a deed, contract of sale, option agreement or lease. The continued ownership or lease of the approved off-site, off-street parking spaces shall be a condition to occupancy of the principal use which the parking spaces serve. If deemed necessary by the Borough Engineer, an applicant for approval of off-site parking pursuant to this Part may be required to submit a parking demand study.

- (3) The establishment shall not have a drive-through facility.
- (4) Outdoor entertainment shall not be permitted.
- (5) All operations shall be conducted within a completely enclosed building, except for an outdoor seating area associated with a tap room. An outdoor seating area associated with a tap room shall be:
 - (a) Integral with the principal building.
 - (b) No larger than 10% of the entire microbrewery and tap room.
 - (c) Accessible only through the inside of the facility.
 - (d) Entirely enclosed by fencing or landscaping and shall comply with all standards as required by the Pennsylvania Liquor Control Board.
 - (e) In compliance with all setback regulations required for the principal building.
- (6) A tap room may offer food to patrons.
- (7) At least 51% of the malt or brewed beverages offered for consumption or sale at a tap room must be produced on the premises or on real property immediately adjacent to the premises.
- (8) No equipment or storage related to the operation of the preparation of malt or brewed beverages (specifically excluding chillers) may be located outside the principal structure.
- (9) Growlers or crowlers, defined as a refillable and resealable container for malt or brewed beverages, shall not be consumed on the premises.

L.M. Continuing enforcement.

- (1) The Zoning Officer shall investigate any purported violation of the performance standards and, subject to the approval of Borough Council, may employ qualified technical experts to assist in the determination of a violation. Costs of the services of such experts shall be paid by the owner or operator of the facility or use accused of the violation if the facility or use is found to be in violation. If the facility or use is found to be in compliance with the performance standards, said costs shall be borne by the Borough.
- (2) If the facility or use is found to be in violation, the owner or operator shall be given written notice of violation in accordance with § 225-144B(7) of this chapter and a reasonable length of time to correct the violation. Failure to correct the violation shall be subject to the penalty provisions of this chapter and shall result in the revocation of the occupancy permit for the facility or use.

SECTION 7. All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

SECTION 8. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and **ENACTED** this ____ day of _____, 2019, by the Council of the Borough of Crafton in lawful session duly assembled.

ATTEST:

BOROUGH OF CRAFTON

Carissima Kerns
Borough Secretary

By: _____
Phillip G. Levasseur
President, Borough Council

(SEAL)

EXAMINED and **APPROVED** this ____ day of _____, 2019

James G. Bloom
Mayor