

ORDINANCE 4343

TO AMEND THE ZONING ORDINANCE OF THE CITY OF HARTSVILLE APPENDIX A – ZONING ARTICLE III. DEFINITION OF TERMS, ARTICLE IX – DISTRICT REQUIREMENTS - SECTION 5. B-1 (CENTRAL BUSINESS DISTRICT) ZONE SECTION 7. M – 1 (INDUSTRIAL), AND SECTION 8. M -2 (INDUSTRIAL) ZONES TO ADD BREWERIES AND BREWPUBS AND OTHER MATTERS RELATED THERETO.

WHEREAS, it has been determined that breweries make an impact on local economies and businesses by creating jobs and getting involved in communities, and

WHEREAS, investors have expressed an interest in opening a brewery in the central business district, and

WHEREAS, the Hartsville Planning Commission reviewed this matter at their June 27, 2018 meeting and recommends that that the Hartsville City Council adopt Ordinance 4343 amending the Zoning Ordinance to include microbreweries.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HARTSVILLE, SOUTH CAROLINA, that the Hartsville City Code is hereby amended to allow Craft Breweries as a permitted use by amending the Zoning Ordinance to read as follows:

ARTICLE III. DEFINITION OF TERMS USED IN THIS ORDINANCE

Brewery – a facility that brews beer primarily for on-site consumption and retail sale on its permitted premises, but also including wholesale or off-site sales, consistent with State law and the use specific standards of the ordinance. Such uses may or may not include an on-site tasting room or food service.

Brewpub – a tavern, public house, restaurant, or hotel, which produces on the permitted premises a maximum of two thousand barrels a year of beer for sale on the premises.

Permitted premises – those areas normally used by the permittee or licensee to conduct his/her business and includes, but is not limited to, the selling areas, brewing areas, storage areas, food preparation areas, and parking areas.

Person – an individual, partnership, corporation, or other form of business organization.

Producer – a brewery or winery or a manufacturer, bottler, or importer of beer or wine into the United States.

Tasting room - A tasting room is a part of a winery or brewery, typically located on the premises of the winery or brewery's production facilities, at which guests may sample the winery or brewery's products.

ARTICLE IX – DISTRICT REQUIREMENTS.

SECTION 5. B-1 (CENTRAL BUSINESS DISTRICT).

Permitted uses.

(20) Breweries and brewpubs: shall comply with the following standards:

Maximum Annual Production: Breweries are limited to production of 15,000 barrels per year. Brewpubs are limited to production of 2,000 barrels per year.

Facility Size: The production area of the facility is limited to 10,000 square feet. No limits exist for the remaining portions of the facility.

Loading, Unloading, and Circulation: There must be specific provisions to accommodate truck loading and unloading compatible with the circulation of customer parking.

Loading areas facing any street, adjacent residential use or residential zoning district shall have the doors closed at all times, except during the movement of raw materials, other supplies and/or finished products into and out of the building.

Parking: Tasting rooms/brewpubs must provide parking as required for a restaurant, including provision of spaces to serve outside seating or activity areas.

Hours of Operation: Deliveries are limited to between 7 a.m. and 11:00p.m. Hours of operation are dependent upon South Carolina State law and the type of license the brewery possesses from the South Carolina Department of Revenue. In no case shall an establishment that sells liquor by the drink operate between 2:00a.m. and 7:00a.m. on any day.

Outdoor Storage: No outdoor storage is permitted. This includes the use of portable storage units, cargo containers and tractor- trailers.

Outdoor Areas: Breweries or brewpubs having outdoor areas for seating, music/live entertainment or outdoor games must comply with the following standards:

The outdoor area must be designed and located so as not to obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

The outdoor area must be located at least 100 feet from all existing residential uses, and all undeveloped residential zoning districts. The outdoor portions shall not be used for entertainment of any type after 11:00p.m. on any day.

This standard does not apply when the use that necessitates the separation is located in the Central Business (B-1) or in a Master Plan where the terms and conditions contemplate a mix of uses.

The outdoor area must provide parking using the parking requirements for a restaurant. (See the parking standards of the City of Hartsville Zoning Ordinance Appendix A, Article VI – General Provisions, Section 7. Off Street Parking and Loading).

Music or Entertainment: Small-scale entertainment can be provided as an accessory use, but may not be located or amplified to the degree that it creates a nuisance to adjoining properties.

Management of Impacts Plan: Craft breweries must provide a written plan to manage potential impacts on the surrounding neighborhoods and businesses, including:

Acknowledgement of the City noise ordinance standards and monitoring noise created by the establishment and its patrons.

Provision of lighting to secure parking lots and other outside areas while complying with the lighting standards. (See lighting standards of the City of Hartsville Zoning Ordinance Appendix A, Article VI – General Provisions, Section 13. Lighting Requirements).

Provision of appropriate security to control crowds based on size and type of activity, including the discouragement of parking lot loitering.

Advising patrons to park only in appropriate locations on the establishment's property or neighboring properties where written permission has been granted.

Zoning Districts that Allow Breweries and Brewpubs

Breweries will be permitted as a special exception in industrial zoning districts (M-1 and M-2). The Zoning Board of Appeals (ZBA) shall hold a public hearing. All use specific standards shall be met for the board to consider approval. The ZBA can place other reasonable conditions on the approval if it deems additional requirements are necessary.

Breweries will be permitted as a special use in the central business (B-1) zoning district. Staff shall approve the use if it meets all of the use specific standards. Staff cannot add other conditions.

Breweries shall not be permitted in other zoning districts.

SECTION 7. M-1 (INDUSTRIAL) ZONE.

(d) *Uses subject to approval of the zoning board of appeals.* In M-1 zones, uses permitted subject to the approval of the zoning board of appeals shall be as follows:

- (1) Breweries and brewpubs as a special exception subject to all the use specific standards as outlined in Article IX – District Requirements – Section 5. B-1 (Central Business District), (20) Breweries and brewpubs.

SECTION 8. M-2 (INDUSTRIAL) ZONE

(c) Uses subject to approval of the Zoning Board of Appeals.

- (4) Breweries and brewpubs as a special exception subject to all the use specific standards as outlined in Article IX – District Requirements – Section 5. B-1 (Central Business District), (20) Breweries and brewpubs

NOW, THEREFORE BE IT ORDAINED IN MEETING DULY ADVERTISED AND ASSEMBLED on the ____ day of _____ 2018 and to become effective upon final reading.

Carl M. (Mel) Pennington IV, Mayor

ATTEST: _____
Sherron L. Skipper, City Clerk

First Reading: July 10, 2018
Public Hearing:
Final Reading: