

Proposed Amendments

to be considered at the

May 2015 Special General Referendum

Amendment

1. Artisanal Food and Beverage Ordinance

Amendment #1

Artisanal Food and Beverage Ordinance

Ballot Language: The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to define a new principal use for craft manufactures of food and beverage products, and to establish where this new use is allowed or prohibited, specifically amending Article 2, Definitions, Article 4, Use Regulations, Article 8, Shoreland Overlay District and Article 10-G, Farm Enterprise Overlay District.

Statement of Fact: The purpose of this amendment is to facilitate the growth and diversification of the town's food and beverage-based businesses and to enhance the Town's hospitality attractions with regard to artisan crafted food and drink, specifically allowing a new use called, "Artisanal Food and/or Beverage Facility." The definition is similar to one that was adopted by the Town of Kittery in recent years. It is intended to allow for manufacturing, sales, distribution and/or on-site consumption of artisanal food and beverage products that are produced on site. Types of businesses could include, but are not limited to, a brew pub, micro-brewery, distillery, coffee roaster, bakery or other such facilities. The use would be allowed in York Village, York Beach, in most sections of the Route One corridor, and in most areas of the General Development zones.

Recommendations:

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment: In Article 2, Definitions, insert new language to define a new principal use as follows:

***ARTISINAL FOOD AND/OR BEVERAGE FACILITY:** A facility wherein food/beverage products are produced and sold directly to the consumer. Products may be retailed for consumption on or off the premises; and the facility may additionally engage in small-scale wholesale distribution of products produced on-site. Examples include, but are not limited to: a facility engaged in small-batch baking; small-scale cheese production; a small brewery/winery/distillery (producing under 50,000 gallons/year) small-batch vegetable pickling; or small-scale meat or fish curing.*

An Artisanal Food and/or Beverage Facility shall be allowed to offer guided tours of the facility and tasting rooms.

In Article 4, Use Regulations, insert into the “Commercial Use Category” of the following zones the new use of Artisanal Food and/or Beverage Facility as permitted:

YBVC

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area.*

GEN-3

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet) – Allowed only in that portion of the zone that is located south of the Little River. Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area.*

RT 1-2

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet. Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area. – Route One Use Permit from the Planning Board is required.*

RT 1-3

- *Artisanal Food and/or Beverage Facility. Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area. – Route One Use Permit from the Planning Board is required.*

RT 1-4

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area. – Route One Use Permit from the Planning Board is required.*

RT 1-5

- *Artisanal Food and/or Beverage Facility (Not to exceed 2,500 square feet of floor space). – Route One Use Permit from the Planning Board is required.*

In Article 4, Use Regulations, insert into the “Commercial Use Category” of the remaining base zones a prohibition of the new use of *Artisanal Food and/or Beverage Facility* as follows:

RES 1-A & RES 1-B

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-2

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-3

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-4

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-5

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-6

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RES-7

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

BUS-1

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

BUS-2

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

GEN-1

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

GEN-2

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RT 1-1

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

RT 1-6

Draft Amendments to be voted in May 2015

DRAFT – February 9, 2015

Page 4

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

In Article 8, Shoreland Overlay District, insert into the “Commercial Use Category” of the Mixed Use Sub-district the new use of *Artisanal Food and/or Beverage Facility* as permitted:

8.2.1.A Mixed Use Subdistrict

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area*

In Article 8, Shoreland Overlay District, insert into the “Commercial Use Category” of the remaining sub-districts a prohibition of the new use Specialty Food and/or Beverage Facility as follows:

8.2.1.B Limited Residential Subdistrict

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

8.2.1.C Resource Protection Subdistrict

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

8.2.1.D Stream Protection Subdistrict

- EXPRESSLY PROHIBITED: *Artisanal Food and/or Beverage Facility*

In Article 10-G, Farm Enterprise Overlay District, insert the following bullet point within Section 10-G.2.a- Allowed Agriculture-Related Uses:

- *Artisanal Food and/or Beverage Facility (Not to exceed 5,000 square feet). Retail Sales of Merchandise as part of this use shall not supersede 2,500 square feet of gross floor area.*

Recommended by the Planning Board:

Recommended by the Board of Selectmen: