

**Town Of Hyde Park
Local Law No. B of 2017**

**A LOCAL LAW AMENDING CHAPTER 108 OF THE TOWN CODE TO
PERMIT CRAFT BREWERIES, DISTILLERIES, WINERIES AND
FOOD MANUFACTURING FACILITIES**

BE IT ENACTED by the Town Board of the Town of Hyde Park as follows:

Section 1. Legislative Intent and Purpose.

The Hyde Park Town Board has observed an increased interest and resurgence in artisanal foods and craft and other small-scale brewing, winery and distillery operations throughout the state. The Town Board notes that New York State's Craft New York Act, signed in 2014, has reduced alcohol producers' requirements and restrictions in an effort to develop the craft beverage industry within the State. This funding source and legislative support and increased demand for craft beer, alcohol and wine, micro-alcohol establishments and breweries, can serve as catalysts to municipalities' business area revitalization, as well as a stimulus for commercial and tourism activities. The Town is home to the Culinary Institute of America ("CIA"), many of whose graduates settle in the Dutchess County area to work in, operate and own restaurants and food related businesses. The CIA also attracts tourists to the Town to visit the Institute and its many restaurants. Hyde Park has several former retail facilities and properties that can be repurposed for craft breweries, wineries, distilleries and food manufacturing facilities. The Town's Comprehensive Plan encourages the promotion of tourism and tourism related businesses as a way of increasing the Town's commercial tax base. An amendment to the Town's zoning law to increase opportunities for food and beverage related tourism and to provide opportunities for job creation through modest scale food and beverage manufacturing within the Town would be in the best interests of the Town and its taxpayers and consistent with the Town's Comprehensive Plan.

Section 2. Section 108-2.2 of the Town Code, entitled, "Definitions", is hereby amended to include the following new definitions:

Craft brewery, winery, distillery and/or food manufacturing facility – An establishment which produces on the premises beer, wine, cider, vinous beverages, spirits or edible goods for off- and/or on-site consumption in accordance with New York State Liquor Authority, Department of Health and other applicable agency regulations. Such an establishment shall include a public component: such as a tasting room, restaurant and/or a retail establishment. A craft brewery, distillery, winery and/or food manufacturing facility shall be classified as a "general commercial use" for zoning purposes notwithstanding the definition of "light industrial use" as contained in the Town Code.

Tasting Room – a portion of a craft brewery, distillery, winery or food manufacturing facility that allows customers to taste samples of beer, cider, alcoholic spirits, vinous beverages or edible goods manufactured on the premises. A tasting room may include the sale of such products in addition to related items, marketing events and/or entertainment.

Winery – an establishment which is primarily used for the manufacture of vinous beverages for on-site distribution and/or on-site consumption in accordance with New York State Liquor Authority, Department of Health and other applicable agency regulations.

Section 3. Section 108-4.5B(1) of the Zoning Law, entitled “Required off-street parking”, is hereby revised by replacing the use “restaurant or food dispensing facility” with the use “restaurant, winery or food/beverage manufacturing or dispensing facility” to read as follows:

Restaurant, winery or food/beverage manufacturing or dispensing facility	1 space per 50 square feet for patron use; 2 spaces per 3 employees
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Section 4. Severability

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Hyde Park hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Authority

This local law is enacted in accordance with the powers vested in the Town by the Municipal Home Rule Law and is intended to supersede any inconsistent provisions in the New York State Town Law.

Section 6. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.