

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2111**

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD**

WHEREAS, periodic update of allowable uses within non-residential zone districts is desirable to help promote economic development and sustainability in Town; and

WHEREAS, microbreweries and craft distilleries can have a symbiotic relationship with local restaurants through the serving of a locally brewed beer or spirit which could help local restaurants further distinguish themselves in the marketplace; and

WHEREAS; the establishment of microbreweries and craft distilleries in Westfield could also increase the number of visitors to the Town through the offering of tours of the establishment along with the retail sales and samplings as permitted by State law; and

WHEREAS, allowing microbreweries and craft distilleries as a conditional use within the Central Business District Zone District would enable a land use board to review the development proposal prior to establishment; and

WHEREAS, the Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

NOW, THEREFORE, BE IT THEREFORE ORDAINED by the Town Council of the Town of Westfield, in the County of Union and the State of New Jersey, as follows:

SECTION I. Article 2, Section 2.06 titled “DEFINITIONS; C”, is hereby amended and supplemented to include a new definition for Craft Distillery which shall be inserted as a new subsection S which shall read as set forth herein. The existing subsection S shall be re-lettered as subsection T.

“S. **Craft Distillery.** A distillery operating with a craft distillery license as defined and regulated within N.J.S.A. 33:1-10.”

SECTION II. Article 2, Section 2.11 titled “DEFINITIONS; M AND N”, is hereby amended and supplemented to include a new definition for Microbrewery which shall be inserted as a new subsection I which shall read as set forth herein. The existing subsections I through V shall be re-lettered respectively.

“I. **Microbrewery.** A brewery operating with a limited brewery license as defined and regulated within N.J.S.A. 33:1-10.”

SECTION III. Article 11, Section 11.25 titled “**CBD CENTRAL BUSINESS DISTRICT**”, **subsection C. titled “Conditional uses and structures.”** is hereby amended and supplemented by adding the following language.

“5. Microbreweries and craft distilleries.”

SECTION IV. Article 18, is hereby amended and supplemented by adding a new Section 23, titled Microbreweries and Craft Distilleries which shall read as follows.

“Microbreweries and Craft Distilleries as defined within Article 2 of the Westfield Land Use Ordinance are permitted only if the following requirements are complied with:

A. Sampling Room and Retail Sales. A microbrewery or craft distillery shall provide a sampling room and retail sales area where product shall be sold to consumers and where samples shall be offered.

B. Street frontage. Warehousing of materials or product, or offices ancillary to the microbrewery or craft distillery shall not occupy any street frontage. In addition, at least 50% of the street frontage of the tenant space shall be occupied by the sampling room and retail sales area.”

SECTION V. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION VI. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION VII. This ordinance shall take effect after passage and publication in the manner provided by law.