

**ORDINANCE NO. 1061 (2024/2025)**

**AN ORDINANCE AMENDING CHAPTER 165, SECTION 08 (USE TYPES) OF THE CITY CODE BY ADDING LANGUAGE PERTAINING TO BREWERIES AND AMENDING TABLE 165.09-2 (PERMITTED USES)**

**BE IT ENACTED** by the City Council of the City of Nevada, Iowa, as follows:

**SECTION 1. SECTION MODIFIED.** Chapter 165, Section 08 (Use Types) is hereby amended by inserting the following underlined language and deleting the ~~strikethrough~~ language:

7. Commercial Use Types. Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

...

**EE. Brewery, micro—establishments that engage primarily in the brewing of beers, ales, and/or similar beverages on-site for distribution, retail or wholesale, on or off-premises and produces no more than 10,000 barrels of beer or ale annually. A microbrewery may include a tasting room for consumption on-premises.**

**SECTION 2. TABLE MODIFIED.** Table 165.09-2 (Permitted Uses by Zoning Districts) is hereby amended by inserting the following underlined language and deleting the ~~strikethrough~~ language:

Table 165.09-2 Permitted Uses by Zoning Districts

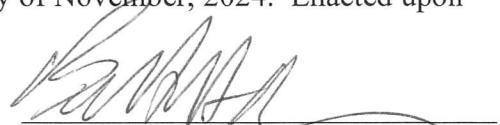
Use Types	AR	RR	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	COS	Additional Regulation
Commercial Uses																	165.16 (6) (A & B)
Cocktail Lounge								<u>S-P</u>	S	<u>S-P</u>	P	S	P	P			
<b><u>Brewery, micro</u></b>								<u>P</u>		<u>S</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>		

**SECTION 3. REPEALER.** All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

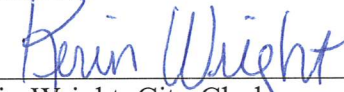
**SECTION 4. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1<sup>st</sup> Reading on this 14<sup>th</sup> day of October, 2024.  
Passed and approved 2<sup>nd</sup> Reading on this 28<sup>th</sup> day of October, 2024.  
Passed and approved 3<sup>rd</sup> and Final Reading on this 12<sup>th</sup> day of November, 2024. Enacted upon  
publication

  
Brett Barker, Mayor

ATTEST:

  
Kerin Wright, City Clerk

1<sup>st</sup> Reading – October 14, 2024

Motion by Council Member Sandy Ehrig, seconded by Council Member Melissa Muschick, to adopt the first reading of Ordinance No. 1061 (2024/2025).

AYES: Ehrig, Muschick, Nealson, Sampson

NAYS: None

ABSENT: Corbin, Skaggs

2<sup>nd</sup> Reading – October 28, 2024

Motion by Council Member Dane Nealson, seconded Council Member by Melissa Muschick, to adopt the second reading of Ordinance No. 1061 (2024/2025).

AYES: Nealson, Muschick, Corbin, Sampson, Skaggs, Ehrig

NAYS: None

ABSENT: None

3<sup>rd</sup> Reading – November 12, 2024

Motion by Council Member Dane Nealson, seconded by Council Member Melissa Muschick, to adopt the third and final reading of Ordinance No. 1061 (2024/2025).

AYES: Nealson, Muschick, Corbin, Skaggs, Ehrig

NAYS: None

ABSENT: None

The Mayor declared Ordinance No. 1061 (2024/2025) adopted.

I certify that the foregoing was published as Ordinance No. 1061 (2024/2025) on the 12<sup>th</sup> day of November, 2024.

  
\_\_\_\_\_  
Kerin Wright, City Clerk



City Hall | 1209 6<sup>th</sup> Street | Nevada, IA 50201-0530  
p. (515) 382-5466 | f. (515) 382-4502

October 2024

TO: Mayor - City Council Members  
City Administrator Jordan Cook

From: Ryan Hutton  
Building & Zoning Official

With the recommendation from the Planning and Zoning Commission, we are seeking approval to add “Brewery” to the definitions in Chapter 165 of the City Ordinance. We are also seeking approval for the change of permitted uses of “Cocktail Lounge” to permitted use in Downtown Corridor and Urban Corridor. Previously the City did not have “Brewery” as a definition. The previous permitted uses required a Special Use permit for a “Cocktail Lounge” to operate in the Downtown Corridor and Urban Corridor.

Best Regards,  
Ryan Hutton  
Building and Zoning Official

# LOCALiQ

## Ames Tribune

PO Box 631851 Cincinnati, OH 45263-1851

### AFFIDAVIT OF PUBLICATION

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City Of Nevada  
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Nevada IA 50201-1536

STATE OF WISCONSIN, COUNTY OF BROWN

The Nevada Journal, a weekly newspaper printed and published at Ames, Story County, Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspaper in the issues dated:

11/21/2024

and that the fees charged are legal.

Sworn to and subscribed before on 11/21/2024

Legal Clerk

Notary, State of WI, County of Brown

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AMY KOKOTT  
Notary Public  
State of Wisconsin

ORDINANCE NO. 1061 (2024/2025) AN ORDINANCE AMENDING  
CHAPTER 165, SECTION 08 (USE TYPES) OF THE CITY CODE BY  
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**SECTION 2. TABLE MODIFIED.** Table 165.09-2; (Permitted Uses by Zoning Districts). Visit "[www.cityofnevadaiaowa.org/how-do-i/see-recently-adopted-ordinances/#progress](http://www.cityofnevadaiaowa.org/how-do-i/see-recently-adopted-ordinances/#progress)" for the Ordinance in full.

SECTION 3. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

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Passed and approved 2nd Reading on this 28th day of October, 2024.

Passed and approved 3rd and Final Reading on this 12th day of November, 2024. Enacted upon publication

November 21 2024

LIOW0193137