



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council

FROM: Russell Weeks, Senior Public Policy Analyst

DATE: November 5, 2015 2:15 PM

RE: Ordinance: Citywide Breweries Zoning Text Amendment

PROJECT TIMELINE:
Briefing: 10/20/2015;
11/10/2015
SetDate: 10/20/2015
Public Hearing: 11/10/ 2015
Potential Action: 11/17/2015,
Clearline

Legislative Sponsor: **Not Required - Petition from Mayor**

ISSUE AT-A-GLANCE

Goal of the briefing: To familiarize the City Council with the proposed petition and options to amend the sections addressed in the petition.

NEW INFORMATION

This item is scheduled for a work session briefing and a **public hearing at the City Council's** formal meeting November 10. A motion sheet pertaining to the public hearing is attached to this document.

The Council also has scheduled a second briefing to familiarize itself with three suggested changes to the original transmitted ordinance:

1.) **Changing the original proposed definition of “brewpub” to read:**

“A restaurant type establishment that also contains a **small** brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for onsite or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.”¹

2.) **Changing the original proposed definition of “brewery” to read:**

CITY COUNCIL OF SALT LAKE CITY
 451 SOUTH STATE STREET, ROOM 304
 P.O. BOX 145476, SALT LAKE CITY, UTAH 84114-5476

www.slccouncil.com/agenda
 TEL 801-535-7600 FAX 801-535-7651
 Updated: 11/5/2015 2:15 PM

LUKE GARROTT | DISTRICT 4 | COUNCIL CHAIR || JAMES ROGERS | DISTRICT 1 | COUNCIL VICE CHAIR ||
 KYLE LAMALFA | DISTRICT 2 || STAN PENFOLD | DISTRICT 3 || ERIN MENDENHALL | DISTRICT 5 ||
 CHARLIE LUKE | DISTRICT 6 || LISA R. ADAMS | DISTRICT 7 ||

“A business establishment that manufactures more than 15,000 barrels of beer, heavy beer, or malt liquor as otherwise defined and regulated in Title 32B, Utah Code, as amended.”ⁱⁱ

3.) Deferring to Utah law the ratio of revenue from food sales to alcoholic beverage sales.

POLICY QUESTIONS

- 1.) Does the proposed new definition of “brewpub” address City Council concerns about the potential size of some brewpubs in locations near residential areas?
- 2.) Is the proposed new definition of “brewery” helpful to differentiate between a “small brewery” and a “brewery.”
- 3.) Should the City defer to Utah law to regulate the revenue ratio of food service to alcoholic beverage sales?

DISCUSSION/ADDITIONAL INFORMATION

The first of the three changes was suggested by the Planning Division to address Council Members’ concerns about the size of some brewing businesses located near residential areas. The proposed definition for “brewpub” appeared to allow a brewpub to manufacture more beer than a small brewery as long as it had a restaurant attached to it.

Again, the original proposed definition of brewpub was: “A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for onsite or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.”

The proposed definition of “small brewery” is “a brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

To address Council Members’ concerns, the Planning Division suggests inserting “small brewery” into the definition of “brewpub” so the definition – again – would read: “A restaurant type establishment that also contains a **small** brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for onsite or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.”

The definition would limit the capacity of any brewpub to produce no more than 15,000 barrels of beer and other malt drinks and the size of the beer *manufacturing* portion (*italics* Council staff) of the facility to a maximum of 10,000 square feet of gross floor area. To be clear, the proposal would allow a restaurant to have as much square footage as its owners want to build and that would be in addition to the square footage of the manufacturing area.

However, two things should be noted. First, the current ordinance allows brewpubs with unlimited square footage in some areas. Second, in sections of the City where the zoning designation limits the size of the businesses that serve alcoholic beverages to 2,500 square feet of gross floor area – including patio space – the smaller square footage would apply to brewpubs.ⁱⁱⁱ

The second suggested change is to revise the definition of “brewery” from, “A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended,” to “A business establishment that manufactures more than 15,000 barrels of beer, heavy beer, or malt liquor as otherwise defined and regulated in Title 32B, Utah Code, as amended.” The proposed definition clarifies the size of a brewery based on its capacity for brewing malt beverages.

RECAP: LOCATIONS

Here are the zoning districts where each kind of business would be allowed:

Breweries – Under the current ordinance, breweries are permitted uses in Manufacturing 1 (Light Manufacturing), Manufacturing 2 (Heavy Manufacturing), and TSA zones. There are four categories of TSA zoning: Mixed Use Employment Center Transit Station, Special Purpose Transit Station, Urban Center Transit Station, and Urban Neighborhood Transit Station.

The proposed ordinance would expand where breweries could locate to areas zoned as General Commercial districts.^{iv} Alcoholic beverage distilleries already are allowed in areas zoned as General Commercial districts.

Small Breweries – Small breweries are proposed as permitted uses in areas zoned as Manufacturing 1, Manufacturing 2, TSA, General Commercial, and Form-Based Urban Neighborhood 2 districts. They are proposed as conditional uses in areas zoned as Commercial Corridor, Downtown 2, Gateway Mixed Use, and Business Park districts.

Brewpubs – Under the current ordinance, brewpubs are divided into two categories: those with a floor area 2,500 square feet or less, those with no maximum square foot floor area limit. The definition proposed by the Planning Division would limit the maximum gross floor area of the beer manufacturing portion of the facility to 10,000 square feet.

Brewpubs with floor areas of 2,500 square feet or less are permitted uses in areas zoned as Community Shopping, Sugar House Business District, General Commercial, TSA, Form-Based Urban Neighborhood 2, Gateways Mixed Use, Downtown 1, Downtown 4, and Transit Corridor 75 districts. Patio space would be calculated in the 2,500 square foot limitation for brewpubs.

They are allowed as conditional uses in areas zoned as Residential Mixed Use 35, Residential Mixed Use 45, Community Business, Mixed Use, Downtown 2, Downtown 3, Manufacturing 1, and Manufacturing 2 districts. Under the proposed amendments, areas zoned as Downtown 2, Downtown 3, Manufacturing 1, Manufacturing 2, and Business Park districts would be added as permitted uses instead of conditional uses.

Under the current ordinance, brewpubs with no maximum floor limits are allowed as permitted uses in areas zoned as Community Shopping, Sugar House Business District, General Commercial, Transit Corridor 75, TSA, Downtown 1, Downtown 4, and Gateway Mixed Use districts.

Brewpubs with no maximum floor area limits are allowed as conditional uses in areas zoned as Commercial Corridor, Downtown 2, Downtown 3, Manufacturing 1, and Manufacturing 2 districts. The proposed amendments would add brewpubs with no maximum floor area limits as permitted uses in areas zoned as Downtown 2, Downtown 3, Manufacturing 1, Manufacturing 2, Business Park, and Form-Based Urban Neighborhood 2 districts.

Current Brewery and Brewpub Sizes

According to information provided by the Planning Division and taken from the Internet, the two existing breweries in Salt Lake City produced 80 percent of the 161,606 barrels of craft beer brewed in Salt Lake City in 2014.^v A brewery currently licensed as a microbrewery produced about 10,000 barrels of craft beer. Salt Lake City brewpubs produced between 500 and 900 barrels a year.

Revenue Ratio from Food Sales

Brewpubs in the current and proposed ordinance are by definition restaurants. The current and proposed definition of **brewpubs includes the phrase, “At least 50% of the total business revenue must be from food ...” Utah law sets the revenue ratio of food sales to beverage sales at 70 percent for limited service and full-service restaurants.**^{vi} After discussing the revenue ratio for food versus beverage sales with **the City Attorney’s Office, Council staff suggests that the proposed ordinance defer to the state law ratio –**

if only to keep from amending the section of the Zoning Ordinance that regulates where businesses that serve alcohol can locate.

This is the end of new information. All information below here is from previous reports.

The stated intent of the petition is to simplify and clarify sections of the *Salt Lake City Code Zoning Ordinance* regulating the dimensions and locations of businesses now classed as brewpubs and microbreweries. The proposed ordinance would expand some areas where beer brewers could locate, and change some conditional land uses to permitted uses. Larger breweries also are included in the proposed ordinance because they are regulated by the current ordinance. Under the proposed ordinance larger breweries would be allowed in areas zoned as General Commercial districts.

The most evident proposed amendments are: to eliminate the definition of “microbrewery;” take a clause about wholesale revenue exclusions currently in the microbrewery definition and place it **within a revised definition of “brewpub;” and create a new definition – “small brewery”** – for businesses that manufacture less than 15,000 barrels of beer a year. One barrel holds 31 gallons of beer.

The other most evident amendments would allow breweries, brewpubs, and small breweries in zoning districts where they currently either are not allowed as a land use or allowed only as conditional land uses.

It should be noted that at the City Council work session October 6 the Council informally agreed that in the proposed Sugar House Form Based Special Corridor Edge districts to limit the total floor space of businesses such as brewpubs, taverns, and social clubs to 2,500 square feet.

POLICY QUESTIONS

1. The current ordinance regarding alcoholic beverage regulations defers to Utah law in its definition of a tavern. The proposed ordinance would defer to Utah law in its definition of brewery. Are there other places, such as in the proposed definition of small brewery and the amount of food service revenue required for a brewpub, where deferring to Utah law would be helpful?
2. Under the current ordinance, brewpubs are limited to manufacturing 2,500 barrels of beer or other malt products a year. Does the limit have value in limiting the size of businesses, or is a 2,500 square-foot-limit enough in areas zoned for that size of business?
3. The City Council may wish to confirm to its satisfaction where, if anywhere, brewpubs under the proposed ordinance will interface with residential areas and the conditions under which brewpubs will operate if they are located in or next to residential areas. (Please see maps in Attachment A.)
4. Where would a brewery that manufactures more than 15,000 barrels of beer or malt products, but less than 60,000 barrels of beer or malt products locate?
5. **Utah law allows brewers to “operate on its premises a retail facility allowing consumption on premises of beer in a bottle or on draft if food is also available.” City Council staff remains unclear on whether the allowed retail facility is required to be a tavern, or a limited service restaurant, or something less than either of those activities. Council staff would like direction from the City Attorney’s Office on what the state law allows or requires.**
6. The proposed ordinance would apply city-wide. Is there anything the City Council would have Council staff do to advertise the public hearing?

ADDITIONAL & BACKGROUND INFORMATION

State Law

Utah State law regulating beer divides breweries into two categories: breweries that brew **60,000 barrels or more per year of “beer, heavy beer, and flavored malt beverages”** and breweries where less than 60,000 barrels a year are brewed.^{vii}

State law also allows holders of “brewery manufacturing” licenses to “operate on its premises a retail facility allowing consumption on premises of beer in a bottle or on draft if food is also available.”^{viii} License holders also can sell beer in a “container not larger than two liters” to people to take off a brewery’s premises to drink it elsewhere later.^{ix} Again, Council staff is unclear on whether the law allows the retail facility to operate as something less than a brewpub or a tavern.

State law does not define a brewpub.

However, it defines a tavern as “an on premise beer retailer” who is issued a retail license ... and is “designated by the (Alcoholic Beverage Control) Commission as a tavern.”^x A key determiner of whether the Commission will designate a business as a tavern is whether the retailer’s revenue will be greater from the sale of beer than the sale of food. If a business plans to sell more beer than food, the Commission would consider it a tavern. The total number of tavern licenses available in Utah is determined by the number of Utah residents divided by 54,147.^{xi} All other alcohol related businesses have significantly smaller license-to-population ratios.

For a business to obtain an on-premises beer retailer license that is not a tavern license, a person “shall maintain at least 70 percent of the person’s total gross revenues from business directly related to a recreational amenity on or directly adjoining – as in a dining room – the licensed premises of the beer retailer.”^{xii} (How much floor area will be used for dining in comparison for the area used as a lounge or bar area.) Again, brewery manufacturers can “operate on its premises a retail facility allowing consumption on premises of beer in a bottle or on draft if food is also available.”

Current City Ordinance

The current city ordinance defines a “brewery” as “a business establishment that manufactures beer, heavy beer, or malt liquor for off premises consumption, not to include those alcoholic beverages produced in a distillery or winery.”

It defines a “brewpub” as, “a restaurant type establishment that also has a beer brewery, producing beer in batch sizes not less than seven (7) U.S. barrels (31 gallons), on the same property which produces only enough beer for sale and consumption on site or for retail carryout sale in containers holding less than two liters (2 l) or for wholesale as outlined in subsections D and E of this definition. Automated bottle or canning production is prohibited. At least fifty percent (50%) of the beer sold shall be brewed on the premises. Revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues, excluding retail carryout sales of beer. Brewpubs are limited to a total brewing capacity of two thousand five hundred (2,500) barrels per year or one hundred twenty (120) barrels of fermentation at any one time, whichever is less. Brewpubs may sell beer in keg (larger than 2 liters) containers for the following purposes and in the following amounts:

- A.) An unlimited number of kegs (not to exceed 2,500 barrel capacity) for "brew fests" which, for the purpose of this definition, means events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three (3) such brewers;
- B. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events sponsored by charitable organizations exempt from federal income tax pursuant to 26 USC section 501(c)(3) or its successor; and
- C. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events operating under a single event license from the state and the city where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event sponsor but is, instead, dispensed by employees of the brewpub;
- D. Unlimited distribution to other restaurants of same ownership or control (not to exceed 2,500 barrel capacity). "Ownership or control" means more than fifty percent (50%) ownership in the actual business or controlling interest in any management partnership; and
- E. No more than five hundred (500) barrels for wholesale distribution (not to exceed 2,500 barrel capacity).

The current ordinance defines "microbrewery" as, "A brewpub which, in addition to retail sale and consumption on site, markets beer wholesale in an amount not to exceed sixty thousand (60,000) barrels (31 gallons) per year. Revenue from food sales must constitute at least fifty percent (50%) of the total business revenues, *excluding wholesale and retail carryout sales of beer*. (Italics: Council staff.)

The current ordinance defines a "tavern" as "a business establishment as defined in title 32B, Utah code, as amended."

Proposed Amendments

The proposed amendments would:

Revise the definition of "brewery" to "a business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

Change the definition of "brewpub" to "A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, *excluding wholesale and retail carryout sales of beer*. (Italics: Council staff.)"

The proposed language would eliminate the prescriptive paragraphs about how much beer can be made for specific events, and would incorporate the language in the definition of microbrewery about excluding revenue from wholesale beer sales from calculating total business revenue in relation to food sales.

Delete the term "microbrewery" and its location within the ordinance's definitions of "alcohol related establishment" and "outdoor dining."

Enact the term "small brewery" and define it as "a brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area."

Proposed Locations

In summary, the proposed amendments would:

- Add breweries as defined by Utah law to areas zoned as General Commercial districts. Again, Utah law differentiates between two kinds of brewery licenses – those for businesses that brew 60,000 barrels or more per year, and those that brew less than 60,000 barrels a year. It also should be noted that the **Zoning Ordinance** allows distilleries – businesses that manufacture grain alcoholic beverages such as whisky, vodka, and gin – in General Commercial districts.
- Allow small breweries that manufacture up to 15,000 barrels a year as permitted uses in areas zoned as Manufacturing 1, Manufacturing 2, TSA, General Commercial, and Form-Based Urban Neighborhood 2 districts. It would allow small breweries as conditional uses in areas zoned as Commercial Corridor, Downtown 2, Gateway Mixed Use, and Business Park districts.
- Add brewpubs with 2,500 square feet of floor space as permitted uses instead of conditional uses in areas zoned as Downtown 2, Downtown 3, Manufacturing 1 Manufacturing 2, and add areas zoned as Business Park districts as areas where that size of brewpub would be a permitted use.
- Add brewpubs with no maximum floor limits as permitted uses instead of conditional uses in areas zoned as Manufacturing 1, and Manufacturing 2 districts, and add areas zoned as Business Park, and Form-Based Urban Neighborhood 2 districts as areas where that size of brewpub would be a permitted use.

Here is a more detailed comparison of current and proposed locations.

Breweries – Under the current ordinance, breweries are permitted uses in Manufacturing 1 (Heavy Manufacturing), Manufacturing 2 (Light Manufacturing), and TSA zones. There are four categories of TSA zoning: Mixed Use Employment Center Transit Station, Special Purpose Transit Station, Urban Center Transit Station, and Urban Neighborhood Transit Station.

The proposed ordinance would expand where breweries could locate to areas zoned as General Commercial districts.^{xiii} Again, distilleries already are allowed in areas zoned as General Commercial districts.

Microbreweries – Microbreweries currently are permitted uses in areas zoned as TSA, General Commercial, and Form-Based Urban Neighborhood 2 districts. They are allowed as conditional uses in areas zoned as Manufacturing 1, Manufacturing 2, and Downtown districts numbers 1, 2, 3, and 4. Again, the proposed amendments would eliminate microbreweries as a definition.

Small Breweries – Small breweries do not exist in the current ordinance. They are proposed as permitted uses in areas zoned as Manufacturing 1, Manufacturing 2, TSA, General Commercial, and Form-Based Urban Neighborhood 2 districts. They are proposed as conditional uses in areas zoned as Commercial Corridor, Downtown 2, Gateway Mixed Use, and Business Park districts.

Brewpubs – Under the current ordinance, brewpubs are divided into two categories: those with a floor area 2,500 square feet or less, those with no maximum square foot floor area limit.

Brewpubs with floor areas of 2,500 square feet or less are permitted uses in areas zoned as Community Shopping, Sugar House Business District, General Commercial, TSA, Form-Based Urban Neighborhood 2, Gateways Mixed Use, Downtown 1, Downtown 4, and Transit Corridor 75 districts. They are allowed as conditional uses in areas zoned as Residential Mixed Use 35, Residential Mixed Use 45, Community Business, Mixed Use, Downtown 2, Downtown 3, Manufacturing 1, and Manufacturing 2 districts.

Under the proposed amendments, areas zoned as Downtown 2, Downtown 3, Manufacturing 1, Manufacturing 2, and Business Park districts would be added as permitted uses instead of conditional uses.

Under the current ordinance, brewpubs with no maximum floor limits are allowed as permitted uses in areas zoned as Community Shopping, Sugar House Business District, General Commercial, Transit Corridor 75, TSA, Downtown 1, Downtown 4, and Gateway Mixed Use districts, brewpubs with no maximum floor area limit are allowed as permitted uses. Brewpubs with no maximum floor area limits are allowed as conditional uses in areas zoned as Commercial Corridor, Downtown 2, Downtown 3, Manufacturing 1, and Manufacturing 2 districts.

The proposed amendments would add brewpubs with no maximum floor area limits as permitted uses in areas zoned as Downtown 2, Downtown 3, Manufacturing 1, Manufacturing 2, Business Park, and Form-Based Urban Neighborhood 2 districts.

Discussion

The City Council always has three options with any proposed ordinance – adopt it; keep the existing ordinance; amend the proposed ordinance.

Among the proposed definitions, dropping most of the prescribed limits on how much a brewpub operator may brew for festivals, charitable events, and other things appears to be a significant change. However, there are two things to consider. First, Planning Division staff raised questions about how that aspect of the ordinance can be enforced, and who enforces it since it is in the *City Zoning Ordinance*. Second, the language appears to be an archaic carryover to the *Zoning Ordinance* from when the City Council transferred alcoholic beverage regulations to the *Zoning Ordinance* in 2012.

One question for City Council consideration is whether the 2,500 barrel per year limit on brewpubs is as effective a tool in limiting the size of an establishment as the 2,500 square-foot limit on some businesses.

Another issue in the proposed definition of “brewpub” is the requirement for 50 percent of total business revenue to be from the selling food. The requirement is there in part because the current and proposed definitions of brewpub hold that a brewpub is a type of restaurant. The current state law for limited-service restaurants that sell beer required that food sales have to provide 70 percent of an **establishment’s total revenue. The 50 percent requirement also appears** to be a carryover from complying with earlier state law. The proposed ordinance defers to state law in the definition of brewery, and the current ordinance defers to state law in the definition of taverns, revenue from food sales requirements might be another place where it would be easier to defer to state law instead of amending City ordinances whenever state law is changed.

The proposed definition of “brewpub” also eliminates the prescription that beer should be brewed in batches of “not less than seven barrels” to be considered a brewpub. A minimum amount of how much beer is brewed at one time probably is of no particular interest to anyone except a brewer.

One area the City Council may explore further is the relationship between the *Utah Code’s* definition of “small brewer” and the proposed definition of “small brewery.” **The proposed definition of “small brewery” in the ordinance is a brewery that produces “less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.”** According to the Planning Division the definition stems from national statistics on the actual production capacities of craft-beer brewers. The 10,000 square-foot limit is designed to give existing Salt Lake City microbreweries some room for future expansion, but also to differentiate smaller businesses from larger beer brewing companies. In addition, the proposed ordinance would allow small breweries in areas currently zoned for microbreweries, either as permitted or conditional uses. According to the Planning Division, small breweries would locate in places that handle a similar amount of truck traffic for delivering products to businesses and taking products away from businesses.

On the other hand, under the proposed new definition of brewpub in the ordinance, any use that is a restaurant type facility that makes beer would fall under the brewpub classification.^{xiv} That could mean a brewer with a restaurant attached to it could brew more than 15,000 barrels a year and have a facility larger than 10,000 square feet and the business could be considered a brewpub instead of a small brewery. Differentiating between a restaurant that contains a brewery and a business more geared for the industrial production of beer and other beverages still may be worth City Council consideration. One natural limit might be having a definition of a business that meets the **Utah Code's definition less than 60,000 barrels a year for a small brewer manufacturing license.**

This report mentions taverns because Utah law regulating taverns appears geared toward limiting the number of taverns statewide and encouraging food consumption where alcoholic beverages are served. Again, under Utah law, the number of tavern licenses available in the state is determined by **dividing Utah's population by 54,147. The number of limited service restaurant licenses available in the state is determined by dividing Utah's population by 7,493. It seems reasonable, then, that "restaurants that contain breweries" will be the most likely brewing businesses in Salt Lake City.**

According to the Brewers Association, a national organization of craft-beer brewers, Utah has twenty craft-beer breweries. Twelve of the breweries are in Salt Lake City. In 2014 the twenty companies produced a total of 161,606 barrels of beer. Based on the number of breweries per 100,000 adults age 21 or older, Utah is ranked No. 38 among the United States. In the West, Washington and Oregon respectively have 256 and 216 craft-beer breweries. Oregon breweries produce 1.04 million barrels of beer, and Washington breweries produce 405,131 barrels. Closer to Utah, Colorado's 235 craft breweries produce 1.67 million barrels; Nevada's 25 breweries produce 52,684 barrels; New Mexico's 36 breweries produce 77,049 barrels, Idaho's 43 breweries produce 57,971 barrels, and Wyoming's 22 breweries produce 18,617 barrels.

The Brewers Association classes six Salt Lake City businesses as brewpubs, four businesses as microbreweries, and two businesses as regional breweries. The association lists Uinta Brewing Company as the 38th largest craft-beer brewer in the nation based on 2014 beer sales volume, and the 46th largest brewery in the nation based on 2014 beer sales volume.

Cc: Cindy Gust-Jenson, David Everitt, Nichol Bourdeaux, Margaret Plane, Jason Oldroyd, Paul Nielson, Jill Love, Mary De La Mare-Schaefer, Nora Shepard, Wayne Mills

File Location: Planning and Zoning, Alcohol Regulation

ATTACHMENTS:

- MOTION SHEET - Nov 10, 2015 (PDF)
- A. Breweries and Brewpubs Attachment (PDF)
- Administrative Transmittal- Amendments to Title 21A of the Salt Lake City Code related to Breweries (PDF)
- Admin - Table of Contents (PDF)
- Admin - 1 Summary of Proposed Changes (PDF)
- Admin - 2 Chronology (PDF)
- Admin - 3 Ordinance (PDF)
- Admin - 4 Notice of City Council Hearing (PDF)
- Admin - 5 Mailing Labels (PDF)
- Admin - 6A Planning Commission Staff Report (PDF)
- Admin - 6B Planning Commission Meeting Minutes (PDF)
- Admin - 6C Planning Commission Meeting Notice (PDF)

- Admin - 7 Original Petition (PDF)

Ordinance No.

SALT LAKE CITY ORDINANCE

No. _____ of 2015

(An ordinance amending various sections of the
Salt Lake City Code pertaining to breweries, small breweries and brewpubs)

An ordinance amending various sections of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2015-00151 to modify regulations pertaining to regulation of breweries, small breweries and brewpubs.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on July 29, 2015 to consider a petition submitted by Mayor Ralph Becker (“Applicant”) (Petition No. PLNPCM2015-00151) to amend Sections 21A.27.050.N (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses); 21A.33.030 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts); 21A.33.040 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts); 21A.33.050 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts); 21A.33.060 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District); 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts); 21A.36.300 (Zoning: General Provisions: Alcohol Related Establishments); 21A.38.040.B (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries); 21A.60.020 (Zoning: List of Terms: List of Defined Terms); and 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the *Salt Lake City Code* to modify regulations pertaining to breweries, small breweries and brewpubs; and

WHEREAS, at its July 29, 2015 hearing, the planning commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council on said petition; and

WHEREAS, after a public hearing on this matter the city council has determined that

adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the text of *Salt Lake City Code* Section 21A.27.050.N. That Section 21A.27.050.N of the *Salt Lake City Code* (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses), shall be, and hereby is, amended to read as follows:

N. Permitted Land Uses:

1. Applicability: The table of permitted uses applies to all properties in the FB-UN zoning district:
 - a. Permitted Uses: A use that contains a P in the specific subdistrict is permitted in that subdistrict. A use that is left blank in the specific subdistrict is not permitted.
 - b. Uses Not Listed: Uses not listed are prohibited unless the zoning administrator has made an administrative interpretation that a proposed use is more similar to a listed permitted use than any other defined use.
 - c. Other Uses: A use specifically listed in any other land use table in this title that is not listed in this section is prohibited.
 - d. Building Form: Uses that are included in the description of each building form are permitted in the subdistrict where the building form is permitted.

**TABLE 21A.27.050.N
PERMITTED USES**

Use	FB-UN1	FB-UN2
Accessory use, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P
Alcohol:		
Brewpub		P
Liquor store		P
Social club		P
Tavern, 2,500 square feet or less in floor area		P
Animal, veterinary office		P
Antenna, communication tower		P
Art gallery		P
Bed and breakfast	P	P
Bed and breakfast inn	P	P
Bed and breakfast manor	P	P
Clinic (medical, dental)		P
Community garden	P	P
Community recreation center		P
Daycare center, adult		P
Daycare center, child		P

Dwelling:		
Assisted living facility (large)		P
Assisted living facility (small)	P	P
Group home (large)		P
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage		P
Multi-family		P
Residential substance abuse treatment home (large)		P
Residential substance abuse treatment home (small)		P
Rooming (boarding) house		P
Single-family attached	P	P
Single-family detached	P	P (If part of cottage development)
Single room occupancy		P
Transitional victim home (large)		P
Transitional victim home (small)		P
Two-family	P	
Eleemosynary facility		P
Farmers' market		P
Financial institution		P
Food processing		P
Funeral home		P
Health and fitness facility		P
Hotel/motel		P
House museum in landmark site	P	P
Laboratory (medical, dental, optical)		P
Library		P
Mixed use developments including residential and other uses allowed in the zoning district		P
Museum		P
Nursing care facility		P
Office		P
Office and/or reception center in landmark site		P
Open space	P	P
Park	P	P
Parking, off site	P ¹	P ¹
Place of worship		P
Plazas	P	P
Recreation (indoor)		P
Research and development facility		P
Research facility (medical/dental)		P
Restaurant		P
Retail goods establishment		P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P
Retail service establishment		P
Sales and display (outdoor)		P
School:		
College or university		P
Music conservatory		P
Professional and vocational		P
Seminary and religious institute		P

Seasonal farm stand		P
Small Brewery		P
Solar array		P
Store, specialty		P
Studio, art		P
Theater, movie		P
Urban farm	P	P
Utility, building or structure	P	P
Utility, transmission wire, line, pipe, or pole	P	P
Vending cart, private property		P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)		P

Note:

1. Parking, off site is only permitted on parcels that contain a principal building and shall comply with the parking requirements identified in the building form standards section of this chapter. No principal building shall be demolished to accommodate off site parking.

SECTION 2. Amending the text of *Salt Lake City Code* Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended to read as follows:

21A.33.030:TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District							
	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	P ⁸	
Alcohol:								
Brewpub (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Brewpub (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12,13}	C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	

	Dining club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
	Distillery						P ¹⁹		
	Social club (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
	Social club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
	Tavern (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
	Tavern (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
	Ambulance service (indoor)			P	P	P	P	P	
	Ambulance service (outdoor)			P ⁷	P ⁷	P ⁷	P		
	Amusement park			P			P		
	Animal:								
	Cremation service				P		P		
	Kennel						P		
	Pet cemetery						P ⁴		
	Veterinary office	C	P	P	P	P	P	C	
	Antenna, communication tower		P	P	P	P	P	P	
	Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	C	
	Art gallery	P	P	P	P	P	P	P	P
	Auction (outdoor)				P		P		
	Auditorium			P	P	P	P	P	
	Bakery, commercial						P		
	Bed and breakfast	P	P	P	P	P	P	P	P ¹⁷
	Bed and breakfast inn	P	P	P	P	P	P	P	
	Bed and breakfast manor	C ³	C ³		P	P	P	P	
	Blacksmith shop						P		
	Blood donation center				C		P		
	Brewery						P		
	Bus line station/terminal				P		P	C	
	Bus line yard and repair facility						P		
	Car wash			P	P		P	C	
	Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	C	
	Check cashing/payday loan business				P ¹⁰		P ¹⁰		
	Clinic (medical, dental)	P	P	P	P	P	P	P	
	Community correctional facility, large								
	Community correctional facility, small						C ^{9,14}		
	Community garden	P	P	P	P	P	P	P	P
	Contractor's yard/office				C		P		
	Crematorium			C	C	C	C	C	
	Daycare center, adult	P	P	P	P	P	P	P	
	Daycare center, child	P	P	P	P	P	P	P	
	Daycare, registered home daycare or preschool								P
	Dwelling:								
	Assisted living facility (large)		P		P	P	P	P	

Assisted living facility (small)		P		P	P	P	P	P
Group home (large)		P		C		C	P	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	P	
Manufactured home								P
Multi-family		P	P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	C	
Residential substance abuse treatment home (small)				C		C	C	
Rooming (boarding) house		P	P	P	P	P	P	
Single-family attached								P
Single-family detached								P
Single room occupancy							P ⁶	
Transitional victim home (large)				C		C	C	
Transitional victim home (small)				C		C	C	
Twin home								P
Two-family								P
Eleemosynary facility		P					P	
Equipment rental (indoor and/or outdoor)				P		P		
Farmers' market			C	C	P	P	C	
Financial institution	P	P	P	P	P	P	P	
Financial institution with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Flea market (indoor)			P	P	P	P	C	
Flea market (outdoor)						P		
Funeral home			P	P	P	P	C	
Gas station		C	P	P	P	P		
Government facility		C	C	C	C	C	C	C
Government facility requiring special design features for security purposes	P	P	P	P	P	P	P	
Homeless shelter						C		
Hotel/motel		C		P	P	P	C	
House museum in landmark sites (see subsection 21A.24.010_T of this title)								C
Impound lot						C ¹⁴		
Industrial assembly						P		
Intermodal transit passenger hub						P		
Laboratory (medical, dental, optical)			P	P		P		
Laboratory, testing			P	P		P	P	
Large wind energy system		P		P		P	P	
Laundry, commercial						P		
Library	P	P	P	P	P	P	P	C
Limousine service (large)						P		
Limousine service (small)		C		C		P		
Manufactured/mobile home sales and service						P		

Mixed use development	P	P	P	P	P	P	P	P ¹⁵
Mobile food business (operation on private property)	P	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C	C
Museum	P	P	P	P	P	P	P	P
Nursing care facility		P		P		P	P	
Office	P	P	P	P	P	P	P	P ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010.T of this title)								C
Open space	P	P	P	P	P	P	P	
Open space on lots less than 4 acres in size								P
Park	P	P	P	P	P	P	P	
Parking:								
Commercial				C	P	P	C	
Off site	C	P	P	P	P	P	C	
Park and ride lot		C	C	P		P	C	
Park and ride lot shared with existing use		P	P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	P	
Reception center		P	P	P	P	P		
Recreation (indoor)	P	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	C	
Recreational vehicle park (minimum 1 acre)				C				
Recycling collection station	P	P	P	P	P	P		
Research and development facility							P	
Restaurant	P	P	P	P	P	P	P	
Restaurant with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail goods establishment	P	P	P	P	P	P	P	P ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P	P
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail service establishment	P	P	P	P	P	P	P	P ¹⁶
Furniture repair shop	C	P	P	P	P	P	P	
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Reverse vending machine	P	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	C	
School:								
College or university		P	P	P	P	P	P	
Music conservatory		P	P	P	P	P	P	
Professional and vocational		P	P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	P	C
Seasonal farm stand	P	P	P	P	P	P	P	
Sexually oriented business						P ⁵		
Sign painting/fabrication						P		
Small Brewery				C		P		
Solar array						P		

Storage (outdoor)				C		P		
Storage, public (outdoor)				C		P		
Storage, self				P		P	C	
Store:								
Department			P		P			
Mass merchandising			P		P	P		
Pawnshop						P		
Specialty			P	P	P	P		
Superstore and hypermarket			P			P		
Warehouse club						P		
Studio, art	P	P	P	P	P	P	P	P
Studio, motion picture						P		
Taxicab facility						P		
Theater, live performance		P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Theater, movie		C	P	P	P	P	P	
Urban farm	P	P	P	P	P	P	P	
Utility, building or structure	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Utility, transmission wire, line, pipe, or pole	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Vehicle:								
Auction						P		
Automobile repair (major)				P		P	C	
Automobile repair (minor)	C	P	P	P	P	P	P	
Automobile sales/rental and service				P		P		
Automobile salvage and recycling (indoor)						P		
Boat/recreational vehicle sales and service				P		P		
Truck repair (large)						P		
Truck sales and rental (large)				P		P		
Vending cart, private property					P			
Warehouse				P		P		
Welding shop						P		
Wholesale distribution				P		P		
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)								C
Woodworking mill						P		

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of Chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060.D and Chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050.B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010.T and 21A.26.010.K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in Section 21A.36.140 of this title.
6. Subject to location restrictions as per Section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the

- building's footprint or new office building construction are subject to a conditional building and site design review.
9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within Chapter 21A.34 of this title.
 10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
 11. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
 12. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
 13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
 14. Prohibited within 1,000 feet of a single- or two-family zoning district.
 15. Residential units may be located above or below first floor retail/office.
 16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160.I and J of this title.
 17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
 18. Medical and dental offices are not allowed in the SNB zoning district.
 19. Permitted in the CG zoning district only when associated with an on site food service establishment.

SECTION 3. Amending the text of *Salt Lake City Code* Section 21A.33.040. That Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended to read as follows:

21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C	C ⁷
Agricultural use	P	P
Alcohol:		
Brewpub	P ^{6,10}	P ^{6,10}
Distillery	P	P
Social club	C ^{6,10}	C ^{6,10}
Tavern	C ^{6,10}	C ^{6,10}
Winery	P	P
Ambulance services (indoor and/or outdoor)	P	P
Animal:		

	Cremation service	P	P
	Kennel	P	P
	Pet cemetery	P ²	P ²
	Pound	P ¹²	P ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	P ¹²
	Veterinary office	P	P
	Antenna, communication tower	P	P
	Antenna, communication tower, exceeding the maximum building height	C	C
	Bakery, commercial	P	P
	Blacksmith shop	P	P
	Bottling plant	P	P
	Brewery	P	P
	Building materials distribution	P	P
	Bus line station/terminal	P	P
	Bus line yard and repair facility		P
	Check cashing/payday loan business	P ⁹	
	Chemical manufacturing and/or storage		C
	Community correctional facility, large (see Section 21A.36.110 of this title)	C ^{8,12}	
	Community correctional facility, small (see Section 21A.36.110 of this title)	C ^{8,12}	
	Community garden	P	
	Concrete and/or asphalt manufacturing	C ¹²	P ¹²
	Contractor's yard/office	P	P
	Crematorium	P	P
	Daycare center, adult	P	
	Daycare center, child	P	
	Drop forge industry		P
	Dwelling, living quarters for caretaker or security guard, limited to uses on lots 1 acre in size or larger and is accessory to a principal use allowed by the zoning district	P	P
	Equipment, heavy (rental, sales, service)	P	P
	Equipment rental (indoor and/or outdoor)	P	P
	Explosive manufacturing and storage		C ¹²
	Financial institution with or without drive-through facility	P ¹¹	
	Flammable liquids or gases, heating fuel distribution and storage		P ¹²
	Food processing	P	P
	Gas station	P	P
	Government facility	P	P
	Government facility requiring special design features for security purposes	P	P
	Grain elevator		P
	Greenhouse	P	
	Heavy manufacturing		P ¹²
	Hotel/motel	P	
	Impound lot	P ¹²	P ¹²
	Incinerator, medical waste/hazardous waste		C ¹²
	Industrial assembly	P	P
	Laboratory (medical, dental, optical)	P	
	Laboratory, testing	P	P
	Large wind energy system	P	P
	Laundry, commercial	P	P

Light manufacturing	P	P
Limousine service	P	P
Mobile food business (operation in the public right of way)	P	P
Mobile food business (operation on private property)	P	P
Mobile food court	P	P
Office	P	
Office, publishing company	P	
Open space	P	P
Package delivery facility	P	P
Paint manufacturing		P
Parking:		
Off site	P	P
Park and ride lot	P	P
Park and ride lot shared with existing use	P	P
Photo finishing lab	P	P
Poultry farm or processing plant		P ¹²
Printing plant	P	
Radio, television station	P	
Railroad, freight terminal facility	C ^{4,12}	C ^{4,12}
Railroad, repair shop		P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C ¹²	P ¹²
Refinery, petroleum products		C ¹²
Restaurant with or without drive-through facilities	P ¹¹	
Retail goods establishment with or without drive-through facility	P ¹¹	
Retail service establishment:		
Electronic repair shop	P	
Furniture repair shop	P	P
Upholstery shop	P	
Rock, sand and gravel storage and distribution	C	P
School:		
Professional and vocational (with outdoor activities)	P	
Professional and vocational (without outdoor activities)	P	
Seminary and religious institute	P	
Seasonal farm stand	P	P
Sexually oriented business	P ⁵	
Sign painting/fabrication	P	P
Slaughterhouse		P ¹²
Small Brewery	P	P
Solar array	P	P
Storage and display (outdoor)	P	P
Storage, public (outdoor)	P	P
Store, convenience	P	P
Studio, motion picture	P	
Taxicab facility	P	P
Tire distribution retail/wholesale	P	P
Truck freight terminal	P ¹²	P ¹²
Urban farm	P	P
Utility:		

Building or structure	P	P
Electric generation facility	C ^{3,12}	C ^{3,12}
Sewage treatment plant	C	P
Solid waste transfer station	C ¹²	P ¹²
Transmission wire, line, pipe or pole	P ¹	P ¹
Vehicle:		
Auction	P	P
Automobile and truck repair	P	P
Automobile and truck sales and rental (including large truck)	P	P
Automobile part sales	P	P
Automobile salvage and recycling (indoor)	P	P
Automobile salvage and recycling (outdoor)	C ¹²	P ¹²
Recreational vehicle (RV) sales and service	P	P
Truck repair (large)	P	P
Vending cart, private property	P	P
Warehouse	P	P
Welding shop	P	P
Wholesale distribution	P	P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)		
Woodworking mill	P	P

Qualifying provisions:

1. See subsection 21A.02.050.B of this title for utility regulations.
2. Subject to Salt Lake Valley health department approval.
3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility may be located within a 5 mile radius of any other existing railroad freight terminal facility.
5. Pursuant to the requirements set forth in Section 21A.36.140 of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within Chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 4. Amending the text of *Salt Lake City Code* Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts), shall be, and hereby is, amended to read as

follows:

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P ⁴
Alcohol:				
Brewpub (indoor)	P ⁶	P ⁶	P ⁶	P ⁶
Brewpub (outdoor)	P ⁶	P ⁶	P ⁶	P ⁶
Dining club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Dining club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Social club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Social club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Tavern (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Tavern (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Animal, veterinary office		P	P	
Antenna, communication tower	P	P	P	P
Antenna, communication tower, exceeding the maximum building height	C	C	C	C
Art gallery	P	P	P	P
Bed and breakfast	P	P	P	P
Bed and breakfast inn	P	P	P	P
Bed and breakfast manor	P	P	P	P
Blood donation center		P		
Bus line station/terminal	P ⁷	P ⁷	P ⁷	P ⁷
Bus line yard and repair facility		P		
Car wash		P ³		
Check cashing/payday loan business	P ⁵			
Clinic (medical, dental)	P	P	P	P
Community garden	P	P	P	P
Convention center				P
Crematorium	P	P	P	
Daycare center, adult	P	P	P	P
Daycare center, child	P	P	P	P
Dwelling:				
Artists' loft/studio	P	P	P	P
Group home (large)		C	C	
Group home (small)	P	P	P	P
Multi-family	P	P	P	P
Residential substance abuse treatment home (large)		C	C	
Residential substance abuse treatment home (small)		C	C	
Transitional victim home (large)		C	C	
Transitional victim home (small)		C	C	
Eleemosynary facility	P	P	P	P
Exhibition hall				P

Farmers' market			P	
Financial institution	P	P	P	P
Financial institution with drive-through facility		P ⁸		P ⁸
Funeral home	P	P	P	
Gas station		P	P ⁷	P ⁷
Government facility	C	C	C	C
Government facility requiring special design features for security purposes			P ⁷	P ⁷
Heliport, accessory	C	C		C
Homeless shelter		C	C	
Hotel/motel	P	P	P	P
Industrial assembly		C	C	
Laboratory (medical, dental, optical)	P	P	P	P
Laundry, commercial		P		
Library	P	P	P	P
Limousine service		P		
Manufacturing and processing, food		P		
Mixed use development	P	P	P	P
Mobile food business (operation in the public right of way)	P	P	P	P
Mobile food business (operation on private property)	P	P	P	P
Mobile food court	P	P	P	P
Museum	P	P	P	P
Office	P	P	P	P
Office, publishing company	P	P	P	P
Open space on lots less than 4 acres in size	P ⁷	P ⁷	P ⁷	P ⁷
Park	P	P	P	P
Parking, commercial	C	P	C	C
Parking, off site	P	P	P	P
Performing arts production facility	P	P	P	P
Place of worship	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Radio, television station	P	P		P
Railroad, passenger station	P	P	P	P
Reception center	P	P	P	P
Recreation (indoor)	P	P	P	P
Recreation (outdoor)		P		
Restaurant	P	P	P	P
Restaurant with drive-through facility		P ⁸		
Retail goods establishment	P	P	P	P
Retail service establishment	P	P	P	P
Retail service establishment, upholstery shop		P	P	
Sales and display (outdoor)	P	P	P	P
School:				
College or university	P	P	P	P
K - 12 private			P	P
K - 12 public			P	P
Music conservatory	P	P	P	P
Professional and vocational	P	P	P	P
Seminary and religious institute	P	P	P	P
Small Brewery		C		
Social service mission and charity dining hall		C	C	
Stadium	C	C		C
Storage, self		P	P	
Store:				

	Department	P	P		P
	Fashion oriented department	P ²			
	Mass merchandising	P	P		P
	Pawnshop		P		
	Specialty	P	P		P
	Superstore and hypermarket		P		
	Studio, art	P	P	P	P
	Theater, live performance	P ⁹	P ⁹	P ⁹	P ⁹
	Theater, movie	P	P	P	P
	Utility, buildings or structure	P ¹	P ¹	P ¹	P ¹
	Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹
	Vehicle:				
	Automobile repair (major)		P	P ⁷	P ⁷
	Automobile repair (minor)		P	P ⁷	P ⁷
	Automobile sales/rental and service	P ¹⁰	P	P ¹⁰	
	Vending cart, private property	P	P	P	P
	Vending cart, public property				
	Warehouse		P		
	Warehouse, accessory		P	P	
	Wholesale distribution		P		
	Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)				

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (Section 21A.34.110 of this title).
3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
4. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
5. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
6. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
7. Subject to conformance with the provisions of Chapter 21A.59, "Conditional Building and Site Design Review", of this title.
8. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
9. Prohibited within 1,000 feet of a single- or two-family zoning district.
10. Must be located in a fully enclosed building and entirely indoors.
11. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.

SECTION 5. Amending the text of *Salt Lake City Code* Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District), shall be, and hereby is, amended to read as follows:

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:	C =	Conditional	P =	Permitted	
Use					G-MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title					P
Adaptive reuse of a landmark site					P
Alcohol:					
Brewpub (indoor)					P ²
Brewpub (outdoor)					P ^{2,5}
Dining club (indoor)					P ²
Dining club (outdoor)					P ^{2,5}
Social club (indoor)					P ²
Social club (outdoor)					P ^{2,5}
Tavern (indoor)					P ²
Tavern (outdoor)					P ^{2,5}
Ambulance service (indoor)					C
Amphitheater					P
Animal, veterinary office					P
Antenna, communication tower					P
Antenna, communication towers, exceeding the maximum building height					C
Art gallery					P
Artists' loft/studio					P
Auction (indoor)					P
Auditorium					P
Bed and breakfast					P
Bed and breakfast inn					P
Bed and breakfast manor					P
Botanical garden					P
Bus line station/terminal					P ³
Clinic (medical, dental)					P
Community garden					P
Crematorium					P
Daycare center, adult					P
Daycare center, child					P
Dwelling:					
Group home (large)					C
Group home (small) when located above or below first story office, retail or commercial use, or on the first story where the unit is not located adjacent to the street frontage					P
Living quarters for caretaker or security guard					P
Multi-family					P
Residential substance abuse treatment home (large)					C
Residential substance abuse treatment home (small)					C
Single-family (attached)					P
Transitional victim home (large)					C
Transitional victim home (small)					C
Eleemosynary facility					P
Equipment rental (indoor and/outdoor)					P
Farmers' market					P
Financial institution					P
Flea market (indoor)					P
Funeral home					P

Government facility	C
Government facility requiring special design features for security purposes	P ³
Heliport, accessory	C
Hotel/motel	P
Industrial assembly	C
Laboratory (medical, dental, optical)	P
Large wind energy system	P
Library	P
Mixed use development	P
Mobile food business (operation in the public right of way)	P
Mobile food business (operation on private property)	P
Mobile food court	P
Museum	P
Office	P
Open space	P
Park	P
Parking:	
Commercial	C
Off site	P
Park and ride lot	C
Park and ride lot shared with existing use	P
Performing arts production facility	P
Photo finishing lab	P
Place of worship	P
Radio, television station	C
Reception center	P
Recreation (indoor)	P
Recreation (outdoor)	C
Restaurant	P
Retail goods establishment	P
Retail goods establishment, plant and garden shop, with outdoor retail sales area	P
Retail service establishment	P
Retail service establishment, upholstery shop	C
School:	
College and university	P
K - 12 private	P
K - 12 public	P
Music conservatory	P
Professional and vocational	P
Seminary and religious institute	P
Seasonal farm stand	P
Small Brewery	C
Social service mission and charity dining hall	C
Solar array	P
Stadium	C
Storage, self	P ³
Store:	
Department	P
Mass merchandising	P
Specialty	P
Superstore and hypermarket	P
Studio, art	P
Studio, motion picture	C
Theater, live performance	P ⁴

Theater, movie	P
Urban farm	P
Utility, building or structure	P ¹
Utility, transmission wire, line, pipe or pole	C
Vehicle:	
Automobile repair (minor)	P
Automobile sales/rental and service (indoor)	P
Boat/recreational vehicle sales and service (indoor)	P
Vending cart, private property	P
Vending cart, public property	P
Wireless telecommunications facility (see s Section 21A.40.090, † Table 21A.40.090_E of this title)	
Zoological park	C

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. Subject to conformance with the provisions of Section 21A.36.300, "Alcohol Related Establishments", of this title.
3. Subject to conformance with the provisions of Chapter 21A.59, "Conditional Building and Site Design Review", of this title.
4. Prohibited within 1,000 feet of a single- or two-family zoning district.
5. Subject to the requirements set forth in Section 21A.40.065, "Outdoor Dining", of this title.

No conditional use permit shall be granted for any property which abuts a residential zoning district, except for places of worship, public/private utilities and related facilities, residential facilities for persons with a disability and educational facilities.

SECTION 6. Amending the text of *Salt Lake City Code* Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended to read as follows:

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District													
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	U
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P		P	P	P	P	P
Adaptive reuse of a landmark site														
Agricultural use		C		P	P	P	P			P				
Air cargo terminals and package delivery facility		P								P				
Airport										P				
Alcohol:														
Brewpub (2,500 square feet or less in floor area)		P ¹²												
Brewpub (more than 2,500 square feet in floor area)		P ¹²												
Dining club (2,500 square feet or less in floor area)														
Social club (2,500 square feet or less in floor area)														
Tavern (2,500 square feet or less in floor area)														
Ambulance service (indoor)	P	P												
Ambulance service (outdoor)	P ¹⁰	P ¹⁰												
Amphitheater												C		
Animal:														
Kennel on lots of 5 acres or larger		C		P ⁸	P ⁸	P ⁸	P ⁸							
Pet cemetery				P ⁴	P ⁴	P ⁴	P ⁴	P ^{4,5}						
Stable (private)				P	P	P	P							
Stable (public)				P	P	P	P							
Veterinary office		P												
Antenna, communication tower	P	P	C	P	P	P	P			P	P	C	P	P
Antenna, communication tower, exceeding the maximum building height in the zone	C	C								P		P ¹¹	C	C
Art gallery											P	P	P	P
Bed and breakfast													P ²	P
Bed and breakfast inn													P ²	P
Bed and breakfast manor													P ²	P
Botanical garden	P										P	P		

Cemetery								P						
Clinic (medical, dental)	P	P											P	P
Community garden	P	P	P	P	P	P	P	P			P	P	P	P
Convent/monastery													P	P
Daycare center, adult	P	P									P	P	P	P
Daycare center, child	P	P								P	P	P	P	P
Dental laboratory/research facility	P	P											C	C
Dwelling:														
Assisted living facility													P	P
Congregate care facility													P	P
Group home (large)														
Group home (small)			P	P	P	P								
Living quarters for caretaker or security guard	P	P									P		P	P
Manufactured home				P	P	P								
Mobile home														
Multi-family														P
Resident healthcare facility													P	P
Residential substance abuse treatment home (large)														P
Residential substance abuse treatment home (small)														P
Rooming (boarding) house														
Single-family (attached)														
Single-family (detached)			P	P	P	P								
Transitional victim home (large)														
Transitional victim home (small)														
Twin home and two-family														
Eleemosynary facilities											P	P	P	P
Exhibition hall											C	P	C	P
Extractive industry														
Fairground											C			
Farm stand, seasonal				P	P	P	P							
Financial institution	P	P												
Financial institution with drive-through facility	P ¹⁴	P ¹⁴												
Gas station		P ⁷												
Government facility	C	C									P	C	C	C ¹³
Government facility requiring special design features for security purposes														
Government office	P	P									P	P	P	P
Heliport	C	C									P		P	C
Hospital, including	C													P

accessory lodging facility														
Hotel/motel	C	C								P				
Industrial assembly		P								P				
Jail											C			
Jewelry fabrication		P												
Large wind energy system	C	C		C	C	C	C			C			P	P
Library											P	P	P	P
Light manufacturing		C								P				
Manufacturing, concrete or asphalt														
Meeting hall of membership organization		P										P	P	P
Mixed use development														
Mobile food business (operation on private property)	P	P												P
Municipal service uses, including city utility uses and police and fire stations	C	C								P	C	C	C ¹⁴	C
Museum	C							P			P	P	P	P
Nursing care facility													P	P
Office	P	P								P	P	P	P	P
Open space	P	P	P	P	P	P	P	P	P ⁹	P	P	P	P	P
Park	C								P		P	P		P
Parking:														
Commercial		C												
Off site										P	P	P	P	P
Park and ride lot										P	C			
Park and ride lot shared with existing use	P	P								P	P		P	P
Performing arts production facility		P												
Philanthropic use												P	P	P
Place of worship	P	P											P	P
Radio, television station		P ⁶										P		
Reception center											C	P	P	P
Recreation (indoor)		C						P			P	P	P	P
Recreation (outdoor)								P		P	P			
Research and development facility	P	P									P	P		
Research facility (medical)	P												P	P
Restaurant		P ⁷												
Restaurant with drive-through facility		P ^{7,14}												
Retail goods establishment		P ⁷										P		
Retail, sales and service accessory use when located within a principal building												P		
Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of	P	P								P	P	P	P	P

employees														
School:														
College or university											P	P	P	P
K - 12 private										P	P	P	P	P
K - 12 public										P	P	P	P	P
Music conservatory												P	P	P
Professional and vocational	P	P								P			P	P
Seminary and religious institute													P	P
Small Brewery		C												
Solar array	P	P		P						P	P		P	
Stadium											C		C	C
Storage, accessory (outdoor)		P								P				
Studio, art														
Theater, live performance	C ¹⁵	C ¹⁵									C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵
Theater, movie												C		
Transportation terminal, including bus, rail and trucking										P				
Urban farm	P	P	P	P	P	P	P	P			P	P	P	P
Utility, building or structure	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹
Vehicle, automobile rental agency		P									P			
Vending cart, private property	P	P												
Vending cart, public property								P						
Warehouse		P									P			
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)														
Wholesale distribution		P									P			
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)														
Zoological park								P						

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.

6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of Chapter 21A.55 of this title.
8. Kennels, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and without directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Maximum of 1 monopole per property and only when it is government owned and operated for public safety purposes.
12. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
13. If located on a collector or arterial street according to the Salt Lake City transportation master plan - major street plan: roadway functional classification map.
14. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
15. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 7. Amending the text of *Salt Lake City Code* Section 21A.36.300. That Section 21A.36.300 of the *Salt Lake City Code* (Zoning: General Provisions: Alcohol Related Establishments), shall be, and hereby is, amended to read as follows:

21A.36.300: ALCOHOL RELATED ESTABLISHMENTS:

- A. Purpose Statement: The purpose of this section is to permit the establishment of taverns, social clubs, dining clubs, and brewpubs as defined in Chapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards.
- B. License Required: No tavern, social club, dining club, or brewpub shall be established, operated, or maintained within the city without a valid license issued by the Utah state division of licensing, and without a valid business license issued by the city.
- C. Taverns, Social Clubs, Dining Clubs, and Brewpubs; Authorized as Permitted Uses: Taverns, social clubs, brewpubs, and dining clubs shall be permitted pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses.
- D. Taverns, Social Clubs, Dining Clubs, and Brewpubs; Authorized As Conditional Uses: Taverns, social clubs, dining clubs, and brewpubs may be allowed as conditional uses pursuant to the provisions of Chapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:
 - 1. In approving a conditional use permit for a tavern, social club, dining club, or brewpub, the planning commission shall:
 - a. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City Police Department and the building official, and filed with the city recorder's office, which shall include:
 - (1) A complaint-response community relations program; and
 - (2) A provision for a representative of the tavern, social club, dining club, or brewpub to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
 - (3) Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for the applicable zoning district in Chapter 9.28 of this code;
 - (4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
 - (5) Prohibiting electronically amplified sound in any exterior portion of the premises;

- (6) Designation of a location for smoking tobacco outdoors in conformance with state law;
 - (7) A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and
 - (8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area; and
 - (9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;
- b. Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;
 - c. Require buffering where a tavern, social club, dining club, or brewpub abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;
 - d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and
 - e. Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.
2. If necessary to meet the standards for approval of a conditional use set forth in Section 21A.54.080 of this title, the following conditions may be imposed:
- a. Limit the size and kind of signage located on the outside of any building in conformance with Chapter 21A.46 of this title;
 - b. Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents' enjoyment of their homes; and
 - c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses, and buildings and designating a new area if the potential effects of the area in the security and operations plan appear to adversely affect neighboring residences, businesses, and buildings.
- E. Minimum Area: In the CN and RB zoning districts, an alcohol related establishment shall only be allowed if such zoning district in which the alcohol related establishment is proposed is at least one-half ($1/2$) acre in contiguous area.**

- F. **Concentration Prohibited:** In the CN and RB zoning districts, not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within six hundred feet (600') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. In CB zoning districts, not more than one social club, dining club, brewpub, or tavern shall be located within three hundred fifty feet (350') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point of the property line of one establishment to the nearest point on the property line of the second establishment.

SECTION 8. Amending the text of *Salt Lake City Code* Section 21A.38.040.B. That Section 21A.38.040.B of the *Salt Lake City Code* (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries), shall be, and hereby is, amended to read as follows:

- B. Nonconformity of Taverns, Social Clubs, Dining Clubs, or Brewpubs: A legally existing tavern, social club, dining club, or brewpub shall not be deemed nonconforming for purposes of expansion, reconstruction or licensing (as long as the use is permitted in the base zoning district) if the only reason for such nonconformity is due to the subsequent location of a school, church or park within the spacing requirements as specified under requirements of state law.

SECTION 9. Amending the text of *Salt Lake City Code* Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended as follows:

- a. **That the term “Alcohol, Microbrewery” is hereby deleted; and**
- b. **That the term, “Small brewery” is hereby added and inserted alphabetically in the List of Terms.**

The codifier is instructed to make only these specific changes to the List of Terms comprising Section 21A.60.020 and make no other revisions to that section as part of this ordinance.

SECTION 10. Amending the text of *Salt Lake City Code* Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended as follows:

- a. **That the definition of the term “ALCOHOL, BREWPUB” is amended to read as follows:**

ALCOHOL, BREWPUB: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

- b. **That the definition of the term “ALCOHOL, MICROBREWERY” is deleted from** the list of definitions.

- c. **That the definition of the term “ALCOHOL RELATED ESTABLISHMENT” is amended** to read as follows:

ALCOHOL RELATED ESTABLISHMENT: Tavern, social club, dining club, or brewpub.

- d. **That the definition of the term “BREWERY” is amended** to read as follows:

BREWERY: A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

- e. **That the definition of the term “OUTDOOR DINING” is amended to read as follows:**
OUTDOOR DINING: A dining area with seats and/or table(s) located outdoors of a restaurant, brewpub, social club, tavern, market, deli, and other retail sales establishment that sells food and/or drinks, and which is either: a) located entirely outside the walls of the building of the subject business, or b) enclosed on two (2) sides or less by the walls of the building with or without a solid roof cover, or c) enclosed on three (3) sides by the walls of the building without a solid roof cover.

- f. **That the definition of the term, “SMALL BREWERY” is hereby added to the definitions** and inserted in alphabetical order and shall read as follows:

SMALL BREWERY: A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

SECTION 11. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2015.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2015.
Published: _____.
HB_ATTU-#47780-v2-Ordinance_breweries_brewpubs.DOCX

SALT LAKE CITY COUNCIL

ATTEST:

APPROVED AS TO FORM:

- ⁱ E-mail, Wayne Mills, October 23, 2015.
- ⁱⁱ E-mail, Wayne Mills, October 27, 2015.
- ⁱⁱⁱ E-Mail, Wayne Mills, November 3, 2015.
- ^{iv} Mills, Page 2.
- ^v Brewers Association Internet site.
- ^{vi} Utah Code 32B-6-205; 32B-6-305.
- ^{vii} Utah Code Annotated, 32B-1-1-102
- ^{viii} Utah Code 32B-11-5-4(c)
- ^{ix} Utah Code 32B-7-2-202-3.
- ^x Utah Code, 32B-1-1-112
- ^{xi} Utah Code, 32B-6-7-703(d)

^{xii} Utah Code, 32B-6-7-703(e)(i)

^{xiii} Mills, Page 2.

^{xiv} Mills, Page 1.



MOTION SHEET

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Russell Weeks
Senior Policy Analyst

DATE: November 4, 2015

**RE: MOTION SHEET – ORDINANCE AMENDING SECTIONS OF CITY CODE TITLE 21A
RELATING TO BREWERIES, BREWPUBS AND MICROBREWERIES**

Council Sponsor: Land Use Petition from Mayor

MOTION 1

I move that the Council close the public hearing and refer this item to a later date.

Attachment: MOTION SHEET - Nov 10, 2015 (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)





Breweries and Brewpubs

Proposed Changes to the Salt Lake City Zoning Ordinance

Background

- There is a nationwide increase in small craft brewers.
- Salt Lake City Zoning regulations do not adequately address these establishments.

What we are Trying to Address

- Where breweries can be located in Salt Lake City?
- The zoning definition of Brewpub.
- Clarify and simplify zoning definitions.
- Consistency with State Code.

Summary of Proposed Zoning Changes

- Create two separate classifications for breweries according to the scale of the facilities. Large scale breweries would be allowed in the manufacturing districts and heavy commercial district. Smaller scale breweries would be allowed in additional zoning districts that allow low intensity industrial uses.
- Simplify the definition of brewpub and eliminate the microbrewery land use classification. Any use that is a restaurant type facility that makes beer would fall under the brewpub classification.

Document Content

The following pages provide details on the proposed changes to the Salt Lake City Zoning Ordinance. Each section provides the current zoning definition of the establishment type, the proposed definition change, and the reason for the change.

Each section also contains a table showing the zoning districts where the establishment type is currently allowed and where it is proposed to be allowed. The (p) following the zoning district classification represents a "Permitted Use" and the (c) represents a "Conditional Use". Permitted Uses are allowed by-right and Conditional Uses require approval from the Salt Lake City Planning Commission. A map is included in each section showing the zoning districts where each establishment would be allowed under the proposed zoning changes.

Project Staff Contact:

Wayne Mills, Senior Planner
 Phone: 801-535-7282
 Email: wayne.mills@slcgov.com

BREWERY

Current Definition

A business establishment that manufactures beer, heavy beer, or malt liquor for off premises consumption, not to include those alcoholic beverages produced in a distillery or winery.

Proposed Definition

A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

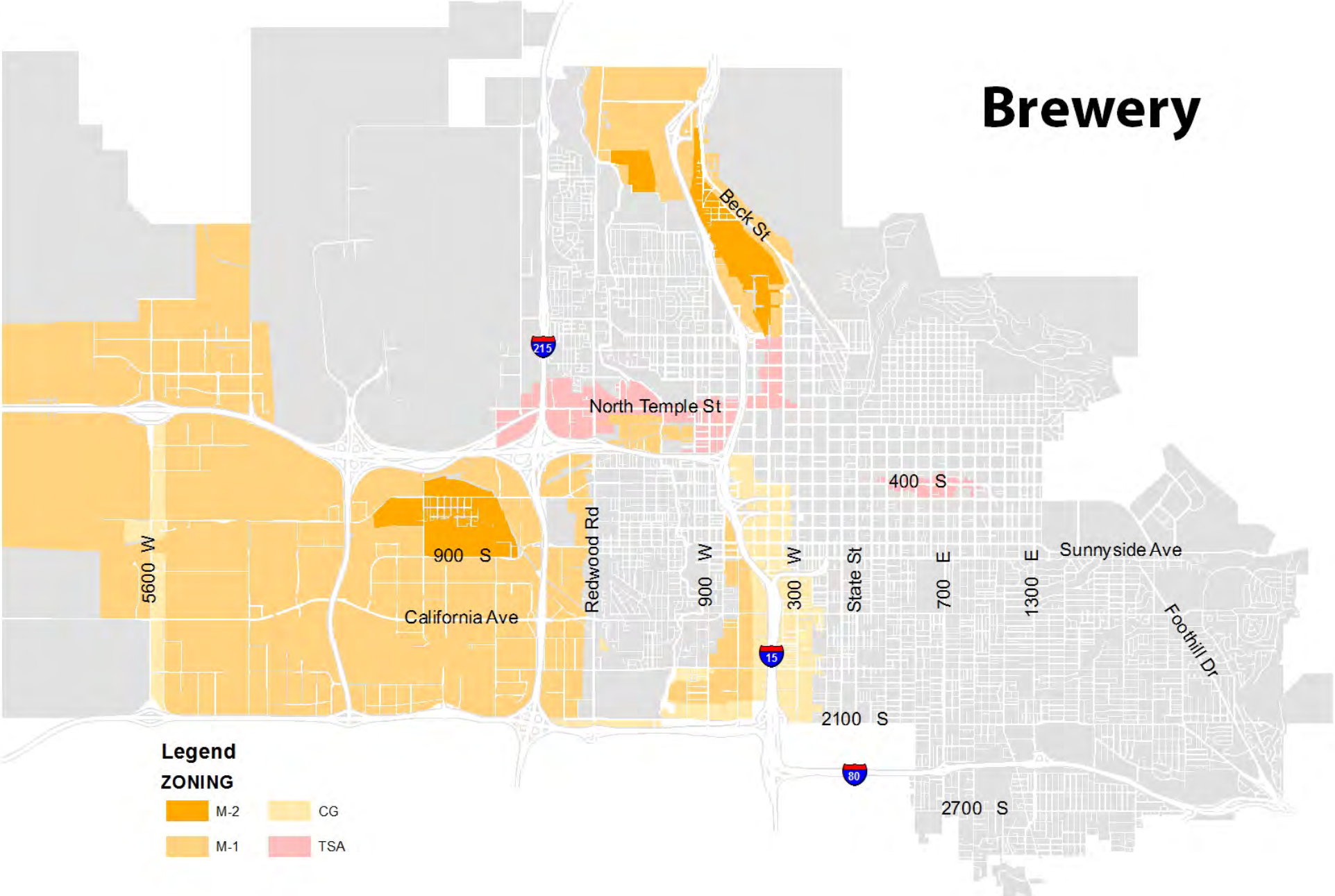
Proposed Zoning Districts

Currently allowed in:	M-1(p)	M-2(p)	TSA (p)	
Proposed:	M-1(p)	M-2(p)	TSA (p)	CG(p)





Reason for Change

- Consistency with State Code
- Purpose of the CG district is to allow for heavy commercial and low intensity manufacturing uses. Distilleries are allowed in the CG district, which is a similar land use.

Brewery



Legend
ZONING

	M-2		CG
	M-1		TSA

SMALL BREWERY

Current Definition

Not currently defined in the Zoning Ordinance.

Proposed Definition

A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

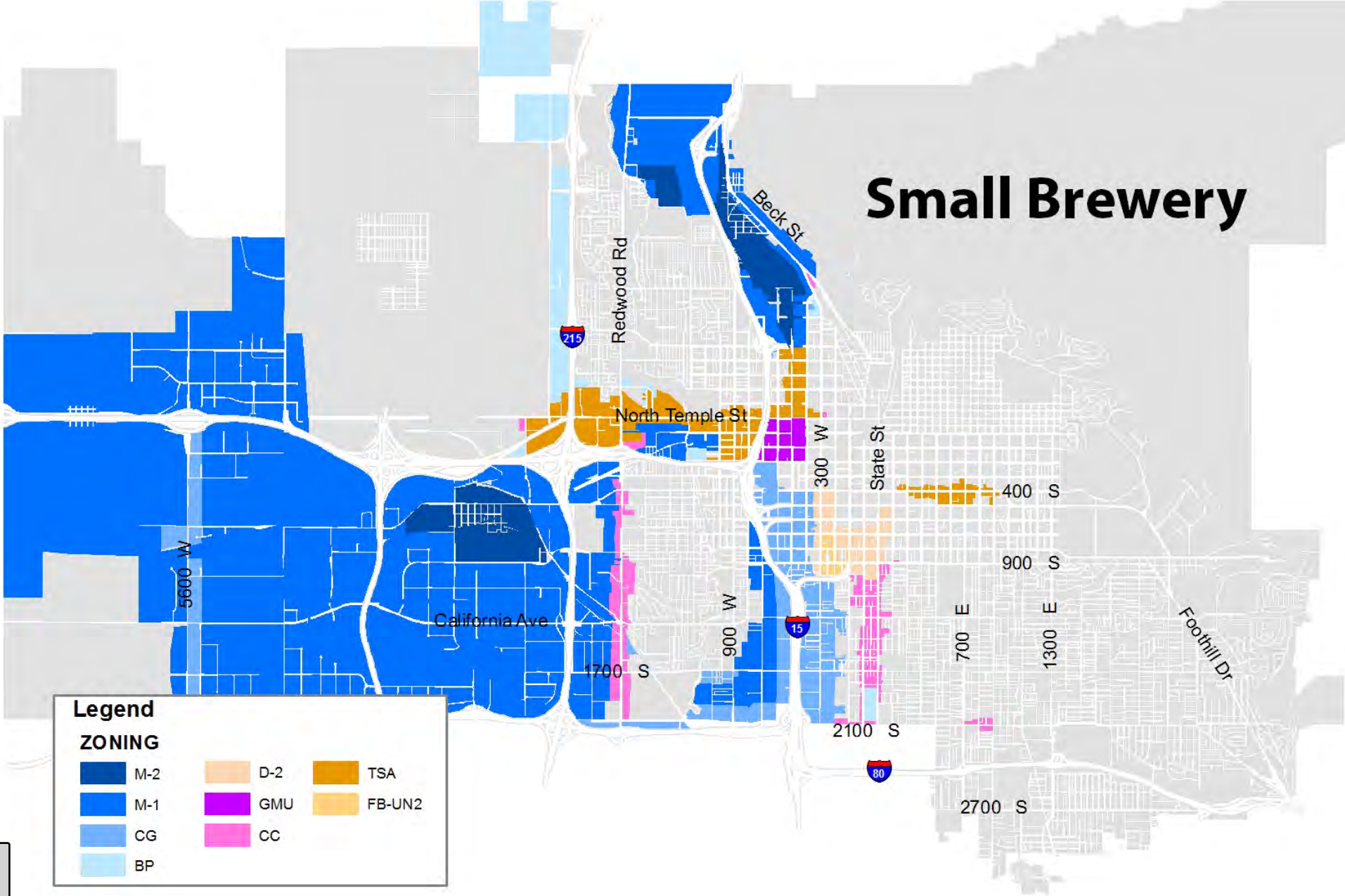
Proposed Zoning Districts











Currently allowed in:	Not currently a use in the Zoning Ordinance								
Proposed:	M-2(p)	M-1(p)	TSA (p)	CG(p)	CC(c)	FB-UN2(p)	D2(c)	G-MU(c)	BP(c)

Reason for Change

There has been a nationwide emergence of smaller, craft beer breweries. The Zoning Ordinance currently does not distinguish between smaller scale breweries and large industrial type breweries; therefore, breweries are currently allowed only in the heavier manufacturing type districts.

Small Brewery



Legend		
ZONING		
	M-2	
	M-1	
	CG	
	BP	
		
		

BREW PUB

Current Definition

A restaurant type establishment that also has a beer brewery, producing beer in batch sizes not less than seven (7) U.S. barrels (31 gallons), on the same property which produces only enough beer for sale and consumption on site or for retail carryout sale in containers holding less than two liters (2 l) or for wholesale as outlined in subsections D and E of this definition. Automated bottle or canning production is prohibited. At least fifty percent (50%) of the beer sold shall be brewed on the premises. Revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues, excluding retail carryout sales of beer. Brewpubs are limited to a total brewing capacity of two thousand five hundred (2,500) barrels per year or one hundred twenty (120) barrels of fermentation at any one time, whichever is less. Brewpubs may sell beer in keg (larger than 2 liters) containers for the following purposes and in the following amounts:

- A. An unlimited number of kegs (not to exceed 2,500 barrel capacity) for "brew fests" which, for the purpose of this definition, means events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three (3) such brewers;
- B. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events sponsored by charitable organizations exempt from federal income tax pursuant to 26 USC section 501(c)(3) or its successor; and
- C. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events operating under a single event license from the state and the city where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event sponsor but is, instead, dispensed by employees of the brewpub;
- D. Unlimited distribution to other restaurants of same ownership or control (not to exceed 2,500 barrel capacity). "Ownership or control" means more than fifty percent (50%) ownership in the actual business or controlling interest in any management partnership; and
- E. No more than five hundred (500) barrels for wholesale distribution (not to exceed 2,500 barrel capacity).

[The land use tables in the Zoning Ordinance provide two different categories for Brewpubs; those that are 2,500 square feet or less in floor area, and those that are more than 2,500 square feet in floor area.]

Proposed Definitions

A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

Proposed Zoning Districts

2,500 Square Feet or Less in Floor Area

Currently allowed in:	RMU-35 (c)	RMU-45(c)	RMU(c)	CB(c)	CS(p)	CC(p)	CSHBD(p)	CG(p)
Proposed:	RMU-35 (c)	RMU-45(c)	RMU(c)	CB(c)	CS(p)	CC(p)	CSHBD(p)	CG(p)

(2,500 Square Feet or Less in Floor Area)

Currently allowed in:	TSA(p)	FBUN2(p)	GMU(p)	MU(c)	GMU(p)	D1(p)	D2(c)	D3(c)	D4(p)
Proposed:	TSA(p)	FBUN2(p)	GMU(p)	MU(c)	GMU(p)	D1(p)	D2(p)	D3(p)	D4(p)

(2,500 Square Feet or Less Cont.)

Currently allowed in:	TC75(p)	M1(c)	M2(c)			
Proposed:	TC75(p)	M1(p)	M2(p)	BP(p)	FB-SC	FB-SE

No Maximum Floor Area Limitation

Currently allowed in:	CS(p)	CC(c)	CSHBD(p)	CG(p)	TC-75(p)	TSA(p)	D1(p)	D2(c)	D3(c)	D4(p)
Proposed:	CS(p)	CC(c)	CSHBD(p)	CG(p)	TC-75(p)	TSA(p)	D1(p)	D2(p)	D3(p)	D4(p)

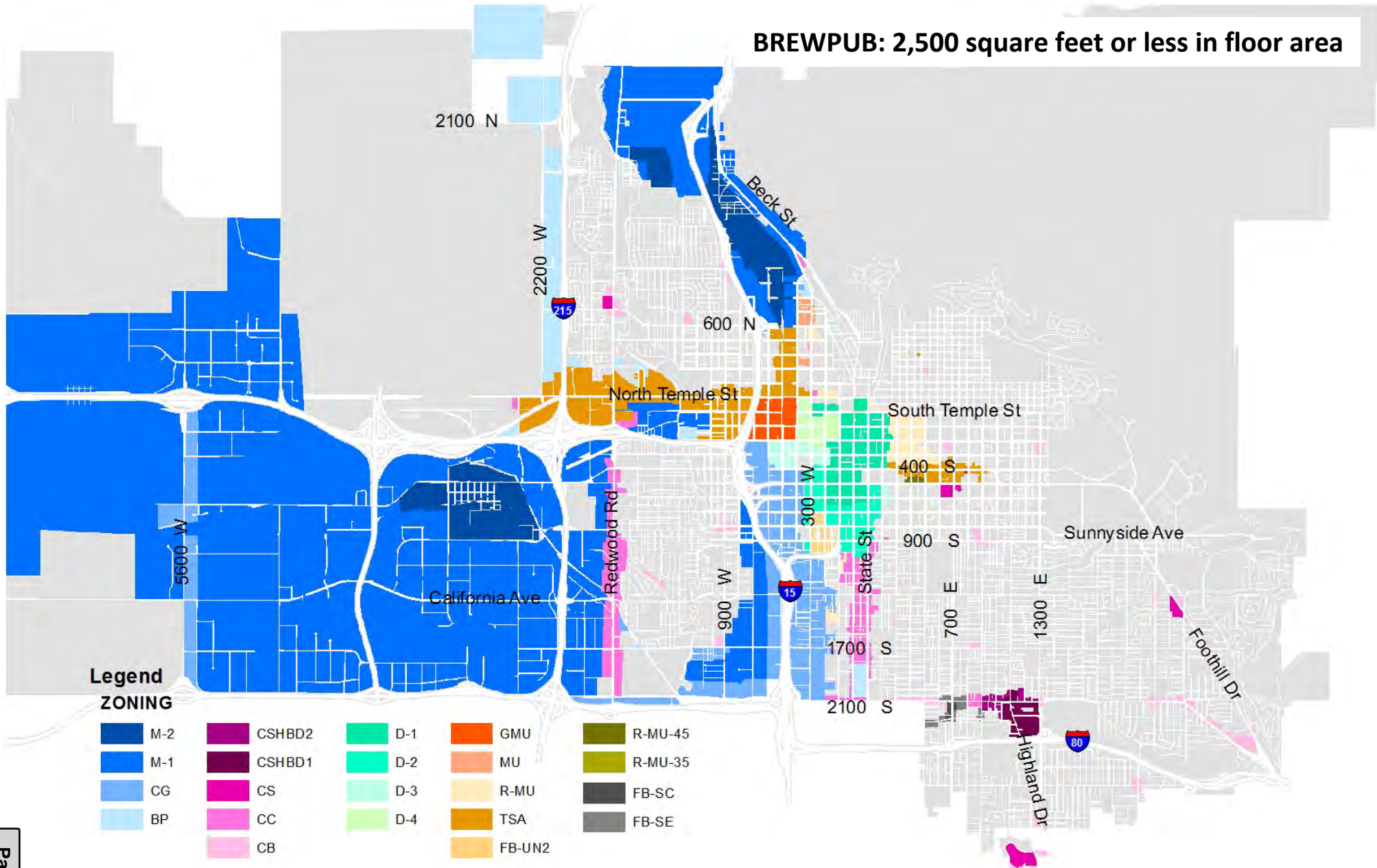
(No Maximum Floor Area Limitation Cont.)

Currently allowed in:	GMU(p)	M1(c)	M2(c)				
Proposed:	GMU(p)	M1(p)	M2(p)	BP(p)	FB-SC	FB-SE	FBUN2(p)

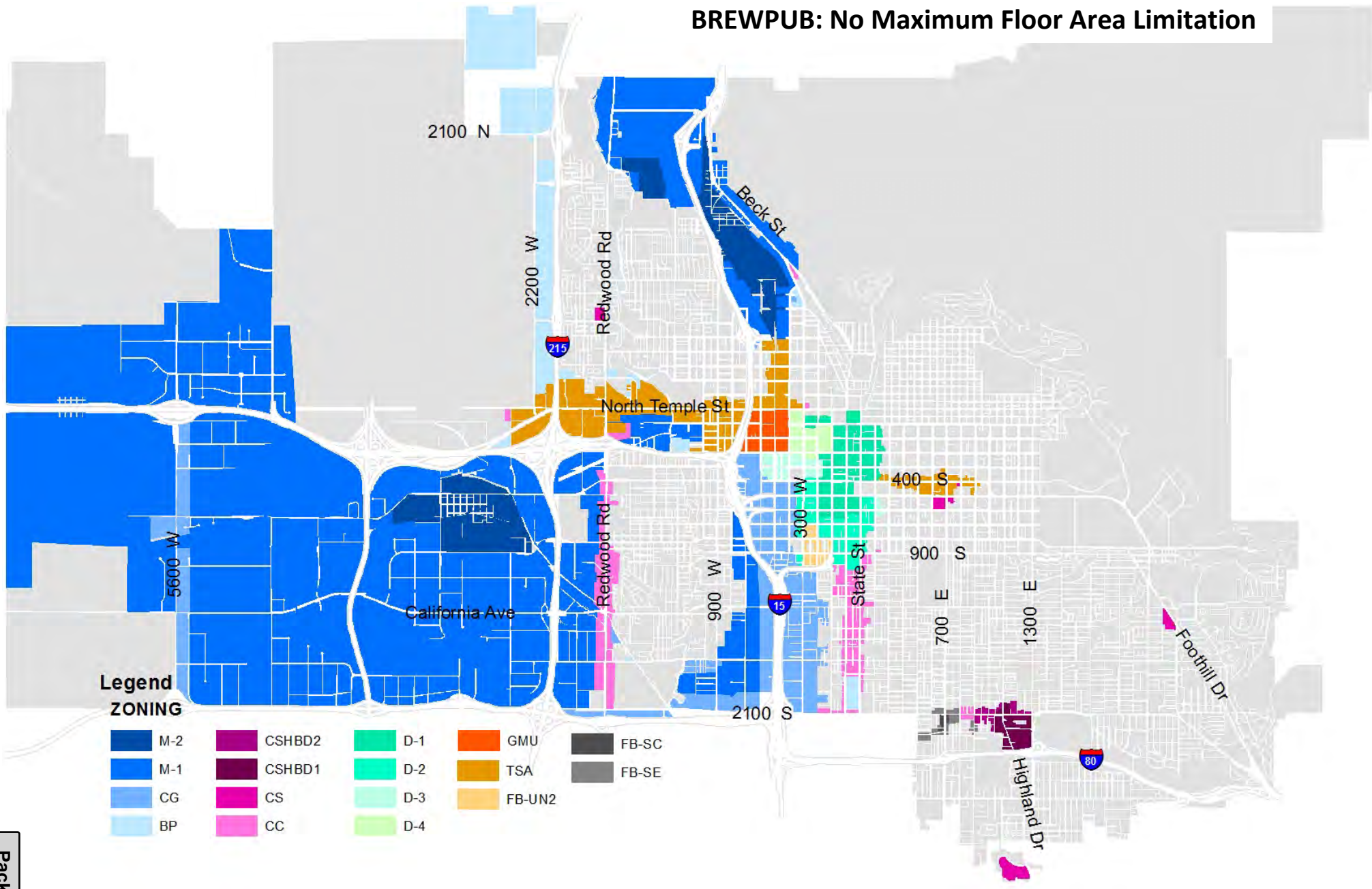
Reason for Change

- Brewpub definition is overly complicated and not related to land use.
- According to the current definition, to be considered a brewpub or microbrewery, a facility must brew at least 7 barrels. There is no classification for facilities that brew less than 7 barrels.
- The “microbrewery” classification would be eliminated with this proposal and what are now considered microbreweries, would be classified as brewpubs.

BREW PUB: 2,500 square feet or less in floor area



BREW PUB: No Maximum Floor Area Limitation



**Legend
ZONING**

M-2	CSHBD2	D-1	GMU	FB-SC
M-1	CSHBD1	D-2	TSA	FB-SE
CG	CS	D-3	FB-UN2	
BP	CC	D-4		

MICROBREWERY

Current Definition

A brewpub which, in addition to retail sale and consumption on site, markets beer wholesale in an amount not to exceed sixty thousand (60,000) barrels (31 gallons) per year. Revenue from food sales must constitute at least fifty percent (50%) of the total business revenues, excluding wholesale and retail carryout sales of beer.

Proposed Definition

None. Proposal is to eliminate Microbrewery as a land use classification.

Proposed Zoning Districts

Currently allowed in:	M-1(c)	M-2(c)	TSA (p)	CG(p)	FBUN2(p)	D1(c)	D2(c)	D3(c)	D4(c)
Proposed:	None								

Reason for Change

- Do not need a separate land use classification for microbreweries. Any facility that brews beer and is a restaurant should be classified as a brewpub, and should be regulated according to the size of the establishment.
- Simplify the Zoning Ordinance by eliminating a land use type.



SALT LAKE CITY CORPORATION
City Council Transmittal

David Everitt, Chief of Staff

9/25/2015

Date Received: 9/24/2015
Date Sent to Council: 9/25/2015

TO: City Council
Luke Garrott - Chair

FROM: Jill Love
Director

SUBJECT: Petition PLNPCM2015-00151, Amendments to Title 21A of the Salt Lake City Code related to Breweries,

STAFF CONTACT: Wayne Mills,
wayne.mills@slcgov.com

COUNCIL SPONSOR: Not Required - Petition from Applicant(s)

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the Planning Commission's recommendation to amend sections of Title 21A of the Salt Lake City Code related to Breweries, Brewpubs and Microbreweries.

BUDGET IMPACT: None.

BACKGROUND/DISCUSSION:

Issue Origin: The proposed zoning amendments are in response to the nationwide growth of craft beer breweries and brewpubs. Salt Lake City is following this growth trend, which is

Attachment: Administrative Transmittal- Amendments to Title 21A of the Salt Lake City Code related to Breweries (1359 : Ordinance: Citywide

evident in the number inquiries for new locations in the City and the number of interpretations of the Zoning Ordinance to determine where they may be located.

Existing zoning regulations provide three land use classifications related to beer manufacturing:

- Breweries are beer manufacturing facilities;
- Brewpubs manufacture beer but must have an associated restaurant; and
- Microbreweries manufacture more beer than brewpubs and also must have an associated restaurant.

Currently, the City Zoning Ordinance does not distinguish between small craft breweries and **large industrial breweries. The Zoning Ordinance refers only to “breweries” as one land use type** and they are allowed only in the manufacturing districts. The ordinance does not address smaller scale breweries that have less impact due to their smaller production rates.

The Zoning Ordinance defines brewpubs and microbreweries according to complicated formulas based on the amount of beer produced for specific purposes. These definitions are confusing and lead to misinterpretations of how the business should be classified from a zoning perspective. The current definitions also state that a business is considered a brewpub or microbrewery if it produces at least seven barrels of beer. If a business produces less than seven barrels of beer, it is not considered a brewpub or microbrewery. This has created difficulty in determining how these businesses are defined in the Zoning Ordinance and where they can be located.

The purpose of the proposed zoning changes are intended to address:

- The difference between large industrial breweries and smaller scale craft breweries;
- The definition of brewpub;
- Where breweries and brewpubs may be located in the City;
- Inconsistencies in zoning interpretations related to breweries and brewpubs; and
- Consistency with State Code.

The following provides a summary of the proposed amendments:

- The proposed amendments create two separate classifications for breweries according to the scale of the facilities. Large scale breweries would be allowed in the manufacturing districts and heavy commercial district. Smaller scale breweries would be allowed in additional zoning districts that allow low intensity industrial uses or have strict design criteria.
- Simplify the definition of brewpub and eliminate the microbrewery land use classification. Any use that is a restaurant type facility that makes beer would fall under the brewpub classification.

- Allow brewpubs as permitted uses in all of the Downtown, Form Based, Manufacturing, and Business Park zoning districts.

Attachment A provides specific details on the proposed changes to the Zoning Ordinance as proposed by the Planning Commission.

Master Plan Considerations: The proposed zoning amendments are not site specific; therefore, there are no specific community master plan policies that are applicable to the proposal. The Salt Lake City Vision and Strategic Plan (adopted in 1993) provides an overall vision statement for the City:

We envision Salt Lake City as a prominent sustainable city: the international crossroads of western America, blending family life styles, vibrant artistic and cultural resources, and a strong sense of environmental stewardship with robust economic activity to create a superb place for people to live, work, grow, invest and visit.

The amendments provide the opportunity for smaller, locally owned craft breweries to locate in more areas of the City. These facilities contribute to the local economy and to the vibrancy of mixed-use neighborhoods, which is consistent with Salt Lake City's vision of developing a "robust economic activity to create a superb place for people to live, work, grow, invest and visit."

PUBLIC PROCESS: The Planning Division held a public open house meeting on May 21, 2015. The open house meeting notice was sent on May 12, 2015 through the Planning Division listserv, which includes all community council chairs. In addition to the standard noticing, Planning Division staff sent a notice and a summary of the proposed changes to the president of the Utah Brewers Guild and other individuals who have interest in the project. Four people attended the open house meeting, all of which work in the brewing industry.

On July 29, 2015 the Planning Division presented the proposed amendments to the Planning Commission in a public hearing. In addition to the standard public hearing notification process, Planning Division staff sent a notice to the president of the Utah Brewers Guild; owners of breweries, brewpubs and microbreweries in Salt Lake City; and other individuals who have interest in the project.

Upon notification of the Planning Commission hearing, Planning Staff was contacted by an individual representing some of the local breweries and microbreweries with a concern regarding the proposed definition of Brewpub, particularly a sentence that stated, “Bottling and canning is allowed for on-site distribution only and not for wholesale distribution.” The Brewpub definition proposed in the Planning Commission Staff Report, as well as the current definition in the Zoning Ordinance allows Brewpubs to package their beer in kegs for wholesale distribution.

Currently, a number of the brewpubs and microbreweries located in Salt Lake City manufacture small batches of “high point” beer in bottles and cans for distribution to off-site retailers. “High point” beer is beer that exceeds 4.0% alcohol by volume and according to State code, can only be sold in bottles or cans.

The intent of the proposed amendments is to simplify the Zoning Code and update zoning regulations according to modern brewery industry standards. It is not the intent to create nonconforming zoning issues for brewpubs and microbreweries that currently operate in Salt Lake City. To that end, Staff proposed to the Planning Commission that the definition of Brewpub be amended to read as follows:

Alcohol, Brewpub: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

The proposed definition allows off-site distribution of beer in kegs, bottles or cans, which is consistent with current industry standards. The proposed change would not create adverse impacts to the City because the definition requires that 50% of business revenue must be from food and the square footage limitation in certain zoning districts prohibits these uses from becoming large scale industrial facilities.

The Planning Commission unanimously forwarded a positive recommendation to the City Council regarding the proposed amendments, including the revision to the Brewpub definition.

RELEVANT ORDINANCES:

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed (Section 21A.50.050 A-E). The five standards are discussed in detail in Attachment D of the Planning Commission Staff Report dated July 29, 2015 (ATTACHMENT 6A).

ATTACHMENTS:

- Admin - Table of Contents (PDF)
- Admin - 1 Summary of Proposed Changes (PDF)
- Admin - 2 Chronology (PDF)
- Admin - 3 Ordinance (PDF)
- Admin - 4 Notice of City Council Hearing (PDF)
- Admin - 5 Mailing Labels (PDF)
- Admin - 6A Planning Commission Staff Report (PDF)
- Admin - 6B Planning Commission Meeting Minutes (PDF)
- Admin - 6C Planning Commission Meeting Notice (PDF)
- Admin - 7 Original Petition (PDF)

Ordinance No.

SALT LAKE CITY ORDINANCE
No. _____ of 2015
(An ordinance amending various sections of the
Salt Lake City Code pertaining to breweries, small breweries and brewpubs)

An ordinance amending various sections of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2015-00151 to modify regulations pertaining to regulation of breweries, small breweries and brewpubs.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on July 29, **2015 to consider a petition submitted by Mayor Ralph Becker (“Applicant”) (Petition No.** PLNPCM2015-00151) to amend Sections 21A.27.050.N (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses); 21A.33.030 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts); 21A.33.040 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts); 21A.33.050 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts); 21A.33.060 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District); 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts); 21A.36.300 (Zoning: General Provisions: Alcohol Related Establishments); 21A.38.040.B (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries); 21A.60.020 (Zoning: List of Terms: List of Defined Terms); and 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the *Salt Lake City Code* to modify regulations pertaining to breweries, small breweries and brewpubs; and

WHEREAS, at its July 29, 2015 hearing, the planning commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council on said petition; and

WHEREAS, after a public hearing on this matter the city council has determined that **adopting this ordinance is in the city’s best interests,**

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the text of *Salt Lake City Code* Section 21A.27.050.N. That Section 21A.27.050.N of the *Salt Lake City Code* (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses), shall be, and hereby is, amended to read as follows:

N. Permitted Land Uses:

1. Applicability: The table of permitted uses applies to all properties in the FB-UN zoning district:
 - a. Permitted Uses: A use that contains a P in the specific subdistrict is permitted in that subdistrict. A use that is left blank in the specific subdistrict is not permitted.
 - b. Uses Not Listed: Uses not listed are prohibited unless the zoning administrator has made an administrative interpretation that a proposed use is more similar to a listed permitted use than any other defined use.
 - c. Other Uses: A use specifically listed in any other land use table in this title that is not listed in this section is prohibited.
 - d. Building Form: Uses that are included in the description of each building form are permitted in the subdistrict where the building form is permitted.

**TABLE 21A.27.050.N
PERMITTED USES**

Use	FB-UN1	FB-UN2
Accessory use, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P
Alcohol:		
Brewpub		P
Liquor store		P
Social club		P
Tavern, 2,500 square feet or less in floor area		P
Animal, veterinary office		P
Antenna, communication tower		P
Art gallery		P
Bed and breakfast	P	P
Bed and breakfast inn	P	P
Bed and breakfast manor	P	P
Clinic (medical, dental)		P
Community garden	P	P
Community recreation center		P
Daycare center, adult		P
Daycare center, child		P
Dwelling:		
Assisted living facility (large)		P

Assisted living facility (small)	P	P
Group home (large)		P
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage		P
Multi-family		P
Residential substance abuse treatment home (large)		P
Residential substance abuse treatment home (small)		P
Rooming (boarding) house		P
Single-family attached	P	P
Single-family detached	P	P (If part of cottage development)
Single room occupancy		P
Transitional victim home (large)		P
Transitional victim home (small)		P
Two-family	P	
Eleemosynary facility		P
Farmers' market		P
Financial institution		P
Food processing		P
Funeral home		P
Health and fitness facility		P
Hotel/motel		P
House museum in landmark site	P	P
Laboratory (medical, dental, optical)		P
Library		P
Mixed use developments including residential and other uses allowed in the zoning district		P
Museum		P
Nursing care facility		P
Office		P
Office and/or reception center in landmark site		P
Open space	P	P
Park	P	P
Parking, off site	P ¹	P ¹
Place of worship		P
Plazas	P	P
Recreation (indoor)		P
Research and development facility		P
Research facility (medical/dental)		P
Restaurant		P
Retail goods establishment		P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P
Retail service establishment		P
Sales and display (outdoor)		P
School:		
College or university		P
Music conservatory		P
Professional and vocational		P
Seminary and religious institute		P
Seasonal farm stand		P

Small Brewery		P
Solar array		P
Store, specialty		P
Studio, art		P
Theater, movie		P
Urban farm	P	P
Utility, building or structure	P	P
Utility, transmission wire, line, pipe, or pole	P	P
Vending cart, private property		P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)		P

Note:

1. Parking, off site is only permitted on parcels that contain a principal building and shall comply with the parking requirements identified in the building form standards section of this chapter. No principal building shall be demolished to accommodate off site parking.

SECTION 2. Amending the text of *Salt Lake City Code* Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended to read as follows:

21A.33.030:TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District							
	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	P ⁸	
Alcohol:								
Brewpub (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Brewpub (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12,13}	C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Dining club (more than 2,500			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	

	square feet in floor area)								
	Distillery						P ¹⁹		
	Social club (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
	Social club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
	Tavern (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
	Tavern (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
	Ambulance service (indoor)			P	P	P	P	P	
	Ambulance service (outdoor)			P ⁷	P ⁷	P ⁷	P		
	Amusement park			P			P		
	Animal:								
	Cremation service				P		P		
	Kennel						P		
	Pet cemetery						P ⁴		
	Veterinary office	C	P	P	P	P	P	C	
	Antenna, communication tower		P	P	P	P	P	P	
	Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	C	
	Art gallery	P	P	P	P	P	P	P	P
	Auction (outdoor)				P		P		
	Auditorium			P	P	P	P	P	
	Bakery, commercial						P		
	Bed and breakfast	P	P	P	P	P	P	P	P ¹⁷
	Bed and breakfast inn	P	P	P	P	P	P	P	
	Bed and breakfast manor	C ³	C ³		P	P	P	P	
	Blacksmith shop						P		
	Blood donation center				C		P		
	Brewery						P		
	Bus line station/terminal				P		P	C	
	Bus line yard and repair facility						P		
	Car wash			P	P		P	C	
	Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	C	
	Check cashing/payday loan business				P ¹⁰		P ¹⁰		
	Clinic (medical, dental)	P	P	P	P	P	P	P	
	Community correctional facility, large								
	Community correctional facility, small						C ^{9,14}		
	Community garden	P	P	P	P	P	P	P	P
	Contractor's yard/office				C		P		
	Crematorium			C	C	C	C	C	
	Daycare center, adult	P	P	P	P	P	P	P	
	Daycare center, child	P	P	P	P	P	P	P	
	Daycare, registered home daycare or preschool								P
	Dwelling:								
	Assisted living facility (large)		P		P	P	P	P	
	Assisted living facility (small)		P		P	P	P	P	P

	Group home (large)		P		C		C	P	
	Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P	P
	Living quarter for caretaker or security guard	P	P	P	P	P	P	P	
	Manufactured home								P
	Multi-family		P	P	P	P	P	P	P
	Residential substance abuse treatment home (large)				C		C	C	
	Residential substance abuse treatment home (small)				C		C	C	
	Rooming (boarding) house		P	P	P	P	P	P	
	Single-family attached								P
	Single-family detached								P
	Single room occupancy							P ⁶	
	Transitional victim home (large)				C		C	C	
	Transitional victim home (small)				C		C	C	
	Twin home								P
	Two-family								P
	Eleemosynary facility		P					P	
	Equipment rental (indoor and/or outdoor)				P		P		
	Farmers' market			C	C	P	P	C	
	Financial institution	P	P	P	P	P	P	P	
	Financial institution with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
	Flea market (indoor)			P	P	P	P	C	
	Flea market (outdoor)						P		
	Funeral home			P	P	P	P	C	
	Gas station		C	P	P	P	P		
	Government facility		C	C	C	C	C	C	C
	Government facility requiring special design features for security purposes	P	P	P	P	P	P	P	
	Homeless shelter						C		
	Hotel/motel		C		P	P	P	C	
	House museum in landmark sites (see subsection 21A.24.010_T of this title)								C
	Impound lot						C ¹⁴		
	Industrial assembly						P		
	Intermodal transit passenger hub						P		
	Laboratory (medical, dental, optical)			P	P		P		
	Laboratory, testing			P	P		P	P	
	Large wind energy system		P		P		P	P	
	Laundry, commercial						P		
	Library	P	P	P	P	P	P	P	C
	Limousine service (large)						P		
	Limousine service (small)		C		C		P		
	Manufactured/mobile home sales and service						P		
	Mixed use development	P	P	P	P	P	P	P	P ¹⁵

Mobile food business (operation on private property)	P	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C	C
Museum	P	P	P	P	P	P	P	P
Nursing care facility		P		P		P	P	
Office	P	P	P	P	P	P	P	P ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010.T of this title)								C
Open space	P	P	P	P	P	P	P	
Open space on lots less than 4 acres in size								P
Park	P	P	P	P	P	P	P	
Parking:								
Commercial				C	P	P	C	
Off site	C	P	P	P	P	P	C	
Park and ride lot		C	C	P		P	C	
Park and ride lot shared with existing use		P	P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	P	
Reception center		P	P	P	P	P		
Recreation (indoor)	P	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	C	
Recreational vehicle park (minimum 1 acre)				C				
Recycling collection station	P	P	P	P	P	P		
Research and development facility							P	
Restaurant	P	P	P	P	P	P	P	
Restaurant with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail goods establishment	P	P	P	P	P	P	P	P ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P	P
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail service establishment	P	P	P	P	P	P	P	P ¹⁶
Furniture repair shop	C	P	P	P	P	P	P	
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Reverse vending machine	P	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	C	
School:								
College or university		P	P	P	P	P	P	
Music conservatory		P	P	P	P	P	P	
Professional and vocational		P	P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	P	C
Seasonal farm stand	P	P	P	P	P	P	P	
Sexually oriented business						P ⁵		
Sign painting/fabrication						P		
Small Brewery				C		P		
Solar array						P		
Storage (outdoor)				C		P		

Storage, public (outdoor)				C		P		
Storage, self				P		P	C	
Store:								
Department			P		P			
Mass merchandising			P		P	P		
Pawnshop						P		
Specialty			P	P	P	P		
Superstore and hypermarket			P			P		
Warehouse club						P		
Studio, art	P	P	P	P	P	P	P	P
Studio, motion picture						P		
Taxicab facility						P		
Theater, live performance		P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Theater, movie		C	P	P	P	P	P	
Urban farm	P	P	P	P	P	P	P	
Utility, building or structure	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Utility, transmission wire, line, pipe, or pole	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Vehicle:								
Auction						P		
Automobile repair (major)				P		P	C	
Automobile repair (minor)	C	P	P	P	P	P	P	
Automobile sales/rental and service				P		P		
Automobile salvage and recycling (indoor)						P		
Boat/recreational vehicle sales and service				P		P		
Truck repair (large)						P		
Truck sales and rental (large)				P		P		
Vending cart, private property					P			
Warehouse				P		P		
Welding shop						P		
Wholesale distribution				P		P		
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)								C
Woodworking mill						P		

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of Chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060.D and Chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050.B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010.T and 21A.26.010.K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in Section 21A.36.140 of this title.
6. Subject to location restrictions as per Section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional

- building and site design review.
- 9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within Chapter 21A.34 of this title.
- 10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
- 11. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
- 12. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
- 13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
- 14. Prohibited within 1,000 feet of a single- or two-family zoning district.
- 15. Residential units may be located above or below first floor retail/office.
- 16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160.I and J of this title.
- 17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
- 18. Medical and dental offices are not allowed in the SNB zoning district.
- 19. Permitted in the CG zoning district only when associated with an on site food service establishment.

SECTION 3. Amending the text of *Salt Lake City Code* Section 21A.33.040. That Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended to read as follows:

21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C	C7
Agricultural use	P	P
Alcohol:		
Brewpub	P6,10	P6,10
Distillery	P	P
Social club	C6,10	C6,10
Tavern	C6,10	C6,10
Winery	P	P
Ambulance services (indoor and/or outdoor)	P	P
Animal:		

	Cremation service	P	P
	Kennel	P	P
	Pet cemetery	P ²	P ²
	Pound	P ¹²	P ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	P ¹²
	Veterinary office	P	P
	Antenna, communication tower	P	P
	Antenna, communication tower, exceeding the maximum building height	C	C
	Bakery, commercial	P	P
	Blacksmith shop	P	P
	Bottling plant	P	P
	Brewery	P	P
	Building materials distribution	P	P
	Bus line station/terminal	P	P
	Bus line yard and repair facility		P
	Check cashing/payday loan business	P ⁹	
	Chemical manufacturing and/or storage		C
	Community correctional facility, large (see Section 21A.36.110 of this title)	C ^{8,12}	
	Community correctional facility, small (see Section 21A.36.110 of this title)	C ^{8,12}	
	Community garden	P	
	Concrete and/or asphalt manufacturing	C ¹²	P ¹²
	Contractor's yard/office	P	P
	Crematorium	P	P
	Daycare center, adult	P	
	Daycare center, child	P	
	Drop forge industry		P
	Dwelling, living quarters for caretaker or security guard, limited to uses on lots 1 acre in size or larger and is accessory to a principal use allowed by the zoning district	P	P
	Equipment, heavy (rental, sales, service)	P	P
	Equipment rental (indoor and/or outdoor)	P	P
	Explosive manufacturing and storage		C ¹²
	Financial institution with or without drive-through facility	P ¹¹	
	Flammable liquids or gases, heating fuel distribution and storage		P ¹²
	Food processing	P	P
	Gas station	P	P
	Government facility	P	P
	Government facility requiring special design features for security purposes	P	P
	Grain elevator		P
	Greenhouse	P	
	Heavy manufacturing		P ¹²
	Hotel/motel	P	
	Impound lot	P ¹²	P ¹²
	Incinerator, medical waste/hazardous waste		C ¹²
	Industrial assembly	P	P
	Laboratory (medical, dental, optical)	P	
	Laboratory, testing	P	P
	Large wind energy system	P	P
	Laundry, commercial	P	P

Light manufacturing	P	P
Limousine service	P	P
Mobile food business (operation in the public right of way)	P	P
Mobile food business (operation on private property)	P	P
Mobile food court	P	P
Office	P	
Office, publishing company	P	
Open space	P	P
Package delivery facility	P	P
Paint manufacturing		P
Parking:		
Off site	P	P
Park and ride lot	P	P
Park and ride lot shared with existing use	P	P
Photo finishing lab	P	P
Poultry farm or processing plant		P ¹²
Printing plant	P	
Radio, television station	P	
Railroad, freight terminal facility	C ^{4,12}	C ^{4,12}
Railroad, repair shop		P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C ¹²	P ¹²
Refinery, petroleum products		C ¹²
Restaurant with or without drive-through facilities	P ¹¹	
Retail goods establishment with or without drive-through facility	P ¹¹	
Retail service establishment:		
Electronic repair shop	P	
Furniture repair shop	P	P
Upholstery shop	P	
Rock, sand and gravel storage and distribution	C	P
School:		
Professional and vocational (with outdoor activities)	P	
Professional and vocational (without outdoor activities)	P	
Seminary and religious institute	P	
Seasonal farm stand	P	P
Sexually oriented business	P ⁵	
Sign painting/fabrication	P	P
Slaughterhouse		P ¹²
Small Brewery	P	P
Solar array	P	P
Storage and display (outdoor)	P	P
Storage, public (outdoor)	P	P
Store, convenience	P	P
Studio, motion picture	P	
Taxicab facility	P	P
Tire distribution retail/wholesale	P	P
Truck freight terminal	P ¹²	P ¹²
Urban farm	P	P
Utility:		

Building or structure	P	P
Electric generation facility	C ^{3,12}	C ^{3,12}
Sewage treatment plant	C	P
Solid waste transfer station	C ¹²	P ¹²
Transmission wire, line, pipe or pole	P ¹	P ¹
Vehicle:		
Auction	P	P
Automobile and truck repair	P	P
Automobile and truck sales and rental (including large truck)	P	P
Automobile part sales	P	P
Automobile salvage and recycling (indoor)	P	P
Automobile salvage and recycling (outdoor)	C ¹²	P ¹²
Recreational vehicle (RV) sales and service	P	P
Truck repair (large)	P	P
Vending cart, private property	P	P
Warehouse	P	P
Welding shop	P	P
Wholesale distribution	P	P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)		
Woodworking mill	P	P

Qualifying provisions:

1. See subsection 21A.02.050.B of this title for utility regulations.
2. Subject to Salt Lake Valley health department approval.
3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility may be located within a 5 mile radius of any other existing railroad freight terminal facility.
5. Pursuant to the requirements set forth in Section 21A.36.140 of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within Chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 4. Amending the text of *Salt Lake City Code* Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts), shall be, and hereby is, amended to read as

follows:

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P ⁴
Alcohol:				
Brewpub (indoor)	P ⁶	P ⁶	P ⁶	P ⁶
Brewpub (outdoor)	P ⁶	P ⁶	P ⁶	P ⁶
Dining club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Dining club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Social club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Social club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Tavern (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Tavern (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Animal, veterinary office		P	P	
Antenna, communication tower	P	P	P	P
Antenna, communication tower, exceeding the maximum building height	C	C	C	C
Art gallery	P	P	P	P
Bed and breakfast	P	P	P	P
Bed and breakfast inn	P	P	P	P
Bed and breakfast manor	P	P	P	P
Blood donation center		P		
Bus line station/terminal	P ⁷	P ⁷	P ⁷	P ⁷
Bus line yard and repair facility		P		
Car wash		P ³		
Check cashing/payday loan business	P ⁵			
Clinic (medical, dental)	P	P	P	P
Community garden	P	P	P	P
Convention center				P
Crematorium	P	P	P	
Daycare center, adult	P	P	P	P
Daycare center, child	P	P	P	P
Dwelling:				
Artists' loft/studio	P	P	P	P
Group home (large)		C	C	
Group home (small)	P	P	P	P
Multi-family	P	P	P	P
Residential substance abuse treatment home (large)		C	C	
Residential substance abuse treatment home (small)		C	C	
Transitional victim home (large)		C	C	
Transitional victim home (small)		C	C	
Eleemosynary facility	P	P	P	P
Exhibition hall				P

Farmers' market			P	
Financial institution	P	P	P	P
Financial institution with drive-through facility		P ⁸		P ⁸
Funeral home	P	P	P	
Gas station		P	P ⁷	P ⁷
Government facility	C	C	C	C
Government facility requiring special design features for security purposes			P ⁷	P ⁷
Heliport, accessory	C	C		C
Homeless shelter		C	C	
Hotel/motel	P	P	P	P
Industrial assembly		C	C	
Laboratory (medical, dental, optical)	P	P	P	P
Laundry, commercial		P		
Library	P	P	P	P
Limousine service		P		
Manufacturing and processing, food		P		
Mixed use development	P	P	P	P
Mobile food business (operation in the public right of way)	P	P	P	P
Mobile food business (operation on private property)	P	P	P	P
Mobile food court	P	P	P	P
Museum	P	P	P	P
Office	P	P	P	P
Office, publishing company	P	P	P	P
Open space on lots less than 4 acres in size	P ⁷	P ⁷	P ⁷	P ⁷
Park	P	P	P	P
Parking, commercial	C	P	C	C
Parking, off site	P	P	P	P
Performing arts production facility	P	P	P	P
Place of worship	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Radio, television station	P	P		P
Railroad, passenger station	P	P	P	P
Reception center	P	P	P	P
Recreation (indoor)	P	P	P	P
Recreation (outdoor)		P		
Restaurant	P	P	P	P
Restaurant with drive-through facility		P ⁸		
Retail goods establishment	P	P	P	P
Retail service establishment	P	P	P	P
Retail service establishment, upholstery shop		P	P	
Sales and display (outdoor)	P	P	P	P
School:				
College or university	P	P	P	P
K - 12 private			P	P
K - 12 public			P	P
Music conservatory	P	P	P	P
Professional and vocational	P	P	P	P
Seminary and religious institute	P	P	P	P
Small Brewery		C		
Social service mission and charity dining hall		C	C	
Stadium	C	C		C
Storage, self		P	P	
Store:				

	Department	P	P		P
	Fashion oriented department	P ²			
	Mass merchandising	P	P		P
	Pawnshop		P		
	Specialty	P	P		P
	Superstore and hypermarket		P		
	Studio, art	P	P	P	P
	Theater, live performance	P ⁹	P ⁹	P ⁹	P ⁹
	Theater, movie	P	P	P	P
	Utility, buildings or structure	P ¹	P ¹	P ¹	P ¹
	Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹
	Vehicle:				
	Automobile repair (major)		P	P ⁷	P ⁷
	Automobile repair (minor)		P	P ⁷	P ⁷
	Automobile sales/rental and service	P ¹⁰	P	P ¹⁰	
	Vending cart, private property	P	P	P	P
	Vending cart, public property				
	Warehouse		P		
	Warehouse, accessory		P	P	
	Wholesale distribution		P		
	Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)				

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (Section 21A.34.110 of this title).
3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
4. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
5. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
6. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
7. Subject to conformance with the provisions of Chapter 21A.59, "Conditional Building and Site Design Review", of this title.
8. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
9. Prohibited within 1,000 feet of a single- or two-family zoning district.
10. Must be located in a fully enclosed building and entirely indoors.
11. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.

SECTION 5. Amending the text of *Salt Lake City Code* Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District), shall be, and hereby is, amended to read as follows:

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:		C =	Conditional	P =	Permitted	
Use						G-MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title						P
Adaptive reuse of a landmark site						P
Alcohol:						
	Brewpub (indoor)					P ²
	Brewpub (outdoor)					P ^{2,5}
	Dining club (indoor)					P ²
	Dining club (outdoor)					P ^{2,5}
	Social club (indoor)					P ²
	Social club (outdoor)					P ^{2,5}
	Tavern (indoor)					P ²
	Tavern (outdoor)					P ^{2,5}
Ambulance service (indoor)						C
Amphitheater						P
Animal, veterinary office						P
Antenna, communication tower						P
Antenna, communication towers, exceeding the maximum building height						C
Art gallery						P
Artists' loft/studio						P
Auction (indoor)						P
Auditorium						P
Bed and breakfast						P
Bed and breakfast inn						P
Bed and breakfast manor						P
Botanical garden						P
Bus line station/terminal						P ³
Clinic (medical, dental)						P
Community garden						P
Crematorium						P
Daycare center, adult						P
Daycare center, child						P
Dwelling:						
	Group home (large)					C
	Group home (small) when located above or below first story office, retail or commercial use, or on the first story where the unit is not located adjacent to the street frontage					P
	Living quarters for caretaker or security guard					P
	Multi-family					P
	Residential substance abuse treatment home (large)					C
	Residential substance abuse treatment home (small)					C
	Single-family (attached)					P
	Transitional victim home (large)					C
	Transitional victim home (small)					C
Eleemosynary facility						P
Equipment rental (indoor and/outdoor)						P
Farmers' market						P
Financial institution						P
Flea market (indoor)						P
Funeral home						P

Government facility	C
Government facility requiring special design features for security purposes	P ³
Heliport, accessory	C
Hotel/motel	P
Industrial assembly	C
Laboratory (medical, dental, optical)	P
Large wind energy system	P
Library	P
Mixed use development	P
Mobile food business (operation in the public right of way)	P
Mobile food business (operation on private property)	P
Mobile food court	P
Museum	P
Office	P
Open space	P
Park	P
Parking:	
Commercial	C
Off site	P
Park and ride lot	C
Park and ride lot shared with existing use	P
Performing arts production facility	P
Photo finishing lab	P
Place of worship	P
Radio, television station	C
Reception center	P
Recreation (indoor)	P
Recreation (outdoor)	C
Restaurant	P
Retail goods establishment	P
Retail goods establishment, plant and garden shop, with outdoor retail sales area	P
Retail service establishment	P
Retail service establishment, upholstery shop	C
School:	
College and university	P
K - 12 private	P
K - 12 public	P
Music conservatory	P
Professional and vocational	P
Seminary and religious institute	P
Seasonal farm stand	P
Small Brewery	C
Social service mission and charity dining hall	C
Solar array	P
Stadium	C
Storage, self	P ³
Store:	
Department	P
Mass merchandising	P
Specialty	P
Superstore and hypermarket	P
Studio, art	P
Studio, motion picture	C
Theater, live performance	P ⁴

Theater, movie	P
Urban farm	P
Utility, building or structure	P ¹
Utility, transmission wire, line, pipe or pole	C
Vehicle:	
Automobile repair (minor)	P
Automobile sales/rental and service (indoor)	P
Boat/recreational vehicle sales and service (indoor)	P
Vending cart, private property	P
Vending cart, public property	P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090_E of this title)	
Zoological park	C

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. Subject to conformance with the provisions of Section 21A.36.300, "Alcohol Related Establishments", of this title.
3. Subject to conformance with the provisions of Chapter 21A.59, "Conditional Building and Site Design Review", of this title.
4. Prohibited within 1,000 feet of a single- or two-family zoning district.
5. Subject to the requirements set forth in Section 21A.40.065, "Outdoor Dining", of this title.

No conditional use permit shall be granted for any property which abuts a residential zoning district, except for places of worship, public/private utilities and related facilities, residential facilities for persons with a disability and educational facilities.

SECTION 6. Amending the text of *Salt Lake City Code* Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended to read as follows:

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional P = Permitted

Use	Permitted And Conditional Uses By District												
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P		P	P	P	P
Adaptive reuse of a landmark site													
Agricultural use		C		P	P	P	P			P			
Air cargo terminals and package delivery facility		P								P			
Airport										P			
Alcohol:													
Brewpub (2,500 square feet or less in floor area)		P ¹²											
Brewpub (more than 2,500 square feet in floor area)		P ¹²											
Dining club (2,500 square feet or less in floor area)													
Social club (2,500 square feet or less in floor area)													
Tavern (2,500 square feet or less in floor area)													
Ambulance service (indoor)	P	P											
Ambulance service (outdoor)	P ¹⁰	P ¹⁰											
Amphitheater												C	
Animal:													
Kennel on lots of 5 acres or larger		C		P ⁸	P ⁸	P ⁸	P ⁸						
Pet cemetery				P ⁴	P ⁴	P ⁴	P ⁴	P ^{4,5}					
Stable (private)				P	P	P	P						
Stable (public)				P	P	P	P						
Veterinary office		P											
Antenna, communication tower	P	P	C	P	P	P	P			P	P	C	P
Antenna, communication tower, exceeding the maximum building height in the zone	C	C								P		P ¹¹	C
Art gallery											P	P	P
Bed and breakfast													P
Bed and breakfast inn													P
Bed and breakfast manor													P
Botanical garden	P										P	P	

Attachment: Administrative Transmittal- Amendments to Title 21A of the Salt Lake City Code related to Breweries (1359 : Ordinance: Citywide

employees														
School:														
College or university												P	P	P
K - 12 private											P	P	P	P
K - 12 public											P	P	P	P
Music conservatory														P
Professional and vocational	P	P									P			P
Seminary and religious institute														P
Small Brewery			C											
Solar array	P	P		P							P	P		P
Stadium												C		C
Storage, accessory (outdoor)			P								P			
Studio, art														
Theater, live performance	C ¹⁵	C ¹⁵										C ¹⁵	C ¹⁵	C
Theater, movie													C	
Transportation terminal, including bus, rail and trucking											P			
Urban farm	P	P	P	P	P	P	P	P	P			P	P	P
Utility, building or structure	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P
Vehicle, automobile rental agency			P									P		
Vending cart, private property	P	P												
Vending cart, public property									P					
Warehouse			P									P		
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)														
Wholesale distribution			P									P		
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)														
Zoological park											P			

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.

Attachment: Administrative Transmittal- Amendments to Title 21A of the Salt Lake City Code related to Breweries (1359 : Ordinance: Citywide

6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of Chapter 21A.55 of this title.
8. Kennels, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and without directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Maximum of 1 monopole per property and only when it is government owned and operated for public safety purposes.
12. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
13. If located on a collector or arterial street according to the Salt Lake City transportation master plan - major street plan: roadway functional classification map.
14. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
15. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 7. Amending the text of *Salt Lake City Code* Section 21A.36.300. That Section 21A.36.300 of the *Salt Lake City Code* (Zoning: General Provisions: Alcohol Related Establishments), shall be, and hereby is, amended to read as follows:

21A.36.300: ALCOHOL RELATED ESTABLISHMENTS:

- A. Purpose Statement: The purpose of this section is to permit the establishment of taverns, social clubs, dining clubs, and brewpubs as defined in Chapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards.
- B. License Required: No tavern, social club, dining club, or brewpub shall be established, operated, or maintained within the city without a valid license issued by the Utah state division of licensing, and without a valid business license issued by the city.
- C. Taverns, Social Clubs, Dining Clubs, and Brewpubs; Authorized as Permitted Uses: Taverns, social clubs, brewpubs, and dining clubs shall be permitted pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses.
- D. Taverns, Social Clubs, Dining Clubs, and Brewpubs; Authorized As Conditional Uses: Taverns, social clubs, dining clubs, and brewpubs may be allowed as conditional uses pursuant to the provisions of Chapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:
 - 1. In approving a conditional use permit for a tavern, social club, dining club, or brewpub, the planning commission shall:
 - a. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City Police Department and the building official, and filed with the city recorder's office, which shall include:
 - (1) A complaint-response community relations program; and
 - (2) A provision for a representative of the tavern, social club, dining club, or brewpub to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
 - (3) Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for the applicable zoning district in Chapter 9.28 of this code;
 - (4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
 - (5) Prohibiting electronically amplified sound in any exterior portion of the premises;

- (6) Designation of a location for smoking tobacco outdoors in conformance with state law;
 - (7) A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and
 - (8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area; and
 - (9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;
- b. Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;
 - c. Require buffering where a tavern, social club, dining club, or brewpub abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;
 - d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and
 - e. Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.
2. If necessary to meet the standards for approval of a conditional use set forth in Section 21A.54.080 of this title, the following conditions may be imposed:
- a. Limit the size and kind of signage located on the outside of any building in conformance with Chapter 21A.46 of this title;
 - b. Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents' enjoyment of their homes; and
 - c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses, and buildings and designating a new area if the potential effects of the area in the security and operations plan appear to adversely affect neighboring residences, businesses, and buildings.
- E. Minimum Area: In the CN and RB zoning districts, an alcohol related establishment shall only be allowed if such zoning district in which the alcohol related establishment is proposed is at least one-half ($1/2$) acre in contiguous area.**

- F. **Concentration Prohibited:** In the CN and RB zoning districts, not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within six hundred feet (600') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. In CB zoning districts, not more than one social club, dining club, brewpub, or tavern shall be located within three hundred fifty feet (350') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point of the property line of one establishment to the nearest point on the property line of the second establishment.

SECTION 8. Amending the text of *Salt Lake City Code* Section 21A.38.040.B. That Section 21A.38.040.B of the *Salt Lake City Code* (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries), shall be, and hereby is, amended to read as follows:

- B. Nonconformity of Taverns, Social Clubs, Dining Clubs, or Brewpubs: A legally existing tavern, social club, dining club, or brewpub shall not be deemed nonconforming for purposes of expansion, reconstruction or licensing (as long as the use is permitted in the base zoning district) if the only reason for such nonconformity is due to the subsequent location of a school, church or park within the spacing requirements as specified under requirements of state law.

SECTION 9. Amending the text of *Salt Lake City Code* Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended as follows:

- a. That the term “Alcohol, Microbrewery” is hereby deleted; and
- b. That the term, “Small brewery” is hereby added and inserted alphabetically in the List of Terms.

The codifier is instructed to make only these specific changes to the List of Terms comprising Section 21A.60.020 and make no other revisions to that section as part of this ordinance.

SECTION 10. Amending the text of *Salt Lake City Code* Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended as follows:

- a. That the definition of the term “ALCOHOL, BREWPUB” is amended to read as follows:

ALCOHOL, BREWPUB: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

b. That the **definition of the term “ALCOHOL, MICROBREWERY”** is deleted from the list of definitions.

c. **That the definition of the term “ALCOHOL RELATED ESTABLISHMENT”** is amended to read as follows:

ALCOHOL RELATED ESTABLISHMENT: Tavern, social club, dining club, or brewpub.

d. **That the definition of the term “BREWERY”** is amended to read as follows:

BREWERY: A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

e. That the **definition of the term “OUTDOOR DINING”** is amended to read as follows:

OUTDOOR DINING: A dining area with seats and/or table(s) located outdoors of a restaurant, brewpub, social club, tavern, market, deli, and other retail sales establishment that sells food and/or drinks, and which is either: a) located entirely outside the walls of the building of the subject business, or b) enclosed on two (2) sides or less by the walls of the building with or without a solid roof cover, or c) enclosed on three (3) sides by the walls of the building without a solid roof cover.

f. **That the definition of the term, “SMALL BREWERY”** is hereby added to the definitions

and inserted in alphabetical order and shall read as follows:

SMALL BREWERY: A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

SECTION 11. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2015.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2015.
Published: _____.
HB_ATTYY-#47780-v2-Ordinance_breweries_brewpubs.DOCX

SALT LAKE CITY COUNCIL

ATTEST:

APPROVED AS TO FORM:

Attachment: Administrative Transmittal- Amendments to Title 21A of the Salt Lake City Code related to Breweries (1359 : Ordinance: Citywide

TABLE OF CONTENTS

- 1. SUMMARY OF PROPOSED ZONING CHANGES**
- 2. CHRONOLOGY**
- 3. ORDINANCE**
- 4. NOTICE OF CITY COUNCIL HEARING**
- 5. MAILING LABELS**
- 6. PLANNING COMMISION**
 - A) Planning Commission Staff Report, dated July 29, 2015**
 - B) Excerpt of approved Planning Commission minutes from the July 29, 2015 Planning Commission meeting**
 - C) Listserve notice of Planning Commission meeting sent July 16, 2015**
- 7. ORIGINAL PETITION**

**1. SUMMARY OF PROPOSED
ZONING CHANGES**



Breweries and Brewpubs

Proposed Changes to the Salt Lake City Zoning Ordinance

Background

- There is a nationwide increase in small craft brewers.
- Salt Lake City Zoning regulations do not adequately address these establishments.

What we are Trying to Address

- Where breweries can be located in Salt Lake City?
- The zoning definition of Brewpub.
- Clarify and simplify zoning definitions.
- Consistency with State Code.

Summary of Proposed Zoning Changes

- Create two separate classifications for breweries according to the scale of the facilities. Large scale breweries would be allowed in the manufacturing districts and heavy commercial district. Smaller scale breweries would be allowed in additional zoning districts that allow low intensity industrial uses.
- Simplify the definition of brewpub and eliminate the microbrewery land use classification. Any use that is a restaurant type facility that makes beer would fall under the brewpub classification.

Document Content

The following pages provide details on the proposed changes to the Salt Lake City Zoning Ordinance. Each section provides the current zoning definition of the establishment type, the proposed definition change, and the reason for the change.

Each section also contains a table showing the zoning districts where the establishment type is currently allowed and where it is proposed to be allowed. The (p) following the zoning district classification represents a "Permitted Use" and the (c) represents a "Conditional Use". Permitted Uses are allowed by-right and Conditional Uses require approval from the Salt Lake City Planning Commission. A map is included in each section showing the zoning districts where each establishment would be allowed under the proposed zoning changes.

Project Staff Contact:

Wayne Mills, Senior Planner
 Phone: 801-535-7282
 Email: wayne.mills@slcgov.com

BREWERY

Current Definition

A business establishment that manufactures beer, heavy beer, or malt liquor for off premises consumption, not to include those alcoholic beverages produced in a distillery or winery.

Proposed Definition

A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

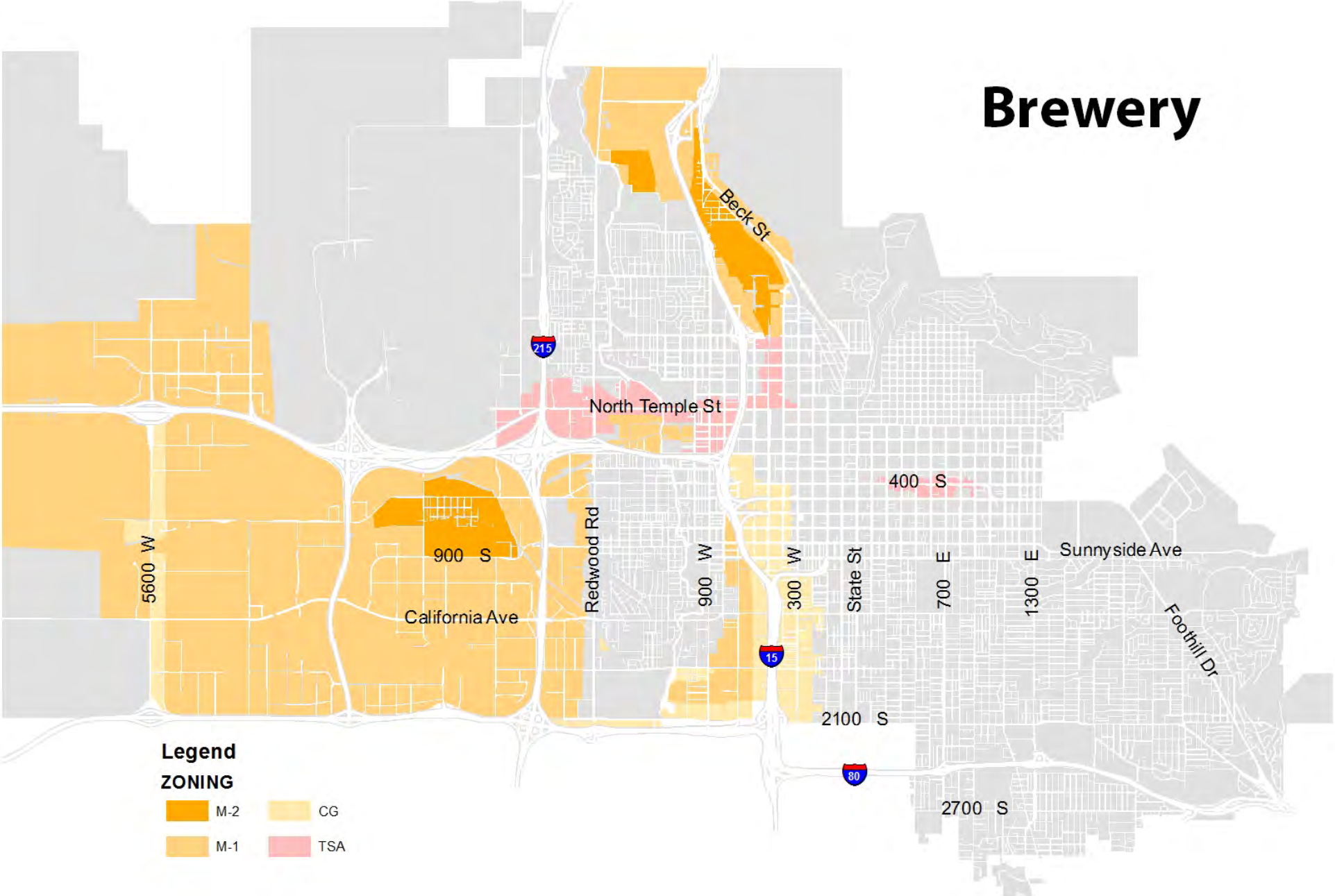
Proposed Zoning Districts

Currently allowed in:	M-1(p)	M-2(p)	TSA (p)	
Proposed:	M-1(p)	M-2(p)	TSA (p)	CG(p)





Reason for Change

- Consistency with State Code
- Purpose of the CG district is to allow for heavy commercial and low intensity manufacturing uses. Distilleries are allowed in the CG district, which is a similar land use.

Brewery



Legend
ZONING

 M-2	 CG
 M-1	 TSA

SMALL BREWERY

Current Definition

Not currently defined in the Zoning Ordinance.

Proposed Definition

A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

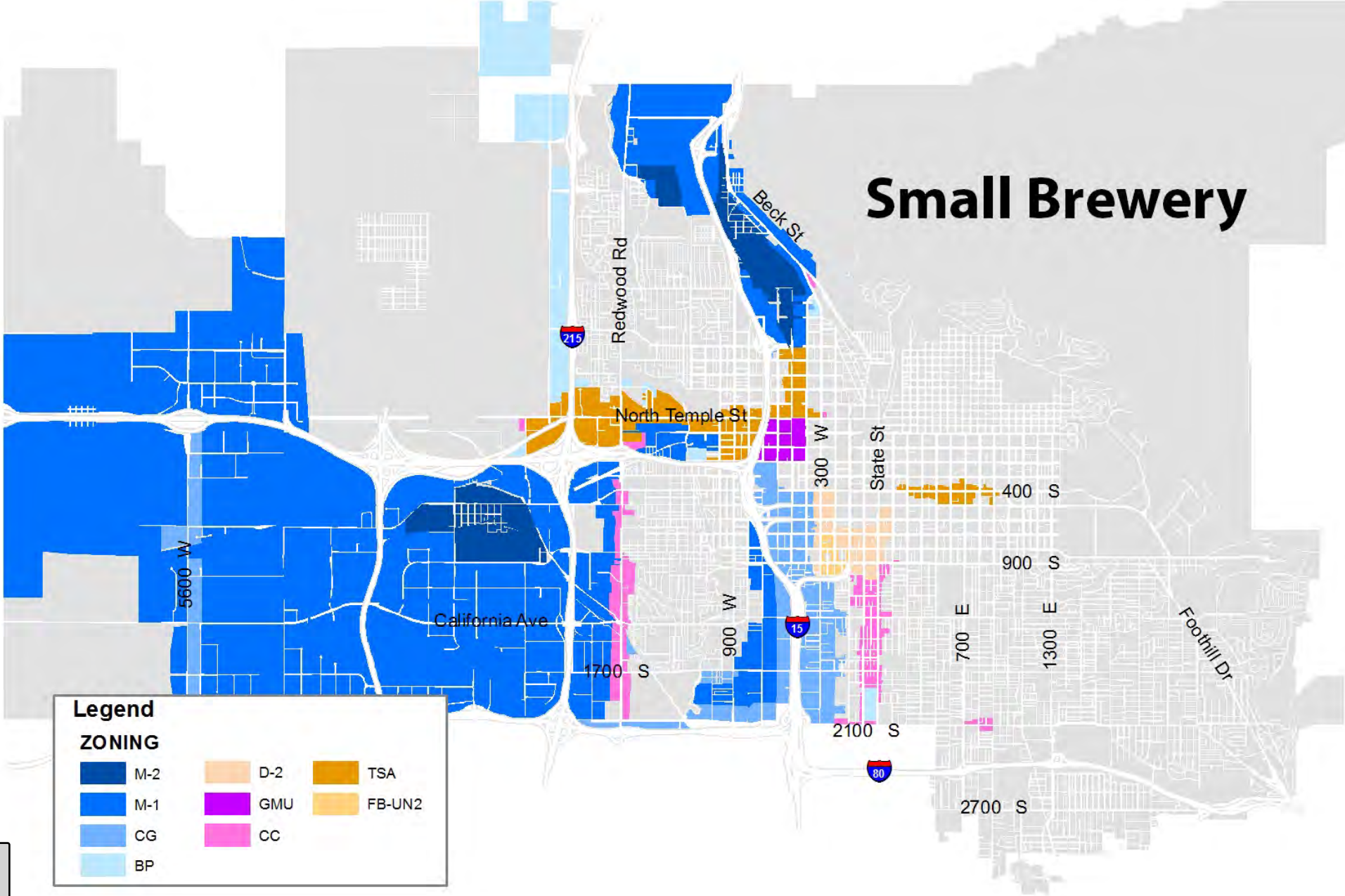
Proposed Zoning Districts











Currently allowed in:	Not currently a use in the Zoning Ordinance								
Proposed:	M-2(p)	M-1(p)	TSA (p)	CG(p)	CC(c)	FB-UN2(p)	D2(c)	G-MU(c)	BP(c)

Reason for Change

There has been a nationwide emergence of smaller, craft beer breweries. The Zoning Ordinance currently does not distinguish between smaller scale breweries and large industrial type breweries; therefore, breweries are currently allowed only in the heavier manufacturing type districts.

Small Brewery



Legend		
ZONING		
	M-2	
	M-1	
	CG	
	BP	
		
		

BREW PUB

Current Definition

A restaurant type establishment that also has a beer brewery, producing beer in batch sizes not less than seven (7) U.S. barrels (31 gallons), on the same property which produces only enough beer for sale and consumption on site or for retail carryout sale in containers holding less than two liters (2 l) or for wholesale as outlined in subsections D and E of this definition. Automated bottle or canning production is prohibited. At least fifty percent (50%) of the beer sold shall be brewed on the premises. Revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues, excluding retail carryout sales of beer. Brewpubs are limited to a total brewing capacity of two thousand five hundred (2,500) barrels per year or one hundred twenty (120) barrels of fermentation at any one time, whichever is less. Brewpubs may sell beer in keg (larger than 2 liters) containers for the following purposes and in the following amounts:

- A. An unlimited number of kegs (not to exceed 2,500 barrel capacity) for "brew fests" which, for the purpose of this definition, means events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three (3) such brewers;
- B. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events sponsored by charitable organizations exempt from federal income tax pursuant to 26 USC section 501(c)(3) or its successor; and
- C. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events operating under a single event license from the state and the city where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event sponsor but is, instead, dispensed by employees of the brewpub;
- D. Unlimited distribution to other restaurants of same ownership or control (not to exceed 2,500 barrel capacity). "Ownership or control" means more than fifty percent (50%) ownership in the actual business or controlling interest in any management partnership; and
- E. No more than five hundred (500) barrels for wholesale distribution (not to exceed 2,500 barrel capacity).

[The land use tables in the Zoning Ordinance provide two different categories for Brewpubs; those that are 2,500 square feet or less in floor area, and those that are more than 2,500 square feet in floor area.]

Proposed Definitions

A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

Proposed Zoning Districts

2,500 Square Feet or Less in Floor Area

Currently allowed in:	RMU-35 (c)	RMU-45(c)	RMU(c)	CB(c)	CS(p)	CC(p)	CSHBD(p)	CG(p)
Proposed:	RMU-35 (c)	RMU-45(c)	RMU(c)	CB(c)	CS(p)	CC(p)	CSHBD(p)	CG(p)

(2,500 Square Feet or Less in Floor Area)

Currently allowed in:	TSA(p)	FBUN2(p)	GMU(p)	MU(c)	GMU(p)	D1(p)	D2(c)	D3(c)	D4(p)
Proposed:	TSA(p)	FBUN2(p)	GMU(p)	MU(c)	GMU(p)	D1(p)	D2(p)	D3(p)	D4(p)

(2,500 Square Feet or Less Cont.)

Currently allowed in:	TC75(p)	M1(c)	M2(c)			
Proposed:	TC75(p)	M1(p)	M2(p)	BP(p)	FB-SC	FB-SE

No Maximum Floor Area Limitation

Currently allowed in:	CS(p)	CC(c)	CSHBD(p)	CG(p)	TC-75(p)	TSA(p)	D1(p)	D2(c)	D3(c)	D4(p)
Proposed:	CS(p)	CC(c)	CSHBD(p)	CG(p)	TC-75(p)	TSA(p)	D1(p)	D2(p)	D3(p)	D4(p)

(No Maximum Floor Area Limitation Cont.)

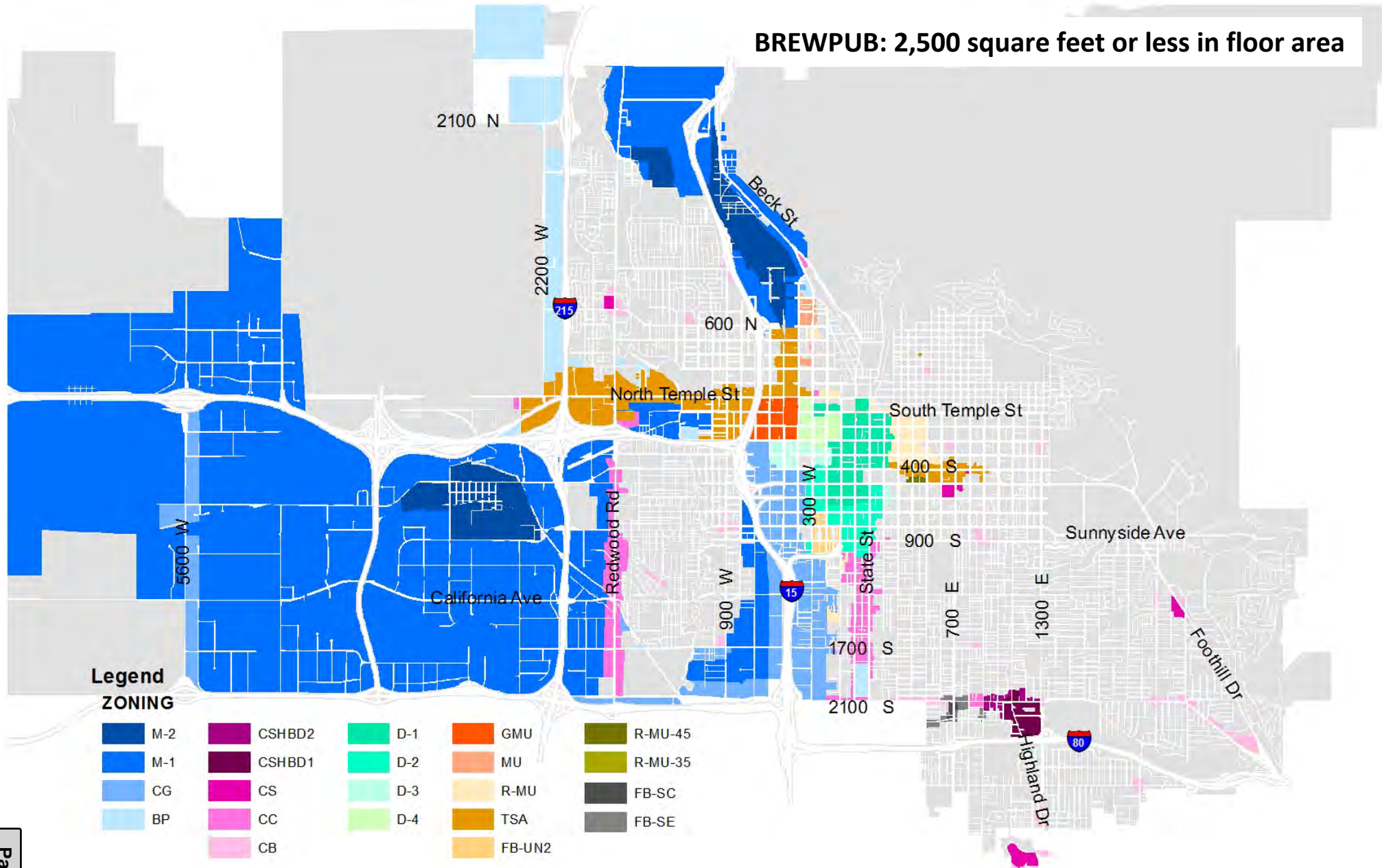
Currently allowed in:	GMU(p)	M1(c)	M2(c)				
Proposed:	GMU(p)	M1(p)	M2(p)	BP(p)	FB-SC	FB-SE	FBUN2(p)

Reason for Change

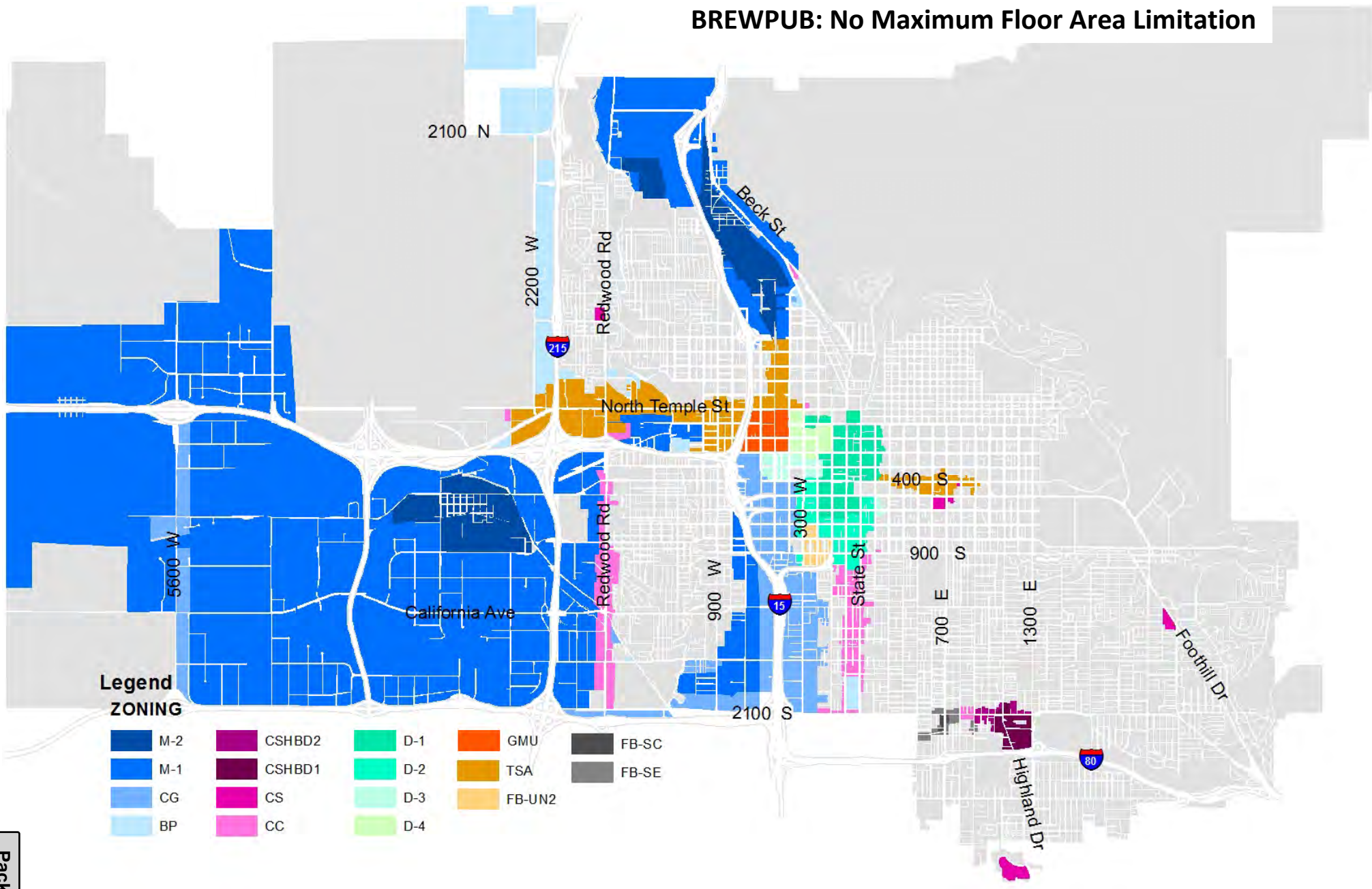
- Brewpub definition is overly complicated and not related to land use.
- According to the current definition, to be considered a brewpub or microbrewery, a facility must brew at least 7 barrels. There is no classification for facilities that brew less than 7 barrels.
- The “microbrewery” classification would be eliminated with this proposal and what are now considered microbreweries, would be classified as brewpubs.

Attachment: Admin - 1 Summary of Proposed Changes (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

BREW PUB: 2,500 square feet or less in floor area



BREW PUB: No Maximum Floor Area Limitation



MICROBREWERY

Current Definition

A brewpub which, in addition to retail sale and consumption on site, markets beer wholesale in an amount not to exceed sixty thousand (60,000) barrels (31 gallons) per year. Revenue from food sales must constitute at least fifty percent (50%) of the total business revenues, excluding wholesale and retail carryout sales of beer.

Proposed Definition

None. Proposal is to eliminate Microbrewery as a land use classification.

Proposed Zoning Districts

Currently allowed in:	M-1(c)	M-2(c)	TSA (p)	CG(p)	FBUN2(p)	D1(c)	D2(c)	D3(c)	D4(c)
Proposed:	None								

Reason for Change

- Do not need a separate land use classification for microbreweries. Any facility that brews beer and is a restaurant should be classified as a brewpub, and should be regulated according to the size of the establishment.
- Simplify the Zoning Ordinance by eliminating a land use type.

2. CHRONOLOGY

PROJECT CHRONOLOGY
Petition # PLNPCM2015-00151

March 3, 2015	Petition initiated
March 9, 2015	Petition assigned to Wayne Mills, Senior Planner
May 12, 2015	Notice of public open house
May 21, 2015	Public open house
June 10, 2015	City Department/Division Review Memorandum prepared and routed
July 16, 2015	Mailed and emailed Planning Commission Notice of Public Hearing
July 16, 2015	Planning Commission Notice of Public Hearing posted on Utah Public Meeting Notice website
July 24, 2015	Staff report posted on Planning Division website
July 29, 2015	Planning Commission meeting. Planning Commission voted unanimously to forward a positive recommendation to the City Council regarding the proposed amendments.
August 12, 2015	Planning Commission ratified minutes of July 29, 2015 meeting

3. ORDINANCE

SALT LAKE CITY ORDINANCE
 No. ____ of 2015
 (An ordinance amending various sections of the
Salt Lake City Code pertaining to breweries, small breweries and brewpubs)

An ordinance amending various sections of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2015-00151 to modify regulations pertaining to regulation of breweries, small breweries and brewpubs.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on July 29, 2015 to consider a petition submitted by Mayor Ralph Becker (“Applicant”) (Petition No. PLNPCM2015-00151) to amend Sections 21A.27.050.N (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses); 21A.33.030 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts); 21A.33.040 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts); 21A.33.050 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts); 21A.33.060 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District); 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts); 21A.36.300 (Zoning: General Provisions: Alcohol Related Establishments); 21A.38.040.B (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries); 21A.60.020 (Zoning: List of Terms: List of Defined Terms); and 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the *Salt Lake City Code* to modify regulations pertaining to breweries, small breweries and brewpubs; and

WHEREAS, at its July 29, 2015 hearing, the planning commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council on said petition; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city’s best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the text of Salt Lake City Code Section 21A.27.050.N. That Section 21A.27.050.N of the *Salt Lake City Code* (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses), shall be, and hereby is, amended to read as follows:

N. Permitted Land Uses:

- 1. **Applicability:** The table of permitted uses applies to all properties in the FB-UN zoning district:
 - a. **Permitted Uses:** A use that contains a P in the specific subdistrict is permitted in that subdistrict. A use that is left blank in the specific subdistrict is not permitted.
 - b. **Uses Not Listed:** Uses not listed are prohibited unless the zoning administrator has made an administrative interpretation that a proposed use is more similar to a listed permitted use than any other defined use.
 - c. **Other Uses:** A use specifically listed in any other land use table in this title that is not listed in this section is prohibited.
 - d. **Building Form:** Uses that are included in the description of each building form are permitted in the subdistrict where the building form is permitted.

TABLE 21A.27.050_N
PERMITTED USES

Use	FB-UN1	FB-UN2
Accessory use, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P
Alcohol:		
Brewpub		P
Liquor store		P

	Microbrewery		P
	Social club		P
	Tavern or brewpub, 2,500 square feet or less in floor area		P
	Animal, veterinary office		P
	Antenna, communication tower		P
	Art gallery		P
	Bed and breakfast	P	P
	Bed and breakfast inn	P	P
	Bed and breakfast manor	P	P
	Clinic (medical, dental)		P
	Community garden	P	P
	Community recreation center		P
	Daycare center, adult		P
	Daycare center, child		P
	Dwelling:		
	Assisted living facility (large)		P
	Assisted living facility (small)	P	P
	Group home (large)		P
	Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage		P
	Multi-family		P
	Residential substance abuse treatment home (large)		P
	Residential substance abuse treatment home (small)		P
	Rooming (boarding) house		P
	Single-family attached	P	P
	Single-family detached	P	P (If part of cottage development)
	Single room occupancy		P
	Transitional victim home (large)		P

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

	Transitional victim home (small)		P
	Two-family	P	
	Eleemosynary facility		P
	Farmers' market		P
	Financial institution		P
	Food processing		P
	Funeral home		P
	Health and fitness facility		P
	Hotel/motel		P
	House museum in landmark site	P	P
	Laboratory (medical, dental, optical)		P
	Library		P
	Mixed use developments including residential and other uses allowed in the zoning district		P
	Museum		P
	Nursing care facility		P
	Office		P
	Office and/or reception center in landmark site		P
	Open space	P	P
	Park	P	P
	Parking, off site	P ¹	P ¹
	Place of worship		P
	Plazas	P	P
	Recreation (indoor)		P
	Research and development facility		P
	Research facility (medical/dental)		P
	Restaurant		P
	Retail goods establishment		P
	Retail goods establishment, plant and garden shop with outdoor retail sales area		P
	Retail service establishment		P

Sales and display (outdoor)		P
School:		
College or university		P
Music conservatory		P
Professional and vocational		P
Seminary and religious institute		P
Seasonal farm stand		P
Small Brewery		P
Solar array		P
Store, specialty		P
Studio, art		P
Theater, movie		P
Urban farm	P	P
Utility, building or structure	P	P
Utility, transmission wire, line, pipe, or pole	P	P
Vending cart, private property		P
Wireless telecommunications facility (see sSection 21A.40.090, ¶Table 21A.40.090,E of this title)		P

Note:

1. Parking, off site is only permitted on parcels that contain a principal building and shall comply with the parking requirements identified in the building form standards section of this chapter. No principal building shall be demolished to accommodate off site parking.

SECTION 2. Amending the text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended to read as follows:

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District							
	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	P ⁸	
Alcohol:								
Brewpub (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Brewpub (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12,13}	C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Dining club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Distillery						P ¹⁹		
Microbrewery						P		
Social club (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Social club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Tavern (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Tavern (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Ambulance service (indoor)			P	P	P	P	P	
Ambulance service (outdoor)			P ⁷	P ⁷	P ⁷	P		
Amusement park			P			P		
Animal:								
Cremation service				P		P		
Kennel						P		

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Pet cemetery						P ⁴		
Veterinary office	C	P	P	P	P	P	C	
Antenna, communication tower		P	P	P	P	P	P	
Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	C	
Art gallery	P	P	P	P	P	P	P	P
Auction (outdoor)				P		P		
Auditorium			P	P	P	P	P	
Bakery, commercial						P		
Bed and breakfast	P	P	P	P	P	P	P	P ¹⁷
Bed and breakfast inn	P	P	P	P	P	P	P	
Bed and breakfast manor	C ³	C ³		P	P	P	P	
Blacksmith shop						P		
Blood donation center				C		P		
Brewery						P		
Bus line station/terminal				P		P	C	
Bus line yard and repair facility						P		
Car wash			P	P		P	C	
Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	C	
Check cashing/payday loan business				P ¹⁰		P ¹⁰		
Clinic (medical, dental)	P	P	P	P	P	P	P	
Community correctional facility, large								
Community correctional facility, small						C ^{9,14}		
Community garden	P	P	P	P	P	P	P	P
Contractor's yard/office				C		P		
Crematorium			C	C	C	C	C	
Daycare center, adult	P	P	P	P	P	P	P	
Daycare center, child	P	P	P	P	P	P	P	
Daycare, registered home daycare or preschool								P
Dwelling:								

Assisted living facility (large)		P		P	P	P	P	
Assisted living facility (small)		P		P	P	P	P	P
Group home (large)		P		C		C	P	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	P	
Manufactured home								P
Multi-family		P	P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	C	
Residential substance abuse treatment home (small)				C		C	C	
Rooming (boarding) house		P	P	P	P	P	P	
Single-family attached								P
Single-family detached								P
Single room occupancy							P ⁶	
Transitional victim home (large)				C		C	C	
Transitional victim home (small)				C		C	C	
Twin home								P
Two-family								P
Eleemosynary facility		P					P	
Equipment rental (indoor and/or outdoor)				P		P		
Farmers' market			C	C	P	P	C	
Financial institution	P	P	P	P	P	P	P	
Financial institution with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Flea market (indoor)			P	P	P	P	C	
Flea market (outdoor)						P		
Funeral home			P	P	P	P	C	
Gas station		C	P	P	P	P		

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Government facility		C	C	C	C	C	C	C
Government facility requiring special design features for security purposes	P	P	P	P	P	P	P	
Homeless shelter						C		
Hotel/motel		C		P	P	P	C	
House museum in landmark sites (see subsection 21A.24.010_T of this title)								C
Impound lot						C ¹⁴		
Industrial assembly						P		
Intermodal transit passenger hub						P		
Laboratory (medical, dental, optical)			P	P		P		
Laboratory, testing			P	P		P	P	
Large wind energy system		P		P		P	P	
Laundry, commercial						P		
Library	P	P	P	P	P	P	P	C
Limousine service (large)						P		
Limousine service (small)		C		C		P		
Manufactured/mobile home sales and service						P		
Mixed use development	P	P	P	P	P	P	P	P ¹⁵
Mobile food business (operation on private property)	P	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C	C
Museum	P	P	P	P	P	P	P	P
Nursing care facility		P		P		P	P	
Office	P	P	P	P	P	P	P	P ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010_T of this title)								C
Open space	P	P	P	P	P	P	P	
Open space on lots less than 4 acres in size								P
Park	P	P	P	P	P	P	P	
Parking:								

Commercial				C	P	P	C	
Off site	C	P	P	P	P	P	C	
Park and ride lot		C	C	P		P	C	
Park and ride lot shared with existing use		P	P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	P	
Reception center		P	P	P	P	P		
Recreation (indoor)	P	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	C	
Recreational vehicle park (minimum 1 acre)				C				
Recycling collection station	P	P	P	P	P	P		
Research and development facility							P	
Restaurant	P	P	P	P	P	P	P	
Restaurant with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail goods establishment	P	P	P	P	P	P	P	P ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P	P
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail service establishment	P	P	P	P	P	P	P	P ¹⁶
Furniture repair shop	C	P	P	P	P	P	P	
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Reverse vending machine	P	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	C	
School:								
College or university		P	P	P	P	P	P	
Music conservatory		P	P	P	P	P	P	
Professional and vocational		P	P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	P	C

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Seasonal farm stand	P	P	P	P	P	P	P	
Sexually oriented business						P ⁵		
Sign painting/fabrication						P		
Small Brewery				C		P		
Solar array						P		
Storage (outdoor)				C		P		
Storage, public (outdoor)				C		P		
Storage, self				P		P	C	
Store:								
Department			P		P			
Mass merchandising			P		P	P		
Pawnshop						P		
Specialty			P	P	P	P		
Superstore and hypermarket			P			P		
Warehouse club						P		
Studio, art	P	P	P	P	P	P	P	P
Studio, motion picture						P		
Taxicab facility						P		
Theater, live performance		P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Theater, movie		C	P	P	P	P	P	
Urban farm	P	P	P	P	P	P	P	
Utility, building or structure	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Utility, transmission wire, line, pipe, or pole	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Vehicle:								
Auction						P		
Automobile repair (major)				P		P	C	
Automobile repair (minor)	C	P	P	P	P	P	P	
Automobile sales/rental and service				P		P		
Automobile salvage and recycling (indoor)						P		

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Boat/recreational vehicle sales and service				P		P		
Truck repair (large)						P		
Truck sales and rental (large)				P		P		
Vending cart, private property					P			
Warehouse				P		P		
Welding shop						P		
Wholesale distribution				P		P		
Wireless telecommunications facility (see sSection 21A.40.090, ¶Table 21A.40.090_E of this title)								C
Woodworking mill						P		

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of eChapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060_D and eChapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050_B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010_T and 21A.26.010_K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in sSection 21A.36.140 of this title.
6. Subject to location restrictions as per sSection 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within eChapter 21A.34 of this title.
10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
11. Subject to conformance to the provisions in sSection 21A.40.060 of this title for drive-through use regulations.
12. Subject to conformance with the provisions in sSection 21A.36.300, "Alcohol Related Establishments", of this title.

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

- 13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
- 14. Prohibited within 1,000 feet of a single- or two-family zoning district.
- 15. Residential units may be located above or below first floor retail/office.
- 16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160.I and J of this title.
- 17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
- 18. Medical and dental offices are not allowed in the SNB zoning district.
- 19. Permitted in the CG zoning district only when associated with an on site food service establishment.

SECTION 3. Amending the text of Salt Lake City Code Section 21A.33.040. That Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended to read as follows:

21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C	C ⁷
Agricultural use	P	P
Alcohol:		
Brewery	P	P
Brewpub	€ P ^{6,10}	€ P ^{6,10}
Distillery	P	P
Microbrewery	€ ^{6,10}	€ ^{6,10}

	Social club	C ^{6,10}	C ^{6,10}
	Tavern	C ^{6,10}	C ^{6,10}
	Winery	P	P
Ambulance services (indoor and/or outdoor)		P	P
Animal:			
	Cremation service	P	P
	Kennel	P	P
	Pet cemetery	P ²	P ²
	Pound	P ¹²	P ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	P ¹²
	Veterinary office	P	P
Antenna, communication tower		P	P
Antenna, communication tower, exceeding the maximum building height		C	C
Bakery, commercial		P	P
Blacksmith shop		P	P
Bottling plant		P	P
Brewery		P	P
Building materials distribution		P	P
Bus line station/terminal		P	P
Bus line yard and repair facility			P
Check cashing/payday loan business		P ⁹	
Chemical manufacturing and/or storage			C
Community correctional facility, large (see sSection 21A.36.110 of this title)		C ^{8,12}	
Community correctional facility, small (see sSection 21A.36.110 of this title)		C ^{8,12}	
Community garden		P	
Concrete and/or asphalt manufacturing		C ¹²	P ¹²
Contractor's yard/office		P	P
Crematorium		P	P
Daycare center, adult		P	

Daycare center, child	P	
Drop forge industry		P
Dwelling, living quarters for caretaker or security guard, limited to uses on lots 1 acre in size or larger and is accessory to a principal use allowed by the zoning district	P	P
Equipment, heavy (rental, sales, service)	P	P
Equipment rental (indoor and/or outdoor)	P	P
Explosive manufacturing and storage		C ¹²
Financial institution with or without drive-through facility	P ¹¹	
Flammable liquids or gases, heating fuel distribution and storage		P ¹²
Food processing	P	P
Gas station	P	P
Government facility	P	P
Government facility requiring special design features for security purposes	P	P
Grain elevator		P
Greenhouse	P	
Heavy manufacturing		P ¹²
Hotel/motel	P	
Impound lot	P ¹²	P ¹²
Incinerator, medical waste/hazardous waste		C ¹²
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P	P
Laundry, commercial	P	P
Light manufacturing	P	P
Limousine service	P	P
Mobile food business (operation in the public right of way)	P	P
Mobile food business (operation on private property)	P	P
Mobile food court	P	P
Office	P	

Office, publishing company	P	
Open space	P	P
Package delivery facility	P	P
Paint manufacturing		P
Parking:		
Off site	P	P
Park and ride lot	P	P
Park and ride lot shared with existing use	P	P
Photo finishing lab	P	P
Poultry farm or processing plant		P ¹²
Printing plant	P	
Radio, television station	P	
Railroad, freight terminal facility	C ^{4,12}	C ^{4,12}
Railroad, repair shop		P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C ¹²	P ¹²
Refinery, petroleum products		C ¹²
Restaurant with or without drive-through facilities	P ¹¹	
Retail goods establishment with or without drive-through facility	P ¹¹	
Retail service establishment:		
Electronic repair shop	P	
Furniture repair shop	P	P
Upholstery shop	P	
Rock, sand and gravel storage and distribution	C	P
School:		
Professional and vocational (with outdoor activities)	P	

	Professional and vocational (without outdoor activities)	P	
	Seminary and religious institute	P	
	Seasonal farm stand	P	P
	Sexually oriented business	P ⁵	
	Sign painting/fabrication	P	P
	Slaughterhouse		P ¹²
	Small Brewery	P	P
	Solar array	P	P
	Storage and display (outdoor)	P	P
	Storage, public (outdoor)	P	P
	Store, convenience	P	P
	Studio, motion picture	P	
	Taxicab facility	P	P
	Tire distribution retail/wholesale	P	P
	Truck freight terminal	P ¹²	P ¹²
	Urban farm	P	P
	Utility:		
	Building or structure	P	P
	Electric generation facility	C ^{3,12}	C ^{3,12}
	Sewage treatment plant	C	P
	Solid waste transfer station	C ¹²	P ¹²
	Transmission wire, line, pipe or pole	P ¹	P ¹
	Vehicle:		
	Auction	P	P
	Automobile and truck repair	P	P
	Automobile and truck sales and rental (including large truck)	P	P
	Automobile part sales	P	P
	Automobile salvage and recycling (indoor)	P	P
	Automobile salvage and recycling (outdoor)	C ¹²	P ¹²
	Recreational vehicle (RV) sales and service	P	P

Truck repair (large)	P	P
Vending cart, private property	P	P
Warehouse	P	P
Welding shop	P	P
Wholesale distribution	P	P
Wireless telecommunications facility (see sSection 21A.40.090, tTable 21A.40.090_E of this title)		
Woodworking mill	P	P

Qualifying provisions:

1. See subsection 21A.02.050_B of this title for utility regulations.
2. Subject to Salt Lake Valley health department approval.
3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility may be located within a 5 mile radius of any other existing railroad freight terminal facility.
5. Pursuant to the requirements set forth in sSection 21A.36.140 of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, ~~or brewpub or microbrewery~~, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within eChapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in sSection 21A.36.300, "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in sSection 21A.40.060 of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 4. Amending the text of Salt Lake City Code Section 21A.33.050. That

Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted

and Conditional Uses for Downtown Districts), shall be, and hereby is, amended to read as follows:

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P ⁴
Alcohol:				
Brewpub (indoor)	P ⁶	CP ⁶	CP ⁶	P ⁶
Brewpub (outdoor)	P ⁶	CP ⁶	CP ⁶	P ⁶
Dining club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Dining club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Microbrewery	C ⁶	C ⁶	C ⁶	C ⁶
Social club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Social club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Tavern (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
Tavern (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
Animal, veterinary office		P	P	
Antenna, communication tower	P	P	P	P
Antenna, communication tower, exceeding the maximum building height	C	C	C	C
Art gallery	P	P	P	P
Bed and breakfast	P	P	P	P
Bed and breakfast inn	P	P	P	P
Bed and breakfast manor	P	P	P	P
Blood donation center		P		

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Bus line station/terminal	P ⁷	P ⁷	P ⁷	P ⁷
Bus line yard and repair facility		P		
Car wash		P ³		
Check cashing/payday loan business	P ⁵			
Clinic (medical, dental)	P	P	P	P
Community garden	P	P	P	P
Convention center				P
Crematorium	P	P	P	
Daycare center, adult	P	P	P	P
Daycare center, child	P	P	P	P
Dwelling:				
Artists' loft/studio	P	P	P	P
Group home (large)		C	C	
Group home (small)	P	P	P	P
Multi-family	P	P	P	P
Residential substance abuse treatment home (large)		C	C	
Residential substance abuse treatment home (small)		C	C	
Transitional victim home (large)		C	C	
Transitional victim home (small)		C	C	
Eleemosynary facility	P	P	P	P
Exhibition hall				P
Farmers' market			P	
Financial institution	P	P	P	P
Financial institution with drive-through facility		P ⁸		P ⁸
Funeral home	P	P	P	
Gas station		P	P ⁷	P ⁷
Government facility	C	C	C	C
Government facility requiring special design features for security purposes			P ⁷	P ⁷
Heliport, accessory	C	C		C
Homeless shelter		C	C	

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Hotel/motel	P	P	P	P
Industrial assembly		C	C	
Laboratory (medical, dental, optical)	P	P	P	P
Laundry, commercial		P		
Library	P	P	P	P
Limousine service		P		
Manufacturing and processing, food		P		
Mixed use development	P	P	P	P
Mobile food business (operation in the public right of way)	P	P	P	P
Mobile food business (operation on private property)	P	P	P	P
Mobile food court	P	P	P	P
Museum	P	P	P	P
Office	P	P	P	P
Office, publishing company	P	P	P	P
Open space on lots less than 4 acres in size	P ⁷	P ⁷	P ⁷	P ⁷
Park	P	P	P	P
Parking, commercial	C	P	C	C
Parking, off site	P	P	P	P
Performing arts production facility	P	P	P	P
Place of worship	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Radio, television station	P	P		P
Railroad, passenger station	P	P	P	P
Reception center	P	P	P	P
Recreation (indoor)	P	P	P	P
Recreation (outdoor)		P		
Restaurant	P	P	P	P
Restaurant with drive-through facility		P ⁸		
Retail goods establishment	P	P	P	P
Retail service establishment	P	P	P	P
Retail service establishment, upholstery shop		P	P	

Sales and display (outdoor)	P	P	P	P
School:				
College or university	P	P	P	P
K - 12 private			P	P
K - 12 public			P	P
Music conservatory	P	P	P	P
Professional and vocational	P	P	P	P
Seminary and religious institute	P	P	P	P
Small Brewery		C		
Social service mission and charity dining hall		C	C	
Stadium	C	C		C
Storage, self		P	P	
Store:				
Department	P	P		P
Fashion oriented department	P ²			
Mass merchandising	P	P		P
Pawnshop		P		
Specialty	P	P		P
Superstore and hypermarket		P		
Studio, art	P	P	P	P
Theater, live performance	P ⁹	P ⁹	P ⁹	P ⁹
Theater, movie	P	P	P	P
Utility, buildings or structure	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹
Vehicle:				
Automobile repair (major)		P	P ⁷	P ⁷
Automobile repair (minor)		P	P ⁷	P ⁷
Automobile sales/rental and service	P ¹⁰	P	P ¹⁰	
Vending cart, private property	P	P	P	P
Vending cart, public property				

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Warehouse		P		
Warehouse, accessory		P	P	
Wholesale distribution		P		
Wireless telecommunications facility (see sSection 21A.40.090, ¶Table 21A.40.090_E of this title)				

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050_B of this title.
2. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (sSection 21A.34.110 of this title).
3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
4. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
5. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
6. Subject to conformance with the provisions in sSection 21A.36.300, "Alcohol Related Establishments", of this title.
7. Subject to conformance with the provisions of eChapter 21A.59, "Conditional Building Aand Site Design Review", of this title.
8. Subject to conformance to the provisions in sSection 21A.40.060 of this title for drive-through use regulations.
9. Prohibited within 1,000 feet of a single- or two-family zoning district.
10. Must be located in a fully enclosed building and entirely indoors.
11. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub ~~or microbrewery~~, the place of worship must submit a written waiver of spacing requirement as a condition of approval.

SECTION 5. Amending the text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District), shall be, and hereby is, amended to read as follows:

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:		C =	Conditional	P =	Permitted
Use					G-MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title					P
Adaptive reuse of a landmark site					P
Alcohol:					
	Brewpub (indoor)				P ²
	Brewpub (outdoor)				P ^{2.5}
	Dining club (indoor)				P ²
	Dining club (outdoor)				P ^{2.5}
	Social club (indoor)				P ²
	Social club (outdoor)				P ^{2.5}
	Tavern (indoor)				P ²
	Tavern (outdoor)				P ^{2.5}
Ambulance service (indoor)					C
Amphitheater					P
Animal, veterinary office					P
Antenna, communication tower					P
Antenna, communication towers, exceeding the maximum building height					C
Art gallery					P
Artists' loft/studio					P
Auction (indoor)					P
Auditorium					P
Bed and breakfast					P
Bed and breakfast inn					P
Bed and breakfast manor					P
Botanical garden					P
Bus line station/terminal					P ³
Clinic (medical, dental)					P

Community garden	P
Crematorium	P
Daycare center, adult	P
Daycare center, child	P
Dwelling:	
Group home (large)	C
Group home (small) when located above or below first story office, retail or commercial use, or on the first story where the unit is not located adjacent to the street frontage	P
Living quarters for caretaker or security guard	P
Multi-family	P
Residential substance abuse treatment home (large)	C
Residential substance abuse treatment home (small)	C
Single-family (attached)	P
Transitional victim home (large)	C
Transitional victim home (small)	C
Eleemosynary facility	P
Equipment rental (indoor and/outdoor)	P
Farmers' market	P
Financial institution	P
Flea market (indoor)	P
Funeral home	P
Government facility	C
Government facility requiring special design features for security purposes	P ³
Heliport, accessory	C
Hotel/motel	P
Industrial assembly	C
Laboratory (medical, dental, optical)	P
Large wind energy system	P
Library	P
Mixed use development	P

Mobile food business (operation in the public right of way)		P
Mobile food business (operation on private property)		P
Mobile food court		P
Museum		P
Office		P
Open space		P
Park		P
Parking:		
	Commercial	C
	Off site	P
	Park and ride lot	C
	Park and ride lot shared with existing use	P
Performing arts production facility		P
Photo finishing lab		P
Place of worship		P
Radio, television station		C
Reception center		P
Recreation (indoor)		P
Recreation (outdoor)		C
Restaurant		P
Retail goods establishment		P
Retail goods establishment, plant and garden shop, with outdoor retail sales area		P
Retail service establishment		P
Retail service establishment, upholstery shop		C
School:		
	College and university	P
	K - 12 private	P
	K - 12 public	P
	Music conservatory	P
	Professional and vocational	P

	Seminary and religious institute	P
	Seasonal farm stand	P
	Small Brewery	C
	Social service mission and charity dining hall	C
	Solar array	P
	Stadium	C
	Storage, self	P ³
	Store:	
	Department	P
	Mass merchandising	P
	Specialty	P
	Superstore and hypermarket	P
	Studio, art	P
	Studio, motion picture	C
	Theater, live performance	P ⁴
	Theater, movie	P
	Urban farm	P
	Utility, building or structure	P ¹
	Utility, transmission wire, line, pipe or pole	C
	Vehicle:	
	Automobile repair (minor)	P
	Automobile sales/rental and service (indoor)	P
	Boat/recreational vehicle sales and service (indoor)	P
	Vending cart, private property	P
	Vending cart, public property	P
	Wireless telecommunications facility (see sSection 21A.40.090, ¶Table 21A.40.090_E of this title)	
	Zoological park	C

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050_B of this title.

2. Subject to conformance with the provisions of sSection 21A.36.300, "Alcohol Related Establishments", of this title.
3. Subject to conformance with the provisions of eChapter 21A.59, "Conditional Building Aand Site Design Review", of this title.
4. Prohibited within 1,000 feet of a single- or two-family zoning district.
5. Subject to the requirements set forth in sSection 21A.40.065, "Outdoor Dining", of this title.

No conditional use permit shall be granted for any property which abuts a residential zoning district, except for places of worship, public/private utilities and related facilities, residential facilities for persons with a disability and educational facilities.

SECTION 6. Amending the text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended to read as follows:

LEGISLATIVE VERSION

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

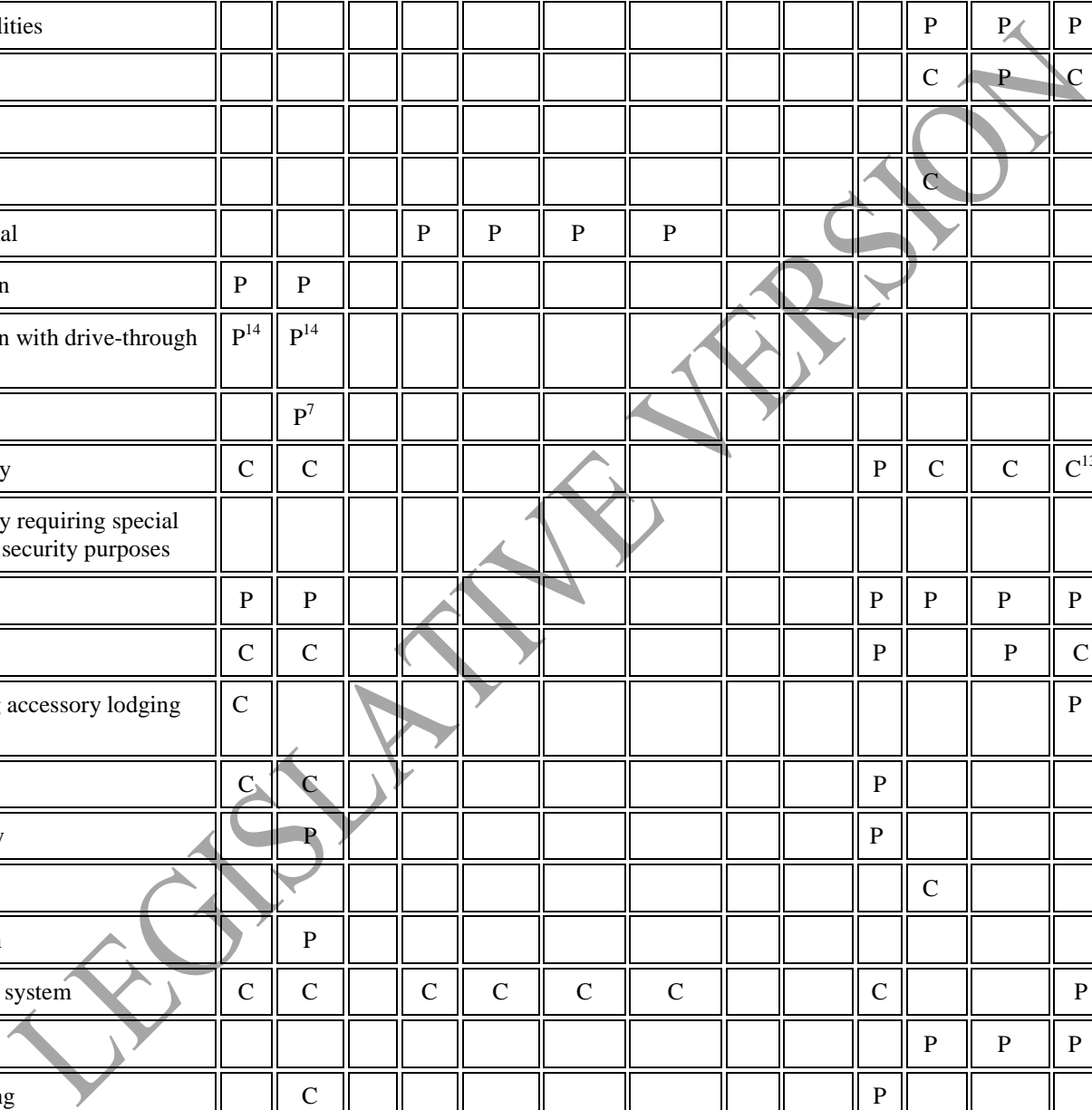
Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site																	P ²
Agricultural use		C		P	P	P	P			P							
Air cargo terminals and package delivery facility		P								P							
Airport										P							
Alcohol:																	
Brewpub (2,500 square feet or less in floor area)		P ¹²															C ¹²
Brewpub (more than 2,500 square feet in floor area)		P ¹²															
Dining club (2,500 square feet or less in floor area)																	C ¹²
Social club (2,500 square feet or less in floor area)																	C ¹²
Tavern (2,500 square feet or less in floor area)																	C ¹²
Ambulance service (indoor)	P	P															

Ambulance service (outdoor)	P ¹⁰	P ¹⁰															
Amphitheater												C					
Animal:																	
Kennel on lots of 5 acres or larger		C		P ⁸	P ⁸	P ⁸	P ⁸										
Pet cemetery				P ⁴	P ⁴	P ⁴	P ⁴	P ^{4,5}									
Stable (private)				P	P	P	P										
Stable (public)				P	P	P	P										
Veterinary office		P															P
Antenna, communication tower	P	P	C	P	P	P	P			P	P	C	P	P			P
Antenna, communication tower, exceeding the maximum building height in the zone	C	C								P		P ¹¹	C	C			C
Art gallery										P	P	P	P				P
Bed and breakfast													P ²	P			P
Bed and breakfast inn													P ²	P			P
Bed and breakfast manor													P ²	P			P
Botanical garden	P									P	P						
Cemetery								P									
Clinic (medical, dental)	P	P											P	P			P
Community garden	P	P	P	P	P	P	P	P		P	P	P	P	P	P		P
Convent/monastery													P	P			
Daycare center, adult	P	P								P	P	P	P				P

Daycare center, child	P	P								P	P	P	P	P			P
Dental laboratory/research facility	P	P											C	C			P
Dwelling:																	
Assisted living facility													P	P			P
Congregate care facility													P	P			P
Group home (large)																	C
Group home (small)			P	P	P	P											P
Living quarters for caretaker or security guard	P	P								P			P	P			P
Manufactured home				P	P	P											P
Mobile home															P		
Multi-family														P			P
Resident healthcare facility													P	P			P
Residential substance abuse treatment home (large)														P			C
Residential substance abuse treatment home (small)														P			P
Rooming (boarding) house																	P
Single-family (attached)																	P
Single-family (detached)			P	P	P	P											P
Transitional victim home (large)																	C
Transitional victim home (small)																	P
Twin home and two-family																	P

Eleemosynary facilities											P	P	P	P			P
Exhibition hall											C	P	C	P			
Extractive industry																P	
Fairground											C						
Farm stand, seasonal				P	P	P	P										P
Financial institution	P	P															P
Financial institution with drive-through facility	P ¹⁴	P ¹⁴															
Gas station		P ⁷															
Government facility	C	C								P	C	C	C ¹³	C		P	C
Government facility requiring special design features for security purposes																	C
Government office	P	P								P	P	P	P	P			P
Heliport	C	C								P		P	C	C			
Hospital, including accessory lodging facility	C												P	P			
Hotel/motel	C	C								P							P
Industrial assembly		P								P							
Jail											C						
Jewelry fabrication		P															
Large wind energy system	C	C		C	C	C	C			C			P	P			
Library											P	P	P	P			P
Light manufacturing		C								P							



Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Manufacturing, concrete or asphalt																	P ¹⁵	
Meeting hall of membership organization		P										P	P	P				P
Mixed use development																		P
Mobile food business (operation on private property)	P	P												P	P			P
Municipal service uses, including city utility uses and police and fire stations	C	C								P	C	C	C ¹⁴	C			P	C
Museum	C								P		P	P	P	P				P
Nursing care facility													P	P				P
Office	P	P								P	P	P	P	P				P
Open space	P	P	P	P	P	P	P	P	P ⁹	P	P	P	P	P	P	P	P	P
Park	C								P			P	P		P			P
Parking:																		
Commercial		C																
Off site										P	P	P	P	P				C
Park and ride lot										P	C							
Park and ride lot shared with existing use	P	P								P	P		P	P			P	P
Performing arts production facility		P																P
Philanthropic use													P	P	P			P
Place of worship	P	P											P	P				P
Radio, television station		P ⁶											P					

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Reception center											C	P	P	P			P
Recreation (indoor)		C						P			P	P	P	P			P
Recreation (outdoor)								P		P	P						
Research and development facility	P	P									P	P					C
Research facility (medical)	P												P	P			P
Restaurant		P ⁷															P
Restaurant with drive-through facility		P ^{7,14}															P ³
Retail goods establishment		P ⁷										P					P
Retail, sales and service accessory use when located within a principal building												P					
Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of employees	P	P								P	P	P	P	P			P
School:																	
College or university												P	P	P			
K - 12 private											P	P	P	P			
K - 12 public											P	P	P	P			
Music conservatory													P	P			P
Professional and vocational	P	P								P			P	P			
Seminary and religious institute													P	P			C
Small Brewery		C															
Solar array	P	P		P						P	P		P				

Stadium											C		C	C			
Storage, accessory (outdoor)		P								P						P	
Studio, art																	P
Theater, live performance	C ¹⁵	C ¹⁵									C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵			C ¹⁵
Theater, movie												C					C
Transportation terminal, including bus, rail and trucking										P							
Urban farm	P	P	P	P	P	P	P	P			P	P	P	P			
Utility, building or structure	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Vehicle, automobile rental agency		P								P							
Vending cart, private property	P	P															
Vending cart, public property								P									
Warehouse		P								P							
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)																	P
Wholesale distribution		P								P							
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090, E of this title)																	
Zoological park								P									

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of eChapter 21A.55 of this title.
8. Kennels, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and without directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Maximum of 1 monopole per property and only when it is government owned and operated for public safety purposes.
12. Subject to conformance with the provisions in sSection 21A.36.300, "Alcohol Related Establishments", of this title.
13. If located on a collector or arterial street according to the Salt Lake City transportation master plan - major street plan: roadway functional classification map.
14. Subject to conformance to the provisions in sSection 21A.40.060 of this title for drive-through use regulations.
15. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 7. Amending the text of Salt Lake City Code Section 21A.36.300. That Section 21A.36.300 of the *Salt Lake City Code* (Zoning: General Provisions: Alcohol Related Establishments), shall be, and hereby is, amended to read as follows:

21A.36.300: ALCOHOL RELATED ESTABLISHMENTS:

- A. Purpose Statement: The purpose of this section is to permit the establishment of taverns, social clubs, dining clubs, and brewpubs, ~~and microbreweries~~ as defined in eChapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards.
- B. License Required: No tavern, social club, dining club, or brewpub, ~~or microbrewery~~ shall be established, operated, or maintained within the city without a valid license issued by the Utah state division of licensing, and without a valid business license issued by the city.
- C. Taverns, Social Clubs, Dining Clubs, and Brewpubs, ~~And Microbreweries~~;
Authorized ~~As~~ Permitted Uses: Taverns, social clubs, brewpubs, and dining clubs ~~and microbreweries~~ shall be permitted pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses.
- D. Taverns, Social Clubs, Dining Clubs, and Brewpubs, ~~And Microbreweries~~;
Authorized As Conditional Uses: Taverns, social clubs, dining clubs, and brewpubs, ~~and microbreweries~~ may be allowed as conditional uses pursuant to the provisions of eChapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:
1. In approving a conditional use permit for a tavern, social club, dining club, or brewpub, ~~or microbrewery~~, the planning commission shall:
 - a. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City ~~p~~Police ~~d~~Department and the building official, and filed with the city recorder's office, which shall include:
 - (1) A complaint-response community relations program; and
 - (2) A provision for a representative of the tavern, social club, dining club, or brewpub, ~~or microbrewery~~ to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
 - (3) Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an

exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for the applicable zoning district in Chapter 9.28 of this code;

- (4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
 - (5) Prohibiting electronically amplified sound in any exterior portion of the premises;
 - (6) Designation of a location for smoking tobacco outdoors in conformance with state law;
 - (7) A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and
 - (8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area; and
 - (9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;
- b. Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;
 - c. Require buffering where a tavern, social club, dining club, or brewpub, ~~or~~ ~~microbrewery~~ abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;
 - d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and
 - e. Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.
2. If necessary to meet the standards for approval of a conditional use set forth in Section 21A.54.080 of this title, the following conditions may be imposed:

- a. Limit the size and kind of signage located on the outside of any building in conformance with Chapter 21A.46 of this title;
 - b. Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents' enjoyment of their homes; and
 - c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses, and buildings and designating a new area if the potential effects of the area in the security and operations plan appear to adversely affect neighboring residences, businesses, and buildings.
- E. **Minimum Area:** In the CN and RB zoning districts, an alcohol related establishment shall only be allowed if such zoning district in which the alcohol related establishment is proposed is at least one-half ($1/2$) acre in contiguous area.
- F. **Concentration Prohibited:** In the CN and RB zoning districts, not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within six hundred feet (600') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. In CB zoning districts, not more than one social club, dining club, brewpub, or tavern shall be located within three hundred fifty feet (350') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point of the property line of one establishment to the nearest point on the property line of the second establishment.

SECTION 8. Amending the text of Salt Lake City Code Section 21A.38.040.B. That Section 21A.38.040.B of the *Salt Lake City Code* (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries), shall be, and hereby is, amended to read as follows:

- B. ~~Nonconformity of Taverns, Social Clubs, Dining Clubs, or Brewpubs or Microbreweries~~: A legally existing tavern, social club, dining club, or brewpub ~~or microbrewery~~ shall not be deemed nonconforming for purposes of expansion, reconstruction or licensing (as long as the use is permitted in the base zoning district) if the only reason for such nonconformity is due to the subsequent location of a school, church or park within the spacing requirements as specified under requirements of state law.

SECTION 9. Amending the text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended as follows:

- a. That the term “Alcohol, Microbrewery” is hereby deleted; and
- b. That the term, “Small brewery” is hereby added and inserted alphabetically in the List of Terms.

The codifier is instructed to make only these specific changes to the List of Terms comprising Section 21A.60.020 and make no other revisions to that section as part of this ordinance.

SECTION 10. Amending the text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended as follows:

- a. That the definition of the term “ALCOHOL, BREWPUB” is amended to read as follows:

ALCOHOL, BREWPUB: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer. A restaurant type establishment that also has a beer brewery, producing beer in batch sizes not less than seven (7) U.S. barrels (31 gallons), on the same property which produces only enough beer for sale and consumption on site or for retail carryout sale in containers holding less than two liters (2 l) or for wholesale as outlined in subsections D and E of this definition. Automated bottle or canning production is prohibited. At least fifty percent (50%) of the beer sold shall be brewed on the premises. Revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues, excluding retail carryout sales of beer. Brewpubs are limited to a total brewing capacity of two thousand five hundred (2,500) barrels per year or one hundred twenty (120) barrels of fermentation at any one time, whichever is less. Brewpubs may sell beer in keg (larger than 2 liters) containers for the following purposes and in the following amounts:

- ~~A. An unlimited number of kegs (not to exceed 2,500 barrel capacity) for "brew fests" which, for the purpose of this definition, means events, the primary purpose of which is the exposition of beers brewed by brewpubs and~~

~~microbreweries, which include the participation of at least three (3) such brewers;~~

- ~~B. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events sponsored by charitable organizations exempt from federal income tax pursuant to 26 USC section 501(c)(3) or its successor; and~~
- ~~C. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events operating under a single event license from the state and the city where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event sponsor but is, instead, dispensed by employees of the brewpub;~~
- ~~D. Unlimited distribution to other restaurants of same ownership or control (not to exceed 2,500 barrel capacity). "Ownership or control" means more than fifty percent (50%) ownership in the actual business or controlling interest in any management partnership; and~~
- ~~E. No more than five hundred (500) barrels for wholesale distribution (not to exceed 2,500 barrel capacity).~~
- b. That the definition of the term "ALCOHOL, MICROBREWERY" is amended to read as follows:
- ~~ALCOHOL, MICROBREWERY: A brewpub which, in addition to retail sale and consumption on site, markets beer wholesale in an amount not to exceed sixty thousand (60,000) barrels (31 gallons) per year. Revenue from food sales must constitute at least fifty percent (50%) of the total business revenues, excluding wholesale and retail carryout sales of beer.~~
- c. That the definition of the term "ALCOHOL RELATED ESTABLISHMENT" is amended to read as follows:
- ~~ALCOHOL RELATED ESTABLISHMENT: Tavern, social club, dining club, or brewpub, or microbrewery.~~
- d. That the definition of the term "BREWERY" is amended to read as follows:
- ~~BREWERY: A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended for off premises consumption, not to include those alcoholic beverages produced in a distillery or winery.~~
- e. That the definition of the term "OUTDOOR DINING" is amended to read as follows:

OUTDOOR DINING: A dining area with seats and/or table(s) located outdoors of a restaurant, brewpub, ~~microbrewery~~, social club, tavern, market, deli, and other retail sales establishment that sells food and/or drinks, and which is either: a) located entirely outside the walls of the building of the subject business, or b) enclosed on two (2) sides or less by the walls of the building with or without a solid roof cover, or c) enclosed on three (3) sides by the walls of the building without a solid roof cover.

- f. That the definition of the term, "SMALL BREWERY" is hereby added to the definitions and inserted in alphabetical order and shall read as follows:

SMALL BREWERY: A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

SECTION 11. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2015.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2015.
Published: _____.

HB_ATTYY-#47780-v1-Ordinance_breweries_brewpubs.DOCX

LEGISLATIVE VERSION

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

SALT LAKE CITY ORDINANCE
 No. ____ of 2015
 (An ordinance amending various sections of the
Salt Lake City Code pertaining to breweries, small breweries and brewpubs)

An ordinance amending various sections of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2015-00151 to modify regulations pertaining to regulation of breweries, small breweries and brewpubs.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on July 29, 2015 to consider a petition submitted by Mayor Ralph Becker (“Applicant”) (Petition No. PLNPCM2015-00151) to amend Sections 21A.27.050.N (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses); 21A.33.030 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts); 21A.33.040 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts); 21A.33.050 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts); 21A.33.060 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District); 21A.33.070 (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts); 21A.36.300 (Zoning: General Provisions: Alcohol Related Establishments); 21A.38.040.B (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries); 21A.60.020 (Zoning: List of Terms: List of Defined Terms); and 21A.62.040 (Zoning: Definitions: Definitions of Terms) of the *Salt Lake City Code* to modify regulations pertaining to breweries, small breweries and brewpubs; and

WHEREAS, at its July 29, 2015 hearing, the planning commission voted in favor of transmitting a positive recommendation to the Salt Lake City Council on said petition; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city’s best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the text of Salt Lake City Code Section 21A.27.050.N. That Section 21A.27.050.N of the *Salt Lake City Code* (Zoning: Form Based Districts: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District: Permitted Land Uses), shall be, and hereby is, amended to read as follows:

N. Permitted Land Uses:

- 1. Applicability: The table of permitted uses applies to all properties in the FB-UN zoning district:
 - a. Permitted Uses: A use that contains a P in the specific subdistrict is permitted in that subdistrict. A use that is left blank in the specific subdistrict is not permitted.
 - b. Uses Not Listed: Uses not listed are prohibited unless the zoning administrator has made an administrative interpretation that a proposed use is more similar to a listed permitted use than any other defined use.
 - c. Other Uses: A use specifically listed in any other land use table in this title that is not listed in this section is prohibited.
 - d. Building Form: Uses that are included in the description of each building form are permitted in the subdistrict where the building form is permitted.

TABLE 21A.27.050.N
PERMITTED USES

Use	FB-UN1	FB-UN2
Accessory use, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P
Alcohol:		
Brewpub		P
Liquor store		P

	Social club		P
	Tavern, 2,500 square feet or less in floor area		P
	Animal, veterinary office		P
	Antenna, communication tower		P
	Art gallery		P
	Bed and breakfast	P	P
	Bed and breakfast inn	P	P
	Bed and breakfast manor	P	P
	Clinic (medical, dental)		P
	Community garden	P	P
	Community recreation center		P
	Daycare center, adult		P
	Daycare center, child		P
	Dwelling:		
	Assisted living facility (large)		P
	Assisted living facility (small)	P	P
	Group home (large)		P
	Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage		P
	Multi-family		P
	Residential substance abuse treatment home (large)		P
	Residential substance abuse treatment home (small)		P
	Rooming (boarding) house		P
	Single-family attached	P	P
	Single-family detached	P	P (If part of cottage development)
	Single room occupancy		P
	Transitional victim home (large)		P
	Transitional victim home (small)		P

Two-family	P	
Eleemosynary facility		P
Farmers' market		P
Financial institution		P
Food processing		P
Funeral home		P
Health and fitness facility		P
Hotel/motel		P
House museum in landmark site	P	P
Laboratory (medical, dental, optical)		P
Library		P
Mixed use developments including residential and other uses allowed in the zoning district		P
Museum		P
Nursing care facility		P
Office		P
Office and/or reception center in landmark site		P
Open space	P	P
Park	P	P
Parking, off site	P ¹	P ¹
Place of worship		P
Plazas	P	P
Recreation (indoor)		P
Research and development facility		P
Research facility (medical/dental)		P
Restaurant		P
Retail goods establishment		P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P
Retail service establishment		P
Sales and display (outdoor)		P

School:			
	College or university		P
	Music conservatory		P
	Professional and vocational		P
	Seminary and religious institute		P
Seasonal farm stand			P
Small Brewery			P
Solar array			P
Store, specialty			P
Studio, art			P
Theater, movie			P
Urban farm		P	P
Utility, building or structure		P	P
Utility, transmission wire, line, pipe, or pole		P	P
Vending cart, private property			P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)			P

Note:

1. Parking, off site is only permitted on parcels that contain a principal building and shall comply with the parking requirements identified in the building form standards section of this chapter. No principal building shall be demolished to accommodate off site parking.

SECTION 2. Amending the text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended to read as follows:

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District							
	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	P ⁸	
Alcohol:								
Brewpub (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Brewpub (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12,13}	C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Dining club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Distillery						P ¹⁹		
Social club (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Social club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Tavern (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Tavern (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Ambulance service (indoor)			P	P	P	P	P	
Ambulance service (outdoor)			P ⁷	P ⁷	P ⁷	P		
Amusement park			P			P		
Animal:								
Cremation service				P		P		
Kennel						P		
Pet cemetery						P ⁴		

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Veterinary office	C	P	P	P	P	P	C	
Antenna, communication tower		P	P	P	P	P	P	
Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	C	
Art gallery	P	P	P	P	P	P	P	P
Auction (outdoor)				P		P		
Auditorium			P	P	P	P	P	
Bakery, commercial						P		
Bed and breakfast	P	P	P	P	P	P	P	P ¹⁷
Bed and breakfast inn	P	P	P	P	P	P	P	
Bed and breakfast manor	C ³	C ³		P	P	P	P	
Blacksmith shop						P		
Blood donation center				C		P		
Brewery						P		
Bus line station/terminal				P		P	C	
Bus line yard and repair facility						P		
Car wash			P	P		P	C	
Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	C	
Check cashing/payday loan business				P ¹⁰		P ¹⁰		
Clinic (medical, dental)	P	P	P	P	P	P	P	
Community correctional facility, large								
Community correctional facility, small						C ^{9,14}		
Community garden	P	P	P	P	P	P	P	P
Contractor's yard/office				C		P		
Crematorium			C	C	C	C	C	
Daycare center, adult	P	P	P	P	P	P	P	
Daycare center, child	P	P	P	P	P	P	P	
Daycare, registered home daycare or preschool								P
Dwelling:								
Assisted living facility (large)		P		P	P	P	P	

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Assisted living facility (small)		P		P	P	P	P	P
Group home (large)		P		C		C	P	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	P	
Manufactured home								P
Multi-family		P	P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	C	
Residential substance abuse treatment home (small)				C		C	C	
Rooming (boarding) house		P	P	P	P	P	P	
Single-family attached								P
Single-family detached								P
Single room occupancy							P ⁶	
Transitional victim home (large)				C		C	C	
Transitional victim home (small)				C		C	C	
Twin home								P
Two-family								P
Eleemosynary facility		P					P	
Equipment rental (indoor and/or outdoor)				P		P		
Farmers' market			C	C	P	P	C	
Financial institution	P	P	P	P	P	P	P	
Financial institution with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Flea market (indoor)			P	P	P	P	C	
Flea market (outdoor)						P		
Funeral home			P	P	P	P	C	
Gas station		C	P	P	P	P		
Government facility		C	C	C	C	C	C	C

Government facility requiring special design features for security purposes	P	P	P	P	P	P	P	
Homeless shelter						C		
Hotel/motel		C		P	P	P	C	
House museum in landmark sites (see subsection 21A.24.010.T of this title)								C
Impound lot						C ¹⁴		
Industrial assembly						P		
Intermodal transit passenger hub						P		
Laboratory (medical, dental, optical)			P	P		P		
Laboratory, testing			P	P		P	P	
Large wind energy system		P		P		P	P	
Laundry, commercial						P		
Library	P	P	P	P	P	P	P	C
Limousine service (large)						P		
Limousine service (small)		C		C		P		
Manufactured/mobile home sales and service						P		
Mixed use development	P	P	P	P	P	P	P	P ¹⁵
Mobile food business (operation on private property)	P	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C	C
Museum	P	P	P	P	P	P	P	P
Nursing care facility		P		P		P	P	
Office	P	P	P	P	P	P	P	P ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010.T of this title)								C
Open space	P	P	P	P	P	P	P	
Open space on lots less than 4 acres in size								P
Park	P	P	P	P	P	P	P	
Parking:								
Commercial				C	P	P	C	

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Off site	C	P	P	P	P	P	C	
Park and ride lot		C	C	P		P	C	
Park and ride lot shared with existing use		P	P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	P	
Reception center		P	P	P	P	P		
Recreation (indoor)	P	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	C	
Recreational vehicle park (minimum 1 acre)				C				
Recycling collection station	P	P	P	P	P	P		
Research and development facility							P	
Restaurant	P	P	P	P	P	P	P	
Restaurant with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail goods establishment	P	P	P	P	P	P	P	P ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P	P
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail service establishment	P	P	P	P	P	P	P	P ¹⁶
Furniture repair shop	C	P	P	P	P	P	P	
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Reverse vending machine	P	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	C	
School:								
College or university		P	P	P	P	P	P	
Music conservatory		P	P	P	P	P	P	
Professional and vocational		P	P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	P	C
Seasonal farm stand	P	P	P	P	P	P	P	
Sexually oriented business						P ⁵		

Sign painting/fabrication						P		
Small Brewery				C		P		
Solar array						P		
Storage (outdoor)				C		P		
Storage, public (outdoor)				C		P		
Storage, self				P		P	C	
Store:								
Department			P		P			
Mass merchandising			P		P	P		
Pawnshop						P		
Specialty			P	P	P	P		
Superstore and hypermarket			P			P		
Warehouse club						P		
Studio, art	P	P	P	P	P	P	P	P
Studio, motion picture						P		
Taxicab facility						P		
Theater, live performance		P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Theater, movie		C	P	P	P	P	P	
Urban farm	P	P	P	P	P	P	P	
Utility, building or structure	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Utility, transmission wire, line, pipe, or pole	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Vehicle:								
Auction						P		
Automobile repair (major)				P		P	C	
Automobile repair (minor)	C	P	P	P	P	P	P	
Automobile sales/rental and service				P		P		
Automobile salvage and recycling (indoor)						P		
Boat/recreational vehicle sales and service				P		P		
Truck repair (large)						P		
Truck sales and rental (large)				P		P		

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Vending cart, private property					P			
Warehouse				P		P		
Welding shop						P		
Wholesale distribution				P		P		
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)								C
Woodworking mill						P		

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of Chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060.D and Chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050.B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010.T and 21A.26.010.K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in Section 21A.36.140 of this title.
6. Subject to location restrictions as per Section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within Chapter 21A.34 of this title.
10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
11. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
12. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
14. Prohibited within 1,000 feet of a single- or two-family zoning district.
15. Residential units may be located above or below first floor retail/office.
16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160.I and J of this title.
17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
18. Medical and dental offices are not allowed in the SNB zoning district.
19. Permitted in the CG zoning district only when associated with an on site food service establishment.

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

SECTION 3. Amending the text of Salt Lake City Code Section 21A.33.040. That Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended to read as follows:

21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C	C ⁷
Agricultural use	P	P
Alcohol:		
Brewpub	p ^{6,10}	p ^{6,10}
Distillery	P	P
Social club	C ^{6,10}	C ^{6,10}
Tavern	C ^{6,10}	C ^{6,10}
Winery	P	P
Ambulance services (indoor and/or outdoor)	P	P
Animal:		
Cremation service	P	P
Kennel	P	P
Pet cemetery	p ²	p ²
Pound	p ¹²	p ¹²
Raising of furbearing animals	C	P
Stockyard	C ¹²	p ¹²

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Veterinary office	P	P
Antenna, communication tower	P	P
Antenna, communication tower, exceeding the maximum building height	C	C
Bakery, commercial	P	P
Blacksmith shop	P	P
Bottling plant	P	P
Brewery	P	P
Building materials distribution	P	P
Bus line station/terminal	P	P
Bus line yard and repair facility		P
Check cashing/payday loan business	P ⁹	
Chemical manufacturing and/or storage		C
Community correctional facility, large (see Section 21A.36.110 of this title)	C ^{8,12}	
Community correctional facility, small (see Section 21A.36.110 of this title)	C ^{8,12}	
Community garden	P	
Concrete and/or asphalt manufacturing	C ¹²	P ¹²
Contractor's yard/office	P	P
Crematorium	P	P
Daycare center, adult	P	
Daycare center, child	P	
Drop forge industry		P
Dwelling, living quarters for caretaker or security guard, limited to uses on lots 1 acre in size or larger and is accessory to a principal use allowed by the zoning district	P	P
Equipment, heavy (rental, sales, service)	P	P
Equipment rental (indoor and/or outdoor)	P	P
Explosive manufacturing and storage		C ¹²
Financial institution with or without drive-through facility	P ¹¹	
Flammable liquids or gases, heating fuel distribution and storage		P ¹²
Food processing	P	P
Gas station	P	P

Government facility	P	P
Government facility requiring special design features for security purposes	P	P
Grain elevator		P
Greenhouse	P	
Heavy manufacturing		P ¹²
Hotel/motel	P	
Impound lot	P ¹²	P ¹²
Incinerator, medical waste/hazardous waste		C ¹²
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P	P
Laundry, commercial	P	P
Light manufacturing	P	P
Limousine service	P	P
Mobile food business (operation in the public right of way)	P	P
Mobile food business (operation on private property)	P	P
Mobile food court	P	P
Office	P	
Office, publishing company	P	
Open space	P	P
Package delivery facility	P	P
Paint manufacturing		P
Parking:		
Off site	P	P
Park and ride lot	P	P
Park and ride lot shared with existing use	P	P
Photo finishing lab	P	P
Poultry farm or processing plant		P ¹²
Printing plant	P	

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Radio, television station	P	
Railroad, freight terminal facility	C ^{4,12}	C ^{4,12}
Railroad, repair shop		P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C ¹²	P ¹²
Refinery, petroleum products		C ¹²
Restaurant with or without drive-through facilities	P ¹¹	
Retail goods establishment with or without drive-through facility	P ¹¹	
Retail service establishment:		
Electronic repair shop	P	
Furniture repair shop	P	P
Upholstery shop	P	
Rock, sand and gravel storage and distribution	C	P
School:		
Professional and vocational (with outdoor activities)	P	
Professional and vocational (without outdoor activities)	P	
Seminary and religious institute	P	
Seasonal farm stand	P	P
Sexually oriented business	P ⁵	
Sign painting/fabrication	P	P
Slaughterhouse		P ¹²
Small Brewery	P	P
Solar array	P	P
Storage and display (outdoor)	P	P
Storage, public (outdoor)	P	P
Store, convenience	P	P

Studio, motion picture	P	
Taxicab facility	P	P
Tire distribution retail/wholesale	P	P
Truck freight terminal	P ¹²	P ¹²
Urban farm	P	P
Utility:		
Building or structure	P	P
Electric generation facility	C ^{3,12}	C ^{3,12}
Sewage treatment plant	C	P
Solid waste transfer station	C ¹²	P ¹²
Transmission wire, line, pipe or pole	P ¹	P ¹
Vehicle:		
Auction	P	P
Automobile and truck repair	P	P
Automobile and truck sales and rental (including large truck)	P	P
Automobile part sales	P	P
Automobile salvage and recycling (indoor)	P	P
Automobile salvage and recycling (outdoor)	C ¹²	P ¹²
Recreational vehicle (RV) sales and service	P	P
Truck repair (large)	P	P
Vending cart, private property	P	P
Warehouse	P	P
Welding shop	P	P
Wholesale distribution	P	P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)		
Woodworking mill	P	P

Qualifying provisions:

1. See subsection 21A.02.050.B of this title for utility regulations.
2. Subject to Salt Lake Valley health department approval.

3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility may be located within a 5 mile radius of any other existing railroad freight terminal facility.
5. Pursuant to the requirements set forth in Section 21A.36.140 of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within Chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 4. Amending the text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts), shall be, and hereby is, amended to read as follows:

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P ⁴
Alcohol:				
Brewpub (indoor)	P ⁶	P ⁶	P ⁶	P ⁶
Brewpub (outdoor)	P ⁶	P ⁶	P ⁶	P ⁶

	Dining club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
	Dining club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
	Social club (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
	Social club (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
	Tavern (indoor)	P ⁶	C ⁶	C ⁶	P ⁶
	Tavern (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶
	Animal, veterinary office		P	P	
	Antenna, communication tower	P	P	P	P
	Antenna, communication tower, exceeding the maximum building height	C	C	C	C
	Art gallery	P	P	P	P
	Bed and breakfast	P	P	P	P
	Bed and breakfast inn	P	P	P	P
	Bed and breakfast manor	P	P	P	P
	Blood donation center		P		
	Bus line station/terminal	P ⁷	P ⁷	P ⁷	P ⁷
	Bus line yard and repair facility		P		
	Car wash		P ³		
	Check cashing/payday loan business	P ⁵			
	Clinic (medical, dental)	P	P	P	P
	Community garden	P	P	P	P
	Convention center				P
	Crematorium	P	P	P	
	Daycare center, adult	P	P	P	P
	Daycare center, child	P	P	P	P
	Dwelling:				
	Artists' loft/studio	P	P	P	P
	Group home (large)		C	C	
	Group home (small)	P	P	P	P
	Multi-family	P	P	P	P
	Residential substance abuse treatment home (large)		C	C	

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

	Residential substance abuse treatment home (small)		C	C	
	Transitional victim home (large)		C	C	
	Transitional victim home (small)		C	C	
	Eleemosynary facility	P	P	P	P
	Exhibition hall				P
	Farmers' market			P	
	Financial institution	P	P	P	P
	Financial institution with drive-through facility		P ⁸		P ⁸
	Funeral home	P	P	P	
	Gas station		P	P ⁷	P ⁷
	Government facility	C	C	C	C
	Government facility requiring special design features for security purposes			P ⁷	P ⁷
	Heliport, accessory	C	C		C
	Homeless shelter		C	C	
	Hotel/motel	P	P	P	P
	Industrial assembly		C	C	
	Laboratory (medical, dental, optical)	P	P	P	P
	Laundry, commercial		P		
	Library	P	P	P	P
	Limousine service		P		
	Manufacturing and processing, food		P		
	Mixed use development	P	P	P	P
	Mobile food business (operation in the public right of way)	P	P	P	P
	Mobile food business (operation on private property)	P	P	P	P
	Mobile food court	P	P	P	P
	Museum	P	P	P	P
	Office	P	P	P	P
	Office, publishing company	P	P	P	P
	Open space on lots less than 4 acres in size	P ⁷	P ⁷	P ⁷	P ⁷
	Park	P	P	P	P

Parking, commercial	C	P	C	C
Parking, off site	P	P	P	P
Performing arts production facility	P	P	P	P
Place of worship	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Radio, television station	P	P		P
Railroad, passenger station	P	P	P	P
Reception center	P	P	P	P
Recreation (indoor)	P	P	P	P
Recreation (outdoor)		P		
Restaurant	P	P	P	P
Restaurant with drive-through facility		P ⁸		
Retail goods establishment	P	P	P	P
Retail service establishment	P	P	P	P
Retail service establishment, upholstery shop		P	P	
Sales and display (outdoor)	P	P	P	P
School:				
College or university	P	P	P	P
K - 12 private			P	P
K - 12 public			P	P
Music conservatory	P	P	P	P
Professional and vocational	P	P	P	P
Seminary and religious institute	P	P	P	P
Small Brewery		C		
Social service mission and charity dining hall		C	C	
Stadium	C	C		C
Storage, self		P	P	
Store:				
Department	P	P		P
Fashion oriented department	P ²			
Mass merchandising	P	P		P

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

	Pawnshop		P		
	Specialty	P	P		P
	Superstore and hypermarket		P		
	Studio, art	P	P	P	P
	Theater, live performance	P ⁹	P ⁹	P ⁹	P ⁹
	Theater, movie	P	P	P	P
	Utility, buildings or structure	P ¹	P ¹	P ¹	P ¹
	Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹
	Vehicle:				
	Automobile repair (major)		P	P ⁷	P ⁷
	Automobile repair (minor)		P	P ⁷	P ⁷
	Automobile sales/rental and service	P ¹⁰	P	P ¹⁰	
	Vending cart, private property	P	P	P	P
	Vending cart, public property				
	Warehouse		P		
	Warehouse, accessory		P	P	
	Wholesale distribution		P		
	Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)				

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (Section 21A.34.110 of this title).
3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
4. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
5. No check cashing/payday loan business shall be located closer than $\frac{1}{2}$ mile of other check cashing/payday loan businesses.
6. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
7. Subject to conformance with the provisions of Chapter 21A.59, "Conditional Building and Site Design Review", of this title.
8. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
9. Prohibited within 1,000 feet of a single- or two-family zoning district.
10. Must be located in a fully enclosed building and entirely indoors.

- 11. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.

SECTION 5. Amending the text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District), shall be, and hereby is, amended to read as follows:

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:		C =	Conditional	P =	Permitted
Use					G-MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title					P
Adaptive reuse of a landmark site					P
Alcohol:					
	Brewpub (indoor)				P ²
	Brewpub (outdoor)				P ^{2,5}
	Dining club (indoor)				P ²
	Dining club (outdoor)				P ^{2,5}
	Social club (indoor)				P ²
	Social club (outdoor)				P ^{2,5}
	Tavern (indoor)				P ²
	Tavern (outdoor)				P ^{2,5}
Ambulance service (indoor)					C
Amphitheater					P
Animal, veterinary office					P
Antenna, communication tower					P
Antenna, communication towers, exceeding the maximum building height					C
Art gallery					P
Artists' loft/studio					P

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Auction (indoor)	P
Auditorium	P
Bed and breakfast	P
Bed and breakfast inn	P
Bed and breakfast manor	P
Botanical garden	P
Bus line station/terminal	P ³
Clinic (medical, dental)	P
Community garden	P
Crematorium	P
Daycare center, adult	P
Daycare center, child	P
Dwelling:	
Group home (large)	C
Group home (small) when located above or below first story office, retail or commercial use, or on the first story where the unit is not located adjacent to the street frontage	P
Living quarters for caretaker or security guard	P
Multi-family	P
Residential substance abuse treatment home (large)	C
Residential substance abuse treatment home (small)	C
Single-family (attached)	P
Transitional victim home (large)	C
Transitional victim home (small)	C
Eleemosynary facility	P
Equipment rental (indoor and/outdoor)	P
Farmers' market	P
Financial institution	P
Flea market (indoor)	P
Funeral home	P
Government facility	C

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Government facility requiring special design features for security purposes	P ³
Heliport, accessory	C
Hotel/motel	P
Industrial assembly	C
Laboratory (medical, dental, optical)	P
Large wind energy system	P
Library	P
Mixed use development	P
Mobile food business (operation in the public right of way)	P
Mobile food business (operation on private property)	P
Mobile food court	P
Museum	P
Office	P
Open space	P
Park	P
Parking:	
Commercial	C
Off site	P
Park and ride lot	C
Park and ride lot shared with existing use	P
Performing arts production facility	P
Photo finishing lab	P
Place of worship	P
Radio, television station	C
Reception center	P
Recreation (indoor)	P
Recreation (outdoor)	C
Restaurant	P
Retail goods establishment	P
Retail goods establishment, plant and garden shop, with outdoor retail sales area	P

Retail service establishment	P
Retail service establishment, upholstery shop	C
School:	
College and university	P
K - 12 private	P
K - 12 public	P
Music conservatory	P
Professional and vocational	P
Seminary and religious institute	P
Seasonal farm stand	P
Small Brewery	C
Social service mission and charity dining hall	C
Solar array	P
Stadium	C
Storage, self	P ³
Store:	
Department	P
Mass merchandising	P
Specialty	P
Superstore and hypermarket	P
Studio, art	P
Studio, motion picture	C
Theater, live performance	P ⁴
Theater, movie	P
Urban farm	P
Utility, building or structure	P ¹
Utility, transmission wire, line, pipe or pole	C
Vehicle:	
Automobile repair (minor)	P
Automobile sales/rental and service (indoor)	P

	Boat/recreational vehicle sales and service (indoor)	P
	Vending cart, private property	P
	Vending cart, public property	P
	Wireless telecommunications facility (see s Section 21A.40.090, t Table 21A.40.090, E of this title)	
	Zoological park	C

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. Subject to conformance with the provisions of Section 21A.36.300, "Alcohol Related Establishments", of this title.
3. Subject to conformance with the provisions of Chapter 21A.59, "Conditional Building and Site Design Review", of this title.
4. Prohibited within 1,000 feet of a single- or two-family zoning district.
5. Subject to the requirements set forth in Section 21A.40.065, "Outdoor Dining", of this title.

No conditional use permit shall be granted for any property which abuts a residential zoning district, except for places of worship, public/private utilities and related facilities, residential facilities for persons with a disability and educational facilities.

SECTION 6. Amending the text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended to read as follows:

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site																	P ²
Agricultural use		C		P	P	P	P			P							
Air cargo terminals and package delivery facility		P								P							
Airport										P							
Alcohol:																	
Brewpub (2,500 square feet or less in floor area)		P ¹²															C ¹²
Brewpub (more than 2,500 square feet in floor area)		P ¹²															
Dining club (2,500 square feet or less in floor area)																	C ¹²
Social club (2,500 square feet or less in floor area)																	C ¹²
Tavern (2,500 square feet or less in floor area)																	C ¹²
Ambulance service (indoor)	P	P															

Ambulance service (outdoor)	P ¹⁰	P ¹⁰															
Amphitheater												C					
Animal:																	
Kennel on lots of 5 acres or larger		C		P ⁸	P ⁸	P ⁸	P ⁸										
Pet cemetery				P ⁴	P ⁴	P ⁴	P ⁴	P ^{4,5}									
Stable (private)				P	P	P	P										
Stable (public)				P	P	P	P										
Veterinary office		P															P
Antenna, communication tower	P	P	C	P	P	P	P			P	P	C	P	P		P	
Antenna, communication tower, exceeding the maximum building height in the zone	C	C								P		P ¹¹	C	C		C	
Art gallery											P	P	P	P			P
Bed and breakfast													P ²	P			P
Bed and breakfast inn													P ²	P			P
Bed and breakfast manor													P ²	P			P
Botanical garden	P										P	P					
Cemetery								P									
Clinic (medical, dental)	P	P											P	P			P
Community garden	P	P	P	P	P	P	P	P			P	P	P	P	P		P
Convent/monastery													P	P			
Daycare center, adult	P	P									P	P	P	P			P

Daycare center, child	P	P								P	P	P	P	P			P
Dental laboratory/research facility	P	P											C	C			P
Dwelling:																	
Assisted living facility													P	P			P
Congregate care facility													P	P			P
Group home (large)																	C
Group home (small)			P	P	P	P											P
Living quarters for caretaker or security guard	P	P									P		P	P			P
Manufactured home				P	P	P											P
Mobile home															P		
Multi-family														P			P
Resident healthcare facility													P	P			P
Residential substance abuse treatment home (large)														P			C
Residential substance abuse treatment home (small)														P			P
Rooming (boarding) house																	P
Single-family (attached)																	P
Single-family (detached)			P	P	P	P											P
Transitional victim home (large)																	C
Transitional victim home (small)																	P
Twin home and two-family																	P

Eleemosynary facilities											P	P	P	P			P
Exhibition hall											C	P	C	P			
Extractive industry																P	
Fairground											C						
Farm stand, seasonal				P	P	P	P										P
Financial institution	P	P															P
Financial institution with drive-through facility	P ¹⁴	P ¹⁴															
Gas station		P ⁷															
Government facility	C	C								P	C	C	C ¹³	C		P	C
Government facility requiring special design features for security purposes																	C
Government office	P	P								P	P	P	P	P			P
Heliport	C	C								P		P	C	C			
Hospital, including accessory lodging facility	C												P	P			
Hotel/motel	C	C								P							P
Industrial assembly		P								P							
Jail											C						
Jewelry fabrication		P															
Large wind energy system	C	C		C	C	C	C			C			P	P			
Library											P	P	P	P			P
Light manufacturing		C								P							

Manufacturing, concrete or asphalt																	P ¹⁵	
Meeting hall of membership organization		P										P	P	P				P
Mixed use development																		P
Mobile food business (operation on private property)	P	P												P	P			P
Municipal service uses, including city utility uses and police and fire stations	C	C								P	C	C	C ¹⁴	C			P	C
Museum	C							P			P	P	P	P				P
Nursing care facility													P	P				P
Office	P	P								P	P	P	P	P				P
Open space	P	P	P	P	P	P	P	P	P ⁹	P	P	P	P	P	P	P	P	P
Park	C							P			P	P		P				P
Parking:																		
Commercial		C																
Off site										P	P	P	P	P				C
Park and ride lot										P	C							
Park and ride lot shared with existing use	P	P								P	P		P	P			P	P
Performing arts production facility		P																P
Philanthropic use												P	P	P				P
Place of worship	P	P											P	P				P
Radio, television station		P ⁶										P						

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Reception center											C	P	P	P			P
Recreation (indoor)		C						P			P	P	P	P			P
Recreation (outdoor)								P		P	P						
Research and development facility	P	P									P	P					C
Research facility (medical)	P												P	P			P
Restaurant		P ⁷															P
Restaurant with drive-through facility		P ^{7,14}															P ³
Retail goods establishment		P ⁷										P					P
Retail, sales and service accessory use when located within a principal building												P					
Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of employees	P	P								P	P	P	P	P			P
School:																	
College or university												P	P	P			
K - 12 private											P	P	P	P			
K - 12 public											P	P	P	P			
Music conservatory													P	P			P
Professional and vocational	P	P								P			P	P			
Seminary and religious institute													P	P			C
Small Brewery		C															
Solar array	P	P		P						P	P		P				

Stadium											C		C	C			
Storage, accessory (outdoor)		P								P						P	
Studio, art																	P
Theater, live performance	C ¹⁵	C ¹⁵									C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵			C ¹⁵
Theater, movie												C					C
Transportation terminal, including bus, rail and trucking										P							
Urban farm	P	P	P	P	P	P	P	P			P	P	P	P			
Utility, building or structure	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Vehicle, automobile rental agency		P								P							
Vending cart, private property	P	P															
Vending cart, public property								P									
Warehouse		P								P							
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)																	P
Wholesale distribution		P								P							
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)																	
Zoological park								P									

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050.B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of Chapter 21A.55 of this title.
8. Kennels, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and without directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Maximum of 1 monopole per property and only when it is government owned and operated for public safety purposes.
12. Subject to conformance with the provisions in Section 21A.36.300, "Alcohol Related Establishments", of this title.
13. If located on a collector or arterial street according to the Salt Lake City transportation master plan - major street plan: roadway functional classification map.
14. Subject to conformance to the provisions in Section 21A.40.060 of this title for drive-through use regulations.
15. Prohibited within 1,000 feet of a single- or two-family zoning district.

SECTION 7. Amending the text of Salt Lake City Code Section 21A.36.300. That Section 21A.36.300 of the *Salt Lake City Code* (Zoning: General Provisions: Alcohol Related Establishments), shall be, and hereby is, amended to read as follows:

21A.36.300: ALCOHOL RELATED ESTABLISHMENTS:

- A. Purpose Statement: The purpose of this section is to permit the establishment of taverns, social clubs, dining clubs, and brewpubs as defined in Chapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards.
- B. License Required: No tavern, social club, dining club, or brewpub shall be established, operated, or maintained within the city without a valid license issued by the Utah state division of licensing, and without a valid business license issued by the city.
- C. Taverns, Social Clubs, Dining Clubs, and Brewpubs; Authorized as Permitted Uses: Taverns, social clubs, brewpubs, and dining clubs shall be permitted pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses.
- D. Taverns, Social Clubs, Dining Clubs, and Brewpubs; Authorized As Conditional Uses: Taverns, social clubs, dining clubs, and brewpubs may be allowed as conditional uses pursuant to the provisions of Chapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:
 - 1. In approving a conditional use permit for a tavern, social club, dining club, or brewpub, the planning commission shall:
 - a. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City Police Department and the building official, and filed with the city recorder's office, which shall include:
 - (1) A complaint-response community relations program; and
 - (2) A provision for a representative of the tavern, social club, dining club, or brewpub to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
 - (3) Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible

sound level set forth for the applicable zoning district in Chapter 9.28 of this code;

- (4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
 - (5) Prohibiting electronically amplified sound in any exterior portion of the premises;
 - (6) Designation of a location for smoking tobacco outdoors in conformance with state law;
 - (7) A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and
 - (8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area; and
 - (9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;
- b. Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;
 - c. Require buffering where a tavern, social club, dining club, or brewpub abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;
 - d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and
 - e. Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.
2. If necessary to meet the standards for approval of a conditional use set forth in Section 21A.54.080 of this title, the following conditions may be imposed:

- a. Limit the size and kind of signage located on the outside of any building in conformance with Chapter 21A.46 of this title;
 - b. Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents' enjoyment of their homes; and
 - c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses, and buildings and designating a new area if the potential effects of the area in the security and operations plan appear to adversely affect neighboring residences, businesses, and buildings.
- E. Minimum Area: In the CN and RB zoning districts, an alcohol related establishment shall only be allowed if such zoning district in which the alcohol related establishment is proposed is at least one-half ($1/2$) acre in contiguous area.
- F. Concentration Prohibited: In the CN and RB zoning districts, not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within six hundred feet (600') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. In CB zoning districts, not more than one social club, dining club, brewpub, or tavern shall be located within three hundred fifty feet (350') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point of the property line of one establishment to the nearest point on the property line of the second establishment.

SECTION 8. Amending the text of Salt Lake City Code Section 21A.38.040.B. That Section 21A.38.040.B of the *Salt Lake City Code* (Zoning: Nonconforming Uses and Noncomplying Structures: Nonconforming Uses: Nonconformity of Taverns, Social Clubs, Dining Clubs, Brewpubs or Microbreweries), shall be, and hereby is, amended to read as follows:

- B. Nonconformity of Taverns, Social Clubs, Dining Clubs, or Brewpubs: A legally existing tavern, social club, dining club, or brewpub shall not be deemed nonconforming for purposes of expansion, reconstruction or licensing (as long as the use is permitted in the base zoning district) if the only reason for such nonconformity is due to the subsequent location of a school, church or park within the spacing requirements as specified under requirements of state law.

SECTION 9. Amending the text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended as follows:

- a. That the term “Alcohol, Microbrewery” is hereby deleted; and
- b. That the term, “Small brewery” is hereby added and inserted alphabetically in the List of Terms.

The codifier is instructed to make only these specific changes to the List of Terms comprising Section 21A.60.020 and make no other revisions to that section as part of this ordinance.

SECTION 10. Amending the text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended as follows:

- a. That the definition of the term “ALCOHOL, BREWPUB” is amended to read as follows:

ALCOHOL, BREWPUB: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

- b. That the definition of the term “ALCOHOL, MICROBREWERY” is deleted from the list of definitions.
- c. That the definition of the term “ALCOHOL RELATED ESTABLISHMENT” is amended to read as follows:

ALCOHOL RELATED ESTABLISHMENT: Tavern, social club, dining club, or brewpub.
- d. That the definition of the term “BREWERY” is amended to read as follows:

BREWERY: A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

- e. That the definition of the term “OUTDOOR DINING” is amended to read as follows:
 OUTDOOR DINING: A dining area with seats and/or table(s) located outdoors of a restaurant, brewpub, social club, tavern, market, deli, and other retail sales establishment that sells food and/or drinks, and which is either: a) located entirely outside the walls of the building of the subject business, or b) enclosed on two (2) sides or less by the walls of the building with or without a solid roof cover, or c) enclosed on three (3) sides by the walls of the building without a solid roof cover.
- f. That the definition of the term, “SMALL BREWERY” is hereby added to the definitions and inserted in alphabetical order and shall read as follows:

SMALL BREWERY: A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

SECTION 11. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2015.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2015.
Published: _____.
HB_ATT#47780-v2-Ordinance_breweries_brewpubs.DOCX

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: SEPTEMBER 4, 2015
By: *Paul C. Nielson*
Paul C. Nielson, Senior City Attorney

Attachment: Admin - 3 Ordinance (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

**4. NOTICE OF CITY COUNCIL
HEARING**

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition PLNPCM2015-00151, a request by Mayor Ralph Becker to amend zoning regulations related to establishments that manufacture and sell beer. In recent years there has been an increase in smaller scale craft breweries who also sell their product on-site. The proposed amendments to the Zoning Ordinance relate to how these types of establishments are defined and where they can be located. Related provisions of Title 21A Zoning may also be amended as part of this petition.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Wayne Mills at (801) 535-7282 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at wayne.mills@slcgov.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at council.comments@slcgov.com, 801-535-7600, or relay service 711.

5. MAILING LABELS

Avenues Proper Restaurant and
Publik House
376 8th Ave
Salt Lake City, UT 84103

Desert Edge Brewery
273 Trolley Square
Salt Lake City, UT 84102

Epic Brewing Company
825 S. State St.
Salt Lake City, UT 84111

Red Rock Brewing Co.
254 S 200 W
Salt Lake City, UT 84101

Squatters Pubs and Beers
1763 South 300 West
Salt Lake City, UT 84115

Uinta Brewing
1722 S Fremont Dr.
Salt Lake City, UT 84104

Utah Brewers Cooperative
1763 South 300 West
Salt Lake City, UT 84115

Rio Connelly
376 E. 8th Ave
Salt Lake City, UT 84103

Acacia Coast
449 E. Garfield
Salt Lake City, UT 84115

Philip Handke
2204 S. Wyoming
Salt Lake City, UT 84109

Steve Tobias
2121 S. McClelland #201
Salt Lake City, UT 84106

,
Wayne Mills
PO Box 145480
Salt Lake City, UT 84114-5480

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

Attachment: Admin - 5 Mailing Labels (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

6 A. PLANNING COMMISION

Staff Report



MEMORANDUM

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Wayne Mills, Senior Planner

Date: July 29, 2015

Re: **Petition PLNPCM2015-00151, Breweries and Brewpubs Zoning Text Amendments**

Since noticing the Planning Commission hearing and completing the Planning Commission Staff Report, Planning Staff has been contacted by a representative of the local brewery industry. The representative expressed concern with the proposed definition of Brewpub; particularly the sentence that states, "Bottling and canning is allowed for on-site distribution only and not for wholesale distribution" (see Attachment B in the Staff Report for proposed Brewpub definition). The Brewpub definition proposed in the Planning Commission Staff Report, as well as the current definition in the Zoning Ordinance allows Brewpubs to package their beer in kegs for wholesale distribution.

Currently, some of the brewpubs and microbreweries located in Salt Lake City manufacture small batches of "high point" beer in bottles and cans for distribution to off-site retailers. "High point" beer is beer that exceeds 4.0% alcohol by volume and according to State code can only be sold in bottles or cans.

The intent of the proposed amendments is to simplify the Zoning Code and update zoning regulations according to modern brewery industry standards. It is not the intent to create nonconforming zoning issues for brewpubs and microbreweries that currently operate in Salt Lake City. To that end, Staff proposes that the definition of Brewpub is amended to read as follows:

Alcohol, Brewpub: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

The proposed definition allows off-site distribution of beer in kegs, bottles or cans, which is consistent with current industry standards. Staff is of the opinion that the proposed change would not create adverse impacts to the City. The definition requires that 50% of business revenue must be from food and the square footage limitation in certain zoning districts prohibits these uses from becoming large scale industrial facilities.



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Wayne Mills, Senior Planner
801-535-7282

Date: July 29, 2015

Re: PLNPCM2015-00151, Breweries and Brewpubs Zoning Text Amendments

Zoning Text Amendment

PROPERTY ADDRESS: Not Applicable
PARCEL ID: Not Applicable
MASTER PLAN: Not Applicable
ZONING DISTRICT: Various zoning districts are affected. See report for details.

REQUEST: Mayor Ralph Becker initiated a petition to review zoning regulations related to establishments that manufacture and sell beer. There have been a number of inquiries within recent years for craft breweries who also sell their product on-site. The Planning Division evaluated zoning regulations related to these uses and has developed proposed amendments to the Zoning Ordinance related to how these uses are defined and where they may be located.

RECOMMENDATION: Based on the findings in the staff report, Planning Staff finds the proposal adequately meets the standards for general text amendments. Planning Staff recommends the Planning Commission transmit a positive recommendation for PLNPCM2015-00151 to the City Council to adopt the proposed zoning ordinance text amendments.

MOTION: Based on the findings in the staff report and the discussion heard, I move that the Planning Commission transmit a positive recommendation for PLNPCM2015-00151 to the City Council to adopt the proposed zoning ordinance text amendments.

ATTACHMENTS:

- A. Petition Initiation
- B. Summary of Proposed Zoning Changes
- C. Zoning Ordinance Amendments – Strike and Underline
- D. Analysis of Standards
- E. Public Process and Comments
- F. City Department Comments
- G. Motions

PROJECT DESCRIPTION:

The proposed zoning amendments are in response to the nationwide growth of craft beer breweries and brewpubs. Salt Lake City is following this growth trend, which is evident in the number inquiries for new locations in the City and the number of interpretations of the Zoning Ordinance to determine where they may be located.

Existing zoning regulations provide three land use classifications related to beer manufacturing:

- Breweries are beer manufacturing facilities;
- Brewpubs manufacture beer but must have an associated restaurant; and
- Microbreweries manufacture more beer than brewpubs and also must have an associated restaurant.

Currently, the City Zoning Ordinance does not distinguish between small craft breweries and large industrial breweries. The Zoning Ordinance refers **only to “breweries” as one land use type** and they are allowed only in the manufacturing districts. The ordinance does not address smaller scale breweries that have less impact due to their smaller production rates.

The Zoning Ordinance defines brewpubs and microbreweries according to complicated formulas based on the amount of beer produced for specific purposes. These definitions are confusing and lead to misinterpretations of how the business should be classified from a zoning perspective. The current definitions also state that a business is considered a brewpub or microbrewery if it produces at least seven barrels of beer. If a business produces less than seven barrels of beer, it is not considered a brewpub or microbrewery. This has created difficulty in determining how these businesses are defined in the Zoning Ordinance and where they can be located.

The purpose of the proposed zoning changes are intended to address:

- The difference between large industrial breweries and smaller scale craft breweries;
- The definition of brewpub;
- Where breweries and brewpubs may be located in the City;
- Inconsistencies in zoning interpretations related to breweries and brewpubs; and
- Consistency with State Code.

The following provides a summary of the proposed amendments:

- The proposed amendments create two separate classifications for breweries according to the scale of the facilities. Large scale breweries would be allowed in the manufacturing districts and heavy commercial district. Smaller scale breweries would be allowed in additional zoning districts that allow low intensity industrial uses or have strict design criteria.
- Simplify the definition of brewpub and eliminate the microbrewery land use classification. Any use that is a restaurant type facility that makes beer would fall under the brewpub classification.
- Allow brewpubs as permitted uses in all of the Downtown, Form Based, Manufacturing, and Business Park zoning districts.

Attachment A provides specific details on the proposed changes to the Zoning Ordinance.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Economic benefits.
2. Request to allow Small Breweries in the D1 and MU zoning districts.
3. Can you drink in Breweries?
4. How to calculate the floor area for Brewpubs less than 2,500 square feet in floor area.
5. Implementing the Purpose and Intent of the Zoning Ordinance
6. Master Plan Policies

Issue 1: Economic Benefits

A positive benefit of allowing more small craft breweries is the economic benefit to the region. According to the Brewers Association (www.brewersassociation.org), “Small and independent

American craft brewers contributed \$33.9 billion to the U.S. economy in 2012. The industry also provided more than 360,000 jobs, with 108,440 jobs directly at breweries and brewpubs, including serving staff at brewpubs.”

The Breweries Association also states that there were 16 craft breweries in Utah in 2012 and the number has grown to 20 in 2014. In 2012, craft breweries had a \$255.2 million impact in the State of Utah.

Issue 2: Request to allow Small Breweries in the D1 and MU zoning districts

During the public engagement period of this project, a request was made to allow Small Breweries in the D1 Central Business and MU Mixed Use zoning districts. Planning Staff recommends that small breweries not be permitted in these districts.

The following are the purpose statements for the D1 and MU zoning districts:

*The purpose of the **D-1 central business district** is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are intended to foster a twenty four (24) hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented toward the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban design, pedestrian amenities and land use control.*

*The purpose of the **MU mixed use district** is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain nonresidential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.*

A small brewery is an industrial use where the main function of the facility is to manufacture beer. Planning Staff is of the opinion that the manufacturing uses are not appropriate in the D1 and MU zones.

The purpose of the D1 district is to support very high density development and uses that support this density. Brewpubs, which are beer manufacturing facilities are allowed in the D1 district; however, brewpubs must have an associated restaurant. The associated restaurant contributes to the active environment of the Central Business District. Although manufacturing uses are vital to the City, they are not currently allowed in the D1 district due to their potential impacts on the urban, mixed-use environment.

The MU district purpose statement states that the focus of this district is create a residential environment, with a high level of control over limited commercial uses. The commercial uses that are allowed in the MU are generally limited to retail, restaurant and other service type uses. Industrial and manufacturing uses are not allowed in the MU zone due to the potential impacts they may have on residential uses.

Issue 3: Can you drink in Breweries?

Questions have come up in the past regarding whether or not a brewery can have an associated “tap room” or place where patrons can purchase and drink their product. The answer is yes, if the associated use is also allowed in the zoning district. For example, in zoning districts where a brewery and a tavern are allowed, a facility can obtain both a brewery and a tavern license as long as the facility meets all necessary building code and zoning regulations for each use.

Issue 4: How to calculate the floor area for Brewpubs less than 2,500 square feet in floor area.

During the project review phase, a representative from the Building Services Division stated that there has been confusion in interpreting how to calculate the size of alcohol establishments that have a 2,500 square foot floor area limitation.

The land use tables in the Zoning Ordinance provide two different categories for Brewpubs, and other alcohol related establishments; those that are 2,500 square feet or less in floor area, and those that are more than 2,500 square feet in floor area.

The Zoning Ordinance provides the following definition for determining the size of an establishment:

FLOOR AREA, GROSS: "Gross floor area" (for determining size of establishment) means the sum of the gross horizontal area of all floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall include basement floor area, penthouses, attic space having headroom of seven feet (7') or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses. Space devoted to open air off street parking or loading shall not be included in floor area.

The definition of floor area states that the size of an establishment is measured according to the size of the building it is located in. This definition has created confusion where an establishment only occupies a portion of a building, not the entire building. In these instances, the Zoning Administrator has made an interpretation stating that the size of the establishment is measured as the leasable area of that particular use.

There are many instances of the Zoning Ordinance where a regulation is based on the gross floor area of a use. The floor area definition may need to be changed; however, that is outside of the scope of this project. The Planning Division has noted that the definition should be reviewed and will do so as part of another project. In the meantime, the Zoning Administrator’s interpretation of how the size of an establishment is measured stands.

Issue 5: Implementing the Purpose and Intent of the Zoning Ordinance

All zoning amendments should be made for the purpose of implementing the purpose and intent of the Zoning Ordinance stated as follows:

The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes. This title is, in addition, intended to:

- A. Lessen congestion in the streets or roads;*
- B. Secure safety from fire and other dangers;*
- C. Provide adequate light and air;*
- D. Classify land uses and distribute land development and utilization;*
- E. Protect the tax base;*
- F. Secure economy in governmental expenditures;*
- G. Foster the city's industrial, business and residential development; and*
- H. Protect the environment.*

The purpose of the amendments is to align land use regulations with the modern craft beer industry. As stated above, the craft beer industry provides a positive contribution to the local economy; therefore, the proposed amendments would **help foster the city's industrial and business development** (see item G above).

Issue 6: Master Plan Policies

The proposed zoning amendments are not site specific; therefore, there are no specific community master plan policies that are applicable to the proposal. The Salt Lake City Vision and Strategic Plan (adopted in 1993) provides an overall vision statement for the City:

We envision Salt Lake City as a prominent sustainable city: the international crossroads of western America, blending family life styles, vibrant artistic and cultural resources, and a strong sense of environmental stewardship with robust economic activity to create a superb place for people to live, work, grow, invest and visit.

The amendments provide the opportunity for smaller, locally owned craft breweries to locate in more areas of the City. These facilities contribute to the local economy and to the vibrancy of mixed-use neighborhoods, **which is consistent with Salt Lake City's vision of developing a "robust economic activity to create a superb place for people to live, work, grow, invest and visit."**

DISCUSSION:

The proposal complies with the standards for zoning text amendments. After analyzing the proposal and the applicable standards, Planning Staff is of the opinion that a positive recommendation should be forwarded to the City Council for this request.

NEXT STEPS:

The City Council has the final authority to make changes to the text of the Zoning Ordinance. The recommendation of the Planning Commission for this request will be forwarded to the City Council for their review and decision.

ATTACHMENT A: Petition Initiation

See following page.

FEB 27 2015

Nick



Petition Initiation Request

Planning Division
Community & Economic Development Department

SCANNED TO: Mayo
SCANNED BY: Nick
DATE: 2/27/15

To: Mayor Becker
From: Nora Shepard, Planning Director *NLS*
Date: February 26, 2015
CC: David Everitt, Chief of Staff; Jill Love, Deputy Chief of Staff, Mary DeLaMare-Schaefer, Community and Economic Development Acting Director; file
Re: Initiate Petition to address amendments to Alcohol Regulations.

This memo is to request that you initiate a petition directing the Planning Division to analyze the appropriateness of amending the Zoning Ordinance to address changes to the Alcohol Regulations.

Over the past few years, the State has made changes to the regulations relating to manufacturing of alcohol that has lead to more people seeking approvals for alcohol establishments in the City. However, there are regulations within the Zoning Ordinance which make it difficult for entrepreneurs to start such businesses in the City. For example, the City definition of a brewpub requires that the minimum amount of beer brewed is seven barrels. If an establishment brews fewer than seven barrels it does not meet the definition but there is not another classification for it.

As part of the process, the Planning Division will follow the City adoption process for zoning text amendments which includes citizen input and public hearings with the Planning Commission and City Council.

If you have any questions, please contact me.

Thank you.

Concurrence to initiate the zoning text amendment petition as noted above.

Ralph Becker, Mayor

3/3/15

Date

ATTACHMENT B: Summary of Proposed Zoning Changes

See following pages.



Breweries and Brewpubs

Proposed Changes to the Salt Lake City Zoning Ordinance

Background

- There is a nationwide increase in small craft brewers.
- Salt Lake City Zoning regulations do not adequately address these establishments.

What we are Trying to Address

- Where breweries can be located in Salt Lake City?
- The zoning definition of Brewpub.
- Clarify and simplify zoning definitions.
- Consistency with State Code.

Summary of Proposed Zoning Changes

- Create two separate classifications for breweries according to the scale of the facilities. Large scale breweries would be allowed in the manufacturing districts and heavy commercial district. Smaller scale breweries would be allowed in additional zoning districts that allow low intensity industrial uses.
- Simplify the definition of brewpub and eliminate the microbrewery land use classification. Any use that is a restaurant type facility that makes beer would fall under the brewpub classification.

Document Content

The following pages provide details on the proposed changes to the Salt Lake City Zoning Ordinance. Each section provides the current zoning definition of the establishment type, the proposed definition change, and the reason for the change.

Each section also contains a table showing the zoning districts where the establishment type is currently allowed and where it is proposed to be allowed. The (p) following the zoning district classification represents a "Permitted Use" and the (c) represents a "Conditional Use". Permitted Uses are allowed by-right and Conditional Uses require approval from the Salt Lake City Planning Commission. A map is included in each section showing the zoning districts where each establishment would be allowed under the proposed zoning changes.

Project Staff Contact:

Wayne Mills, Senior Planner
 Phone: 801-535-7282
 Email: wayne.mills@slcgov.com

BREWERY

Current Definition

A business establishment that manufactures beer, heavy beer, or malt liquor for off premises consumption, not to include those alcoholic beverages produced in a distillery or winery.

Proposed Definition

A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

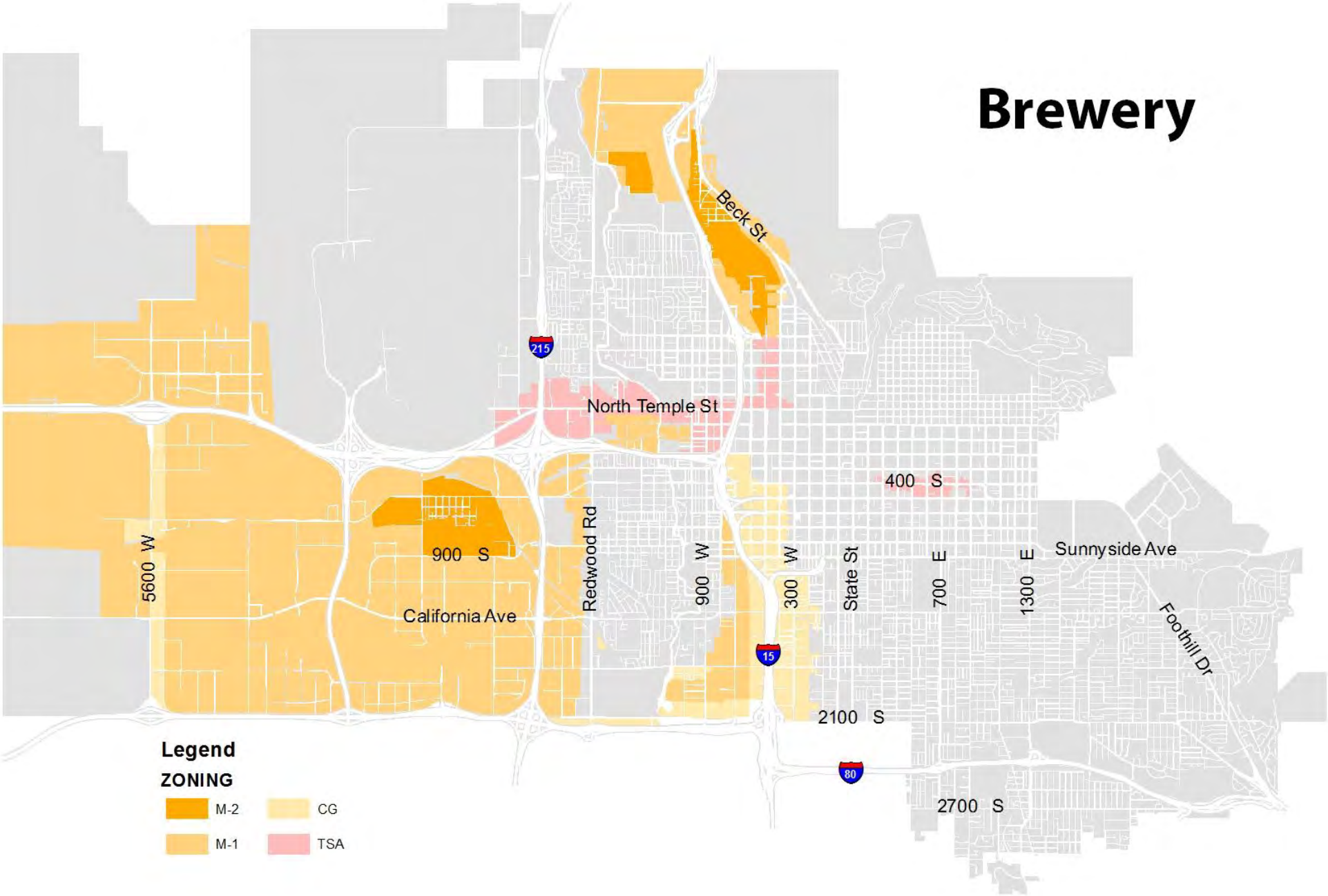
Proposed Zoning Districts

Currently allowed in:	M-1(p)	M-2(p)	TSA (p)	
Proposed:	M-1(p)	M-2(p)	TSA (p)	CG(p)

Reason for Change

- Consistency with State Code
- Purpose of the CG district is to allow for heavy commercial and low intensity manufacturing uses. Distilleries are allowed in the CG district, which is a similar land use.

Brewery



Legend
ZONING

 M-2	 CG
 M-1	 TSA

SMALL BREWERY

Current Definition

Not currently defined in the Zoning Ordinance.

Proposed Definition

A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

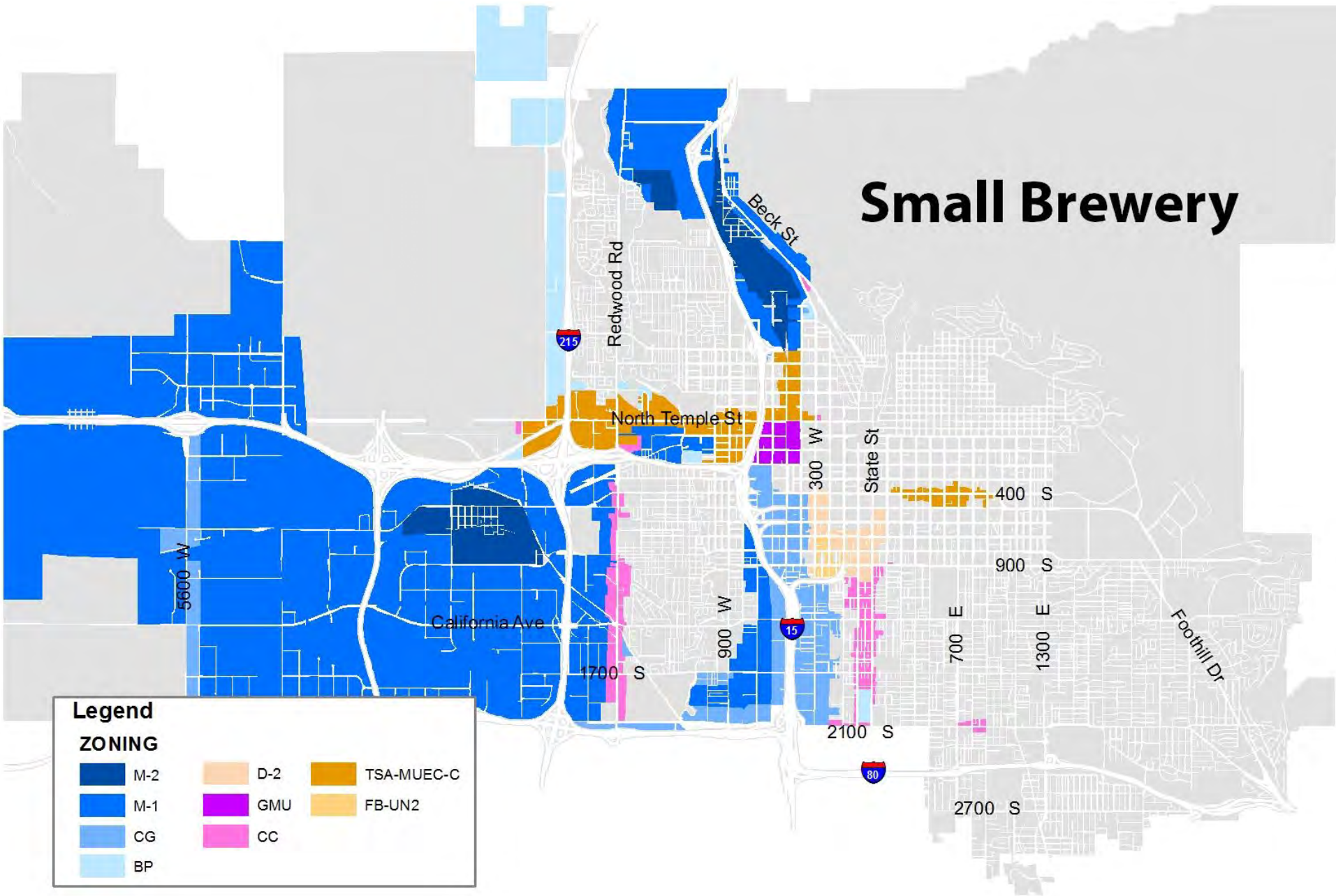
Proposed Zoning Districts










Currently allowed in:	Not currently a use in the Zoning Ordinance									
Proposed:	M-2(p)	M-1(p)	TSA (p)	CG(p)	CC(c)	FB-UN2(p)	D2(c)	G-MU(c)	BP(c)	

Reason for Change

There has been a nationwide emergence of smaller, craft beer breweries. The Zoning Ordinance currently does not distinguish between smaller scale breweries and large industrial type breweries; therefore, breweries are currently allowed only in the heavier manufacturing type districts.

Small Brewery



Legend					
ZONING					
	M-2		D-2		TSA-MUEC-C
	M-1		GMU		FB-UN2
	CG		CC		
	BP				

BREW PUB

Current Definition

A restaurant type establishment that also has a beer brewery, producing beer in batch sizes not less than seven (7) U.S. barrels (31 gallons), on the same property which produces only enough beer for sale and consumption on site or for retail carryout sale in containers holding less than two liters (2 l) or for wholesale as outlined in subsections D and E of this definition. Automated bottle or canning production is prohibited. At least fifty percent (50%) of the beer sold shall be brewed on the premises. Revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues, excluding retail carryout sales of beer. Brewpubs are limited to a total brewing capacity of two thousand five hundred (2,500) barrels per year or one hundred twenty (120) barrels of fermentation at any one time, whichever is less. Brewpubs may sell beer in keg (larger than 2 liters) containers for the following purposes and in the following amounts:

- A. An unlimited number of kegs (not to exceed 2,500 barrel capacity) for "brew fests" which, for the purpose of this definition, means events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three (3) such brewers;
- B. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events sponsored by charitable organizations exempt from federal income tax pursuant to 26 USC section 501(c)(3) or its successor; and
- C. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events operating under a single event license from the state and the city where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event sponsor but is, instead, dispensed by employees of the brewpub;
- D. Unlimited distribution to other restaurants of same ownership or control (not to exceed 2,500 barrel capacity). "Ownership or control" means more than fifty percent (50%) ownership in the actual business or controlling interest in any management partnership; and
- E. No more than five hundred (500) barrels for wholesale distribution (not to exceed 2,500 barrel capacity).

[The land use tables in the Zoning Ordinance provide two different categories for Brewpubs; those that are 2,500 square feet or less in floor area, and those that are more than 2,500 square feet in floor area.]

Proposed Definitions

A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Bottling and canning is allowed for on-site distribution only and not for wholesale distribution. Brewpubs may sell their product in kegs for wholesale distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

Proposed Zoning Districts

2,500 Square Feet or Less in Floor Area

Currently allowed in:	RMU-35 (c)	RMU-45(c)	RMU(c)	CB(c)	CS(p)	CC(p)	CSHBD(p)	CG(p)
Proposed:	RMU-35 (c)	RMU-45(c)	RMU(c)	CB(c)	CS(p)	CC(p)	CSHBD(p)	CG(p)

(2,500 Square Feet or Less in Floor Area)

Currently allowed in:	TSA(p)	FBUN2(p)	GMU(p)	MU(c)	GMU(p)	D1(p)	D2(c)	D3(c)	D4(p)
Proposed:	TSA(p)	FBUN2(p)	GMU(p)	MU(c)	GMU(p)	D1(p)	D2(p)	D3(p)	D4(p)

(2,500 Square Feet or Less Cont.)

Currently allowed in:	TC75(p)	M1(c)	M2(c)			
Proposed:	TC75(p)	M1(p)	M2(p)	BP(p)	FB-SC	FB-SE

No Maximum Floor Area Limitation

Currently allowed in:	CS(p)	CC(c)	CSHBD(p)	CG(p)	TC-75(p)	TSA(p)	D1(p)	D2(c)	D3(c)	D4(p)
Proposed:	CS(p)	CC(c)	CSHBD(p)	CG(p)	TC-75(p)	TSA(p)	D1(p)	D2(p)	D3(p)	D4(p)

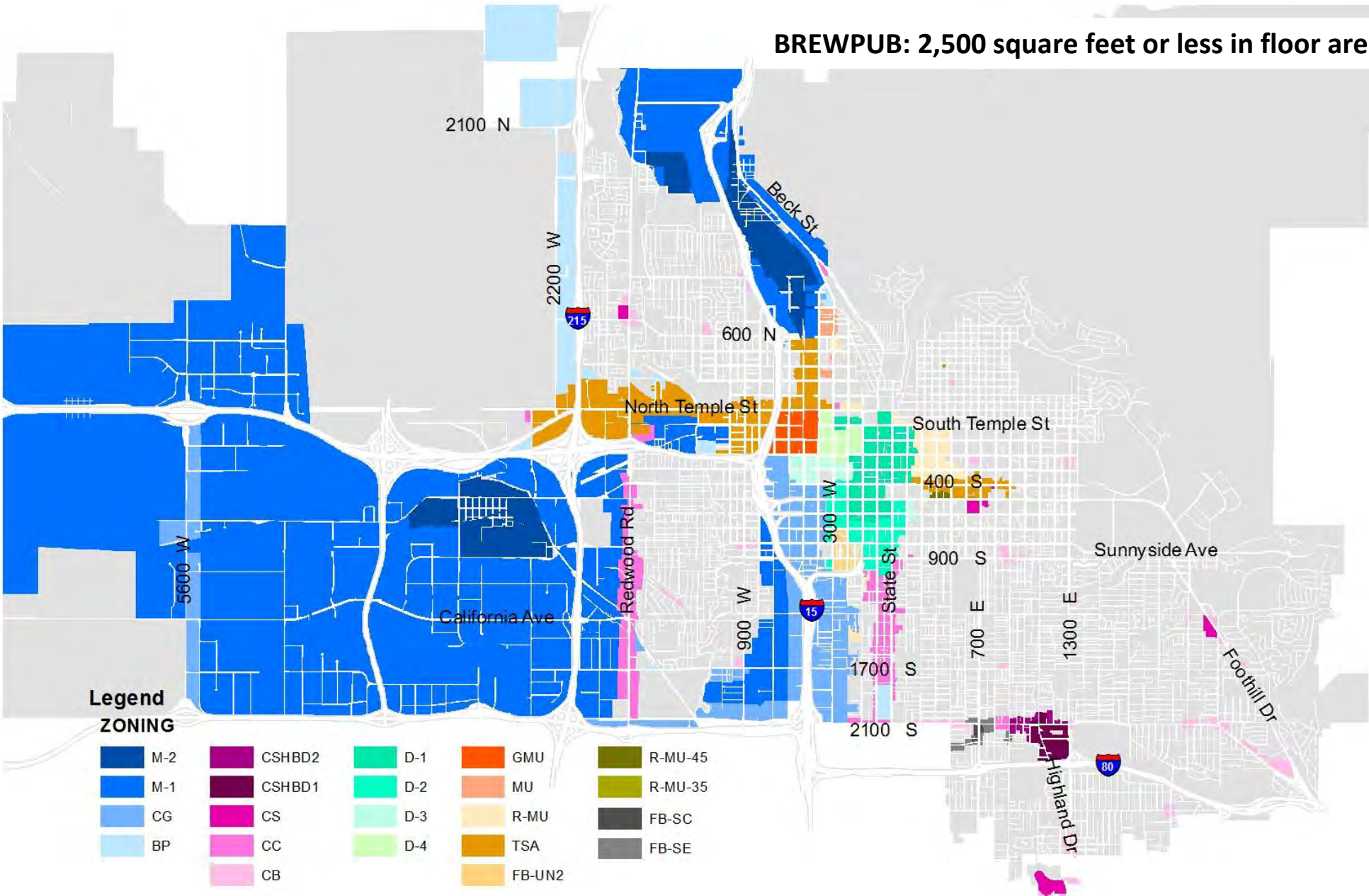
(No Maximum Floor Area Limitation Cont.)

Currently allowed in:	GMU(p)	M1(c)	M2(c)				
Proposed:	GMU(p)	M1(p)	M2(p)	BP(p)	FB-SC	FB-SE	FBUN2(p)

Reason for Change

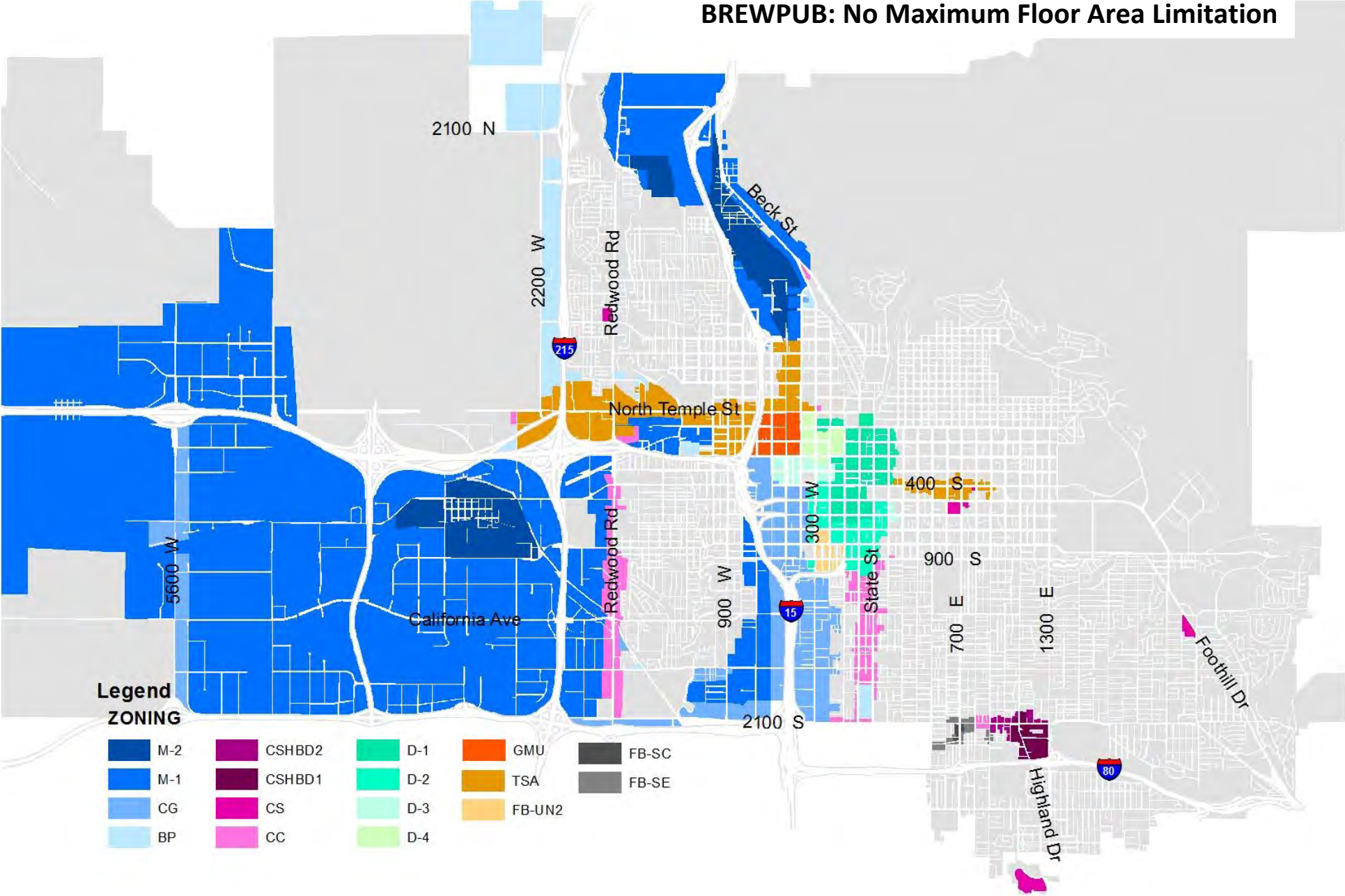
- Brewpub definition is overly complicated and not related to land use.
- According to the current definition, to be considered a brewpub or microbrewery, a facility must brew at least 7 barrels. There is no classification for facilities that brew less than 7 barrels.
- The “microbrewery” classification would be eliminated with this proposal and what are now considered microbreweries, would be classified as brewpubs.

BREW PUB: 2,500 square feet or less in floor area



Attachment: Admin - 6A Planning Commission Staff Report (1359 : Ordinance: Citywide Breweries Zoning

BREW PUB: No Maximum Floor Area Limitation



Legend ZONING

- | | | | | |
|-----|--------|-----|--------|-------|
| M-2 | CSHBD2 | D-1 | GMU | FB-SC |
| M-1 | CSHBD1 | D-2 | TSA | FB-SE |
| CG | CS | D-3 | FB-UN2 | |
| BP | CC | D-4 | | |

MICROBREWERY

Current Definition

A brewpub which, in addition to retail sale and consumption on site, markets beer wholesale in an amount not to exceed sixty thousand (60,000) barrels (31 gallons) per year. Revenue from food sales must constitute at least fifty percent (50%) of the total business revenues, excluding wholesale and retail carryout sales of beer.

Proposed Definition

None. Proposal is to eliminate Microbrewery as a land use classification.

Proposed Zoning Districts

Currently allowed in:	M-1(c)	M-2(c)	TSA (p)	CG(p)	FBUN2(p)	D1(c)	D2(c)	D3(c)	D4(c)
Proposed:	None								

Reason for Change

- Do not need a separate land use classification for microbreweries. Any facility that brews beer and is a restaurant should be classified as a brewpub, and should be regulated according to the size of the establishment.
- Simplify the Zoning Ordinance by eliminating a land use type.

ATTACHMENT C: Zoning Ordinance Amendments – Strike and Underline

See following pages.

21A.27.050: FB-UN1 AND FB-UN2 FORM BASED URBAN NEIGHBORHOOD DISTRICT:

TABLE 21A.27.050N
PERMITTED USES

Use	FB-UN1	FB-UN2
Accessory use, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P
Alcohol:		
Brewpub		P
Liquor store		P
Microbrewery	-	P
Social club		P
Tavern or brewpub , 2,500 square feet or less in floor area		P
Animal, veterinary office		P
Antenna, communication tower		P
Art gallery		P
Bed and breakfast	P	P
Bed and breakfast inn	P	P
Bed and breakfast manor	P	P
Clinic (medical, dental)		P
Community garden	P	P
Community recreation center		P
Daycare center, adult		P
Daycare center, child		P
Dwelling:		
Assisted living facility (large)		P
Assisted living facility (small)	P	P
Group home (large)		P
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage		P

	Multi-family		P
	Residential substance abuse treatment home (large)		P
	Residential substance abuse treatment home (small)		P
	Rooming (boarding) house		P
	Single-family attached	P	P
	Single-family detached	P	P (If part of cottage development)
	Single room occupancy		P
	Transitional victim home (large)		P
	Transitional victim home (small)		P
	Two-family	P	
	Eleemosynary facility		P
	Farmers' market		P
	Financial institution		P
	Food processing		P
	Funeral home		P
	Health and fitness facility		P
	Hotel/motel		P
	House museum in landmark site	P	P
	Laboratory (medical, dental, optical)		P
	Library		P
	Mixed use developments including residential and other uses allowed in the zoning district		P
	Museum		P
	Nursing care facility		P
	Office		P
	Office and/or reception center in landmark site		P
	Open space	P	P

Park	P	P
Parking, off site	p ¹	p ¹
Place of worship		P
Plazas	P	P
Recreation (indoor)		P
Research and development facility		P
Research facility (medical/dental)		P
Restaurant		P
Retail goods establishment		P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P
Retail service establishment		P
Sales and display (outdoor)		P
School:		
College or university		P
Music conservatory		P
Professional and vocational		P
Seminary and religious institute		P
Seasonal farm stand		P
Small Brewery		P
Solar array		P
Store, specialty		P
Studio, art		P
Theater, movie		P
Urban farm	P	P
Utility, building or structure	P	P
Utility, transmission wire, line, pipe, or pole	P	P
Vending cart, private property		P
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)		P

21A.33.030:TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District							
	CN	CB	CS ¹	CC	CSHBD ¹	CG	TC-75	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	P ⁸	
Alcohol:								
Brewpub (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Brewpub (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12,13}	C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Dining club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Distillery						P ¹⁹		
- Microbrewery-	-	-	-	-	-	P	-	-
Social club (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Social club (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Tavern (2,500 square feet or less in floor area)		C ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	
Tavern (more than 2,500 square feet in floor area)			P ¹²	C ¹²	P ¹²	P ¹²	P ¹²	
Ambulance service (indoor)			P	P	P	P	P	
Ambulance service (outdoor)			P ⁷	P ⁷	P ⁷	P		
Amusement park			P			P		

Animal:								
Cremation service				P		P		
Kennel						P		
Pet cemetery						p ⁴		
Veterinary office	C	P	P	P	P	P	C	
Antenna, communication tower		P	P	P	P	P	P	
Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	C	
Art gallery	P	P	P	P	P	P	P	P
Auction (outdoor)				P		P		
Auditorium			P	P	P	P	P	
Bakery, commercial						P		
Bed and breakfast	P	P	P	P	P	P	P	p ¹⁷
Bed and breakfast inn	P	P	P	P	P	P	P	
Bed and breakfast manor	C ³	C ³		P	P	P	P	
Blacksmith shop						P		
Blood donation center				C		P		
Brewery						p		
Bus line station/terminal				P		P	C	
Bus line yard and repair facility						P		
Car wash			P	P		P	C	
Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	C	
Check cashing/payday loan business				p ¹⁰		p ¹⁰		
Clinic (medical, dental)	P	P	P	P	P	P	P	
Community correctional facility, large								
Community correctional facility, small						C ^{9,14}		
Community garden	P	P	P	P	P	P	P	P

Contractor's yard/office				C		P		
Crematorium			C	C	C	C	C	
Daycare center, adult	P	P	P	P	P	P	P	
Daycare center, child	P	P	P	P	P	P	P	
Daycare, registered home daycare or preschool								P
Dwelling:								
Assisted living facility (large)		P		P	P	P	P	
Assisted living facility (small)		P		P	P	P	P	P
Group home (large)		P		C		C	P	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	P	
Manufactured home								P
Multi-family		P	P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	C	
Residential substance abuse treatment home (small)				C		C	C	
Rooming (boarding) house		P	P	P	P	P	P	
Single-family attached								P
Single-family detached								P
Single room occupancy							p ⁶	
Transitional victim home (large)				C		C	C	
Transitional victim home (small)				C		C	C	
Twin home								P
Two-family								P
Eleemosynary facility		P					P	
Equipment rental (indoor and/or outdoor)				P		P		
Farmers' market			C	C	P	P	C	

Financial institution	P	P	P	P	P	P	P	
Financial institution with drive-through facility		p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	
Flea market (indoor)			P	P	P	P	C	
Flea market (outdoor)						P		
Funeral home			P	P	P	P	C	
Gas station		C	P	P	P	P		
Government facility		C	C	C	C	C	C	C
Government facility requiring special design features for security purposes	P	P	P	P	P	P	P	
Homeless shelter						C		
Hotel/motel		C		P	P	P	C	
House museum in landmark sites (see subsection 21A.24.010T of this title)								C
Impound lot						C ¹⁴		
Industrial assembly						P		
Intermodal transit passenger hub						P		
Laboratory (medical, dental, optical)			P	P		P		
Laboratory, testing			P	P		P	P	
Large wind energy system		P		P		P	P	
Laundry, commercial						P		
Library	P	P	P	P	P	P	P	C
Limousine service (large)						P		
Limousine service (small)		C		C		P		
Manufactured/mobile home sales and service						P		
Mixed use development	P	P	P	P	P	P	P	p ¹⁵
Mobile food business (operation on private property)	P	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C	C
Museum	P	P	P	P	P	P	P	P

Nursing care facility		P		P		P	P	
Office	P	P	P	P	P	P	P	p ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)								C
Open space	P	P	P	P	P	P	P	
Open space on lots less than 4 acres in size								P
Park	P	P	P	P	P	P	P	
Parking:								
Commercial				C	P	P	C	
Off site	C	P	P	P	P	P	C	
Park and ride lot		C	C	P		P	C	
Park and ride lot shared with existing use		P	P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	P	
Reception center		P	P	P	P	P		
Recreation (indoor)	P	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	C	
Recreational vehicle park (minimum 1 acre)				C				
Recycling collection station	P	P	P	P	P	P		
Research and development facility							P	
Restaurant	P	P	P	P	P	P	P	
Restaurant with drive-through facility		p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	
Retail goods establishment	P	P	P	P	P	P	P	p ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P	P
With drive-through facility		p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	
Retail service establishment	P	P	P	P	P	P	P	p ¹⁶
Furniture repair shop	C	P	P	P	P	P	P	

	With drive-through facility		p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	
	Reverse vending machine	P	P	P	P	P	P	P	
	Sales and display (outdoor)	P	P	P	P	P	P	C	
	School:								
	College or university		P	P	P	P	P	P	
	Music conservatory		P	P	P	P	P	P	
	Professional and vocational		P	P	P	P	P	P	
	Seminary and religious institute		P	P	P	P	P	P	C
	Seasonal farm stand	P	P	P	P	P	P	P	
	Sexually oriented business						p ⁵		
	Sign painting/fabrication						P		
	Small Brewery				<u>c</u>		<u>p</u>		
	Solar array						P		
	Storage (outdoor)				C		P		
	Storage, public (outdoor)				C		P		
	Storage, self				P		P	C	
	Store:								
	Department			P		P			
	Mass merchandising			P		P	P		
	Pawnshop						P		
	Specialty			P	P	P	P		
	Superstore and hypermarket			P			P		
	Warehouse club						P		
	Studio, art	P	P	P	P	P	P	P	P
	Studio, motion picture						P		
	Taxicab facility						P		
	Theater, live performance		p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	
	Theater, movie		C	P	P	P	P	P	

Urban farm	P	P	P	P	P	P	P	
Utility, building or structure	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²
Utility, transmission wire, line, pipe, or pole	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²
Vehicle:								
Auction						P		
Automobile repair (major)				P		P	C	
Automobile repair (minor)	C	P	P	P	P	P	P	
Automobile sales/rental and service				P		P		
Automobile salvage and recycling (indoor)						P		
Boat/recreational vehicle sales and service				P		P		
Truck repair (large)						P		
Truck sales and rental (large)				P		P		
Vending cart, private property					P			
Warehouse				P		P		
Welding shop						P		
Wholesale distribution				P		P		
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)								C
Woodworking mill						P		

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection [21A.26.060D](#) and chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection [21A.02.050B](#) of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections [21A.24.010T](#) and [21A.26.010K](#) of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in section [21A.36.140](#) of this title.
6. Subject to location restrictions as per section [21A.36.190](#) of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of

the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.

9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.

10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.

11. Subject to conformance to the provisions in section [21A.40.060](#) of this title for drive-through use regulations.

12. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.

13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.

14. Prohibited within 1,000 feet of a single- or two-family zoning district.

15. Residential units may be located above or below first floor retail/office.

16. Construction for a nonresidential use shall be subject to all provisions of subsections [21A.24.160](#) and J of this title.

17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.

18. Medical and dental offices are not allowed in the SNB zoning district.

19. Permitted in the CG zoning district only when associated with an on site food service establishment.

21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C	C ⁷
Agricultural use	P	P
Alcohol:		
- Brewery	P	P
Brewpub	CP ^{6,10}	CP ^{6,10}
Distillery	P	P

-	Microbrewery	€ ^{6,10} ₋	€ ^{6,10} ₋
	Social club	C ^{6,10}	C ^{6,10}
	Tavern	C ^{6,10}	C ^{6,10}
	Winery	P	P
Ambulance services (indoor and/or outdoor)		P	P
Animal:			
	Cremation service	P	P
	Kennel	P	P
	Pet cemetery	p ²	p ²
	Pound	p ¹²	p ¹²
	Raising of furbearing animals	C	P
	Stockyard	C ¹²	p ¹²
	Veterinary office	P	P
Antenna, communication tower		P	P
Antenna, communication tower, exceeding the maximum building height		C	C
Bakery, commercial		P	P
Blacksmith shop		P	P
Bottling plant		P	P
Brewery		P	P
Building materials distribution		P	P
Bus line station/terminal		P	P
Bus line yard and repair facility			P
Check cashing/payday loan business		p ⁹	
Chemical manufacturing and/or storage			C
Community correctional facility, large (see section 21A.36.110 of this title)		C ^{8,12}	
Community correctional facility, small (see section 21A.36.110 of this title)		C ^{8,12}	
Community garden		P	
Concrete and/or asphalt manufacturing		C ¹²	p ¹²
Contractor's yard/office		P	P

Crematorium	P	P
Daycare center, adult	P	
Daycare center, child	P	
Drop forge industry		P
Dwelling, living quarters for caretaker or security guard, limited to uses on lots 1 acre in size or larger and is accessory to a principal use allowed by the zoning district	P	P
Equipment, heavy (rental, sales, service)	P	P
Equipment rental (indoor and/or outdoor)	P	P
Explosive manufacturing and storage		C ¹²
Financial institution with or without drive-through facility	p ¹¹	
Flammable liquids or gases, heating fuel distribution and storage		p ¹²
Food processing	P	P
Gas station	P	P
Government facility	P	P
Government facility requiring special design features for security purposes	P	P
Grain elevator		P
Greenhouse	P	
Heavy manufacturing		p ¹²
Hotel/motel	P	
Impound lot	p ¹²	p ¹²
Incinerator, medical waste/hazardous waste		C ¹²
Industrial assembly	P	P
Laboratory (medical, dental, optical)	P	
Laboratory, testing	P	P
Large wind energy system	P	P
Laundry, commercial	P	P
Light manufacturing	P	P
Limousine service	P	P
Mobile food business (operation in the public right of way)	P	P

Mobile food business (operation on private property)	P	P
Mobile food court	P	P
Office	P	
Office, publishing company	P	
Open space	P	P
Package delivery facility	P	P
Paint manufacturing		P
Parking:		
Off site	P	P
Park and ride lot	P	P
Park and ride lot shared with existing use	P	P
Photo finishing lab	P	P
Poultry farm or processing plant		p ¹²
Printing plant	P	
Radio, television station	P	
Railroad, freight terminal facility	C ^{4,12}	C ^{4,12}
Railroad, repair shop		P
Recreation (indoor)	P	
Recreation (outdoor)	P	
Recycling:		
Collection station	P	P
Processing center (indoor)	P	P
Processing center (outdoor)	C ¹²	p ¹²
Refinery, petroleum products		C ¹²
Restaurant with or without drive-through facilities	p ¹¹	
Retail goods establishment with or without drive-through facility	p ¹¹	
Retail service establishment:		
Electronic repair shop	P	
Furniture repair shop	P	P

	Upholstery shop	P	
	Rock, sand and gravel storage and distribution	C	P
	School:		
	Professional and vocational (with outdoor activities)	P	
	Professional and vocational (without outdoor activities)	P	
	Seminary and religious institute	P	
	Seasonal farm stand	P	P
	Sexually oriented business	p ⁵	
	Sign painting/fabrication	P	P
	Slaughterhouse		p ¹²
	<u>Small Brewery</u>	<u>P</u>	<u>P</u>
	Solar array	P	P
	Storage and display (outdoor)	P	P
	Storage, public (outdoor)	P	P
	Store, convenience	P	P
	Studio, motion picture	P	
	Taxicab facility	P	P
	Tire distribution retail/wholesale	P	P
	Truck freight terminal	p ¹²	p ¹²
	Urban farm	P	P
	Utility:		
	Building or structure	P	P
	Electric generation facility	C ^{3,12}	C ^{3,12}
	Sewage treatment plant	C	P
	Solid waste transfer station	C ¹²	p ¹²
	Transmission wire, line, pipe or pole	p ¹	p ¹
	Vehicle:		
	Auction	P	P
	Automobile and truck repair	P	P

Automobile and truck sales and rental (including large truck)	P	P
Automobile part sales	P	P
Automobile salvage and recycling (indoor)	P	P
Automobile salvage and recycling (outdoor)	C ¹²	P ¹²
Recreational vehicle (RV) sales and service	P	P
Truck repair (large)	P	P
Vending cart, private property	P	P
Warehouse	P	P
Welding shop	P	P
Wholesale distribution	P	P
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)		
Woodworking mill	P	P

Qualifying provisions:

1. See subsection [21A.02.050B](#) of this title for utility regulations.
2. Subject to Salt Lake Valley health department approval.
3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility may be located within a 5 mile radius of any other existing railroad freight terminal facility.
5. Pursuant to the requirements set forth in section [21A.36.140](#) of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub or microbrewery, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than $\frac{1}{2}$ mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in section [21A.40.060](#) of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	p ⁴
Alcohol:				
Brewpub (indoor)	p ⁶	CP ⁶	CP ⁶	p ⁶
Brewpub (outdoor)	p ⁶	CP ⁶	CP ⁶	p ⁶
Dining club (indoor)	p ⁶	C ⁶	C ⁶	p ⁶
Dining club (outdoor)	p ⁶	C ⁶	C ⁶	p ⁶
- Microbrewery-	CP ⁶	CP ⁶	CP ⁶	CP ⁶
Social club (indoor)	p ⁶	C ⁶	C ⁶	p ⁶
Social club (outdoor)	p ⁶	C ⁶	C ⁶	p ⁶
Tavern (indoor)	p ⁶	C ⁶	C ⁶	p ⁶
Tavern (outdoor)	p ⁶	C ⁶	C ⁶	p ⁶
Animal, veterinary office		P	P	
Antenna, communication tower	P	P	P	P
Antenna, communication tower, exceeding the maximum building height	C	C	C	C
Art gallery	P	P	P	P
Bed and breakfast	P	P	P	P
Bed and breakfast inn	P	P	P	P
Bed and breakfast manor	P	P	P	P
Blood donation center		P		
Bus line station/terminal	p ⁷	p ⁷	p ⁷	p ⁷

Attachment: Admin - 6A Planning Commission Staff Report (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Bus line yard and repair facility		P		
Car wash		p ³		
Check cashing/payday loan business	p ⁵			
Clinic (medical, dental)	P	P	P	P
Community garden	P	P	P	P
Convention center				P
Crematorium	P	P	P	
Daycare center, adult	P	P	P	P
Daycare center, child	P	P	P	P
Dwelling:				
Artists' loft/studio	P	P	P	P
Group home (large)		C	C	
Group home (small)	P	P	P	P
Multi-family	P	P	P	P
Residential substance abuse treatment home (large)		C	C	
Residential substance abuse treatment home (small)		C	C	
Transitional victim home (large)		C	C	
Transitional victim home (small)		C	C	
Eleemosynary facility	P	P	P	P
Exhibition hall				P
Farmers' market			P	
Financial institution	P	P	P	P
Financial institution with drive-through facility		p ⁸		p ⁸
Funeral home	P	P	P	
Gas station		P	p ⁷	p ⁷
Government facility	C	C	C	C
Government facility requiring special design features for security purposes			p ⁷	p ⁷
Heliport, accessory	C	C		C
Homeless shelter		C	C	

Hotel/motel	P	P	P	P
Industrial assembly		C	C	
Laboratory (medical, dental, optical)	P	P	P	P
Laundry, commercial		P		
Library	P	P	P	P
Limousine service		P		
Manufacturing and processing, food		P		
Mixed use development	P	P	P	P
Mobile food business (operation in the public right of way)	P	P	P	P
Mobile food business (operation on private property)	P	P	P	P
Mobile food court	P	P	P	P
Museum	P	P	P	P
Office	P	P	P	P
Office, publishing company	P	P	P	P
Open space on lots less than 4 acres in size	p ⁷	p ⁷	p ⁷	p ⁷
Park	P	P	P	P
Parking, commercial	C	P	C	C
Parking, off site	P	P	P	P
Performing arts production facility	P	P	P	P
Place of worship	p ¹¹	p ¹¹	p ¹¹	p ¹¹
Radio, television station	P	P		P
Railroad, passenger station	P	P	P	P
Reception center	P	P	P	P
Recreation (indoor)	P	P	P	P
Recreation (outdoor)		P		
Restaurant	P	P	P	P
Restaurant with drive-through facility		p ⁸		
Retail goods establishment	P	P	P	P
Retail service establishment	P	P	P	P

Retail service establishment, upholstery shop			P	P	
Sales and display (outdoor)		P	P	P	P
School:					
	College or university	P	P	P	P
	K - 12 private			P	P
	K - 12 public			P	P
	Music conservatory	P	P	P	P
	Professional and vocational	P	P	P	P
	Seminary and religious institute	P	P	P	P
Small Brewery			C		
Social service mission and charity dining hall			C	C	
Stadium		C	C		C
Storage, self			P	P	
Store:					
	Department	P	P		P
	Fashion oriented department	p ²			
	Mass merchandising	P	P		P
	Pawnshop		P		
	Specialty	P	P		P
	Superstore and hypermarket		P		
Studio, art		P	P	P	P
Theater, live performance		p ⁹	p ⁹	p ⁹	p ⁹
Theater, movie		P	P	P	P
Utility, buildings or structure		p ¹	p ¹	p ¹	p ¹
Utility, transmission wire, line, pipe or pole		p ¹	p ¹	p ¹	p ¹
Vehicle:					
	Automobile repair (major)		P	p ⁷	p ⁷
	Automobile repair (minor)		P	p ⁷	p ⁷
	Automobile sales/rental and service	p ¹⁰	P	p ¹⁰	

Vending cart, private property	P	P	P	P
Vending cart, public property				
Warehouse		P		
Warehouse, accessory		P	P	
Wholesale distribution		P		
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)				

Qualifying provisions:

1. Subject to conformance to the provisions in subsection [21A.02.050B](#) of this title.
2. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (section [21A.34.110](#) of this title).
3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
4. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
5. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
6. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.
7. Subject to conformance with the provisions of chapter 21A.59, "Conditional Building And Site Design Review", of this title.
8. Subject to conformance to the provisions in section [21A.40.060](#) of this title for drive-through use regulations.
9. Prohibited within 1,000 feet of a single- or two-family zoning district.
10. Must be located in a fully enclosed building and entirely indoors.
11. If a place of worship is proposed to be located within 600 feet of a tavern, social club, or brewpub or microbrewery, the place of worship must submit a written waiver of spacing requirement as a condition of approval.

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Legend:	C =	Conditional	P =	Permitted
Use				G-MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title				P
Adaptive reuse of a landmark site				P
Alcohol:				
Brewpub (indoor)				p ²

	Brewpub (outdoor)	p ^{2.5}
	Dining club (indoor)	p ²
	Dining club (outdoor)	p ^{2.5}
	Social club (indoor)	p ²
	Social club (outdoor)	p ^{2.5}
	Tavern (indoor)	p ²
	Tavern (outdoor)	p ^{2.5}
Ambulance service (indoor)		C
Amphitheater		P
Animal, veterinary office		P
Antenna, communication tower		P
Antenna, communication towers, exceeding the maximum building height		C
Art gallery		P
Artists' loft/studio		P
Auction (indoor)		P
Auditorium		P
Bed and breakfast		P
Bed and breakfast inn		P
Bed and breakfast manor		P
Botanical garden		P
Bus line station/terminal		p ³
Clinic (medical, dental)		P
Community garden		P
Crematorium		P
Daycare center, adult		P
Daycare center, child		P
Dwelling:		
	Group home (large)	C
	Group home (small) when located above or below	P

	first story office, retail or commercial use, or on the first story where the unit is not located adjacent to the street frontage	
	Living quarters for caretaker or security guard	P
	Multi-family	P
	Residential substance abuse treatment home (large)	C
	Residential substance abuse treatment home (small)	C
	Single-family (attached)	P
	Transitional victim home (large)	C
	Transitional victim home (small)	C
Eleemosynary facility		P
Equipment rental (indoor and/outdoor)		P
Farmers' market		P
Financial institution		P
Flea market (indoor)		P
Funeral home		P
Government facility		C
Government facility requiring special design features for security purposes		P ³
Heliport, accessory		C
Hotel/motel		P
Industrial assembly		C
Laboratory (medical, dental, optical)		P
Large wind energy system		P
Library		P
Mixed use development		P
Mobile food business (operation in the public right of way)		P
Mobile food business (operation on private property)		P
Mobile food court		P

Museum		P
Office		P
Open space		P
Park		P
Parking:		
	Commercial	C
	Off site	P
	Park and ride lot	C
	Park and ride lot shared with existing use	P
Performing arts production facility		P
Photo finishing lab		P
Place of worship		P
Radio, television station		C
Reception center		P
Recreation (indoor)		P
Recreation (outdoor)		C
Restaurant		P
Retail goods establishment		P
Retail goods establishment, plant and garden shop, with outdoor retail sales area		P
Retail service establishment		P
Retail service establishment, upholstery shop		C
School:		
	College and university	P
	K - 12 private	P
	K - 12 public	P
	Music conservatory	P
	Professional and vocational	P
	Seminary and religious institute	P
Seasonal farm stand		P

Small Brewery		C
Social service mission and charity dining hall		C
Solar array		P
Stadium		C
Storage, self		p ³
Store:		
	Department	P
	Mass merchandising	P
	Specialty	P
	Superstore and hypermarket	P
Studio, art		P
Studio, motion picture		C
Theater, live performance		p ⁴
Theater, movie		P
Urban farm		P
Utility, building or structure		p ¹
Utility, transmission wire, line, pipe or pole		C
Vehicle:		
	Automobile repair (minor)	P
	Automobile sales/rental and service (indoor)	P
	Boat/recreational vehicle sales and service (indoor)	P
Vending cart, private property		P
Vending cart, public property		P
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)		
Zoological park		C

Qualifying provisions:

1. Subject to conformance to the provisions in subsection [21A.02.050B](#) of this title.
2. Subject to conformance with the provisions of section [21A.36.300](#), "Alcohol Related Establishments",

of this title.

3. Subject to conformance with the provisions of chapter 21A.59, "Conditional Building And Site Design Review", of this title.
4. Prohibited within 1,000 feet of a single- or two-family zoning district.
5. Subject to the requirements set forth in section [21A.40.065](#), "Outdoor Dining", of this title.

No conditional use permit shall be granted for any property which abuts a residential zoning district, except for places of worship, public/private utilities and related facilities, residential facilities for persons with a disability and educational facilities.

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
---------	-----	-------------	-----	-----------

Use	Permitted And Conditional Uses By District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site																	P ²
Agricultural use		C		P	P	P	P			P							
Air cargo terminals and package delivery facility		P								P							
Airport										P							
Alcohol:																	
Brewpub (2,500 square feet or less in floor area)		<u>P¹²</u>															C ¹²
<u>Brewpub (more than 2,500 square feet in floor area)</u>		<u>P¹²</u>															
Dining club (2,500 square feet or less in floor area)																	C ¹²
Social club (2,500 square feet or less in floor area)																	C ¹²
Tavern (2,500 square feet or less in floor area)																	C ¹²

Ambulance service (indoor)	P	P																
Ambulance service (outdoor)	P ¹⁰	P ¹⁰																
Amphitheater												C						
Animal:																		
Kennel on lots of 5 acres or larger		C		P ⁸	P ⁸	P ⁸	P ⁸											
Pet cemetery				P ⁴	P ⁴	P ⁴	P ⁴	P ^{4,5}										
Stable (private)				P	P	P	P											
Stable (public)				P	P	P	P											
Veterinary office		P																P
Antenna, communication tower	P	P	C	P	P	P	P			P	P	C	P	P			P	
Antenna, communication tower, exceeding the maximum building height in the zone	C	C								P		P ¹¹	C	C			C	
Art gallery											P	P	P	P				P
Bed and breakfast													P ²	P				P
Bed and breakfast inn													P ²	P				P
Bed and breakfast manor													P ²	P				P
Botanical garden	P										P	P						
Cemetery								P										

Clinic (medical, dental)	P	P											P	P			P
Community garden	P	P	P	P	P	P	P	P			P	P	P	P	P		P
Convent/monastery													P	P			
Daycare center, adult	P	P									P	P	P	P			P
Daycare center, child	P	P								P	P	P	P	P			P
Dental laboratory/research facility	P	P											C	C			P
Dwelling:																	
Assisted living facility													P	P			P
Congregate care facility													P	P			P
Group home (large)																	C
Group home (small)			P	P	P	P											P
Living quarters for caretaker or security guard	P	P									P		P	P			P
Manufactured home				P	P	P											P
Mobile home															P		
Multi-family														P			P
Resident healthcare facility													P	P			P
Residential substance abuse treatment home (large)														P			C
Residential substance abuse treatment home (small)														P			P

Rooming (boarding) house																		P
Single-family (attached)																		P
Single-family (detached)			P	P	P	P												P
Transitional victim home (large)																		C
Transitional victim home (small)																		P
Twin home and two-family																		P
Eleemosynary facilities											P	P	P	P				P
Exhibition hall											C	P	C	P				
Extractive industry																	P	
Fairground											C							
Farm stand, seasonal				P	P	P	P											P
Financial institution	P	P																P
Financial institution with drive-through facility	P ¹⁴	P ¹⁴																
Gas station		P ⁷																
Government facility	C	C								P	C	C	C ¹³	C			P	C
Government facility requiring special design features for security purposes																		C
Government office	P	P								P	P	P	P	P				P
Heliport	C	C								P		P	C	C				

Hospital, including accessory lodging facility	C											P	P				
Hotel/motel	C	C								P						P	
Industrial assembly		P								P							
Jail											C						
Jewelry fabrication		P															
Large wind energy system	C	C		C	C	C	C			C			P	P			
Library											P	P	P	P		P	
Light manufacturing		C								P							
Manufacturing, concrete or asphalt																p ¹⁵	
Meeting hall of membership organization		P										P	P	P		P	
Mixed use development																P	
Mobile food business (operation on private property)	P	P												P	P	P	
Municipal service uses, including city utility uses and police and fire stations	C	C								P	C	C	C ¹⁴	C		P	C
Museum	C							P			P	P	P	P			P
Nursing care facility													P	P			P
Office	P	P								P	P	P	P	P			P

Open space	P	P	P	P	P	P	P	P	P	P ⁹	P	P	P	P	P	P	P	P
Park	C							P			P	P		P				P
Parking:																		
Commercial		C																
Off site											P	P	P	P	P			C
Park and ride lot											P	C						
Park and ride lot shared with existing use	P	P									P	P		P	P		P	P
Performing arts production facility		P																P
Philanthropic use												P	P	P				P
Place of worship	P	P											P	P				P
Radio, television station		P ⁶										P						
Reception center											C	P	P	P				P
Recreation (indoor)		C						P			P	P	P	P				P
Recreation (outdoor)								P		P	P							
Research and development facility	P	P									P	P						C
Research facility (medical)	P												P	P				P
Restaurant		P ⁷																P
Restaurant with drive-through facility		P ^{7,14}																P ³

Retail goods establishment		P ⁷									P						P
Retail, sales and service accessory use when located within a principal building											P						
Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of employees	P	P								P	P	P	P	P			P
School:																	
College or university											P	P	P				
K - 12 private										P	P	P	P				
K - 12 public										P	P	P	P				
Music conservatory												P	P				P
Professional and vocational	P	P								P			P	P			
Seminary and religious institute													P	P			C
Small Brewery		<u>C</u>															
Solar array	P	P		P						P	P		P				
Stadium											C		C	C			
Storage, accessory (outdoor)		P								P							P
Studio, art																	P
Theater, live performance	C ¹⁵	C ¹⁵									C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵			C ¹⁵

Theater, movie												C					C
Transportation terminal, including bus, rail and trucking										P							
Urban farm	P	P	P	P	P	P	P	P			P	P	P	P			
Utility, building or structure	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹			P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Vehicle, automobile rental agency		P									P						
Vending cart, private property	P	P															
Vending cart, public property								P									
Warehouse		P									P						
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)																	P
Wholesale distribution		P									P						
Wireless telecommunications facility (see section 21A.40.090 , table 21A.40.090E of this title)																	
Zoological park								P									

Qualifying provisions:

1. Subject to conformance to the provisions in subsection [21A.02.050B](#) of this title.

2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of chapter 21A.55 of this title.
8. Kennels, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and without directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Maximum of 1 monopole per property and only when it is government owned and operated for public safety purposes.
12. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.
13. If located on a collector or arterial street according to the Salt Lake City transportation master plan - major street plan: roadway functional classification map.
14. Subject to conformance to the provisions in section [21A.40.060](#) of this title for drive-through use regulations.
15. Prohibited within 1,000 feet of a single- or two-family zoning district.

21A.36.300: ALCOHOL RELATED ESTABLISHMENTS:

A. Purpose Statement: The purpose of this section is to permit the establishment of taverns, social clubs, dining clubs, **and** brewpubs, ~~and microbreweries~~ as defined in chapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards.

B. License Required: No tavern, social club, dining club, **or** brewpub, ~~or microbrewery~~ shall be established, operated, or maintained within the city without a valid license issued by the Utah state division of licensing, and without a valid business license issued by the city.

C. Taverns, Social Clubs, Dining Clubs, **and** Brewpubs, ~~And Microbreweries~~; Authorized As Permitted Uses: Taverns, social clubs, brewpubs, **and** dining clubs ~~and microbreweries~~ shall be permitted pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses.

D. Taverns, Social Clubs, Dining Clubs, **and** Brewpubs, ~~And Microbreweries~~; Authorized As Conditional Uses: Taverns, social clubs, dining clubs, **and** brewpubs, ~~and microbreweries~~ may be allowed as conditional uses pursuant to the provisions of chapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:

1. In approving a conditional use permit for a tavern, social club, dining club, **or** brewpub, ~~or microbrewery~~, the planning commission shall:

a. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City police department and the building official, and filed with the city recorder's office, which shall include:

(1) A complaint-response community relations program; and

(2) A provision for a representative of the tavern, social club, dining club, **or** brewpub, ~~or microbrewery~~ to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;

(3) Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for the applicable zoning district in [chapter 9.28](#) of this code;

(4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;

(5) Prohibiting electronically amplified sound in any exterior portion of the premises;

(6) Designation of a location for smoking tobacco outdoors in conformance with state law;

(7) A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and

(8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area; and

(9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;

b. Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;

c. Require buffering where a tavern, social club, dining club, or brewpub, ~~or microbrewery~~ abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;

d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and

e. Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.

2. If necessary to meet the standards for approval of a conditional use set forth in section [21A.54.080](#) of this title, the following conditions may be imposed:

a. Limit the size and kind of signage located on the outside of any building in conformance with chapter 21A.46 of this title;

b. Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents' enjoyment of their homes; and

c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses, and buildings and designating a new area if the potential effects of the area in the security

and operations plan appear to adversely affect neighboring residences, businesses, and buildings.

E. Minimum Area: In the CN and RB zoning districts, an alcohol related establishment shall only be allowed if such zoning district in which the alcohol related establishment is proposed is at least one-half ($\frac{1}{2}$) acre in contiguous area.

F. Concentration Prohibited: In the CN and RB zoning districts, not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within six hundred feet (600') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. In CB zoning districts, not more than one social club, dining club, brewpub, or tavern shall be located within three hundred fifty feet (350') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point of the property line of one establishment to the nearest point on the property line of the second establishment. (Ord. 65-12, 2012)

21A.38.040: NONCONFORMING USES:

A. Regulations For Nonconforming Parking, Signs, Landscaping, Airport Flight Path Protection Overlay, Riparian Corridor Overlay And Sexually Oriented Businesses:

Regulations for nonconforming parking, signs and landscaping are regulated by the provisions set forth in chapters 21A.44, 21A.46 and 21A.48 of this title. Nonconforming regulations for the airport flight path protection overlay and the riparian corridor overlay are set forth in sections [21A.34.040](#) and [21A.34.130](#) of this title. Nonconforming sexually oriented businesses are also subject to subsection [21A.36.140C](#) of this title and section [5.61.065](#) of this code.

B. Nonconformity Of Taverns, Social Clubs, Dining Clubs, Brewpubs Or Microbreweries: A legally existing tavern, social club, dining club, ~~or brewpub or microbrewery~~ shall not be deemed nonconforming for purposes of expansion, reconstruction or licensing (as long as the use is permitted in the base zoning district) if the only reason for such nonconformity is due to the subsequent location of a school, church or park within the spacing requirements as specified under requirements of state law.

21A.60.020: LIST OF DEFINED TERMS:

Alcohol, brewpub.

Alcohol, brewpub (indoor).

Alcohol, brewpub (more than 2,500 square feet in floor area). See Alcohol, brewpub.

Alcohol, brewpub (outdoor).

Alcohol, brewpub (2,500 square feet or less in floor area). See Alcohol, brewpub.

Alcohol, dining club.

Alcohol, dining club (2,500 square feet or less in floor area).

Alcohol, distillery.

Alcohol, liquor store.

Alcohol, microbrewery.

Alcohol related establishment.

Alcohol, social club.

Alcohol, social club (indoor).

Alcohol, social club (more than 2,500 square feet in floor area). See Alcohol, social club.

Alcohol, social club (outdoor).

Alcohol, social club (2,500 square feet or less in floor area). See Alcohol, social club.

Alcohol, tavern.

Alcohol, tavern (indoor).

Alcohol, tavern (more than 2,500 square feet in floor area). See Alcohol, tavern.

Alcohol, tavern (outdoor).

Alcohol, tavern (2,500 square feet or less in floor area). See Alcohol, tavern.

Alcohol, winery.

.
.
.

Small brewery

21A.62.040: DEFINITIONS OF TERMS:

~~ALCOHOL, BREWPUB: A restaurant type establishment that also has a beer brewery, producing beer in batch sizes not less than seven (7) U.S. barrels (31 gallons), on the same property which produces only enough beer for sale and consumption on site or for retail carryout sale in containers holding less than two liters (2 l) or for wholesale as outlined in subsections D and E of this definition. Automated bottle or canning production is prohibited. At least fifty percent (50%) of the beer sold shall be brewed on the premises. Revenue from food sales shall constitute at least fifty percent (50%) of the total business revenues, excluding retail carryout sales of beer. Brewpubs are limited to a total brewing capacity of two thousand five hundred (2,500) barrels per year or one hundred twenty (120) barrels of fermentation at~~

any one time, whichever is less. Brewpubs may sell beer in keg (larger than 2 liters) containers for the following purposes and in the following amounts:

- A. An unlimited number of kegs (not to exceed 2,500 barrel capacity) for "brew fests" which, for the purpose of this definition, means events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three (3) such brewers;
- B. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events sponsored by charitable organizations exempt from federal income tax pursuant to 26 USC section 501(c)(3) or its successor; and
- C. No more than one hundred (100) kegs per year (not to exceed 2,500 barrel capacity) to events operating under a single event license from the state and the city where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event sponsor but is, instead, dispensed by employees of the brewpub;
- D. Unlimited distribution to other restaurants of same ownership or control (not to exceed 2,500 barrel capacity). "Ownership or control" means more than fifty percent (50%) ownership in the actual business or controlling interest in any management partnership; and
- E. No more than five hundred (500) barrels for wholesale distribution (not to exceed 2,500 barrel capacity).

ALCOHOL, BREWPUB: A restaurant type establishment that also contains a brewery, where the product is brewed primarily for sale in the associated restaurant. Bottling and canning is allowed for on-site distribution only and not for wholesale distribution. Brewpubs may sell their product in kegs for wholesale distribution. At least 50% of the total business revenue must be from food, excluding wholesale and retail carryout sales of beer.

ALCOHOL, MICROBREWERY: A brewpub which, in addition to retail sale and consumption on site, markets beer wholesale in an amount not to exceed sixty thousand (60,000) barrels (31 gallons) per year. Revenue from food sales must constitute at least fifty percent (50%) of the total business revenues, excluding wholesale and retail carryout sales of beer.

ALCOHOL RELATED ESTABLISHMENT: Tavern, social club, dining club, or brewpub, or microbrewery.

BREWERY: A business establishment that manufactures beer, heavy beer, or malt liquor for off premises consumption, not to include those alcoholic beverages produced in a distillery or winery.

BREWERY: A business establishment that manufactures beer, heavy beer, or malt liquor as defined and regulated in Title 32B, Utah Code, as amended.

SMALL BREWERY: A brewery that produces less than 15,000 barrels of beer, heavy beer, or malt liquor annually and occupies less than 10,000 square feet in gross floor area.

ATTACHMENT D: Analysis of Standards

21A.50.050: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	Complies	The amendments provide the opportunity for smaller, locally owned craft breweries to locate in more areas of the City where they would be appropriate. These facilities contribute to the local economy and to the vibrancy of mixed-use neighborhoods, which is consistent with Salt Lake City's vision of developing a <i>"robust economic activity to create a superb place for people to live, work, grow, invest and visit"</i> as stated in the Salt Lake City Vision and Strategic Plan (adopted, 1993)
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Complies	The purpose of the amendments is to align land use regulations with the modern craft beer industry. The craft beer industry provides a positive contribution to the local economy; therefore, the proposed amendments would help foster the city's industrial and business development. This is a specific purpose statement of the Zoning Ordinance.
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	No applicable. This standard does not apply.	The proposed text amendment is citywide and is not tied directly to any specific property within the city. Any future development that results from the proposed zoning changes would be subject to all pertinent zoning regulations.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	Complies	The purpose of the proposed amendments is to align land use regulations with the modern beer manufacturing industry and to clarify zoning language for more consistent implementation of the regulations; both of which implement best planning practices. The proposed amendments are related to beer manufacturing facilities. As with any manufacturing facility, careful attention needs to be made to ensure that the placement of these facilities is compatible with adjacent land uses. The proposed amendments consider where the subject uses could be located in relation to adjacent zoning. In areas where the subject uses have the potential to impact adjacent land uses, they would require conditional use approval. This is consistent with best planning practices.
5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.	Not applicable. At this current time, this standard does not apply.	The proposal is not site specific. All requests for a new use would be reviewed to ensure compliance with City codes and policies.

ATTACHMENT E: Public Process and Comments

The Planning Division held a public open house meeting regarding the proposed ordinance on May 21, 2015. The open house meeting notice was sent on May 12, 2015 through the Planning Division listserv, which includes all community council chairs. In addition to the standard noticing, Planning Division staff sent a notice and a summary of the proposed changes to the president of the Utah Brewers Guild and other individuals who have interest in the project. Four people attended the open house meeting, all of which work in the brewing industry.

Since the open house meeting was held, changes were made to the ordinance in response to feedback received from individuals in the brewing industry. Planning Division staff sent the next draft summary of the proposed ordinance changes to representatives in the brewing industry on June 5, 2014 to obtain feedback. The final proposed changes are a result of working with the local brewing industry, as well as consideration of potential impacts the uses could have on adjacent land uses.

ATTACHMENT F: City Department Comments

The proposed zoning amendments were sent to the following City Departments/Divisions for review:

- Building Services;
- Engineering;
- Public Utilities;
- Fire;
- Transportation;
- Sustainability;
- Police;
- City Attorney;
- Business Licensing; and
- the Redevelopment Agency

The only comments received were from the Building Services Division. The representative from Building Services provided the following comment in addition to a supplementary document provided on the next page:

Provide a working definition of floor area as it relates to determining compliance with the 2,500 sq. ft. rule for alcohol related establishments. The two floor area definitions we have now in chapter 62 have been problematic in the past.

This issue is addressed in the Key Issues section of the staff report.

Wayne Mills,

Re: PLNZAD2015-00151 Zoning Text Amendments for Breweries and Brewpubs.

The permits office has the following comments regarding all alcohol related establishments. We do not have a good definition on how to measure floor area for compliance with the 2,500 sq. ft. requirement as it applies to alcohol related establishments.

In, chapter 62 we have floor area for determining the size of establishment:

FLOOR AREA, GROSS: "Gross floor area" (for determining size of establishment) means the sum of the gross horizontal area of all floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall include basement floor area, penthouses, attic space having headroom of seven feet (7') or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses. Space devoted to open air off street parking or loading shall not be included in floor area.

The floor area of structures devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet (i.e., 10 feet in height shall equal 1 floor).

And we have floor area for determining off-street parking:

FLOOR AREA, USABLE: "Usable floor area" (for determining off street parking and loading requirements) means the sum of the gross horizontal areas of all floors of the building, as measured from the outside of the exterior walls, devoted to the principal use, including accessory storage areas located within selling or working space such as counters, racks, or closets, and any floor area devoted to retailing activities, to the production or processing of goods or to business or professional offices. Floor area for the purposes of measurement for off street parking spaces shall not include:

A. Floor area devoted primarily to mechanical equipment or unfinished storage areas;

B. Floor area devoted to off street parking or loading facilities, including aisles, ramps, and maneuvering space.

In one case, The Avenues Proper, the definition of "gross floor area for determining the size of establishment" was problematic because the ordinance requires us to measure from the exterior walls and include basements, attics, balconies, accessory storage areas, counters, racks, closets, food production areas, offices, etc. They had a large basement so they exceeded the floor area.

We had a similar problem with East Liberty Tap House, which exceeded the 2,500 square feet. We (planning) allowed them to define a small section of the floor area within the dining area of a restaurant as the drinking establishment area. While this decision helped for zoning approval it became problematic for the owner and architect because they had not planned for the two different building code occupancy classifications as the relate the number of required exits and restroom facilities.

We also do not know how to count outdoor dining floor area when related to drinking establishments.

ATTACHMENT G: Motions

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project meets the applicable standards for zoning text amendments and therefore recommends that the Planning Commission forward a positive recommendation to the City Council.

Consistent with Staff Recommendation:

Based on the findings in the staff report and made in this meeting, I find the proposal adequately meets the standards for general text amendments and therefore recommends the Planning Commission transmit a positive recommendation for PLNPCM2015-00151 to the City Council to adopt the proposed zoning ordinance text amendments.

Not Consistent with Staff Recommendation:

Based on the findings made at this meeting, I find that the proposed amendments do not adequately meet the standards for general text amendments and therefore recommend the Planning Commission transmit a negative recommendation for PLNPCM2015-00151 to the City Council to adopt the proposed zoning ordinance text amendments.

6 B. PLANNING COMMISION

Meeting Minutes

Amendments to the Zoning Ordinance Related to Alcohol Regulations - A request by Mayor Ralph Becker to amend zoning regulations related to establishments that manufacture and sell beer. In recent years there has been an increase in smaller scale craft breweries who also sell their product on-site. The proposed amendments to the Zoning Ordinance relate to how these types of establishments are defined and where they can be located. Related provisions of Title 21A Zoning may also be amended as part of this petition. (Staff contact: Wayne Mills at (801)535-7282 or wayne.mills@slcgov.com.) Case Number PLNPCM2015-00151

Mr. Wayne Mills, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The amount of alcohol that could be brewed at one time and the length of time it took to brew said amount of alcohol.
- Where the new definition would be placed in the proposal.

PUBLIC HEARING [6:27:07 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Mr. Steve Barth, Wasatch and Squatters Cooperative, stated they were supportive of the petition and thanked Staff for their work.

Mr. Steve Tobias, Real-estate, stated he supports the petition and the fact that the city was working to allow these types of business in different zones.

Mr. Phil Hankey, Utah Brewers Guild, stated he supported the petition and it was great proposal for the industry. He reviewed the amount of alcohol that could be brewed in one day under the current ordinance.

Mr. Tim Dewire stated he was involved in a business that wanted to open a bar without a restaurant, which was not allowed in the current ordinance but was allowed under the State Code. He stated they were hoping to be allowed to run a street facing bar in the city and be associated with a brewery without the requirement of food sales.

The Commission and Mr. Hankey discussed the following:

- The operations of a small brewery and if product could be sold to the public.
 - A small brewery could sell to the public if they had the appropriate licenses.
- What amount of product could be sold to the public at small breweries.
- How the businesses do or do not activate streets.

Chairperson Ruttinger closed the Public Hearing.

The Commission and Staff discussed the following:

- The number of alcohol establishments allowed on a street face.

- If the TSA zone supported the proposed zoning.
 - Staff stated the TSA currently allowed breweries but it would be subject to the design regulations of the TSA code.
- Zoning where breweries could and would be allowed.
- How to address the new definition in the motion.
- If the change in the definition would affect the existing establishments.
 - It would not change the current businesses but would allow for more of brewery uses in the city.
- If alcohol was allowed to be consumed on the premises at breweries.

MOTION [6:39:41 PM](#)

Commissioner Drown stated regarding PLNPCM2015-00151 Breweries and Brew Pub Zoning Ordinance Text Amendments, based on the findings in the Staff Report, testimony and plans presented, she moved that Planning Commission transmit a positive recommendation to the City Council to adopt the proposed zoning ordinance text amendments for the exemption of the definition of brew pub and to be replaced by the memo dated July 29, 2015. Commissioner Gallegos seconded the motion. The motion passed unanimously.

[6:40:53 PM](#)

Amendments to the Zoning Ordinance related to Electric Vehicle Charging Station - A request by Mayor Ralph Becker to modify the electric vehicle parking ordinance, which requires parking for electric vehicles for some types of development throughout the City. The amendment will affect section 21A.44.050 of the zoning ordinance. Related provisions of Title 21A Zoning may also be amended as part of this petition. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case Number PLNPCM2015-00148

Ms. Tracy Tran, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending that the Planning Commission forward a positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If charging stations had been added to LEED Requirements and if the stations qualify for LEED points
 - Was not taken into consideration as part of the recommendation but could be reviewed.
- If it would actually benefit the city to require stations at businesses.
- The CO count that was really being saved by electric vehicles.
- The particulates emitted by electric cars
- The potential increase in electric car use.
- If the city could help with installation cost and offering incentives on parking requirements.
 - There are national groups that help with installation costs.

6 C. PLANNING COMMISION

Meeting Notice

Attachment: Admin - 6C Planning Commission Meeting Notice (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

Mills, Wayne

From: noreply.ced@slcgov.com
Sent: Thursday, July 16, 2015 3:50 PM
Subject: AMENDED July 29, 2015, Planning Commission Meeting Agenda
Attachments: 729 Amended agn.pdf

This information was sent with automated software and is not monitored for replies. noreply.ced@slcgov.com is the group responsible for this information.

Attached is the Amended agenda for the Salt Lake City Planning Commission meeting to be held on Wednesday, July 29, 2015. You are welcome to contact the Planning Office at 801-535-7700 if you have questions.

You received this e-mail because you requested information from Salt Lake City Corporation. If you would like to unsubscribe from this information, click on the link <http://asp.slcgov.com/General/ListServer/userdata/subform.asp> or copy the link to your browser.

Attachment: Admin - 6C Planning Commission Meeting Notice (1359 : Ordinance: Citywide Breweries Zoning Text Amendment)

AMENDED SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building
451 South State Street
Wednesday, July 29, 2015, at 5:30 p.m.
(The order of the items may change at the Commission's discretion.)

The field trip is scheduled to leave at 4:00 p.m.

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR JULY 29, 2015

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

1. Salt City Plaza (154 W. 600 South and 179 W. 500 South) Planned Development Time Extension

Briefing

2. The Salt Lake City Transportation Division is conducting a parking study of the Downtown and Sugar House areas. The Consultant team from Nelson Nygaard would like to take the opportunity to brief the Planning Commission on observations and conditions they have observed thus far.

PUBLIC HEARINGS

Legislative Matters

3. **Amendments to the Zoning Ordinance Related to Alcohol Regulations** - A request by Mayor Ralph Becker to amend zoning regulations related to establishments that manufacture and sell beer. In recent years there has been an increase in smaller scale craft breweries who also sell their product on-site. The proposed amendments to the Zoning Ordinance relate to how these types of establishments are defined and where they can be located. Related provisions of Title 21A Zoning may also be amended as part of this petition. (Staff contact: Wayne Mills at (801)535-7282 or wayne.mills@slcgov.com.) Case Number PLNPCM2015-00151
4. **Amendments to the Zoning Ordinance related to Electric Vehicle Charging Station** - A request by Mayor Ralph Becker to modify the electric vehicle parking ordinance, which requires parking for electric vehicles for some types of development throughout the City. The amendment will affect section 21A.44.050 of the zoning ordinance. Related provisions of Title 21A Zoning may also be amended as part of this petition. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case Number PLNPCM2015-00148
5. **West Temple Zoning Reevaluation** - The Salt Lake City Council proposes to rezone approximately 155 parcels within the boundaries of 1300 South to 2100 South, and TRAX (200 West) to Main Street. The petition proposes to rezone parcels from RMF-35 Moderate Density Multi-Family Residential District to R-1/5,000 Single-Family Residential District. This type of zoning map amendment also requires a master plan amendment. The subject properties are within Council District 5, represented by Erin Mendenhall. (Staff contact: Michael Maloy at (801)535-7118 or michael.maloy@slcgov.com.)
 - a. **Master Plan Amendment** - In order to facilitate the proposed zoning amendment the Central Community Future Land Use Map needs to classify the subject properties as Low Density Residential. Case number PLNPCM2013-00900
 - b. **Zoning Map Amendment** - In order to rezone the selected parcels from RMF-35 Moderate Density Multi-Family Residential District to R-1/5,000 Single-Family Residential District or a similar low density district, an amendment to the Salt Lake City Zoning Map is required. Case number PLNPCM2013-00899

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

7. ORIGINAL PETITION

FEB 27 2015

Nick



Petition Initiation Request

Planning Division
Community & Economic Development Department

SCANNED TO: Mayo
SCANNED BY: Nick
DATE: 2/27/15

To: Mayor Becker
From: Nora Shepard, Planning Director *NLS*
Date: February 26, 2015
CC: David Everitt, Chief of Staff; Jill Love, Deputy Chief of Staff, Mary DeLaMare-Schaefer, Community and Economic Development Acting Director; file
Re: Initiate Petition to address amendments to Alcohol Regulations.

This memo is to request that you initiate a petition directing the Planning Division to analyze the appropriateness of amending the Zoning Ordinance to address changes to the Alcohol Regulations.

Over the past few years, the State has made changes to the regulations relating to manufacturing of alcohol that has lead to more people seeking approvals for alcohol establishments in the City. However, there are regulations within the Zoning Ordinance which make it difficult for entrepreneurs to start such businesses in the City. For example, the City definition of a brewpub requires that the minimum amount of beer brewed is seven barrels. If an establishment brews fewer than seven barrels it does not meet the definition but there is not another classification for it.

As part of the process, the Planning Division will follow the City adoption process for zoning text amendments which includes citizen input and public hearings with the Planning Commission and City Council.

If you have any questions, please contact me.

Thank you.

Concurrence to initiate the zoning text amendment petition as noted above.

Ralph Becker, Mayor

3/3/15

Date