



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.

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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.

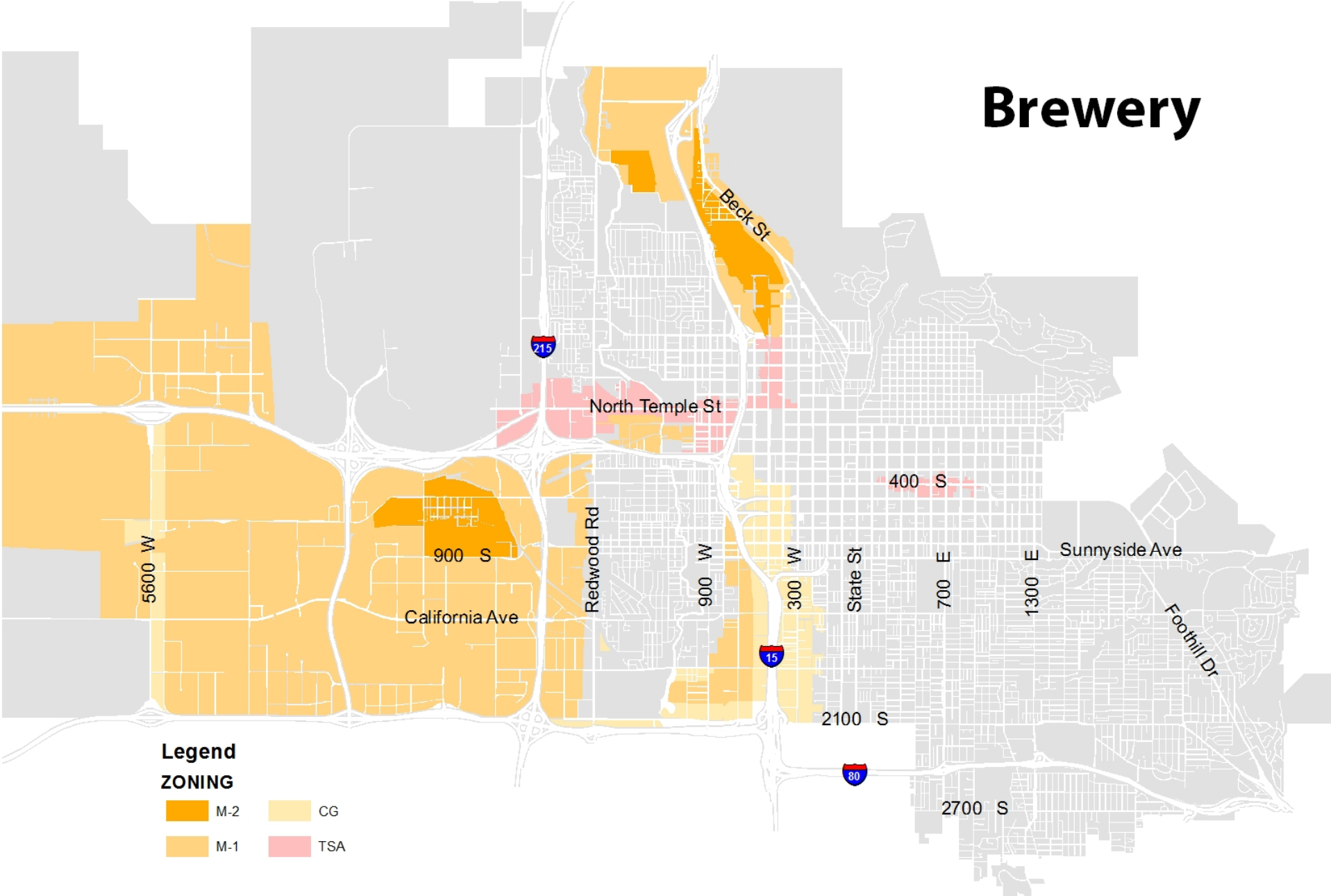
Proposed Zoning Districts

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



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.

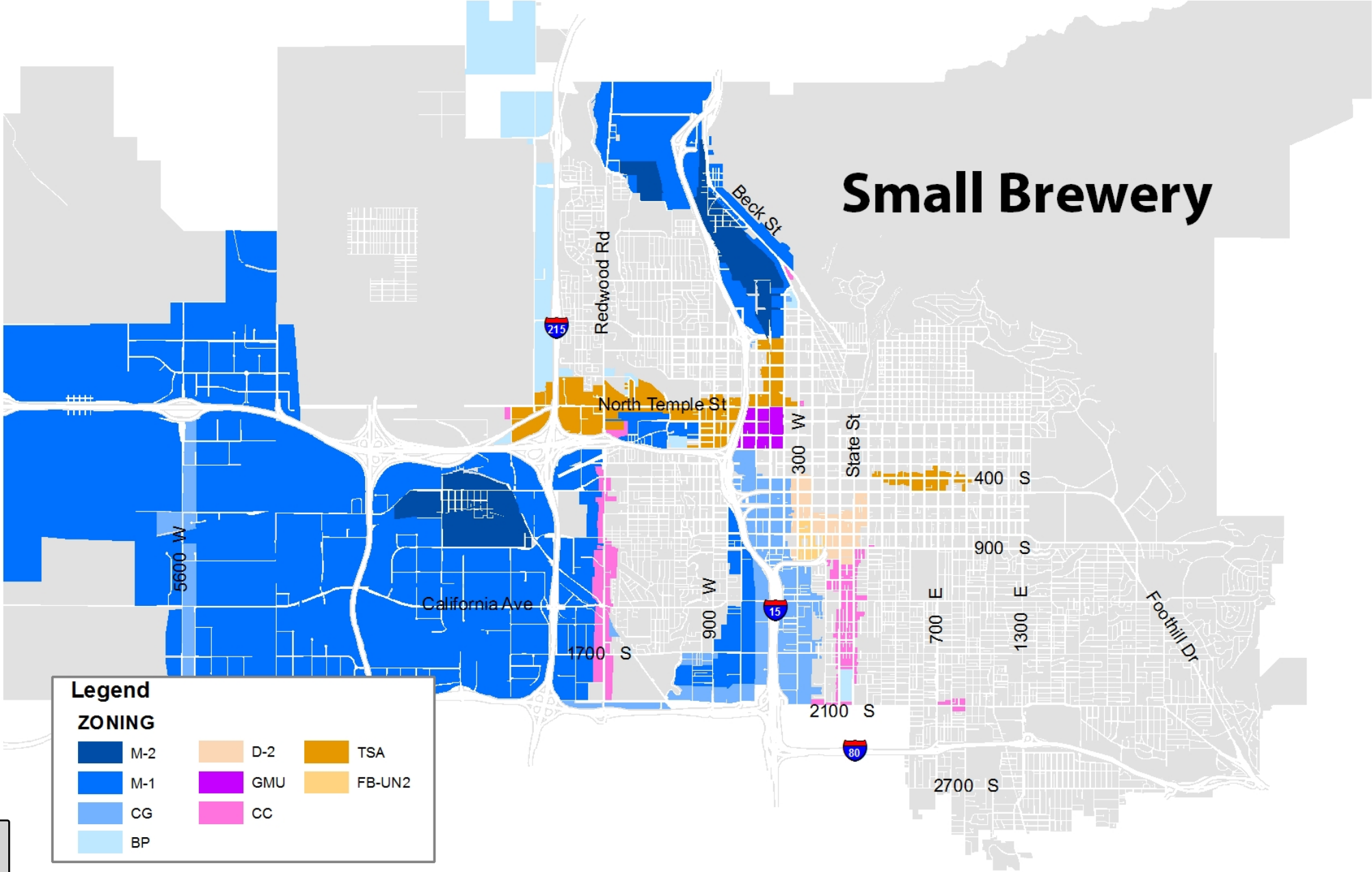
Proposed Zoning Districts













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)

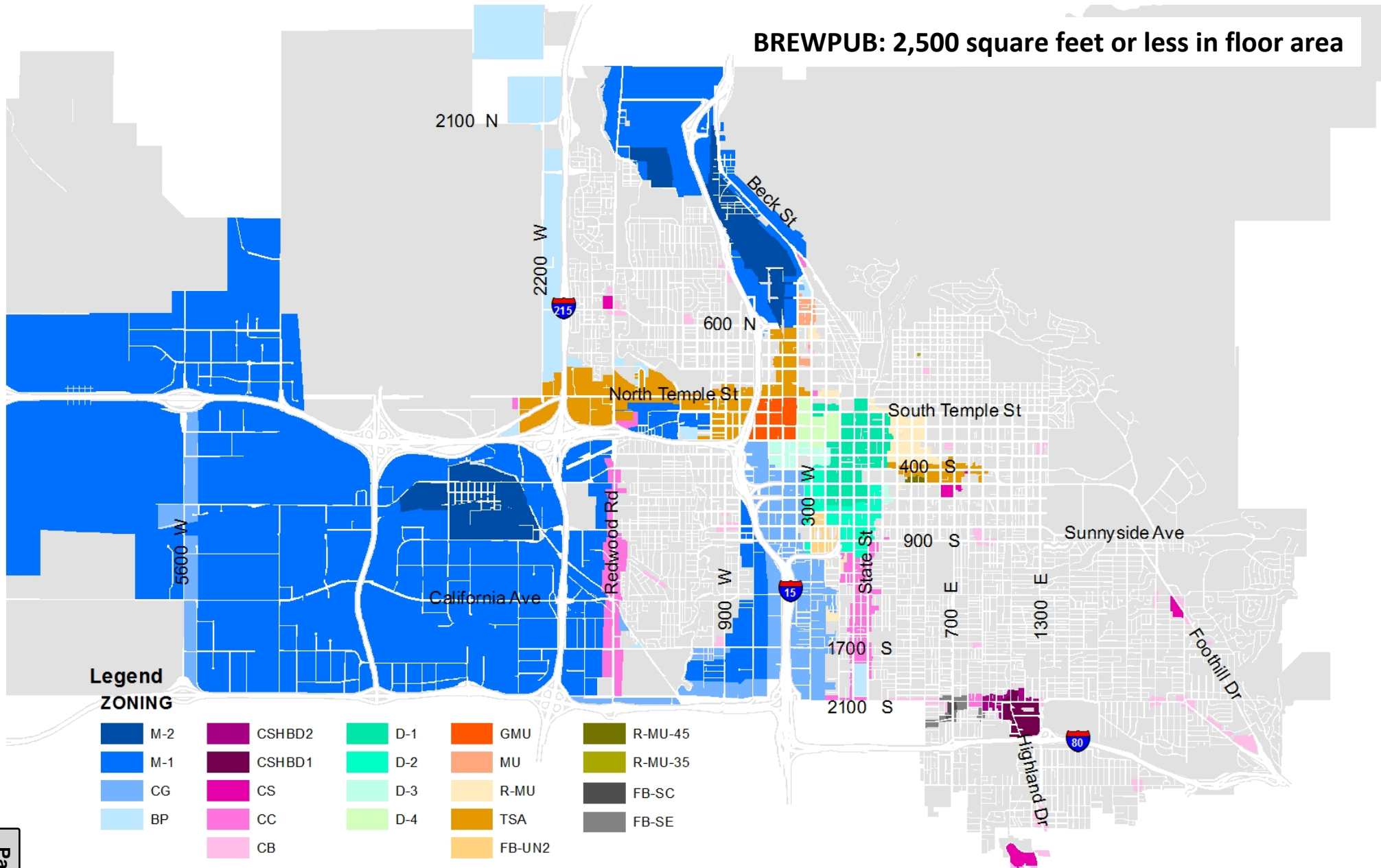
(No Maximum Floor Area Limitation Cont.)

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

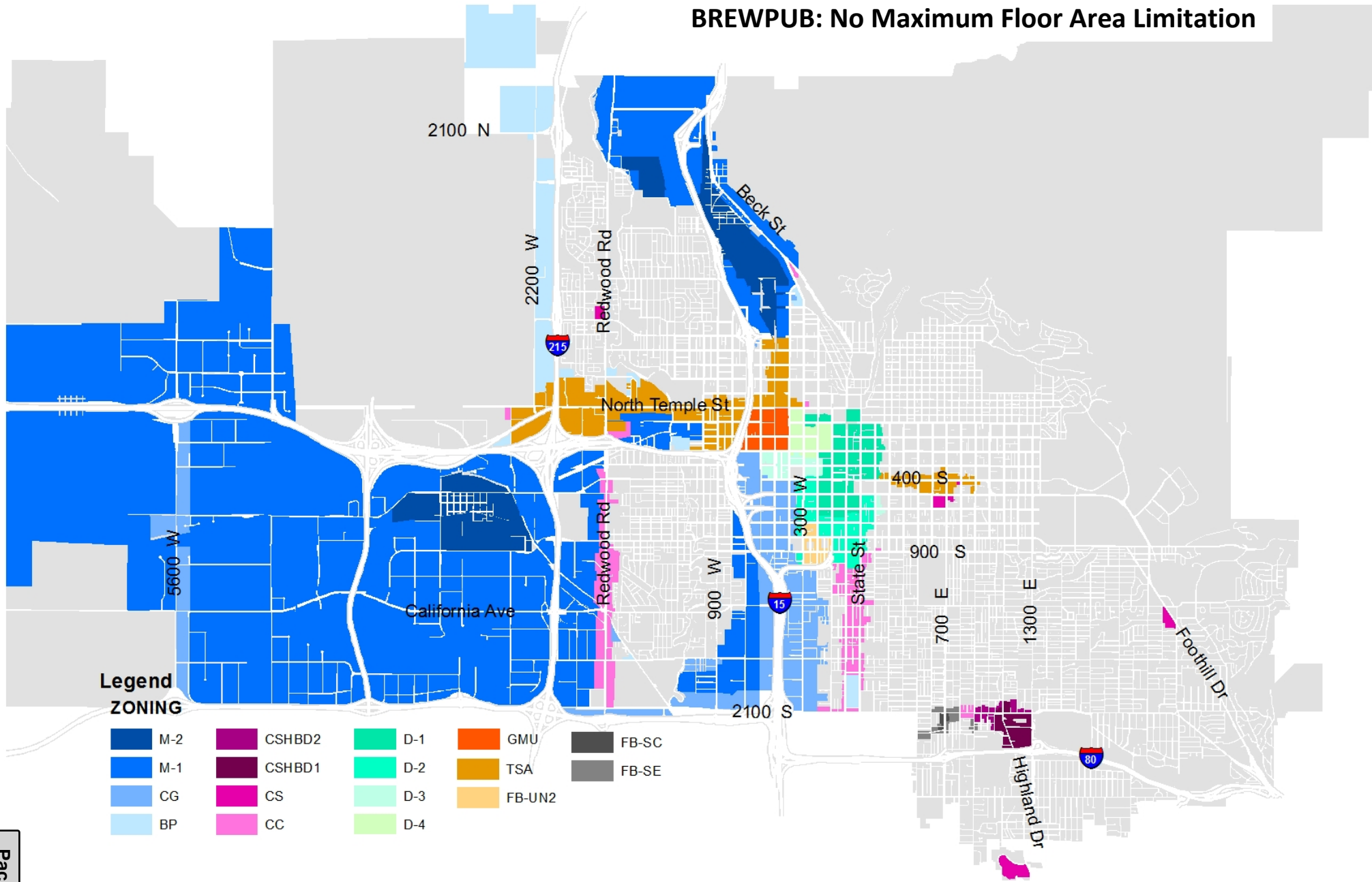
Reason for Change

- 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.












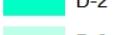



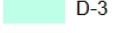
BREW PUB: 2,500 square feet or less in floor area



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.