



# 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.