

OFFICIAL ZONING CODE INTERPRETATION (No. 19)
(Zoning Code Sections 20-24.030, Table 2-10, and 20-70.020)

ZONING CODE PROVISION INTERPRETED:

Section 20-24.030, Table 2-10, Allowed Land Uses and Permit Requirements for Industrial Districts, and Section 20-70.020(M), Definitions of Specialized Terms and Phrases

At issue is what activities are permitted for the **Distilled Spirits - Production** land use, specifically in regards to on-site tasting and retail sales. Zoning Code Interpretation No. 5, dated December 4, 2014, determined that distilled spirits production shall be included in the definition of “Manufacturing/Processing – Light: Food and Beverage Product Manufacturing”. Zoning Code Section 20-70.020 defines that use as follows:

“Manufacturing/Processing - Light. A facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. Examples of light manufacturing uses include the following: *(note: only “food and beverage product manufacturing” definition has been included as it is the only relevant category)*

3. Food and Beverage Product Manufacturing. Manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of these uses include:

- Bottling plants
- Bred factories
- Candy, sugar and confectionery products manufacturing
- Catering services separate from stores or restaurants
- Coffee roasting
- Dairy products manufacturing
- Fats and oil product manufacturing
- Fruit and vegetable canning, preserving, related processing
- Grain mill products and by-products
- Meat, poultry, and seafood canning, curing, byproduct processing
- Soft drink production
- Miscellaneous food item preparation from raw products

Does not include: bakeries (see ‘Restaurant, Café, Coffee Shop’ – 1. ‘Counter Ordering’); beer brewing (see ‘Brewery’); or wine production (see ‘Winery’).”

While the definition lists examples of the land uses that fall within this category, it does not provide direction on the types of activities that could occur on premises. For example, the definition of **Brewery – Production** includes the statement that, “Breweries may also serve beverages on-site, and sell beverages for off-site consumption in keeping with the regulations of the Alcoholic Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF).” The definition of **Winery – Production** states that “Use includes fruit processing, fermentation, pressing, barrel and bottle storage, bottling, wine tasting, and direct retail sale of wine.”

Because the business model and operational activities of distilled spirits production facilities are similar to those of brewery and winery production facilities, is determined that on-site tasting of spirits and direct retail sale of spirits in keeping with the regulations of the Alcoholic Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF) are acceptable on-site activities for the **Distilled Spirits – Production** land use.

This determination is consistent with the General Plan.

Date: 6.7.2017



Patrick Streeter
Zoning Administrator