

Summary of Zoning Code Alcohol-Related Uses and Proposed Changes - Legistar 88319

Alcohol-Related	Current Zoning Definition	Proposed Zoning Definition	Current Supplemental Regulations	Proposed Supplemental Regulations		Currently Allowed in Alcohol	Proposed Allowed in Alcohol
Zoning Use	(MGO 28.211)	(MGO 28.211)	(MGO 28.151)		If Proposed Changes, Why?	Overlay District? (MGO 28.127)	Overlay? (MGO 28.127)
3	The accessory sales of alcohol at a retail				Referencing specific alcohol license types	,	,
Accessory Retail	establishment that holds a Class A license	The accessory sales of alcohol at a retail			can create conflicts and limits ability of		
Alcohol Sales	under Sec. 38.06(11)	establishment for offsite consumption.	None		Zoning to apply correct use.	No	No change
, nooner caree	A facility used for the manufacture of	Security Character Constitution		into onungo	Zoming to apply contest acci		Tro snange
	fermented malt beverages or a fermented						
	malt beverage manufacturer with a						
Brewery	mechanized bottling capability	No change	None	No change	No changes proposed.	N/A	N/A
Dicwery	meenanized botting capability	Two change	None	ino change	No changes proposed.	IVA	IVA
	An establishment that operates a restaurant						
	and manufactures up to ten thousand						
	(10,000) barrels of fermented malt						
	beverages per calendar year on premises for						
	consumption either on or off premises in						
	hand-capped, machine-capped or sealed		(a)Maximum capacity to be established by		Need for an ALRC entertainment license no		
	containers in quantities up to one-half barrel or 15½ gallons sold directly to the consumer.		the Director of Building Inspection Division, not to exceed the number of available seats,		longer determines zoning use. All uses must meet requirements of all other applicable		
			'				
	The establishment shall hold a Class "B"	An actablishment that apparates as a	plus staff, plus a reasonable number of		laws; no need to repeat in zoning code. State		
	liquor license issued by the state if, in	An establishment that operates as a	people waiting for seats.		has changed definitions. When we make the		
	addition to offering for sale fermented malt	restaurant and manufactures fermented	(b)Brewpubs shall not hold an	(a)Maximum capacity to be established by	specifics of zoning code match specifics of		
	beverages manufactured on the premises, it	malt beverages on premise for consumption			state statutue, we have to keep amending		
	also offers for sale fermented malt	either on or off premise in hand-capped,	(c)Shall at all times operate consistent with		zoning code. A more general definition		
	beverages manufactured by a brewer other	machine-capped or other sealed containers	and according to the requirements of a valid		allows us to determine the use more	.,	
Brewpub	than the establishment.	sold directly to the consumer.	alcohol license issued by the City	people waiting for seats.	effectively.	Yes	No change
					All uses must meet requirements of all other		
					applicable laws; no need to repeat in zoning		
	A facility that produces, by distillation, spirits				code. The current definition doesn't clearly		
	for consumption, the sale and distribution of	fermentation, intoxicating liquors for			include wine; revised definition includes		
Distillery/Winery	which are regulated by law	consumption.	None	No change	wine.	N/A	N/A
	The sale of alcohol when such sales are						
	affiliated with but subordinate to a principal						
	use or structure, where the owner or						
	operator of the principal use or structure						
	holds a Class B license under Sec. 38.06,						
	and where the sale of alcohol does not						
Incidental	exceed 25% of the gross receipts of the						
Alcohol Sales	owner's uses on the land.	No change	None	No change	No changes proposed.	Yes	No change
	An establishment in which the principal use				Referencing specific alcohol license types		
	is the sale of alcohol and which holds a	An establishment in which the principal use			can create conflicts and limits ability of		
Liquor Store	Class A license for liquor or beer.	is the sale of alcohol for offsite consumption.	None	No change	Zoning to apply correct use.	No	No change
	A nonprofit association of persons who are						
	bona fide members paying annual dues,						
	which owns, hires or leases a building, or						
	space within a building, which is restricted to						
	members and their guests. The affairs and						
	management of such private club or lodge				All uses must meet requirements of all other		
	are conducted by a board of directors,				applicable laws; no need to repeat in zoning		
Lodge or Private	executive committee or similar body chosen		Service of food and intoxicating beverages		code. Alcohol is a more general term and		
Club	by the members at their annual meeting.	No change	allowed when licensed.	May include the service of food and alcohol.	includes beer, wine, and liquor.	N/A	N/A

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	An establishment in which fermented malt	i i	·				
	beverages or intoxicating liquors are sold for		(a)Shall hold entertainment license under		Need for an ALRC entertainment license no		
	consumption upon the premises and which		Sec. 38.06(11), MGO.		longer determines zoning use. Use is		
	holds an entertainment license under Sec.		(b)Shall at all times operate consistent with		removed from zoning code and incorporated		
	38.06(11) and may serve meals and include		and according to the requirements of a valid		into existing uses of "tavern" and "concert		
Nightclub	kitchen facilities.	None, Removed Use	liquor alcohol license issued by the City.	None, Removed Use	hall."	Yes	No, Removed Use
				(a)If the restaurant serves alcohol,			
				maximum capacity to be established by the			
	A commercial establishment open to the			Director of the Building Inspection Division,	Need for an ALRC entertainment license no		
	public where food and beverages are	A commercial establishment where the		not to exceed the number of available seats,	longer determines zoning use. If a restaurant		
	prepared, served, and consumed and where	principal and primary use is serving meals		plus staff, plus a reasonable number of	serves alcohol, capacity determined by		
	food sales constitute the majority of gross	and where fermented malt beverages or		people waiting for seats, as shown on the	number of seats, staff, and waiting area		
	sales. Does not include sales of fermented	intoxicating liquors may be sold for		floor plan consistent with approved capacity.	supports restaurant use is primarily about		
Restaurant	malt beverages or intoxicating liquor.	consumption upon the premises.	None	(b)Must serve food at all hours it is open.	serving meals. If not, use should be tavern.	Yes	No change
			(a)Maximum capacity to be established by				
			the Director of the Building Inspection				
			Division, not to exceed the number of				
			available seats, plus staff, plus a reasonable				
			number of people waiting for seats, as				
			shown on the floor plan consistent with				
			approved capacity. (Am. by ORD-22-00033,				
			5-19-22)				
	An establishment where the principal and		(b)Must serve food at all hours it is open.				
	primary use is serving meals and where		(c)Shall hold entertainment license under				
	fermented malt beverages or intoxicating		Sec. 38.06(11).		Need for an ALRC entertainment license no		
	liquors are sold for consumption upon the		(d)Shall at all times operate consistent with		longer determines zoning use. Use is		
Restaurant-	premises and which holds an entertainment		and according to the requirements of a valid		removed from zoning code and incorporated		
Nightclub	license under Sec. 38.06(11).	None, Removed Use	alcohol license issued by the City.	None, Removed Use	into "restaurant" use.	Yes	No, Removed Use
			(a)Maximum capacity to be established by				
			the Director of the Building Inspection				
			Division, not to exceed the number of				
			available seats, plus staff, plus a reasonable				
			number of people waiting for seats, as				
			shown on the floor plan consistent with				
			approved capacity.				
			(b)Must serve food at all hours it is open.				
			(c)Restaurant-Taverns shall not hold an				
	An establishment where the principal and		entertainment license under Sec. 38.06(11).				
	primary use is serving meals and where		(d)Restaurant-Taverns shall at all times		Use is removed from zoning code and		
	fermented malt beverages or intoxicating		operate consistent with and according to the		incorporated into "restaurant" use. Capacity		
Restaurant-	liquors are sold for consumption upon the		requirements of a valid alcohol license		limit for restaurants serving alcohol is moved		
Tavern	premises.	None, Removed Use	issued by the City.	None, Removed Use	into restaurant use.	Yes	No change

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	An establishment which offers fermented						
	malt beverages or intoxicating liquors for						
	consumption on the premises that are						
	manufactured or rectified on the premises or						
	at an off-site location associated with the						
	premises. Tasting Rooms may include food						
Tasting Room	sales.	No change	None	No change	No changes proposed.	No	No change
	An establishment where the principal and						
	primary use is serving fermented malt						
	beverages or intoxicating liquors for		(a)Taverns shall not hold an entertainment				
	consumption on the premises and where		license under Sec. 38.06(11).				
	food or packaged alcoholic beverages may		(b)Taverns shall at all times operate		Need for an ALRC entertainment license no		
	be served or sold only as accessory to the		consistent with and according to the		longer determines zoning use. All uses must		
	primary use, and which may serve meals and		requirements of a valid alcohol license		meet requirements of all other applicable		
Tavern	include kitchen facilities.	No change	issued by the City.	None	laws; no need to repeat in zoning code.	No	No change