

**CITY OF MOAB, UTAH
ORDINANCE NO. 2021-12**

An Ordinance Amending the Text of the Moab Municipal Code (MMC) to Add Regulation for Brewpubs, Breweries and Distilleries by Amending Sections 17.06 Definitions, 17.21.020 C-2 Commercial Residential Zone, 17.24.020 C-3 Central Commercial Zone, 17.27.020 C-4 General Commercial Zone, 17.31.020 RC Resort Commercial Zone and 17.36.020 Industrial Zone

WHEREAS, the City has enacted Title 17 Zoning, of the Moab Municipal Code (“MMC”) that governs land use and development within the City Limits.

WHEREAS, from time to time the City undertakes revisions of Title 17.00 to improve the quality of land development and align the Code with state law and contemporary planning concepts.

WHEREAS, the City finds that this Ordinance will serve the public health, safety, and welfare, and that adoption is in the best interests of the Moab community.

WHEREAS, Title 17.00 of the MMC does not address Brewpubs, Breweries or Distilleries.

WHEREAS, Brewpubs are a compatible use in the C-2, C-3, and C-4 zones, but Breweries and Distilleries are most appropriate in the C-4 and I Zones

WHEREAS,

WHEREAS, the Planning Commission has discussed and reviewed the proposed ordinance revisions on numerous occasions and has provided valuable input.

WHEREAS, the Planning Commission held a public hearing on July 8, 2021 after meeting the public hearing notice requirement of the MMC.

WHEREAS, after the public hearing, the Planning Commission considered the ordinance and public input and forwarded a positive recommendation to the City Council on July 8, 2021.

NOW, THEREFORE BE IT ORDAINED that the Moab City Council hereby approves Text Amendments to the MMC as follows:

Section 1: Add the following definitions to 17.06 Definitions

BREW PUB: 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 on site or off site distribution. The alcohol to food sales revenue ratio for a brewpub shall comply with the requirements of chapter 6 (Specific Retail License Act) of title 32B (Utah Alcoholic Beverage Control Act) of the Utah Code, or its successor.

BREWERY: A business establishment that manufactures more than fifteen thousand (15,000) barrels of beer, heavy beer, or malt liquor as otherwise defined and regulated in title 32B, Utah code, as amended.

MICROBREWERY: A brewery that produces less than fifteen thousand (15,000) barrels of beer, heavy beer, or malt liquor annually and occupies less than ten thousand (10,000) square feet in gross floor area and may include a taproom in which guests/customers may sample the product.

DISTILLERY shall mean a facility that produces no more than fifteen thousand (15,000) gallons per year of spirituous beverages on site and shall include a tasting room in which guests/customers may sample the product.

Section 2. Add Brewpubs as permitted uses in 17.21.020 C-2 Commercial-Residential, 17.24.020 C-3 Central Commercial, 17.27.020 C-4 General Commercial and 17.31.020 RC Resort Commercial Zones.

Section 3: Add microbreweries and Distilleries as a permitted use to 17.27.020 C-4 General Commercial Zone and 17.36.020 I Industrial Zone.

Section 4: Add Breweries as a permitted uses to 17.36.020 I Industrial Zone.

PASSED by the City Council in a public meeting on _____ by the following vote:

MOAB CITY COUNCIL:

Those voting aye: _____

Those voting nay: _____

Those abstaining: _____

Those absent: _____

Emily Niehaus, Mayor

ATTEST:

Sommar Johnson, Clerk/Recorder