



SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Zoning Administrator

SUBJECT: ZTA2019-02 – Zoning Text Amendment – Article 11-25 Brewpubs and Micro-breweries and Article 4 Definitions

DATE: September 16, 2019

SUMMARY OF REQUEST

This is a request to amend sections of Article 11-25. – *Brewpubs and Micro-Brewery* and to update the definitions of *Brewpub* and *Micro-Brewery* to be consistent with State of Alabama Regulations.

BACKGROUND

On January 12, 2015, the City Council adopted regulations for brewpubs and micro-breweries. Regulations for these uses were adopted because of the request to build Big Beach Brewery. At the time of the request, the City had no equivalent use permitted in Gulf Shores.

Brewpubs and Micro-breweries are currently allowed by “CUP” in the BG, BA, BT, ICW-N, ICW-S, and ATP zoning districts. A micro-brewery is allowed by “Right” in the IND zoning district. A CUP requires public hearings before the Planning Commission and City Council. The CUP regulations have 14 standards for approval, and allow the City to deny or approve an application with specific conditions to safeguard and protect the surrounding community.

Alabama State Law has changed, and the City’s regulations for brewpubs and micro-breweries must be amended to comply with new state standards. City staff has reviewed the pertinent sections of the Alabama Code and consulted with Dan Roberts, Executive Director of the Alabama Brewers Guild in order to develop a draft amendment to the brewpub and micro-brewery regulations to bring them into conformance with state law.

Alabama only licenses brewpubs and manufacturers. There is no micro-brewery category on the state level. The proposed amendment renames micro-brewery to “Manufacturer of Liquor, Beer and/or Wine,” and references the Alabama Code in the definition of Manufacturer of Liquor, Beer and/or Wine.

Planning Commission: The Planning Commission voted (7-0) to recommend approval of the zoning text amendment at their August 27, 2019 meeting.

PROPOSAL

- MODIFY **Article 4 Definitions.** Renames Micro-brewery to “Manufacturer of Liquor, Beer and/or Wine” and reference the Alabama Code Regulations for manufacturers in the definition.
- MODIFY **Article 11-25 A. Brewpubs.** Aligns the regulations for brewpubs with Alabama State Law and removes the requirement for brewpubs to be located in a historic district or in an economically distressed area. This requirement was removed from State law in 2016.
- MODIFY **Article 11-25 B. Manufacturer of Liquor, Beer and/or Wine.** Aligns the regulations with Alabama State Law, removes the size and production capacity limitation, and allows this use to produce beer, wine and spirits.

FACTS TO BE CONSIDERED

1. The City of Gulf Shores established the brewpub and micro-brewery uses/ regulations in 2015.
2. Since 2015 numerous changes have been made to the State of Alabama Laws that regulates brewpubs and manufacturers.
3. In accordance with Alabama State Law, references to size and production capacity have been removed for Manufacturers of Liquor, Beer and/or Wine. The size of a manufacturer can be controlled through the CUP process based on site specific criteria.
4. The Zoning Text Amendment will align Gulf Shores zoning regulations with State of Alabama law with regards to Brewpubs and Manufacturers of Liquor, Beer and/or Wine.

RECOMMENDATION

Staff recommends the City Council approve the zoning text amendment as drafted.

Attachments: Draft amendment to Article 4. and Article 11-25 of the Zoning Ordinance