



ADMINISTRATIVE ORDER PLN17-0053

SITE SPECIFIC

CODE SECTION: 20.40.130 Nonresidential Uses

- I. **ISSUE:** The applicant proposes to operate a small brewery and taproom in a Community Business zone. The applicant has stated that he will run a taproom but the main focus of the business will be primarily the sale of ½ gallon beer growlers to go. The applicant has stated that he will be producing less than 2,400 BBL's (74,400 gallons per year). The proposed site has 28 parking spaces (18 are required for eating and drinking establishments) and has loading spaces for the delivery of supplies which occur on a monthly basis. The Shoreline Development Code does not have a listed land use for brewery, brewpub, microbrewery, or taproom in 20.40.130. However, the Development Code does have light manufacturing as a land use which is prohibited in the Community Business zone.

II. FINDINGS:

- **Site:**

Address: 17211 15th Avenue NE

Zoning: Community Business

Critical Areas: Shoreline GIS maps do not indicate any critical areas onsite.

Existing Development: There is a vacant building that was used as an animal spay and neuter clinic in the past. To the south is a teriyaki restaurant, to the north is a commercial building that houses a cleaning service and to the west is the Anderson House rehabilitation facility.

- **Shoreline Municipal Code (SMC)**

20.40.130 Permitted Uses

This section does not specifically allow breweries, brewpub, microbreweries, or taprooms in the Community Business zone. This section does allow related uses such as:

NAICS #	SPECIFIC LAND USE	R4-R6	R8-R12	R18-R48	TC-4	NB	CB	MB	TC-1, 2 & 3
	Eating and Drinking Establishments (excluding Gambling Uses)	C-i	C-i	C-i	C-i	P-i	P-i	P-i	P-i
	General Retail Trade/Services					P	P	P	P
31	Light Manufacturing							P	P

Definitions:

The definitions listed below are from the “Glossary of Zoning, Development, and Planning Terms”. The City of Shoreline does not have definitions that address breweries, microbreweries, brewpubs, restaurants, or light industrial uses.

Light Manufacturing – The manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing.

Microbrewery – 1) A facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 15,000 barrels per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district. 2) A facility at which beer is bottled and sold. The volume of production may not exceed 200 gallons per day.

Brewery – 1) An industrial use that brews ales, beers, meads, and/or similar beverages on site. Breweries are classified as a use that manufactures more than 15,000 barrels of beverage annually. In addition, uses that manufacture 15,000 barrels of beverage or less, but which do not meet one or more of the additional requirements need to be considered brewpubs, are breweries. 2) A facility with a capacity to manufacture more than 1 million barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes brew on premises stores as defined herein and/or small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

Brewpub – 1) A restaurant that manufactures up to 5,000 barrels of fermented malt beverages per year on premises for either consumption on premise in hand-capped or sealed containers in quantities up to one-half barrel or 15 and one-half gallon sold directly to the consumer, Wholesaling shall only be permitted where authorized within the zoning code. 2) An eating place that includes the brewing of beer as an accessory use.

The brewing operation processes water, malt, hops, and yeast into beer by mashing, cooking and fermenting. The area used for brewing, including bottling and kegging, shall not exceed 25 percent of the total floor area of the commercial space. The brewery shall not produce more than 1,500 barrels of beer or ale per year. A barrel is equivalent to 31 gallons. 3) A restaurant that prepares handcrafted natural beer as an accessory use intended for consumption on the premises. Production capacity shall be limited to not more than 5,000 barrels per year. Such accessory use may occupy up to 30 percent of the gross floor area of the restaurant.

Like Uses in the City of Shoreline

Seattle Gourmet Coffee – 17565 15th Avenue NE. This is a business that roasts coffee for the sale to the general public. There is also a café to buy cups of coffee. Coffee roasting is categorized as an industrial use that comprises of roasting coffee, blending tea, and manufacturing coffee extracts and flavorings.

Safeway – 17202 15th Avenue NE. This is a grocery store that has an onsite bakery. Bakeries or typically listed as an industrial use that that manufactures fresh bakery products. Safeway manufactures baked goods that are an accessory use to the principal use of a grocery store.

Like Uses in City of Seattle Commercial Zones

The applicant provided a list of microbreweries and brewpubs in the City of Seattle that are located in the Neighborhood Commercial, Commercial, and Low-Rise Residential zones.

III. CONCLUSIONS

A similar Administrative Order (#000049) allowed the use of coffee roasting in the North City Business District. The Order stated that coffee roasting is an industrial use that is not allowed as a principal use in the NCDB (now Community Business). The interpretation was that coffee roasting may be allowed as an accessory use of retail/office.

In this application, the applicant is asking to locate a microbrewery in the Community Business zone. The brewing of beer will be an accessory use to the retail sales of beer. No distribution will occur on this site. While the Development Code does not have a calculation of accessory space and principal space, the past Administrative Order (#000049) did site that 200 square feet of a 1,000 square foot building was allowed for coffee roasting (20 percent dedicated to coffee roasting).

The applicant is proposing to use 700-750 square feet for the taproom, 300-400 square feet for the brewing, and 150-300 square feet for office and restrooms. This is consistent with the prior interpretation that said the manufacturing piece of the business is accessory to the retail portion of the business.

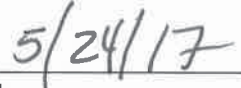
IV. DECISION:

The use of a microbrewery, taproom, and/or brewpub at the subject location in the Community Business zone is approved with the following conditions:

1. The square foot area for brewing of beer must be subordinate to the principal use of drinking establishment (taproom).
2. The approval is for the existing building. Any future building modifications, additions, or reconstruction will void this approval and require a new Code Interpretation decision.
3. Distribution is not allowed.



Director's Signature



Date