

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER MATHEWS**  
**COUNCIL BILL NO. 05**  
**ORDINANCE NO. 1617**  
Series 2017

**TITLE: AN ORDINANCE AMENDING CHAPTER 26 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING THE REGULATION OF SMALL-SCALE ALCOHOL PRODUCTION FACILITIES**

**WHEREAS**, the City of Wheat Ridge is a home rule municipality operating under a charter adopted pursuant to Article XX of the Colorado Constitution and vested with the authority by that article and the Colorado Revised Statutes to adopt ordinances for the regulation of land use and protection of the public health, safety and welfare; and

**WHEREAS**, in exercise of that authority, the City Council of the City of Wheat Ridge has previously enacted Chapter 26 of the Wheat Ridge Code of Laws pertaining to zoning, land use, and development; and

**WHEREAS**, the City is witnessing increasing interest from operators of small-scale alcohol producers to locate new facilities in the City of Wheat Ridge; and

**WHEREAS**, the City Council recognizes the possible benefits of allowing this use in the City relative to economic development; and

**WHEREAS**, the City Council finds that this ordinance will provide much needed clarity in the zoning code regarding this use;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 26-123 (Definitions) of the Code is amended by the addition of the following definitions in their appropriate alphabetical locations:

***EATING ESTABLISHMENT.*** AN ESTABLISHMENT WHERE FOOD AND BEVERAGES ARE PREPARED AND SOLD TO THE PUBLIC, WHICH MAY INCLUDE ACCESSORY ALCOHOL PRODUCTION.

***MICROBREWERY.*** A FACILITY THAT PRODUCES NO MORE THAN FIFTEEN THOUSAND (15,000) BARRELS PER YEAR OF FERMENTED MALT OR MALT LIQUOR BEVERAGES ON SITE.

***MICRODISTILLERY.*** A FACILITY THAT PRODUCES NO MORE THAN FIFTEEN THOUSAND (15,000) GALLONS PER YEAR OF SPIRITUOUS BEVERAGES ON SITE.

***MICROWINERY.*** A FACILITY THAT PRODUCES NO MORE THAN ONE HUNDRED THOUSAND (100,000) GALLONS PER YEAR OF VINOUS BEVERAGES ON SITE.

**TAP ROOM.** A USE ASSOCIATED WITH AND ON THE SAME PREMISES AS A MICROBREWERY, A MICRODISTILLERY, OR A MICROWINERY FACILITY WHICH SELLS AND SERVES ALCOHOL BEVERAGES FOR CONSUMPTION ON THE LICENSED PREMISES, SELLS ALCOHOL BEVERAGES IN SEALED CONTAINERS FOR CONSUMPTION OFF THE PREMISES, OR BOTH.

**Section 2.** Section 26-204 of the Code, Table of Uses for Commercial and Industrial Districts, is amended by the addition of the following rows in their appropriate alphabetical location:

<i>Uses</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I-E</i>
MICROBREWERY, MICRODISTILLERY, OR MICROWINERY; WITH A TAP ROOM	S	S	P	P	P
MICROBREWERY, MICRODISTILLERY, OR MICROWINERY; WITHOUT A TAP ROOM					P

**Section 3.** Section 26-1111.B. Permitted Uses, Commercial Services and Retail, in the mixed use zone districts, is amended by the addition of the following rows in their appropriate alphabetical location:

<i>Use Group</i>	<i>MU-C</i>	<i>MU-C Interstate</i>	<i>MU-C TOD</i>	<i>MU-N</i>
<b>Commercial Services and Retail</b>				
MICROBREWERY, MICRODISTILLERY, OR MICROWINERY; WITH A TAP ROOM	P	P	P	P
MICROBREWERY, MICRODISTILLERY, OR MICROWINERY; WITHOUT A TAP ROOM		P		

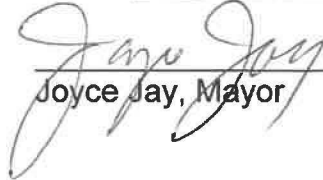
**Section 4. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This ordinance shall take effect 15 days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 5 to 0, this 27th day of March, 2017 and ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for April 10, 2017 at 7 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ ADOPTED AND ORDERED PUBLISHED** on second and final reading by  
a vote of 8 to 0, this 10th day of April, 2017.

SIGNED by the Mayor on this 10th day of April, 2017.

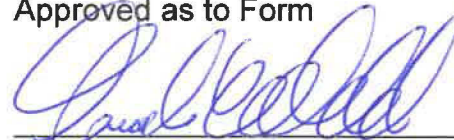
  
Joyce Jay, Mayor

ATTEST:

  
Janelle Shaver, City Clerk



Approved as to Form

  
Gerald E. Dahl, City Attorney

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