



**PLANNING COMMISSION STAFF REPORT**

<b>MEETING DATE:</b>	May 7, 2026
<b>PROJECT NUMBER:</b>	OA26-0003
<b>REQUEST:</b>	A petition to amend Sections 17.04.030 and 17.05.040 of the South Salt Lake Municipal Code to align City proximity requirements for alcohol-related Uses with the Department of Alcoholic Beverage Services measurement standards.
<b>APPLICANT:</b>	South Salt Lake City
<b>TYPE OF ITEM:</b>	Legislative – Ordinance Amendment
<b>AUTHOR:</b>	Spencer Cawley, Senior Planner

**SYNOPSIS:**

As part of proposed amendments to change the City’s designations of City-issued alcohol licenses (a.k.a. local consent), City Staff recommends updating the method of measuring proximity of alcohol-related uses to align with the DABS method of measuring proximity. Because this requirement is in Title 17, the Planning Commission must make a recommendation to the City Council for consideration. This recommendation will be included with the broader ordinance to be reviewed by the City Council concurrently.

**REASON FOR REVIEW:**

The Planning Commission is the recommending body for amendments to Land Use ordinances.

**§ 17.11.030 Land use authority designations.**

Pursuant to state law, the following administrative land use authority designations are made:

- A. Planning Commission.** The planning commission is the land use authority on issues of: subdivision and subdivision plat approval, vacating, altering or amending a Subdivision Plat; Conditional Use Permit Applications; design review for Building Heights as established in this Title; design review for projects on Parcels where any portion of the Parcel abuts any residential district; and the issuance of a Building or demolition permit in a Historic and Landmark district.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for the ordinance amending Sections 17.04.030 and 17.05.040 of the South Salt Lake City Municipal Code to align City proximity requirements for alcohol-related Uses with the Department of Alcoholic Beverage Services (DABS) measurement standards.

## **BACKGROUND**

On March 25, 2026, the City Council held a work meeting and discussed proposed amendments to Title 5 – Business Licensing (liquor license caps for restaurants) and Title 17 – Land Use and Development (proximity requirement clarifications) ([Staff Presentation](#), p. 69; [Meeting Minutes](#)).

Currently, Title 5 groups all City-issued liquor licenses for restaurants, recreational beer, banquet/catering, and manufacturing under a single category. This category is capped at 33 total licenses based on a ratio of one license per 800 residents.<sup>1</sup> Of these 33 licenses, 24 are currently held by restaurants. As of this report, 32 licenses have been issued, with one application under review and two additional applications on a waitlist.

To address the cap of available licenses and streamline the licensing process, this amendment proposes to:

1. **Title 5 (Business Licensing)** – Establish a standalone license type for restaurants with no proposed cap on city licenses. This change acknowledges that because DABS regulates restaurant-level alcohol sales, a local cap creates a redundant regulatory hurdle. Most importantly, this change will not require additional City enforcement or staff time.
2. **Title 17 (Land Use and Development)** – Amend the measurement methodology for alcohol-related uses. The current code requires measuring from the nearest property line to regulate proximity requirements. The amendment proposes to align with DABS standards codified in state law, measuring by the “shortest route of ordinary pedestrian travel.”

While the Planning Commission’s review is limited to the proposed amendments to Title 17, the proposed amendments to Title 5 are included in this report to provide necessary context for the overall policy shift.

## **ANALYSIS**

### **I. GENERAL PLAN CONSIDERATIONS**

The [South Salt Lake General Plan 2040](#) was adopted in 2021 and directs the development and growth of the City through goals and strategies that support the City’s community and economic values. The proposed amendments to Titles 5 and 17 are supported by the following goals of the General Plan:

#### **Economic Development Goal 1.**

Create a diverse and resilient local economy.

**Analysis:** The proposed amendment to Title 5 removes the restaurant liquor license cap, which currently sits at a near-capacity level. By eliminating this cap, the City ensures that the local economy can continue to grow and diversify without being hindered by a quota. This supports the entry of new dining establishments that are critical to a resilient economy.

#### **Economic Development Goal 2.**

Make South Salt Lake the best place to do business in the Salt Lake Valley.

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<sup>1</sup> [§5.04.180](#) – City Alcoholic Beverage Caps

**Analysis:** This amendment streamlines the business licensing process by removing a redundant city-level cap for restaurants, which are already regulated by DABS. By reducing these administrative hurdles and aligning local requirements with State law, the City is actively making South Salt Lake a more attractive and competitive environment for business owners.

**Land Use & Neighborhoods Goal 1**

Promote land use patterns that are consistent with the City’s vision for a vibrant, urban community.

**Analysis:** Restaurants are essential to the “vibrant, urban community” vision described in the General Plan. Separating restaurant licenses from recreational beer, banquet/catering, and manufacturing allows the City to encourage dining-related land uses. Furthermore, changing the proximity measurements to “shortest route of ordinary pedestrian travel” in Title 17 reflects how people move within an urban environment.

**Land Use & Neighborhoods Goal 4**

Ensure that land use regulations are clear, consistent, and easy to navigate.

**Analysis:** The current discrepancy between City and DABS measurement methods creates confusion for applicants. Many applicants have researched the DABS website before applying and assume that the City’s regulations are the same. By adopting the DABS standard in Title 17, the City ensures its regulations are clear and consistent with State law. This alignment provides a predictable standard for business owners.

**II. PROPOSED UPDATES TO TITLE 5 AND TITLE 17.**

As outlined in the Background Section, the primary objective of these amendments is to align alcohol licensing standards with DABS standards regarding alcohol license types and the method of measuring proximity.

The following table provides a summary of the proposed amendments:

CODE SECTIONS	HIGHLIGHT OF CHANGES
<p><b>Amending Section 5.04.180</b>  <b>City Alcoholic Beverage License Caps</b></p>	<ul style="list-style-type: none"> <li>• Changes all instances of “Department of Alcoholic Beverage Control” to “Department of Alcoholic Beverage Services”.</li> <li>• Removes Restaurant (Beer Only), Restaurant (Limited Service), &amp; Restaurant (Full Service) from the 1-per-800 resident cap and establishes a standalone Restaurant-only license type.</li> <li>• Establishes administration of restaurant liquor licenses in conjunction with <a href="#">Utah Code Chapter 32B-6</a>, which regulates DABS licenses under the food-to-alcohol ratio requirement.</li> </ul>

<p><b>Amending Section 17.04.030 Permitted Uses with Specific Standards</b></p>	<ul style="list-style-type: none"> <li>• Replaces the phrase “as measured at the closest Property Lines” with “as measured by the shortest route of ordinary pedestrian travel” as the standard for measuring proximity requirements for alcohol-related Permitted Uses.</li> </ul>
<p><b>Amending Section 17.05.040 Conditional Uses with Specific Standards</b></p>	<ul style="list-style-type: none"> <li>• Replaces the phrase “as measured at the closest Property Lines” with “as measured by the shortest route of ordinary pedestrian travel” as the standard for measuring proximity requirements for alcohol-related Conditional Uses.</li> </ul>

### III. ZONING TOOLS

The proposed amendments are a technical update to the measurement methodology for proximity and do not alter the underlying land use regulations currently in place.

- The existing minimum separation requirements for Alcoholic Beverage Uses remain unchanged. Specifically, the 600-foot buffer from residential districts and the 2,650-foot (one-half mile) buffer from Homeless Shelters remain the standard.
- Moving from a “property line to property line” measurement to the “shortest route of ordinary pedestrian travel” provides a more accurate reflection of how alcohol-related Uses interact with the community. This standard accounts for actual pedestrian barriers, such as fences, buildings, or major transit corridors, that the straight-line measurement ignores.
- These amendments do not recommend any changes to the Land Use Matrix. The zoning districts where Alcoholic Beverage Uses are currently designated as Permitted or Conditional remain unchanged, ensuring that the City’s established land use vision is preserved.
- By maintaining these proximity distances while adopting the DABS measurement method, the City provides a predictable, clear, and consistent regulatory environment for business owners without compromising community safety standards.

#### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for the ordinance amending Sections 17.04.030 and 17.05.040 of the South Salt Lake Municipal Code to align City proximity requirements for alcohol-related Uses with the Department of Alcoholic Beverage Services measurement standards.

#### **PLANNING COMMISSION OPTIONS**

##### **Option 1: Approval**

Move to forward a recommendation of approval to the City Council for the ordinance amending Sections 17.04.030 and 17.05.040 of the South Salt Lake Municipal Code to align City proximity requirements for alcohol-related Uses with the DABS measurement standards.

##### **Option 2: Denial**

Move to forward a recommendation of denial to the City Council for the ordinance amending Sections 17.04.030 and 17.05.040 of the South Salt Lake Municipal Code to align City proximity requirements for alcohol-related Uses with the DABS measurement standards.

**Option 3: Continuance**

Move to table the recommendation to the City Council for the ordinance amending Sections 17.04.030 and 17.05.040 of the South Salt Lake Municipal Code to align City proximity requirements for alcohol-related Uses with the DABS measurement standards.

**EXHIBITS**

- A. Redlined Ordinance Amendment

#### 5.04.180 City alcoholic beverage license caps.

The City shall limit its issuance of City alcoholic beverage licenses to the following license types in the amounts indicated below:

- A. Off-Premise Beer and Package Agency. The total number of City alcoholic beverage licenses issued for a corresponding state Department of Alcoholic Beverage ~~Control Services~~ Off-Premise Beer license or sublicense or Package Agency shall not exceed a ratio of one City alcoholic beverage license per 400 individuals of City population;
- B. Banquet and Catering, Beer Recreational, ~~Restaurant (Beer Only), Restaurant (Limited Service), Restaurant (Full Service),~~ and Manufacturing (Brewery, Winery, & Distillery). The total number of City alcoholic beverage licenses issued for a corresponding state Department of Alcoholic Beverage ~~Control Services~~ Banquet and Catering, Beer Recreational, ~~Restaurant (Beer Only), Restaurant (Limited Service), or Restaurant (Full Service)~~ or Manufacturing (Brewery, Winery, & Distillery) license or sublicense shall not exceed a ratio of one City alcoholic beverage license per 800 individuals of City population; and
- C. Bar Establishment and Tavern. The total number of City alcoholic beverage licenses issued for a corresponding state Department of Alcoholic Beverage ~~Control Services~~ Bar Establishment or Tavern license or sublicense shall not exceed a ratio of one City alcoholic beverage license per 3,000 individuals of City population, except that an additional five City alcoholic beverage licenses may be allowed in excess of the quota if they are issued in the Downtown District.
- D. ~~Restaurant (Beer Only), Restaurant (Limited Service), and Restaurant (Full Service).~~ The number of City-issued alcoholic beverage licenses for the corresponding state Department of Alcoholic Beverage ~~Services~~ ~~Restaurant (Beer Only), Restaurant (Limited Service), and Restaurant (Full Service)~~ shall be administered in conjunction with Utah Code 32B-6. A license for ~~Restaurant (Beer Only), Restaurant (Limited Service), and Restaurant (Full Service),~~ shall be issued so long as the licensee maintains the food-to-alcohol ratios required by their specific state license type and all other requirements established by law. The total number of City alcoholic beverage licenses for a state Department of Alcoholic Beverage ~~Services~~ ~~Restaurant (Beer Only), Restaurant (Limited Service), and Restaurant (Full Service)~~ shall not be limited by population or other means.

For purposes of this Section, population shall be determined by the most recent United States decennial or special census.

(Ord. No. 2020-02, § II(Exh. A), 1-8-2020; Ord. No. 2022-19, § 1(Exh. A), 10-26-2022)

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#### 17.04.030 Permitted Uses with Specific Standards.

The Uses listed below require compliance with the following standards in addition to any other applicable requirements of this Code.

- A. Alcoholic Beverage Uses. All Alcoholic Beverage Uses designated as "P"—Permitted Uses—in the Title 17 Land-Use Matrix are subject to the following restrictions:
  1. Alcoholic Beverage, Banquet and Catering; Alcoholic Beverage, Beer Recreational; Alcoholic Beverage, Hotel; Alcoholic Beverage, Off-Premise Beer; Alcoholic Beverage, Package Agency; Alcoholic Beverage, Restaurant (Beer Only, Limited Service, and Full Service); and Alcoholic Beverage, Special Use (Educational, Scientific, and Industrial/Manufacturing) Uses may not be located (a) any closer to a residential district than six hundred (600) feet, ~~as measured at the~~

~~closest Property Lines. as measured by the shortest route of ordinary pedestrian travel,~~ (b) any closer to a community location than permitted under section 32B-1-202 of the Utah Code, as amended, (c) nor any closer to a Homeless Shelter than two thousand six hundred forty (2,640) feet, ~~as measured at the closest Property Lines. as measured by the shortest route of ordinary pedestrian travel.~~

2. Such Uses shall incorporate plenary operational and management practices, including the use of properly licensed, bonded, and insured security personnel, as warranted, to prevent and mitigate adverse on-premises and offsite behavioral and safety impacts.
3. Such Uses shall maintain throughout all areas of the subject premises during all business hours a minimum of one (1) candle power light measured at a level five (5) feet above the floor.

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#### **17.05.040 Conditional Uses with Specific Standards.**

The Conditional Uses listed below require compliance with their corresponding specific standards in addition to any other applicable requirements of this Code, including the General Conditional Use standards in Section 17.05.020 and applicable Chapter 17.04 requirements.

- A. Adult Daycare. An Adult Daycare Use shall not include any overnight Residential Use and shall not be located within two thousand six hundred forty (2,640) feet of any Homeless Shelter Use. The distance shall be measured at the closest Property Lines.
- B. Alcoholic Beverage Uses. All Alcoholic Beverage Uses designated as "C"—Conditional Uses—in the Title 17 Land-Use Matrix are subject to the following, additional standards:
  1. Alcoholic Beverage, Bar Establishment; Alcoholic Beverage, Beer Wholesaler; Alcoholic Beverage, Liquor Warehouse; Alcoholic Beverage, Manufacturer; Alcoholic Beverage, Tavern; and Alcoholic Beverage, State Liquor Store Uses also may not be located (a) any closer to a residential district than six hundred (600) feet, ~~as measured at the closest Property Lines. as measured by the shortest route of ordinary pedestrian travel,~~ (b) any closer to a community location than permitted under section 32B-1-202 of the Utah Code, as amended, (c) nor any closer to a Homeless Shelter than two thousand six hundred forty (2,640) feet, ~~as measured at the closest Property Lines. as measured by the shortest route of ordinary pedestrian travel.~~
  2. All such Uses shall incorporate plenary operational and management practices, including the use of properly licensed, bonded, and insured security personnel, to prevent and mitigate adverse on-premises and offsite behavioral and safety impacts.
  3. All such Uses shall maintain throughout all areas of the subject premises during all business hours a minimum of one candle power light measured at a level five feet above the floor.

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