

Brewery Guide



Choose a Location

Find a location zoned for your business. Every location is zoned differently - some could require a “Change of Use” or “Conditional Use” application, which can include a public hearing and neighborhood notification.

businessportal.sfgov.org/start/find-a-location

NOTE Some zoning districts prohibit the establishment of a brewery use, and a “Change of Use” or “Conditional Use” may impact timeline and budget.

Visit the SF Planning Department’s Planning Information Counter at 1660 Mission St. to understand zoning and building codes. These requirements will determine where you open your brewery. sf-planning.org

NOTE Generally, taking over a space that already was a food/beverage manufacturer can save time and construction costs, as long as the manufacturer had recently passed inspections and was in compliance with current requirements. This may not be the case in specific geographic area in San Francisco. Refer to the Planning Department for any restrictions.

NOTE If you plan to do tastings or serve food, you will need to go through additional processes.

Review the DPH Construction Guidelines and visit the SF Fire Department to determine if you need to make changes to your space. You must consider sprinkler systems, fire exits, capacity requirements, etc.

sfdph.org
sf-fire.org

Review Americans with Disability Act (ADA) guidelines to make sure your business is accessible.

businessportal.sfgov.org/location-options/ada

Sign your lease. Leases can be tricky, so review the lease carefully with a lawyer before signing.

NOTE Your landlord is required to provide information about the accessibility of the building, in case it needs renovations.

NOTE Consider common manufacturing needs such as loading docks, roll up doors, floor drains, and proper ventilation.

Also consider power needs. Increasing power needs may require extra construction, permitting, and may trigger impact fees, which can affect your timeline.

NOTE Breweries can be Tenant Improvement (TI) intensive, consider the duration of your lease vs. your investment in TI and ensure that they are consistent



Set Up Your Business

Create a plan for the type of business you will open. businessportal.sfgov.org/start/create-a-plan

Choose a business structure. LLCs, Corporations, and Limited Partnerships must register their structure with CA Secretary of State before registering locally. businessportal.sfgov.org/start/choose-a-structure

Apply for an Employer Identification Number (EIN), also known as a Federal Tax ID Number from the IRS. This is used to identify your business and allows you to hire employees. If you are a sole proprietor without employees, you may choose to use your Social Security Number instead.

Register your business with the City through the Office of the Treasurer and Tax Collector (TTX). businessportal.sfgov.org/start/register-your-business

NOTE If you register your business before choosing a final location, you will have to update your registration with the new address. This can cost money and time.

Choose and file a business name. File a Fictitious Business Name (FBN) Statement at the SF Office of the County Clerk if you will be using a name other than your given name, the names of your partners, or the officially registered name of your LLC or corporation. Research the name’s availability in your county before filing. businessportal.sfgov.org/start/choose-a-name

Apply for a U. S. Tax and Trade Bureau (TTB) Permit and Brewer’s Notice. Contact the TTB Permit Division to find out what forms and permitting requirements are applicable to your brewery. www.ttb.gov/beer/qualify.shtml

Brewery Guide



Set Up Your Business

□ **NOTE** TTB will require a lease or proof of building ownership, the names, addresses, and personal financial details of all investors/LLC members, and all LLC members will be required to provide detailed personal statements.

Apply for an Alcohol Beverage Control (ABC) License

Review and decide which type of ABC permit applies to your situation. Licenses that allow for the brewing of beer are Types 1, 23, and 75. Visit ABC's local office for further assistance. Staff will ask questions regarding business operations and will advise on the forms, and fees required for the application.
www.abc.ca.gov/permits/permits.html

□ **NOTE** ABC will require either a zoning official approval, opening of escrow, or record from the Recorder's office for a certified copy of a Notice of Intended Transfer.

Apply for a Seller's Permit from the CA State Board of Equalization. Every location must have this permit to sell taxable goods.

Obtain workers' compensation insurance if you will have employees. You will need this in order to obtain the Department of Public Health (DPH) Permit to Operate.

File a Trademark for Your Brewery Name (Optional)

A trademark is any individual or combination of words, phrases, symbols or designs that identifies or distinguishes the source of goods of one party from those of another. You will need to research to make sure your trademark isn't already in use. File your trademark with the United States Patent and Trademark Office (USPTO).
www.uspto.gov/trademarks-application-process/filing-online

□ **NOTE** This process can be long. The overall USPTO process from start to finish averages between 12 and 18 months.

File Trademarks for Your Beer Names (Optional)

You can file a trademark for your beer names. Once you select the names and design logos, you will need to research to make sure your trademark isn't already in use. File your trademark with the United States Patent and Trademark Office (USPTO).
www.uspto.gov/trademarks-application-process/filing-online

□ **NOTE** if you have your beer names selected at the time you apply for a Federal trademark for the brewery name you can submit the applications for the beer names at the same time – up to 36 months before the launch of the beer itself.



Prepare Your Space

New Construction: Submit plans and documents to the SF Department of Building Inspection. Change and resubmit plans as needed.

businessportal.sfgov.org/start/location-options

Water & Wastewater Capacity Charge: If your business will use more water than the previous business or resident, you may have to pay a capacity charge to the SF Public Utilities Commission (PUC). sfwater.org

□ **NOTE** Get an estimate of the water capacity charge from the PUC before you sign a lease. This fee can be high.

Gas & Electric Services: If your business needs new or additional gas or electric services, contact PG&E Building and Renovation Services to start the application process.
pge.com

Signs: If you want to install or change a canopy or sign on the outside of the building, ensure you comply with the SF Planning Department sign guidelines. sf-planning.org

Transit Impact Development Fee: If your business will increase the number of people coming to your area, you may have to pay a Transit Impact Development Fee to the SF Municipal Transportation Agency (MTA). sfmta.com

□ **NOTE** Small businesses may be eligible for Transit Impact Development Fee waivers or reductions.

Brewery Guide



What if ...

If you plan to hire employees, be sure to follow all wage and employment guidelines.

businessportal.sfgov.org/start/hire-employees

Light Snacks such as pretzels and peanuts can be served without a full kitchen. If you wish to serve heavier fare, you must follow the food and kitchen requirements of a Full Restaurant. businessportal.sfgov.org/start/starter-kits/restaurant

Labels If you plan on designing labels for your product, be sure to get your label(s) approved by the Alcohol and Tobacco Tax and Trade Bureau. www.ttb.gov/labeling

Bike Racks If you wish to have bike racks, you must follow the SF Municipal Transportation Agency (MTA) bicycle parking guidelines. The MTA installs racks for short-term bike parking (under two hours) in the public right-of-way (on the sidewalk or in the parking lane) by request, at no charge. sfmta.com/ko/services/streets-sidewalks/installation-requests/bicycle-racks-corrals

Tastings at Farmers Markets. As of January 1, 2016, beer manufacturers that hold a Type 84 Certified Farmers' Market Beer Sales Permit may offer instructional tasting events to consumers. Business and Professions Code section 23399.45 was amended to add this new privilege by Assembly Bill 774. Existing off-sale privileges at farmers' markets are not affected by this amendment. Visit the ABC website for more information regarding this legislation and other updates: www.abc.ca.gov



After Opening

Post all required posters and permits including No Smoking signs, minimum wage information, etc.

Mark your calendar. Schedule equipment maintenance and set reminders to renew your permits and licenses as needed.

Be prepared for SFPDH Health Inspections If you serve food, be prepared for SFPDH Health Inspections by checking walls, floors, and ceilings for damage; following best practices for food storage; collecting garbage; and ensuring workers have good hygiene. However, if you are only a Type 23 Microbrewery and serve only serve certain bar snacks for food, you are exempt from health department inspection. sfdph.org

Prepare and pay your local, state, and federal taxes. Learn more from these departments:

sftreasurer.org

sfassessor.org

ftb.ca.gov

irs.gov



To speak with a business counselor
visit the Office of Small Business

City Hall, Room 110
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
(415) 554-6134