



Agenda Item Summary

File #: 25-00078

Agenda Date: 1/28/2025

Agenda Item Name:

Request to advertise a Notice of Public Hearing for a Unified Land Development Code (ULDC) amendment related to small-scale alcoholic beverage production facilities

Presenter:

Mehdi Benkhatar, 352-374-5261

Description:

This is a staff-initiated request for a ULDC amendment that would add a specific use for "small-scale alcoholic beverage production facility" under the Food and Beverage section of the Zoning Use Table (Chapter 404, Article II).

Its definition along with amended definitions for "restaurant" and "cocktail lounge, bar, tavern or nightclub" are included.

Recommended Action:

Staff recommends that the Board of County Commissioners hear the presentation and approve the request to advertise.

Prior Board Motions:

None.

Fiscal Note:

There is no fiscal impact at this time, as the advertisement will be published on the County's "Public Notices" page.

Strategic Guide:

Social and Economic Opportunity

Background:

In recent years the alcoholic beverage market has seen a rise in the number of small-scale producers throughout the United States. How these production facilities are regulated from a land use and zoning perspective vary. Currently, Alachua County's land development code does not have a specific use or related definitions. Public interest in this use has led to some uncertainty about how it would be regulated. Some jurisdictions throughout Florida have begun specifically regulating and defining "microbreweries", "brewpubs" and similar uses.

In the existing Alachua County ULDC, the use of "light industrial" is the closest match for small-scale

alcoholic beverage production facilities (SSABPF). However, for places like brewpubs, restaurants or bars that are primarily commercial in nature and located within commercial zoning districts, the light manufacturing component of producing alcoholic beverages for on-site consumption or carry out is not allowed. This item is staff initiated due to a number of calls received over the years but is not in response to any specific applicant request.



Request to Advertise ULDC Amendment for “Small-scale alcoholic beverage production facility”

Background

- Rise of small-scale alcoholic beverage producers in US
- No specific use or definitions currently exist in ULDC
- Allow for restaurants and bars to produce beverages for on-site consumption



Sippin' Seven Alachua County Ale Trail

Existing Microbreweries in the County
(none are in unincorporated area)

- Blackadder
- Cypress & Grove
- Dry Wrought Cider
- Daft Cow
- First Magnitude
- Grand Scheme
- High Springs Brewing
- Swamp Head





Revisions to Code

- New use proposed to be added to the Food & Beverage code (Sec. 404.69.2)
- Permitted in BW, ML, MS, MP districts and as an accessory use in the A district
- Bars and restaurants would also be allowed to produce alcoholic beverages for on-site consumption
- Tap/tasting rooms and sale of related merchandise allowed

SSABPF defined

- *A small-scale alcoholic beverage production facility* is a facility that produces no more than:
 - 15,000 barrels (465,000 U.S. gallons) of beer and/or cider
 - 100,000 U.S. gallons of wine and/or mead per year (winery/meadery)
 - 15,000 U.S. gallons of spirits per year (distillery)
- Tasting or tap rooms and retail sales of merchandise related to the alcoholic beverage may also be allowed.

Proposed revised code

Sec. 404.69.2 Small-scale alcoholic beverage production facility

A small-scale alcoholic beverage production facility is allowed as a permitted use within the BW, ML, MS and MP districts and as an accessory use in the A district, with an active agricultural operation for agritourism purposes and utilizing agricultural products grown and processed on site.

Chapter 410 definitions:

Small-scale alcoholic beverage production facility: A facility that produces no more than 15,000 barrels (465,000 U.S. gallons) of beer and/or cider per year (microbrewery/cidery), 100,000 U.S. gallons of wine and/or mead per year (winery/meadery), or 15,000 U.S. gallons of spirits per year (distillery). Tasting or tap rooms and retail sales of merchandise related to the alcoholic beverage may also be allowed.

Restaurant: Any structure where food is prepared or served for consumption on or off the premises or within an enclosed business or building. Alcoholic beverages may also be produced for consumption on the premises.

Cocktail lounge, bar, tavern, or nightclub: A commercial establishment dispensing alcoholic beverages for consumption on the premises in which the service of food is merely incidental defined as the establishment deriving no more than fifty (50) percent of its gross revenue from the sale of food consumed on the premises. Alcoholic beverages may also be produced for consumption on the premises. Dancing and musical entertainment may be permitted. The term nightclub may also include facilities in which dancing and musical entertainment are permitted whether or not alcoholic beverages are served.

Code Revision Language

Words ~~stricken~~ are deletions; words underlined are additions

ARTICLE II. USE TABLE								P = Permitted Use by Right L = Limited Use SE = Special Exception SU = Special Use Permit									A = Accessory Use Blank Cell = Prohibited Uses NA = Not Applicable						
ZONING DISTRICT	A	A-RB	C-1	RE-1	R1-aa R-1a	R-1b	R-1c	R-2 R-2a R-3	RM	RM-1	RP	HM	BP AP	BR	BR-1	BH	BA BA-1	BW	ML	MS MP	MB	TOD TND	STANDARDS
LAND USE CATEGORY																							
FOOD AND BEVERAGE																							
Restaurant	L													P	P	P	P	P	A	A	P	P	Section 404.67.5
Restaurant, with drive-through														SE	L	L	L	L		A		L	Section 404.68
Incidental food and beverage sales		A												A	A	A	A	A	A	A	A	A	Section 404.69
Cocktail lounge, bar, tavern, or nightclub										SE						P	P	P			SE	P	
Mobile food sales		L												L	L	L	L	L	L	L	L	L	Section 404.69.1
<u>Small-scale alcoholic beverage production facility</u>	<u>A</u>																	<u>P</u>	<u>P</u>	<u>P</u>			<u>Section 404.69.2</u>

Staff recommendation

Staff recommends that the Board of County Commissioners authorize a request to advertise a public hearing on a ULDC amendment related to small-scale alcoholic beverage production facilities.



Alachua County Office of Planning and Development Staff Report

Proposed Amendments to Unified Land Development Code (ULDC)

BOARD OF COUNTY COMMISSIONERS

**Request to Advertise: January 28, 2025
First Hearing: TBD**

SUBJECT: A request to amend ULDC Chapter 404, Article XV (Food and Beverage) by adding Sec.404.69.2 "Small-scale alcoholic beverage production facility" and related definitions in Chapter 410, Article III.

APPLICANT/AGENT: Alachua County Growth Management

Summary of Proposed Amendment

In recent years the alcoholic beverage market has seen a rise in the number of micro-breweries, micro-wineries and micro-distilleries throughout the United States. How these alcoholic beverage production facilities are regulated from a land use and zoning perspective vary. Currently, Alachua County's land development code does not have a specific use or related definitions. Public interest in this use has led to some uncertainty about how it would be regulated. Some jurisdictions throughout Florida have begun specifically regulating and defining microbreweries et al.

In the existing ULDC, the use of "light industrial" is the closest match for small-scale alcoholic beverage production facilities (SSABPF). However, some places like "brewpubs" primarily have a retail, commercial use with a secondary light manufacturing component. The proposed amendment would allow restaurants and bars to integrate alcoholic beverage production for on-site consumption.

Comprehensive Plan Consistency

The proposed ordinance is consistent with the Alachua County Comprehensive Plan. Small-scale alcoholic beverage production facilities are most closely aligned with light industrial uses. This ordinance specifies that SSABPF are a permitted use within the light and heavy industrial zoning districts and as an accessory use within the A district, with an active agricultural operation for agritourism purposes and utilizing agricultural products grown and processed on site.

FUTURE LAND USE ELEMENT OBJECTIVE 4.3 - LIGHT INDUSTRIAL

The Light Industrial future land use classification is established to accommodate certain office and light industrial uses, such as research and development and experimental laboratories and similar uses or the manufacturing or fabrication of products that have minimal off-site impacts. Certain warehousing, transportation and distribution uses may be appropriate if all performance standards can be achieved.

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SSABPF are aligned with this future land use classification.

Staff's Proposed Text Amendment

Proposed Text Change

Staff is proposing adding Sec.404.69.2 under the Food and Beverage section of the Zoning Use Table to provide standards for SSABPF and to amend definitions for "restaurant" and "Cocktail lounge, bar, tavern, or nightclub".

*Chapter 404 Use Regulations
Article XV Food and Beverage*

Sec. 404.69.2 Small-scale alcoholic beverage production facility

A small-scale alcoholic beverage production facility is allowed as a permitted use within the BW, ML, MS and MP districts and as an accessory use in the A district, with an active agricultural operation for agritourism purposes and utilizing agricultural products grown and processed on site.

*Chapter 410 Definitions
Article III Defined Terms*

Small-scale alcoholic beverage production facility: A facility that produces no more than 15,000 barrels (465,000 U.S. gallons) of beer and/or cider per year (microbrewery/cidery), 100,000 U.S. gallons of wine and/or mead per year (winery/meadery), or 15,000 U.S. gallons of spirits per year (distillery). Tasting or tap rooms and retail sales of merchandise related to the alcoholic beverage may also be allowed.

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facilities in which dancing and musical entertainment are permitted whether or not alcoholic beverages are served.

Staff Analysis of Proposed Amendment

The proposed language would provide clarity for small-scale alcoholic beverage producers by specifying in which zoning districts this use is allowed and how the use is defined. The use is primarily a light industrial use with ancillary uses of tasting/taprooms and the sale of related merchandise allowed.

The amendment also impacts the uses of “restaurant” and “cocktail lounge, bar, tavern, or nightclub” by allowing these locations to incorporate alcoholic beverage production at their sites.

Fiscal Impact Analysis

Commented [MB1]: We also need BIE for this.

Impact on the Initial Cost of Housing and on the Long Term Cost of Home Ownership

These proposed amendments will not cause an increase to the initial cost of housing and there would be no impact on the long term cost of home ownership.

Fiscal Impacts to the County and County Taxpayers

There are no costs to the County or to County taxpayers resulting from these amendments.

Staff Recommendation

Staff recommends that the Board of County Commissioners approve the request to authorize a notice of public hearing for this ULDC amendment.