



To: Planning Board
From: Don Buczak, Assistant to the City Manager
Date: October 4, 2018
Subject: Staff Report for Changes to the Zoning Code

Summary of the Request

The request is to add definitions to the Zoning Code for Brewpub, Micro-brewery, Micro-winery, Micro-distillery, and allowing these uses in the Central Business District. In addition to adding definitions and uses, there is proposed language regarding parking and site design standards for the above uses.

Applicant Information

City Staff

Current Zoning District

B-4 Central Business District

Parcel Identification

Not Applicable

Additional Actions or Next Steps to be taken by the City

The Planning Board would need to recommend the proposed changes to City Council for their review and approval.

Applicant's Reason for the Request

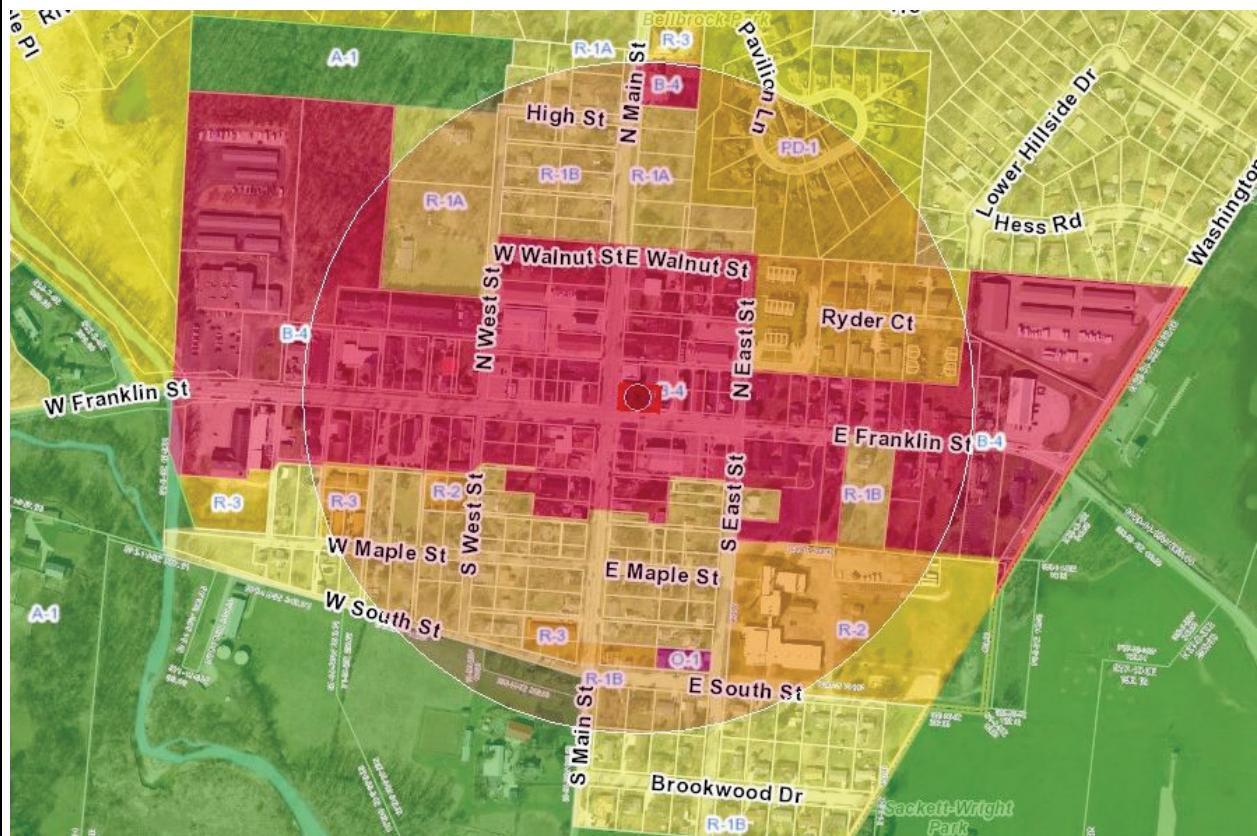
City staff has been approached by business owners interested in opening a brewpub in downtown Bellbrook.

Staff believes the city should specifically allow brewpubs, micro-breweries, micro-wineries, and micro-distilleries in our Central Business District (downtown area) to attract this growing segment of our local economy while establishing a level of local control. Staff also believes the city should consider how surrounding communities have allowed brewpubs, micro-breweries,

micro-wineries, and micro-distilleries in their municipalities. Bellbrook is competing for businesses against neighboring municipalities and these types of businesses are in high demand. These types of businesses have proven to bring positive changes to the immediate areas and can be used to attract visitors to our downtown area. Providing more attractions to our downtown area will only benefit other businesses and property owners.

On September 20, 2018, City Manager Melissa Dodd and I met with the City Planner and Economic Development Director from the City of Miamisburg. They provided very helpful information on how their brewpub and micro-brewery fit into their historic downtown area. They also provided background on how they developed their Zoning Code to allow for these uses. They also explained how the two businesses have been a benefit to the downtown area and they have not had any major complaints about their operations.

Surrounding Land Use within 1,000 Feet



The graphic above shows the current downtown area and zoning uses. The B-4 zoning designation does not exist in other parts of the city.

Previous Related Development Decisions in the Immediate Area (3-5 Years)

Not Applicable

Comprehensive Plan Applied to the Geographical Area

The 1974 Comprehensive Plan suggests neighborhood type businesses, retail stores, offices, food markets, goods meant for the region, and other special businesses in the Central Business District.

The intent of the Central Business District in the Zoning Code is stated below:

This district is designed to provide for a restricted variety of retail stores and related activities and for office buildings and service establishments which occupy the prime retail frontage in the Central Business District, and which serve the comparison, convenience and service needs of a consumer population well beyond the corporate boundaries of the Municipality. The district regulations are also designed to provide for a centrally located major shopping complex which will be serviced with conveniently located off-street parking compounds and safe pedestrian movement, but to exclude non-retail uses which generate a large volume of truck traffic.

Existing Public Utilities

The Central Business District has full access to all utilities, including City of Bellbrook water.

Soil Survey Data

Not Applicable

Classification of Streets, Traffic Volumes & Direction, Planned Improvements

Not Applicable

Flood Plain Information

Not Applicable

Comments from City and County Agencies

Not Applicable

Supporting Documents, Maps & Graphics

See attached for a case study focusing on the City of Miamisburg.

See attached for a survey of definitions and Zoning Code excerpts from municipalities around Ohio.

Staff Recommendation

Based on the reasons stated above and how they fit into the intent of the Central Business District, staff recommends making the following changes to the Zoning Code.

Article 3 – Definitions ([Add Definitions](#))

Brewpub: An establishment which produces alcoholic beverages, including beers, ales, meads, hard ciders and wines with ancillary activities to include on-site consumption and contains kitchen facilities for consumption of food and beverages. The establishment may include other uses such as a tasting room.

Micro-brewery, Micro-winery, Micro-distillery: An establishment engaged in the production and distribution of beer, ale, wine or spirituous liquors. The establishment may include other uses such as a tasting room or table service restaurant.

Article 12 (1) – B-4 Central Business District, Permitted Principal Uses ([Add Uses](#))

(t) Brewpubs, Micro-breweries, Micro-wineries and Micro-distilleries.

Article 18.16 (2) – Off Street Parking Regulations, Amount of Off Street Parking Space Required

(gg) Restaurants, ~~Taverns, and Carry-Outs~~, Brewpubs, Micro-breweries, Micro-wineries, Micro-distilleries: One (1) parking space for each one hundred (100) square feet of gross floor area.

Article 18.41 – Site Design Standards for Brewpubs, Micro-breweries, Micro-wineries, Micro-distilleries ([Add Section](#))

- (1) Each brewpub, micro-brewery, micro-winery or micro-distillery shall manufacture and sell alcoholic beverages in accordance with the provisions of the Ohio Division of Liquor Control and shall maintain current licenses as required by said agency.
- (2) No outdoor storage shall be permitted.
- (3) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
- (4) The emission of odors, excessive noise or other external effects in violation of Section 18.09 shall be prohibited.



To: Planning Board
From: Melissa Dodd and Don Buczak
Date: October 4, 2018
Subject: City of Miamisburg Case Study on Breweries and Brewpubs

Introduction

Miamisburg is a Dayton area community located 13 miles west of Bellbrook. Miamisburg has become known in the region for its revitalization efforts. This community has been successful in transforming its downtown area and making it a destination for dining, entertainment and other activities. Their community has become a great model for the City of Bellbrook as we pursue our own revitalization efforts.

History of downtown Miamisburg Revitalization Efforts

In the early 1990's, the City of Miamisburg started to actively pursue policies related to the revitalization and historic preservation of its downtown district. They began developing a number of various plans and policies that would support their goal. One of these was to incorporate language in their zoning code that would permit alcohol selling establishments in their central business district after the abolishment of all alcohol related establishments after a long history of issues that dated back several decades.

Similarities

Miamisburg's downtown area has a mix of residential and commercial much like Bellbrook. It also has a number of historical buildings as well. For these reasons, Miamisburg makes a great case study for Bellbrook for a number of purposes as we move forward with our own revitalization efforts.

Brewpubs in the City and Neighborhood Integration

Miamisburg is home to two brewpubs within its central business district which both opened within a year from one another. Lucky Star Brewery and Cantina and Star City Brewing Company. Star City opened in November of 2013 and Lucky Star opened in 2014 and each located less than one block from one another.

Both of the brewpubs are located on South Second Street where commercial properties occupy the west end of the street and residential homes on the east side of the street. In speaking with

the Brewer of Star City as well as staff from the City, the breweries coexist nicely with the residents and there have been no major issues reported to the city as a result of the breweries being located where they are.



Star City Brewery

Star City Brewery is located in the old Peerless Mill restaurant location which closed in 2008. It is located at 319 South Second Street in the 14,000 square foot space. Star City does not offer food options of its own but does allow carry in food items which is common in establishments which do not have a restaurant component. It is common for similar establishments to organize food trucks on their property to provide a convenient food option.



Lucky Star Brewery and Cantina

Lucky Star Brewery and Cantina is located under a block away from Star City Brewery at 219 South Second Street in a 3 story 21,000 square foot building that was built in 1900. Lucky Star does have its own restaurant operation.



Breweries and Economic Impact

Ohio has seen an explosion in craft breweries since changes in state legislation in 2012. In a September 28, 2017 article in the Dayton Daily News¹, the Ohio craft beer industry provided \$2.67 billion in economic impact 2016. It ranked 7th among states with the largest economic impact and 4th in craft beer production. It also accounted for nearly 16,000 full time jobs.

¹<https://www.daytondailynews.com/news/local/ohio-ranks-high-craft-beer-production-boosting-economy/fD9Yo7KaR0zPYRn0uQ0Zep/>

Sample Definitions from Around Ohio: Brewery, Micro-brewery, Micro-winery, Micro-distillery

Beavercreek (2016)

BREWERY. A business that brews 15,000 or more barrels of ales, beers, meads and/or similar beverages annually on site.

BREWERY, MICRO. A business that brews less than 15,000 barrels of ales, beers, meads and/or similar beverages annually on site.

BREW PUB. A commercial business which conducts the retail sale of beer (malt beverages with alcohol content as defined by federal law) which is brewed on the premises, no more than 5,000 barrels annually. Such establishments may also include restaurants as an accessory use.

Hamilton (2018)

Brewpub: An establishment that is primarily a restaurant where beer, ale, porter and other fermented malt beverages is manufactured on the premises as an accessory use. A brewpub may include some off-site distribution of its manufactured beverages consistent with state law.

Liberty Township (2018)

Brewpubs (1) The area used for brewing, including brewing and kegging, shall not exceed 30% of the total floor area of the commercial space. (2) The brewery shall not produce more than 4,000 barrels or 124,000 gallons of beer or ale per year. (3) No brewing equipment or storage is permitted on the exterior of the building.

Microbreweries (1) The brewing operation does not include the production of any other alcoholic beverage. (2) The brewery shall not produce more than 15,000 barrels or 460,000 gallons of beer or ale per year. (3) No brewing equipment or storage is permitted on the exterior of the building.

Brewpub Establishment primarily engaged in the retail sale of prepared food for consumption, which includes the brewing of beer as an accessory use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverage.

Microbrewery Establishments engaged in on-site brewing of beer and sales of beer by the glass for on-premise consumption. These establishments are primarily used for the production of beer and ale and may include retail and food service as an accessory use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverage.

Clearcreek Township

Bottler, Alcohol: Brewery/distillery in which the production is greater than or equal to 10,000 gallons of beer or spirituous liquor per year. This facility produces and packages for distribution, retail and/or wholesale, on or off premise. This term shall not include a "brewpub."

Brewery: An establishment that manufactures beer.

Brewpub: A sit-down or outdoor dining restaurant, that includes a brewery/distillery in which the production is less than 10,000 gallons of beer or spirituous liquor per year.

Deerfield Township (2017)

Brewpub The area used for brewing, including brewing and kegging, shall not exceed 30% of the total floor area of the commercial place.

Brewery A large-scale facility for the brewing of beer for sale on the premises, as well as for off-site sales and distribution, that produces more than 10,000 barrels annually and may include restaurant/bar space, tasting or retail space. The brewing operation processes the ingredients to make beer and ale by mashing, cooking and fermenting. The brewing operation does not include the production of any other alcoholic beverage.

Brewpub An establishment that is primarily engaged in the retail sale of prepared food for consumption, which includes the brewing of beer as an accessory use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking and fermenting. The brewing operation does not include the production of any other alcoholic beverage. The brewery shall not produce more than 4,000 barrels of beer or ale per year.

Microbrewery An establishment that is primarily used for the production of beer and ale and may include retail and food service as a use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking and fermenting. The brewing operation does not include the production of any other alcoholic beverage. The brewery shall not produce more than 10,000 barrels of beer or ale per year.

Miamisburg (2016)

BREWPUB: A brewpub shall be defined as an establishment which produces alcoholic beverages, including beers, ales, meads, hard ciders and wines with ancillary activities to include on-site consumption where: 1) a minimum of fifty percent of the gross floor area of the establishment shall be used for the brewery function, and 2) sales and on-site consumption of manufacturing product is the predominate commercial activity occurring at the establishment, and 3) contains kitchen facilities for on-site consumption of food and beverages, but not including alcoholic beverages not manufactured on site. The floor area of the kitchen area shall not be counted toward the fifty percent requirement listed above. Micro-distillery operations may be introduced as an accessory use to a brewpub and may include on-site sales and consumption of spirits produced on-site provided that full kitchen facilities are provided.

MICROBREWERY/MICROWINERY: Defined as an establishment engaged in the production and distribution of beer, ale or wine with ancillary activities to include on-site consumption where: 1) a minimum of fifty percent of the gross floor area of the establishment shall be used for the brewery function, and 2) sales and on-site consumption of the manufacturing product is the predominate commercial activity occurring at the establishment. Micro-distillery operations may be introduced as an accessory use but may only be for the sale of sealed bottles of spirits for off-site consumption and not include sales for on-site consumption of spirits.

Site Design Standards – MICROBREWERIES, MICROWINERIES AND BREWPUBS.

- (a) Each brewpub , microbrewery or microwinery shall manufacture and sell alcoholic beverages in accordance with the provisions of the Ohio Division of Liquor Control and shall maintain current licenses as required by said agency.
- (b) The only alcoholic beverages permitted to be sold or sampled on-site shall be those manufactured at the brewpub , microbrewery or microwinery.
- (c) No outdoor storage shall be permitted.
- (d) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
- (e) By-products or waste from the production of malt, vinous or distilled liquor shall be properly disposed of off the property.
- (f) The emission of odors or smells in such quantities as to produce a public nuisance or hazard is not permitted.
- (g) Excessive noise in violation of Section 1291.04 shall prohibited.

1291.04 NOISE. Objectionable noise, as determined by the Zoning Inspector, which is due to volume, frequency or beat, shall be muffled or otherwise controlled. Air raid sirens and related apparatus used solely for public purposes is exempt from this requirement.

Lebanon (2018)

Brewpubs shall mean an establishment where beer, wine, spirituous liquor, or other alcoholic beverage is manufactured on the premises for distribution, retail, or wholesale, on or off premise. The maximum building footprint for such an establishment shall not exceed 25,000 square feet. Off-site distribution of alcoholic beverages shall be consistent with state law. The development may include other uses such as tasting room, taproom or table service restaurant.

Microbreweries, Microdistilleries or Microwineries shall mean an establishment where beer, wine, spirituous liquor, or other alcoholic beverage is manufactured on the premises for distribution, retail, or wholesale, on or off premise. The maximum building footprint for such an establishment shall not exceed 50,000 square feet. Off-site distribution of alcoholic beverages shall be consistent with state law. The development may include other uses such as a taproom or table service restaurant.

Blue Ash (2017)

Brewpub - An establishment selling beer brewed on the premises and including a restaurant.

Delhi Township (2017)

Brewpub – An establishment selling beer brewed on the premises and including a restaurant.

Micro-Distillery - A small, often boutique-style distillery, established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single batches.

Brewpubs, Nano-Breweries, Micro-Breweries, Micro-Distilleries, and Bars/Taverns

1) Nano-breweries, micro-breweries, and micro-distilleries shall include on-site sales in the form of taprooms that may or may not have food service. If such facility includes distribution, it shall only be for smallscale, regional distribution to limit the number of commercial trucks that come to and from the facility.

2) Exterior tanks are permitted but shall be subject to review and approval by the Zoning Commission. The Zoning Commission shall determine if the proposed tanks are appropriate and compatible with surrounding land uses in regard to their size, location, and design.