



CRYSTAL RIVER CITY COUNCIL MEETING

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	September 27, 2021
APPLICATION #:	PZ21-0085 – Text Amendment to Land Development Code
PROPERTY OWNER:	PINGAWEAR LLC – 255 SE US Highway 19, Unit 1, Crystal River, Fl. 24429
PROPOSED ZONING TEXT AMENDMENT:	1. Add <i>Craft Breweries, Wineries, and Distilleries</i> as a “Supplemental” (S) Land Use in Table 2.03.02. Permitted Uses; and 2. Add <i>Craft Breweries, Wineries, and Distilleries</i> to Section 5.05.17 Supplemental Standards for Specific Uses.
PROJECT MANAGER:	Brian Herrmann, CNU-A, LEED AP, Director, Planning and Community Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting an amendment to the text of the City of Crystal River’s Land Development Code to establish a new Land Use within the **Retail and Restaurants** category of the **Table of Permitted Uses (2.03.02)**.

The title of the new use shall be **Craft Breweries, Wineries, and Distilleries**.

This will be a Supplemental Use, meaning that it is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Such standards are in alphabetical order and located within section **5.05.00 Supplemental Standards for Specific Uses**.

Specifically, the supplemental standards for this new use shall be allocated to sub-section **5.05.17 – Craft Breweries, Wineries, and Distilleries**.

ANALYSIS:

Currently, a brewery, winery, or distillery within the City of Crystal River may only contain “Industrial” uses and must be in an Industrial zoning district. In the past, this was appropriate, as these facilities were often large manufacturing and processing uses that were purposely located away from downtown and the City’s commercial areas.

While these uses are still appropriate, a new, smaller scaled, mixed-use form of brewery, winery, and distillery has been emerging as a common use throughout America. The so-called “craft” brewery or distillery is now commonplace in many communities throughout Florida. In fact, there is growing interest to establish and accommodate such uses within the commercial zoning districts or downtown areas of Crystal River.

As previously conveyed, “Industrial” uses are only permitted within an Industrial zoning district. Similarly, OFFICES and SERVICES and RETAIL and RESTAURANT uses are not permitted within an Industrial zoning district. As such, the City’s current USE TABLE does not permit one to locate a truly mixed-use brewery, winery, or distillery within a commercial or downtown area.

PROPOSED AMENDMENTS:

This amendment would establish *Craft Breweries, Wineries and Distilleries* as a type of “mixed use” facility that falls under the **RETAIL and RESTAURANTS** section of the City’s USE TABLE. However, it is critical to note that the use may also include office, service, recreation, education, public assembly, infrastructure, and industrial components as well. And while the **INDUSTRIAL** functions are a primary aspect of this use, they are just one portion of the overall “mix” that comprises such a site.

2.03.00. - Land uses permitted in each zoning district.

2.03.01. - How to read the table of uses.

- A. Within the following table the letter "P" indicates that the land use is permissible, subject to compliance with the standards of the zoning district.
- B. The letter "S" indicates that the land use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Supplemental standards are contained in section 5.05.00.

Table 2.03.02. Permitted Uses.

	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
P = Permitted S = Supplemental														
RETAIL & RESTAURANTS														
Bars, taverns, lounges, nightclubs, and dance halls								P	P					
Building supply and lumber, farm and garden supply									P	P				
Commercial centers							S	S	S	S				
<u>Craft brewery, winery, or distillery</u>							<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				
Drive-thru establishments (such as, but not limited to, banks; drug stores; and restaurants)									P					

A Craft Brewery, Winery and Distillery is proposed as a **Supplemental Use** in each district in which the use is permitted. This is an appropriate means for managing a rather complex function that can occur in a variety of sizes, contexts, and zones with as few regulations as necessary. It allows the Staff to apply the appropriate policies necessary to manage both on and off-site impacts while also ensuring that the establishment is compatible with its surroundings.

The proposed use shall adhere to the following Supplemental Standards:

5.05.00 – Supplemental standards for specific uses.**5.05.17 – Craft Breweries, Wineries, and Distilleries.**

A facility or group of buildings in which the primary function is the low intensity manufacturing of beer, wine, or spirits for consumption. The daily operational characteristics of such a facility may include a combination of assembly, packaging, warehousing, and shipping activities as well as on-site sales, tastings, tours, public exhibitions, dining, and ancillary retail sales. A craft brewery includes the primary processing of beer. A craft winery may include primary fruit processing or bulk fermentation. The amount of alcoholic beverage manufactured on-site per calendar year as well as the sale of alcoholic beverages shall adhere to State of Florida Statutes. Operational impacts shall have no discernable effect upon neighboring properties, structures, or occupants. As a mixed-use facility, the allocation of each function shall be conveyed based on its presence on the site. Typical uses include Offices & Services, Retail & Restaurants, Lodging, Industrial, etc.

A craft brewery, winery, or distillery with a mix of on-site activities shall adhere to the following provisions:

1. Craft breweries, wineries, and distilleries are permitted in the following zoning districts:
 - a. High Intensity Commercial (CH)
 - b. General Commercial (CG)
 - c. Waterfront Commercial (CW)
 - d. Industrial (IND)
2. The tasting room for a craft distillery shall not exceed 75% of the gross square footage of the building.
3. Parking shall be based on the mix of uses and the square footage that is present on the site. Parking requirements in the CRA shall adhere to the standards provided for the district. The Urban Land Institute's (ULI) Shared Parking standards (table) is appropriate for a site with a mix of uses and may be utilized when calculating the total amount of parking that is necessary.
4. Site related traffic and deliveries shall be typical of the area and shall not disrupt vehicle or bicycle operation as well as pedestrian activity.
5. Operations shall be managed such that by-products are contained and disposed of in a manner that does not generate spillover effects onto adjacent property, public spaces, or public right-of-way.
6. Mitigation of environmental effects including but not limited to noise, odors, insects, and reuse of water resources shall be addressed.

State of Florida Statutes limit the amount of alcoholic beverage that may be sold and consumed both on site and off site. In addition, shipping orders are not permitted to be made to individual consumers but are limited to commercial distributors. These standards help to ensure that this use is unique and easily differentiated from one that is primarily intended to provide alcohol sales to its patrons (i.e., a liquor store).

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed changes to the text of the City's Land Development Code are consistent with specific **GOALS, OBJECTIVES, and POLICIES** found in the City of Crystal River Comprehensive Plan. A Craft Brewery, Winery, or Distillery is defined as a type of LAND USE that promotes a mixed-use facility and gathering spot.

This is consistent with **Goal 2** of the Comprehensive Plan, which states:

“Crystal River will be a balanced and well-planned community.”

In fact, **Objective 2.8**, goes on to say:

“Development in Crystal River will be consistent with all elements of the Crystal River Comprehensive Plan.”

The proposed LAND USE adheres to this statement while reinforcing that which is found in **Policy A**:

“All land development regulations, including zoning districts and regulations shall be consistent with the Crystal River Comprehensive Plan.”

Additionally, the proposed LAND USE adheres to the provision conveyed in **Goal 3** of the Comp Plan:

“Crystal River will promote & maintain the character of community through consistent land use.”

This land use is much needed. It will help to promote the type of multi-use, single site, walkable and bikeable locations that are often described in the Comprehensive Plan, but rarely built anew in Crystal River, especially as part of a single project.

SUMMARY OF PUBLIC COMMENTS:

No public comments have been received as of the writing of this Staff Report.

STAFF RECOMMENDATION TO PLANNING COMMISSION:

Section 10.01.07. (Submittal requirements for amendments to the land development code) states that all applications for amendments to the LDC shall include: a description of the proposed amendment, with specific citations to the section(s) that are proposed, justification, and a detailed statement conveying that the amendment is consistent with the Comprehensive Plan.

Originally, Staff recommended that the use be permitted in the **Neighborhood Business Residential (NBR)** district. However, upon closer review it was determined that the use was too intense for this district and staff recommended that the Planning Commission no longer consider it for this zone. The Planning Commission agreed.

The Craft Brewery, Winery, or Distillery land use will allow for new, smaller scaled, mixed-use facilities to locate within the heart of downtown as well as the commercial and industrial areas outside of the City’s core. This will help to promote the type of pedestrian and bicycle friendly, multi-use, single site locations discussed within the City’s Comprehensive Plan and during the Civic Master Plan Charrette.

This use is both appropriate and needed. Therefore, Staff recommends approval of the proposed request as conveyed in this report.

PLANNING COMMISSION RESPONSIBILITIES:

As conveyed in Subsection (B. #2) of 8.02.03 of the Crystal River Land Development Code, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the text of the LDC (Land Development Code).

RECOMMENDATIONS

PLANNING COMMISSION:

The Planning Commission voted 7-0 to recommend that the City Council approve the text amendment to add **Craft Brewery, Winery, or Distillery** as a new use within *Table 2.03.02. Permitted Uses* of the City's Land Development Code (LDC) and to add the Supplemental Standards that correspond with this use to Section 5.05.17 of the LDC.

STAFF RECOMMENDATION TO CITY COUNCIL:

Staff recommends that the City Council approve the text amendment to add **Craft Brewery, Winery, or Distillery** as a new use within the four districts (CW, CG, CH, IND) conveyed in *Table 2.03.02. Permitted Uses* of the Land Development Code (LDC) and to add the new Supplemental Standards that correspond with this use to Section 5.05.17 of the LDC.

ATTACHMENTS

1. Staff PowerPoint Presentation
2. Applicant's Submittal with Supporting Documents