

INTER-OFFICE MEMORANDUM

TO: Devin Cejas
Zoning Administrator

DATE: May 24, 2016

SUBJECT: Determination No. 2016-02
Microbrewery

FROM: 
Francisco J. Garcia
Planning & Zoning Director

REFERENCES:

ENCLOSURES:

Microbreweries have emerged as effective economic redevelopment tools and local-business incubators in many municipalities. The rules and regulations of these municipalities have been contemplated in crafting the determination contained herein.

Breweries are currently permitted under the Manufacturing and Processing Use category, which is limited to District Transect Zone designations (D1, D2, and D3). Microbreweries (the Use) have emerged in the Wynwood neighborhood, previously zoned D1, and are characterized by low-to-moderate volume distribution and prominent commercial components. Moderate-scale beer brewing operations, not to exceed 15,000 barrels of production per year, can be reasonably permitted in other areas of the City of Miami. The boundaries of existing cultural specialty districts were drawn to minimize the impacts of concentrated alcohol service establishments on residential neighborhoods. As such, these areas have an established resiliency to the potential impacts of deliveries, distribution, and manufacturing functions associated with Microbrewery operations.

In order to allow for Microbreweries to exist outside of industrial areas; they will have to be independently defined, limited to appropriate areas, and subject to supplemental nuisance abatement regulations.

Pursuant to Article 7.1.2.2 of the Miami 21 Code, as amended which establishes the criteria for "Determination of Use", it is hereby determined that Microbreweries shall be permitted as Alcohol Service Establishments within existing cultural specialty districts (described in Chapter 4 of the Miami Code of Ordinances).

Microbrewery Definition:

An establishment that is primarily a manufacturing facility, where beer is produced for wider distribution and consumption on premises, with a maximum production of 15,000 barrels of beer per year. The establishment shall include retail sales, a tasting room, and/or a restaurant where beer manufactured onsite is served.

Microbrewery Supplemental Regulations:

The purpose and intent of these regulations are to:

- Establish baseline nuisance abatement standards, beyond those prescribed in Miami 21, to allow Microbreweries in mixed-use areas.
- Encourage beer manufacturers and distributors to provide retail sales and/or an opportunity to consume on premises.
- Promote compatibility of Microbreweries and the surrounding land uses.

1. Building disposition and configuration

- Microbreweries will be limited to the first story of the Principal Building and a maximum area of 20,000 square feet.
- The retail and/or consumption component of a Microbrewery shall be located on a Principal Frontage.
- The manufacturing and distribution functions of a Microbrewery shall be within a fully enclosed structure or Building.
- Unless otherwise stated herein, Microbreweries shall be subject to the regulations of the underlying Transect Zone.

2. Permitting

Microbreweries may be permitted as Alcohol Service Establishments provided that they are located within a cultural specialty district, as defined in Chapter 4 of the Miami Code of Ordinances.

3. Offsite impact standards

- Vibration standard – In general; a person of normal sensitivities should not be able to feel any vibrations. (0.002g peak)
 - Vibrations lasting less than five (5) minutes per day are exempt.
 - Vibrations from vehicles that leave the site are exempt.
- Odor standard – In general; continuous, frequent, or repetitive odors may not be produced. The odor threshold is the point at which an odor may just be detected.
- Sound standard – In general; continuous, frequent, or repetitive sounds may not be produced.
 - Sound standards are further defined in Chapter 36 of the Miami Code of Ordinances.
- Measurements for compliance with these standards are made from the property line of abutting properties.

At the next opportunity, this department will initiate a proposed amendment to the Miami 21 Code to appropriately reflect this Determination. Until final action has been taken by the City Commission on the proposed amendment, this Determination shall be binding on all officers and agencies of the City as an interim administrative ruling, and become effective upon the publication of the Determination and conclusion of the applicable appeal period, pursuant to 7.1.2.2 (a), (b), and (c) of the Miami 21 Code.

cc: Honorable Mayor and Commissioners
Daniel J. Alfonso, City Manager
Nzeribe Ihekwebaba, PhD, PE, Assistant City Manager
Victoria Mendez, Esq., City Attorney
Maurice Pons, Acting Director, Building Department
Vanessa I. Acosta, Esq., Director, Neighborhood Enhancement Team
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