



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



Background

- State of Florida's Division of Alcoholic Beverages & Tobacco regulates licenses or permits that are required for any business or person to manufacture, import, export, store, distribute or sell alcoholic beverages
- Zoning certification by local government required as a prerequisite for approval



**FLORIDA DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO
LICENSES AND PERMITS FOR ALCOHOLIC BEVERAGES**


VENDORS – ALCOHOLIC BEVERAGES					
TYPE AND FEE	CLASS	STATUTE	REGULATIONS OF LICENSE ACTIVITY	APPLICATION	
CHILD LICENSES – LICENSES CORRESPONDING TO A PRIMARY LICENSE TYPE AT A LICENSED PREMISES					
Manufacturer of Malt Beverages in Vendor Premises \$500	CMBP	561.221(3) 563.02(2)	Products Permitted	Malt Beverages.	FORM 6001
			Type of Sale	By the drink for consumption on premises only.	
			Other Terms	Manufacturer engaged in the business of brewing malt beverage. Issued in connection with a primary consumption on premises vendor license.	
			Restrictions	May not brew more than 10,000 kegs per year. Only for consumption on the premises or on contiguous licensed premises owned by the vendor.	
MANUFACTURERS – ALCOHOLIC BEVERAGES					
TYPE AND FEE	CLASS	STATUTE	REGULATIONS OF LICENSE ACTIVITY	APPLICATION	
Manufacturer of Wine \$1000 per plant or branch	AMW	564.02(2)(a)	Engaged in manufacturing or bottling wine. License permits the manufacture of alcoholic beverages and the distribution of the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.	FORM 6001	
Manufacturer of Wine and Cordials \$2000 per plant or branch	BMWC	564.02(2)(b)	Engaged in manufacturing of wines and cordials. License permits the manufacture of alcoholic beverages and the distribution of the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.	FORM 6001	
Manufacturer of Malt Beverages \$3000 per plant or branch	CMB	563.02(2)	Engaged in brewing malt beverages. License permits the manufacture of alcoholic beverages and the distribution of the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.	FORM 6001	
Distiller of Spirituous Liquor \$4000 per plant or branch	DD	565.03(2)(a)1	Engaged in manufacturing distilled spirits. License permits the manufacture of alcoholic beverages and the distribution of the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.	FORM 6001	

Life safety

- Separation of high hazard industrial areas from places of assembly
- Compliance with:
 - Florida Building Code (FBC)
 - Florida Fire Prevention Code (FFPC)



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
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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						STANDARDS
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	
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:

1. Convene as the Land Development Regulation Commission and find the amendments consistent with the Alachua County Comprehensive Plan; and
 2. Reconvene as the BoCC and approve the ordinance amending the Unified Land Development Code and authorize the Chair's signature.
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