

ORDINANCE NO. 2016-52

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, RELATING TO MICRO-  
3 BREWERIES, CRAFT DISTILLERIES, MICRO-  
4 WINERIES, AND BREWPUBS; AMENDING SECTION  
5 58.913, ORLANDO CITY CODE, CREATING SPECIFIC  
6 ACCESSORY SERVICE USE STANDARDS FOR  
7 MICRO-BREWERIES, CRAFT DISTILLERIES, MICRO-  
8 WINERIES AND BREWPUBS; AMENDING CHAPTER  
9 66, ORLANDO CITY CODE, DEFINITIONS; PROVIDING  
10 LEGISLATIVE FINDINGS, AND FOR SEVERABILITY,  
11 CODIFICATION, CORRECTION OF SCRIVENER'S  
12 ERRORS, AND AN EFFECTIVE DATE.

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14 **WHEREAS**, there is a revival in "micro", breweries, wineries, and distilleries  
15 nationwide; and,

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17 **WHEREAS**, the City Council of the City of Orlando, Florida (the "Orlando City  
18 Council"), has determined that it is desirable and in the best interest of the public health,  
19 safety, and welfare to amend the Land Development Code of the City of Orlando (the  
20 "LDC"), to encourage and promote such business activities in the City of Orlando; and,

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22 **WHEREAS**, the City can encourage and promote such business activities by  
23 allowing such business to operate as a Specific Accessory Service Use; and

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25 **WHEREAS**, the LDC currently allows an accessory service use to occupy up to  
26 25% of the floor area of the building; and

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28 **WHEREAS**, micro-breweries, micro-wineries, and craft distilleries may need to  
29 allocate up to 50% of their floor area to sustain production; and

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31 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
32 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

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34 **SECTION 1. SEC. 58.913.** Section 58.913, Code of the City of Orlando, Florida,  
35 is hereby amended as follows:

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37 **Sec. 58.913. – Specific Accessory Service Uses.**

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39 *Eating and Drinking Establishments.* Eating and drinking establishments shall be  
40 permitted as accessory service uses in the IP (Industrial Park) district only if the  
41 establishment is located internally within the building site and is not located on a major  
42 thoroughfare. These establishments shall be considered under the Conditional Use  
43 provision of this Code.  
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45 Micro-breweries, micro-wineries, craft distilleries, and brewpubs. Manufacturing  
46 operations that produce alcoholic beverages for on-site consumption and off-site sales,  
47 and related uses, may be allowed as an accessory service use via zoning official  
48 determination for the following:

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- 50 1) Up to 50% of the floor area in a non-residential zoning district for a micro-  
51 brewery, micro-winery, craft distillery or brewpub (or any combination  
52 thereof); or
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- 54 2) Up to 50% of the floor area may be allowed as a restaurant, tasting room, or  
55 retail operation (or any combination thereof) in an industrial zoning district.

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57 Any micro-brewery, micro-winery, craft distillery, or brewpub approved as an  
58 accessory service use by the zoning official shall comply with the following requirements:

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- 60 3) Maximum Production. The maximum production per calendar year is as  
61 follows:
- 62 a. Micro-breweries-up to 15,000 barrels;
- 63 b. Brewpubs-as allowed by applicable licenses from the Florida  
64 Department of Business and Professional Regulation, Division of  
65 Alcoholic Beverages and Tobacco, not to exceed 15,000 barrels;
- 66 c. Micro-wineries-up to 100,000 gallons; and
- 67 d. Craft distilleries-up to 15,000 gallons.
- 68
- 69 4) Hours of Operation. Micro-breweries, Micro-wineries, Craft Distilleries or  
70 Brewpubs located:
- 71 a. Outside the Downtown Entertainment Area as defined by section  
72 42.07(6), Orlando City Code, or outside the commercial districts  
73 defined in section 64.321, Orlando City Code, must be closed to the  
74 public between midnight and 6AM.
- 75 b. Within the Downtown Entertainment Area as defined by section 42.07  
76 (6), Orlando City Code, or within the commercial districts defined in  
77 section 64.321, Orlando City Code are subject to the operating hours  
78 in section 33.03, Orlando City Code.
- 79
- 80 5) Parking and Loading. Parking and loading must be provided according to  
81 Part 3, Chapter 61, Orlando City Code, (e.g. the eating/drinking portion of the  
82 establishment provides 5.0 spaces/1,000 square feet and the manufacturing  
83 and processing operations provide 1.5 spaces/1,000 square  
84 feet).
- 85
- 86 6) Classification of Use. For purposes of Figure 3, Chapter 58, Orlando City  
87 Code, micro-breweries, micro-wineries, craft distilleries, and brewpubs will be  
88 classified based on the use that constitutes the majority of the floor area, (e.g.

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89 a brewpub that has a restaurant use and a craft brewing operation in a  
90 commercial zoning district where the use devotes the greatest amount of  
91 space to a restaurant will be classified as a restaurant).  
92

93 Notwithstanding any other provision of this Code, the following uses are hereby  
94 prohibited as accessory service uses:

95 Adult Entertainment Establishments, Body Scrub Facilities, Commercial Physical  
96 Contact Establishments, Escort Services, Fortune Telling/Psychic Service  
97 Establishments, Health Spas, Massage Establishments, Modeling Centers, Pawn  
98 Shops, Tattoo Parlors/Body Art Shops, Temporary Labor Facilities, and Pain  
99 Management Clinics.

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101 **SECTION 2. Part 2, Chapter 66**, Code of the City of Orlando, Florida, is hereby  
102 amended as follows:

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104 *Brewpub*: A restaurant that is licensed by the Florida Department of Business  
105 and Professional Regulation, Division of Alcoholic Beverages and Tobacco to produce  
106 malt beverages for onsite consumption.

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108 *Craft Distillery*: An establishment that is licensed by the Florida Department of  
109 Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco to  
110 produce distilled spirits. The establishment may also include a tasting room and retail  
111 space to sell spirits produced on the premises along with related retail items and food.

112 \*\*\*\*

113 *Micro-Brewery*: An establishment that is licensed by the Florida Department of  
114 Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco to  
115 manufacture malt beverages. The establishment may also include a tasting room and  
116 retail space to sell malt beverages produced on the premises along with related retail  
117 items and food.

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119 *Micro-Winery*: An establishment that is licensed by the Florida Department of  
120 Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco to  
121 produce wine. The establishment may also include a tasting room and retail space to  
122 sell wine produced on the premises along with related retail items and food.

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124 **SECTION 3. CODIFICATION.** The city clerk and the city attorney shall cause  
125 the Code of the City of Orlando, Florida, to be amended as provided by this ordinance  
126 and may renumber, re-letter, and rearrange the codified parts of this ordinance if  
127 necessary to facilitate the finding of the law.

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129 **SECTION 4. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
130 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
131 clerk.  
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**SECTION 5. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 6. EFFECTIVE DATE.** This ordinance is effective upon adoption.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**DONE, THE SECOND READING, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor

ATTEST, BY THE CLERK OF THE  
CITY COUNCIL OF THE CITY OF  
ORLANDO, FLORIDA:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Print Name

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THIS ORDINANCE DRAFTED BY AND  
APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Print Name

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