


CITY OF MIAMI, FLORIDA
INTER-OFFICE MEMORANDUM

TO: Joseph A. Ruiz, Esq.
Zoning Administrator

DATE: March 20, 2019

SUBJECT: Determination No. 2019-02
Craft Distillery


FROM: Francisco J. Garcia, Director
Planning Department

REFERENCES:

ENCLOSURES:

Craft Distilleries (the Use) constitute a niche hybrid use encompassing industrial aspects (albeit at a reduced and contained scale) as well as retail aspects. Microbreweries, a similar use, were recently included in and regulated by Miami 21, the zoning ordinance of the City of Miami; it now seems advisable to consider Craft Distilleries for inclusion as a permissible use under Miami 21.

In so doing, the rules and regulations of municipalities that presently regulate the Use have been contemplated in crafting the determination contained herein. Likewise, applicable State of Florida regulations that apply to Craft Distilleries generally, are considered and referenced as appropriate in this Determination.

Distilleries generally, are currently permitted under the Manufacturing and Processing Use category, which is limited to District Transect Zone designations (D1, D2, and D3).

Craft Distilleries (the Use) are defined under the Florida State Statutes¹ as licensed distillery that produces 75,000 or fewer gallons per calendar year of distilled spirits on its premises. In addition, in relevant parts of the Statutes, it is specified that Craft Distilleries may sell to consumers, at a souvenir gift shop, branded products distilled on its premises in factory-sealed containers that are filled at the distillery for off-premises consumption.

Given the moderate scale of production entailed by the Use as set forth in the Florida Statutes and the intended integration of a storefront retail component, the Use Craft Distillery is determined to merit inclusion in the Commercial category of uses while subject to certain additional regulations to ensure proper control; of its scale and providing for certain potential impact safeguards, as set forth herein.

In addition, they seem ideally suited for inclusion within the boundaries of existing Cultural Specialty Districts which were configured to minimize the impacts of concentrated alcohol service establishments on adjacent residential neighborhoods. As such, these areas have an established resiliency to the potential impacts of deliveries, distribution, and manufacturing functions potentially associated with Craft Distillery operations.

In order to allow Craft Distilleries to exist outside of Industrial areas; they are defined, limited for implementation in 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 Craft Distilleries shall be permitted as Alcohol Service Establishments within existing Cultural Specialty Districts (described in Chapter 4 of the Miami Code of Ordinances).

Craft Distillery Definition:

An establishment that is primarily a manufacturing facility, where distilled spirits are produced for wider distribution and limited consumption on premises, with a maximum production of 75,000 gallons per year. The establishment shall include retail sales and a tasting room.

¹ FS 565.03

Craft Distillery Supplemental Regulations:

The purpose and intent of these regulations are to:

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

1. Building disposition and configuration

- Craft Distilleries 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 Craft Distillery shall be located on a Principal Frontage.
- The manufacturing and distribution functions of a Craft Distillery shall be within a fully enclosed structure or Building.
- Unless otherwise stated herein, Craft Distilleries shall be subject to the regulations of the underlying Transect Zone.

2. Permitting

Craft Distilleries 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; subject, as appropriate, to all regulatory requirements set forth by the State of Florida.

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
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Nzeribe Ihekwebaba, PhD, PE, Assistant City Manager
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