



CITY OF ORLAND

Administrative Zoning Interpretation

ADMINISTRATIVE ZONING INTERPRETATION

NO. #2018-01

Subject: Assignment of Zoning Categorization/Use Interpretation for: “Craft” / “Small-Batch” / “Micro”, Brewing, Distilling, Fermenting, Production (Beer, Wine, Mead, Spirits)

Interpretation: “Craft” / “Small-Batch” / “Micro” production of beer, wine, mead, spirits, etc. involving the crafting of alcoholic and non-alcoholic beverages for both on- and off-site consumption and sale, and when accompanied by an on-site tasting-room space are determined to be a Principal Permitted Use in the C-2, *Community Commercial*; D-T, *Downtown Mixed-Use*; C-H, *Highway Service Commercial*; and, M-1, *Limited Industrial* zoning districts (OMC Sections 17.40.020, 14.42.020, 14.44.020, 14.48.020) consistent with the authorization for the making of this determination by the Municipal Code.

Discussion:

The City has been engaged by a number of independent persons inquiring as to where “craft”/ “small-batch”/ “micro”/etc. uses proposing the limited scale production of beer, wine, mead and spirits may be located. In all cases, those persons/parties inquiring of City have expressed a desire to open said facilities but were unsure of the appropriate and/or required zoning designation for the proposed use. The Orland Municipal Code (OMC), chapter 17, *Zoning*, does not expressly identify or discuss the types of uses being proposed.

OMC Section 17.04.030.a establishes that “...city staff responsible for administering this ordinance may interpret the provisions of all zones” and that the “Planning Commission shall review any appeals of a staff interpretation.” Further, OMC Sections 17.40.020.B, 17.42.020.B, 17.44.020.B, and 17.48.020.B authorize the city planner to address “Other uses which the city planner determines by written findings are similar to the above [referencing the list of principal permitted uses].”

Based upon the fact that the referenced zoning districts permit as principal permitted uses alcoholic beverage sales, on- and off-site; restaurants; retail sales facilities; food stores; alcoholic beverages and liquor, retail; bars, brew pubs”, staff finds that the establishment of “Craft” / “Small-Batch” / “Micro” production of beer, wine, mead, spirits, etc. involving the crafting of alcoholic and non-alcoholic beverages for both on- and off-site consumption and sale, and when accompanied by an on-site tasting-room space is consistent with the Principal Permitted Uses in the zone districts.

This interpretation will be consistent with the goals, objectives and policies of the City of Orland General Plan. Specifically:

- Goal 2.4 and Policies 2.4.A, 2.4.B and 2.4.C; and,
- Goal 2.5 and Policies 2.5.A and 2.5.B.

Findings:

- 1) The referenced zoning districts currently permit uses similar to and/or associated with small-scale retailing or vending of alcoholic beverages;
- 2) The small scale of “Craft” / “Small-Batch” / “Micro” facilities are consistent with the visitation, delivery, shipping and transportation characteristics of the existing permitted uses;
- 3) The proposed uses could be complimentary of the list of existing Principally Permitted Uses in the referenced zoning district;
- 4) The proposed uses could enhance and support commerce within the referenced zoning districts; and,
- 5) Such uses would be required to secure appropriate licensure for “Craft” / “Small-Batch” / “Micro” facilities from the State Department of Alcoholic Beverage Control.

I hereby determine that based upon the findings noted above that the uses listed in this interpretation may be established as Principal Permitted Uses in the referenced zoning districts.

By:



*Scott Friend, City Planner
on behalf of Peter Carr, City Manager*

Date: 05/14/18

*Administrative Zoning Interpretation: ZOI# 2018-01
Micro/Small-Batch/Craft Alcohol Production and Service*

Routing:

*File
Orland Volunteer Fire Department
City of Orland Police Department
Planning Commission
Posting File*

*Orland Building Department
City of Orland Public Works Director
City of Orland Engineering
City Council*