

**Minutes of Planning Commission Meeting
held Monday, July 24, 2023, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

The meeting was called to order at 7:01 P.M. by Chair Margo Moehring.

ROLL CALL:

<i>Chairperson:</i>	Margo Moehring		
<i>Vice-Chairperson:</i>	Colleen White		
<i>Board Members:</i>	David Dahl	Justin Lerman	Nicholas Andrews
<i>Alternates:</i>	Justin Henderson	Debbie Cole	

Director of Planning and Development Heather Ireland, Senior Planner Christian Popoli, City Attorney Sandra Robinson, and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

It was moved by Mr. Lerman, seconded by Mr. Dahl, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on June 26, 2023

CORRESPONDENCE: None

DISCLOSURE - EX PARTE COMMUNICATION:

No Board Member had ex-parte communication.

OLD BUSINESS: None

NEW BUSINESS:

(A) PC# 12-23 Land Development Code Text Amendment

Owner: N/A

Applicant: City of Jacksonville Beach Planning and Development Department

Agent: Heather Ireland, Director

Location: N/A

Land Development Code Text Amendment Approval to amend Chapter 34 - Land Development Code, Article VIII - Site Development Standards, Division 2 - Supplemental Standards, Section 34-393 - Alcoholic Beverage Establishments to maintain consistency with Florida Statutes and 2023 House Bill 1561 and House Bill 639.

Staff Report:

Senior Planner Christian Popoli summarized the following report for the record:

House Bill (HB) 1561, presented during the 2023 legislative session and signed by the Florida Governor on June 20, 2023, establishes an exception to the space and seating requirements for

special restaurant licenses in the Downtown Incentive Zone (DIZ) in order to encourage development and redevelopment in the downtown district. The DIZ is a special zone bounded by Third Street, the Atlantic Ocean, Sixth Avenue North, and Second Avenue South as established by the City Council via Resolution 2121-2022.

Pursuant to HB 1561, within the DIZ, the Florida Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation may issue a special alcoholic beverage license (4COP SFS) to any public food service establishment that is equipped to serve 50 or more persons at one time and occupying not less than 1,200 square feet of service area, which derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages.

HB 639, also presented during the 2023 legislative session with an effective date of July 1, 2023, amends Florida Statutes Section 561.20 to allow the issuance of special alcoholic beverage licenses to bona-fide restaurants that have a minimum of 2,000 square feet of service area (decreased from 2,500 square feet), is equipped to serve meals to 120 (decreased from 150) persons at one time, has at least 120 physical seats available for patrons to use during operating hours, holds itself out as a restaurant, and derives at least 51 percent of its gross revenue from the sale of food and non-alcoholic beverages.

The adoption of these 2023 House Bills requires the City to amend Chapter 4 of the City's Code of Ordinances to be in compliance, by decreasing the space and seating requirements city-wide and in the Downtown Incentive Zone. Additionally, the adoption of these House Bills requires the City to amend Section 34-393 of the Land Development Code to maintain consistency with Florida Statutes and the changes to Chapter 4 of the City's Code of Ordinances. Proposed changes to the Land Development Code include updating the 150 seats to 120 seats pursuant to the Florida Statute and adding an exemption to the 500 ft proximity rule to schools, churches, and bars in the Downtown Incentive Zone only for bona-fide restaurants with 50 or more seats.

The proposed amendments to Section 34-393 provided in the attached ordinance have been prepared for the Planning Commission's consideration for recommendation to the City Council. The proposed changes to Chapter 4 are also provided for reference, although no action is required from the Planning Commission on the changes.

Agent:

Director of Planning and Development Heather Ireland provided background on the item.

A discussion ensued about restaurants near schools, state-wide seating requirements vs. the seating requirements in the Central Business District (CBD), and alcohol license regulation.

Public Hearing:

No one came forward to speak. Chair Moehring closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Lerman, seconded by Ms. White, to recommend approval of #PC 12-23.

Roll Call Vote: Ayes – David Dahl, Nicholas Andrews, Colleen White, Justin Lerman, and Margo Moehring.

The application was unanimously approved.

PLANNING DEPARTMENT REPORT:

The August 14th and 28th, 2023, Planning Commission meetings will be canceled for lack of business items.

Motion: It was moved by Mr. Dahl, seconded by Ms. White, to cancel the August 14th and August 28th, 2023 meetings.

In a voice vote, the motion passed unanimously.

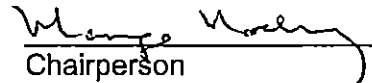
ADJOURNMENT:

There being no further business, the meeting adjourned at 7:14 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:


Chairperson

9/11/23
Date