



City of Jacksonville Beach

Briefing Notice

City Council

11 North Third Street
Jacksonville Beach, Florida

Monday, June 10, 2024

5:30 PM

Council Chambers Conference Room

City Manager Mike Staffopoulos will conduct a Council Briefing to update the City Council about ongoing items in the City. The Briefing will include, but not be limited to, the following topics:

- A. Urban Trails Update
- B. Flashvote Update
- C. Florida League of Cities Policy Committees
- D. Food Truck Legislation
- E. Legislative Impacts
- F. Future Briefing Topics
- G. Committee Assignment Report
- H. Miscellaneous City Manager's Items

Council Members in attendance may include:

Mayor:	Christine Hoffman		
Council Members:	Sandy Golding	Bill Horn	Dan Janson
	Fernando Meza	Greg Sutton	John Wagner

Please note: Council Members in attendance may vary according to their schedules.

No public comments are taken at the City Manager's Council Briefing.

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an [Accommodation Request](#) to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.



CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Jason Phitides, Director of Parks and Recreation
DATE:	June 10, 2024
SUBJECT:	Urban Trails Update

BACKGROUND

The Urban Trails Project was previously discussed at the January 2024 City Council Briefing, focusing on four corridors:

- 15th Avenue N.
- 8th Avenue N. / 9th Avenue N.
- 4th Avenue N.
- Jacksonville Drive

At that meeting, the Council directed that our Design Consultants revisit each trail corridor, using “a holistic, rather than a one-size-fits-all, approach.” Also, the Council agreed that the width of the trail could be narrowed to 7.5 feet, versus the proposed 10 feet in the initial design and, depending on location, it could be wider or narrower. Our consultants recommend a trail width of 8 feet rather than 7.5 feet, in order to provide 4 feet in either direction for two-way traffic. Revised conceptual designs have been received with the following summarized options:

Option 1 – Off Road: The trail would create, or replace existing, sidewalks offset from the road by between 2 and 4 feet from the edge of the pavement. This would be a concrete trail.

Option 2 – One-Way On-Road: The existing roadway is converted to a one-way with a traffic lane minimum width of 9 feet. The trail is on the remaining part of the road and separated by a concrete traffic barrier, up to 3 feet wide. There would be openings for existing driveways and road crossings.

Option 3 – Narrow Road: The trail is adjacent to the road, separated by curb and gutter. This option provides two-way traffic but reduces travel lanes to a minimum width of 9 feet in each direction. This may not be a feasible option as the current Land Development Code requires a minimum road width of 20 feet (10' lanes).

After reviewing the latest concepts, the Steering Committee proposes the following action:

1. Request Council direction to proceed with final design and construction of Jacksonville Drive Phase I, from South Beach Parkway to A1A using Option 1. The concrete path will replace the existing sidewalk north of travel lanes, 2.5 feet from the back of the existing curb.
2. Request Design Consultants revisit Option 3 to accommodate a minimum road width of 20 feet (10' lanes).



3. After the June 10th Council Briefing and upon receipt of updated concepts for the four corridors, provide copies to City Council to review in preparation for the July Council Briefing.
4. At the July Council Briefing, staff will seek direction for each of the three remaining corridors, including Phase 2 of Jacksonville Drive (east of A1A to 1st Street).

FINANCIAL IMPACT

TBD

COUNCIL DIRECTION REQUESTED

Does the City Council concur with designing and constructing Phase 1 of Jacksonville Drive using Option 1?

Does the City Council concur with an overall trail width of 8 feet?

ATTACHMENTS

1. UT - Jax Drive Phase 1

Jacksonville Dr.



TRAIL WILL FOLLOW EXISTING
SIDEWALK ALIGNMENT with +/- 2'
UTILITY STRIP

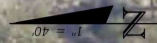
8' CONCRETE SHARED
USE PATH

										JACKSONVILLE DR		SHEET NO.
										TRAIL LAYOUT		
										CITY OF JACKSONVILLE BEACH		2
										ROAD NO.		
										COUNTY		
										DUVAL		



TRAIL WILL FOLLOW EXISTING
SIDEWALK ALIGNMENT with +/- 2'
UTILITY STRIP

8' CONCRETE SHARED
USE PATH



REVISIONS				CITY OF JACKSONVILLE BEACH			<i>JACKSONVILLE DR. TRAIL LAYOUT</i>		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	ROAD NO.	COUNTY	FINANCIAL PROJECT ID			
					DUVAL				
				JAMES HARRIOT, P.E. P.E. LICENSE NUMBER 51473 CHW					3
				11801 RESEARCH DRIVE ALACHUA, FL 32615					
				CERTIFICATE OF AUTHORIZATION 05075					

JAMES HARRIOT, P.E.
P.E. LICENSE NUMBER 57473
11801 RESEARCH DRIVE
ALACHUA, FL 32615
CERTIFICATE OF AUTHORIZATION 05075



REVISIONS		CITY OF JACKSONVILLE BEACH		JACKSONVILLE DR TRAIL LAYOUT		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	ROAD NO.	FINANCIAL PROJECT ID	
						4

JAMES HARRIOT, P.E.
P.E. LICENSE NUMBER 57473
CHW
11801 RESEARCH DRIVE
ALACHUA, FL 32615
CERTIFICATE OF AUTHORIZATION 05075

CITY OF JACKSONVILLE BEACH
COUNTY
DUVAL

5/31/2024 11:08:41 AM
Cdm Reap



TRAIL WILL FOLLOW EXISTING
SIDEWALK ALIGNMENT with +/- 2'
UTILITY STRIP

8' CONCRETE SHARED
USE PATH

REVISIONS		CITY OF JACKSONVILLE BEACH		<i>JACKSONVILLE DR.</i> <i>TRAIL LAYOUT</i>		SHEET NO.
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DATE	DESCRIPTION	DATE	DESCRIPTION			
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				JAMES HARRIOT, P.E. P.E. LICENSE NUMBER 53473 CHW 11801 RESEARCH DRIVE ALACHUA, FL 32615 CERTIFICATE OF AUTHORIZATION 05075		

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CITY COUNCIL BRIEFING TOPIC	
TO:	Honorable Mayor and City Council
FROM:	Molly Alleger, Assistant to the City Manager
DATE:	June 10, 2024
SUBJECT:	Florida League of Cities Policy Committees

BACKGROUND

The Florida League of Cities' (FLC) policy committees set the legislative platform for the League and Florida's 411 municipalities. The Council, through resolution, adopts the priorities of the FLC as priorities for City of Jacksonville Beach.

This item is to determine which elected officials would like to serve on a committee, and keep our representatives from requesting the same committee appointments. Ideally, there will be representation on each committee, either elected, staff, or both. Attached is the FLC official "Policy Process" sheet with descriptions of each committee, as well as the upcoming meeting dates and locations for FY25. Please note, some of the titles of the committees have changed due to a shift in issues communities are facing. Each Council Member will be responsible for registering through their account on the FLC website. The chart below lists the elected officials and the respective committees they served for FY24:

Legislative Committees:	Elected Official:	Staff Representation:
Development, Code Compliance, and Redevelopment	Dan Janson	
Finance and Taxation	Fernando Meza	
Intergovernmental Relations, Mobility, and Emergency Management	Greg Sutton	
Municipal Operations	Sandy Golding	Mike Staffopoulos
Utilities, Natural Resources, and Public Works		Dennis Barron, Molly Alleger

FINANCIAL IMPACT

Travel Costs will be associated for the three meeting dates in the fall, which are accounted for in the FY25 budget.

COUNCIL DIRECTION REQUESTED

Determine which elected officials would like to serve on each FLC Policy Committee.



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ATTACHMENTS

1. FLC Legislative Policy Process



2024-2025 FLC LEGISLATIVE POLICY PROCESS

The Florida League of Cities' (FLC's) Charter and Bylaws specify that the League shall engage only on legislation that pertains directly to "municipal affairs." "Municipal affairs" refers to issues that directly pertain to the governmental, corporate and proprietary powers to conduct municipal government, perform municipal functions, render municipal services, and raise and expend revenues. Protecting Florida's cities from egregious, far-reaching attacks on Home Rule powers will always be the top priority.

Each year, municipal officials from across the state volunteer to serve on the League's legislative policy committees. Appointments are a one-year commitment and involve developing the League's Legislative Platform. The Legislative Platform addresses priority issues of statewide interest that are most likely to affect daily municipal governance and local decision-making during the upcoming legislative session.

Policy committee members also help League staff understand the real-world implications of proposed legislation, and they are asked to serve as advocates throughout the year. To get a broad spectrum of ideas and to better understand the impact of League policy proposals on rural, suburban and urban cities of all sizes, it is ideal that each of Florida's cities be represented on one or more of the legislative policy committees.

There are currently five standing legislative policy committees:

DEVELOPMENT, CODE COMPLIANCE, AND REDEVELOPMENT COMMITTEE:

This committee addresses development, redevelopment, housing, community planning, zoning, eminent domain, property rights, short-term rentals, code enforcement, building and fire code, building permitting, and concurrency management.

FINANCE AND TAXATION COMMITTEE: This committee addresses general finance and tax issues, fees, assessments, infrastructure funding, local option revenues, pension issues, revenue sharing, franchise fees, Communications Services Tax (CST), and ad valorem.

INTERGOVERNMENTAL RELATIONS, MOBILITY, AND EMERGENCY

MANAGEMENT COMMITTEE: This committee addresses transportation, municipal roads, traffic safety, municipal airports, drones, vertiports, ports, telecommunications, broadband, use of public rights-of-way, parking, signage, emergency management, homelessness, charter counties, annexation, ethics for public officers and employees, elections, special districts, and general preemptions.



2024-2025 FLC LEGISLATIVE POLICY PROCESS

MUNICIPAL OPERATIONS COMMITTEE: This committee addresses government operations, municipal service delivery, cybersecurity, technology, public safety, public meetings, public records, public property use and management, procurement, personnel, insurance, collective bargaining, workers' compensation, liability, and sovereign immunity.

UTILITIES, NATURAL RESOURCES, AND PUBLIC WORKS COMMITTEE: This committee addresses coastal management, environmental permitting, hazardous and toxic wastes, recycling, solid waste collection and disposal, stormwater, wastewater treatment and reuse, water management, water quality and quantity, resiliency, brownfields, and municipal utilities.

Due to Sunshine Law issues, only one elected official per city can be represented on a legislative policy committee, but a city could have an elected and a non-elected city official on each of the five policy committees. Appointments are made by the League president based upon a city official's support and advocacy of the Legislative Platform and participation at meetings, Legislative Action Days and other legislative-related activities.

The Florida Legislature convenes the 2025 Legislative Session on March 4. The League's legislative policy committee meetings commence in October 2024 and meet three times. No new issues will be considered by a legislative policy committee after the second committee meeting. At the last meeting, each of the five policy committees adopts ONE legislative priority. In addition, a legislative policy committee may, but is not required to, recommend ONE policy position related to other relevant issues. The policy position must satisfy the same criteria for legislative priorities. Priority and policy position statements are capped at 75 words. Recommended legislative priorities and policy positions will be considered by the Legislative Committee. If favorably considered by the Legislative Committee, they will be considered by the general membership. If adopted by the general membership, the policy priorities and policy positions may be published as the League's Legislative Platform and communicated to legislators and others, as appropriate.

2024-2025 FLC LEGISLATIVE POLICY PROCESS

The Legislative Committee is composed of:

- ▶ Each legislative policy committee chair and the chairs of the other standing committees
- ▶ The president of each local and regional league
- ▶ The presidents of several other municipal associations
- ▶ Chairs of the municipal trust boards
- ▶ Several at-large members appointed by the League president.

2024 Legislative Policy Committee Meeting Dates

- ▶ October 4, 2024, 10:00 a.m. to 2:00 p.m. at the Hilton Orlando, 6001 Destination Parkway, Orlando, FL 32819.
- ▶ November 8, 2024, 10:00 a.m. to 2:00 p.m. at the Hilton Orlando, 6001 Destination Parkway, Orlando, FL 32819.
- ▶ December 5, 2024, during the FLC Legislative Conference at the Hilton Orlando, 6001 Destination Parkway, Orlando, FL 32819.

If you are interested in serving or learning more, please contact Mary Edenfield at 850.701.3624 or medenfield@flcities.com.





FREQUENTLY ASKED QUESTIONS: 2024-2025 FLC LEGISLATIVE POLICY PROCESS

What is an FLC legislative policy committee?

- ▶ Policy committees help set the Legislative Platform for the Florida League of Cities (FLC) and Florida's municipalities in advance of the next legislative session.
- ▶ The five policy committees include the Development, Code Compliance, and Redevelopment Committee; Finance and Taxation Committee; Intergovernmental Relations, Mobility, and Emergency Management Committee; Municipal Operations Committee; and Utilities, Natural Resources, and Public Works Committee.
- ▶ Committees are made up of municipal officials from across the state.

Have there been any changes to the legislative policy committees this year?

- ▶ Yes! The League shifted some issues among committees to better match each committee's scope. Also, the names of four committees were changed to better represent their focus.
- ▶ Before signing up for a committee, carefully review each of the committee descriptions found in the *2024-2025 FLC Legislative Policy Committee Process* document.

When and how do I sign up for a policy committee?

- ▶ Sign-up opens in June each year.
- ▶ To sign up, contact Mary Edenfield at medenfield@flcities.com for the sign-up link or go to flcities.com.
- ▶ The FLC President makes the committee appointments, and appointments are announced in August after the FLC Annual Conference.

Can I serve on more than one policy committee?

- ▶ No. All committees meet simultaneously.

When are the meetings, and is there a virtual option?

- ▶ Committee meetings take place in person in Orlando in October, November, and December during the FLC Legislative Conference.
- ▶ There is no virtual meeting option; meetings are in person.



FREQUENTLY ASKED QUESTIONS: 2024-2025 FLC LEGISLATIVE POLICY PROCESS

How do I submit a policy issue for a committee to consider?

- ▶ If you want a committee to consider an issue as a League priority, contact the committee staff person before the October or November policy committee meeting.
 - **David Cruz**, FLC Legislative Counsel, staffs the Development, Code Compliance, and Redevelopment Committee.
 - **Charles Chapman**, Legislative Consultant, staffs the Finance and Taxation Committee.
 - **Jeff Branch**, FLC Senior Legislative Advocate, staffs the Intergovernmental Relations, Mobility, and Emergency Management Committee.
 - **Sam Wagoner**, FLC Legislative Advocate, staffs the Municipal Operations Committee.
 - **Rebecca O'Hara**, FLC Deputy General Counsel, staffs the Utilities, Natural Resources, and Public Works Committee.
- ▶ No new issues can be presented after the November meeting.

What can I expect at each meeting?

- ▶ First meeting in October: Discussions begin regarding potential priorities and policy positions.
- ▶ Second meeting in November: Discussions continue, and the committee may narrow down the list of considerations.
- ▶ Final meeting in December: The committee votes on one priority and one optional policy position, finalizing the text for the priority/policy position statements.

When will I get the meeting agenda?

- ▶ Meeting packets containing the agenda and related materials will be emailed to committee members one week before the meeting.
- ▶ You should bring a printed copy or your device to the meeting.
- ▶ Meeting packets are also available on flcities.com under the Advocacy tab.

Does FLC cover any meeting expenses?

- ▶ The League provides breakfast and lunch on the meeting date.





CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Director of Planning & Development
DATE:	June 10, 2024
SUBJECT:	Food Truck Legislation

BACKGROUND

In 2014, the City Council adopted Ordinance No. 2014-8041 which established the rules and regulations for food trucks (now known as mobile food dispensing vehicles). What began as a pilot program was expanded to be a permanent program at the end of 2014. Section 12-33 of the City Code of Ordinances establishes definitions, location and separation requirements, hours of operation, signage, noise, waste management, application requirements, and enforcement procedures for food trucks operating in the City. Currently, food trucks are permitted in commercial zoning districts only (C-1, C-2, CBD, CS, I-1, and commercial PUD and RD zoning). The City Council expressed considering expansion of allowable locations of operation to HOA communities and other areas deemed appropriate that are located in residential zoning districts. Please see attached Section 12-33 of the City Code of Ordinances for existing regulations.

FINANCIAL IMPACT

None.

COUNCIL DIRECTION REQUESTED

ATTACHMENTS

1. Sec. 12-33 Mobile Food Dispensing Vehicles

Sec. 12-33. - Mobile food dispensing vehicles.

Where allowed under the permitted use provisions in certain zoning districts as set forth in Division 2 of Article VII of Chapter 34 of the Jacksonville Beach Code of Ordinances, mobile food vendors shall conform to the following conditions:

(1) *Definitions.*

- a. *Commissary* means an approved facility that provides support services for specific required functions of a mobile food vendor. Any food establishment permitted or licensed by a regulatory agency, such as a catering operation, restaurant, grocery store, or similar establishment, or any other approved facility where food, containers, or supplies are kept, handled, prepared, packaged, or stored can be considered for approval as a commissary. A private residence may not be used as a commissary.
- b. *Mobile food dispensing vehicle* means any vehicle that is a public food service establishment and that is self-propelled or otherwise moveable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.
- c. *Mobile food vendor* means any person or business selling food from a mobile food dispensing vehicle from which food items are sold to the general public.
- d. *Operator* means the owner, licensee, proprietor, lessee, manager, assistant manager, or appointed agent of a public lodging establishment or public food service establishment.
- e. *Public food service establishment* means any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared prior to being delivered to another location for consumption. The term includes a culinary education program, as defined in F.S. § 381.0072(2), which offers, prepares, serves, or sells food to the general public, regardless of whether it is inspected by another state agency for compliance with sanitation standards.

(2) *Location and separation requirements.*

- a. Mobile food dispensing vehicles may be located on a lot in a Commercial Limited: C-1, Commercial General: C-2, Commercial Service: CS, Central Business District: CBD, I-1: Industrial, and certain commercial Planned Unit Development: PUD and Redevelopment District: RD zoning districts, as determined by the city planning and development department, having six thousand (6,000) square feet or more of area, and containing a principal building or use. The maximum number of mobile food dispensing vehicles per lot is limited as follows:

1. Maximum of one (1) mobile food vendor on lots containing six thousand (6,000) to forty-three thousand five hundred fifty-nine (43,559) square feet of area;
 2. Maximum of two (2) mobile food vendors on lots containing forty-three thousand five hundred fifty-nine (43,559) or more square feet of area.
- b. Approved state licenses and permits must be attached to the mobile food dispensing vehicle where they are readily visible.
 - c. Mobile food dispensing vehicles must be located at least one hundred (100) feet from the main entrance to any eating establishment or similar food service business and one hundred (100) feet from any outdoor dining area.

This separation requirement shall apply only during the normal hours of operation of the eating establishment or similar food service business or outdoor dining area.

- d. Mobile food dispensing vehicles:
 1. Must be located outside of a required sight visibility triangle at the intersection of a driveway, alleyway, or public street with another public street as set forth in Chapter 34 of this Code of Ordinances;
 2. Shall be located no closer than five (5) feet of a public sidewalk, utility box or vault, handicapped ramp, building entrance or exit, or emergency access/exit way;
 3. Must not impede, endanger, or interfere with pedestrian or vehicular traffic. Mobile food dispensing vehicles must be located a minimum distance of fifteen (15) feet in all directions away from a fire hydrant; and
 4. May not occupy or prevent access to any handicap accessible parking space.

(3) *Hours of operation, signage and noise.*

- a. The mobile food vendor or designee must be present at all times during operation of the mobile food dispensing vehicle. Hours of operation are limited to the hours between 7:00 a.m. and 3:00 a.m. unless the designated location on the lot accommodating the mobile food dispensing vehicle is located within one hundred fifty (150) feet of the property line of a dwelling unit in a residential zoning district, in which case the hours of operation are limited to the hours between 7:00 a.m. and 10:00 p.m.
- b. One (1) freestanding sandwich board or A-frame type sign is permitted on private property for each mobile food dispensing vehicle. The total size of the sign may not exceed forty-two (42) inches in height or thirty-six (36) inches in width.
- c. No audio amplification is authorized as part of a mobile food dispensing vehicle operation.
- d.

The mobile food dispensing vehicle, signage and any associated outdoor seating must be removed from its approved locations during impermissible hours of operation; and must not be stored, parked, or left overnight on any public street or sidewalk.

(4) *Waste management.*

- a. The mobile food vendor is responsible for the proper disposal of waste and trash associated with the permitted mobile food dispensing vehicle operation. City trash receptacles shall not be used for this purpose. At a minimum, mobile food vendors must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. Mobile food vendors must keep all areas within twenty-five (25) feet of the vehicles and any associated seating areas clean of grease, trash, paper, cups, or cans associated with the mobile food dispensing operation.
- b. Liquid waste or grease shall be disposed of at an approved location (for example, an approved commissary) and shall not be placed in tree pits, storm drains, or onto any sidewalk, street, or any other public space. Under no circumstances shall grease be released or disposed of in the city's sanitary or storm sewer systems. If at any time evidence of the improper disposal of liquid waste or grease is discovered, the responsible mobile food vendor will be required to cease operation immediately, clean up the improperly disposed material to the satisfaction of the city, and shall not resume operation of the mobile food dispensing vehicle until an alternate method of disposal has been approved by the city public works department.
- c. If the proposed commissary is located within the City of Jacksonville Beach, written approval for its use from the public works department is required.
- d. With the exception of allowable outdoor seating areas, all equipment required for the operation must be contained within, attached to, or within three (3) feet of the mobile food dispensing vehicle; and all food preparation, storage, and sales/distribution shall be in compliance with all applicable sanitary regulations.

(5) *Annual local business tax receipt required.*

- a. In accordance with F.S. § 509.102, a separate local license and/or permit is not required to operate a mobile food dispensing vehicle within the City of Jacksonville Beach.
- b. For each vending location, a City of Jacksonville Beach annual local business tax receipt shall be applied for, paid for and issued before engaging in any business or commercial activity. A copy of a valid local business tax receipt must be clearly displayed on the mobile food dispensing vehicle and shall be renewed annually.
- c. To obtain a mobile food dispensing vehicle local business tax receipt, the mobile food vendor must provide the city clerk with a City of Jacksonville Beach mobile food dispensing vehicle application packet and evidence of possessing all applicable zoning approvals,

State of Florida licenses and permits, including, but not limited to, the following:

1. Department of Business and Professional Regulations (MFDV License);
2. Florida Department of Health (License);
3. Department of Highway Safety and Motor Vehicles (Drivers License(s) for the applicant/legal business owner and all authorized mobile food dispensing vehicle drivers); and
4. City of Jacksonville Beach Fire Marshal fire safety inspection report showing vehicle is code compliant with NFPA 1- 50.7, NFPA 96.

(6) *Application submittal requirements.* Applications for the operation of a mobile food dispensing vehicle must include the following information:

- a. Name, address, telephone number, and email address of the applicant and vehicle owner, where applicable.
- b. Description of the types of food and/or beverages to be sold, proposed hours of operation, and mobile food establishment business name.
- c. Color photograph of the mobile food dispensing vehicle depicting its current condition.
- d. Vending location and property owner information, including the legal property/site address(es), parcel identification number(s), name, address, emergency telephone number, email address, and existing principal business name.
- e. Vending location site plan drawn to scale, depicting the following information:
 1. Total lot area of the property;
 2. Location and square footage of existing principal and accessory use(s) and associated parking spaces, where applicable;
 3. Proposed location for the mobile food dispensing vehicle; and
 4. Location of ingress/egress to the site.
- f. Street address where the mobile food dispensing vehicle is stored when not in use.
- g. Copies of all permits and business licenses required by the State of Florida.
- h. Fully executed commissary agreement verifying the mobile food vendor is operating in conjunction with a licensed commissary in accordance with Florida Statutes, where applicable.
- i. Completed and notarized property owner affidavit indicating the applicant has permission to vend on his/her property and acknowledging the following responsibilities:
 1. The property owner shall comply with all ordinances regarding solid waste disposal, and shall provide the mobile food vendor access to solid waste collection on the subject property;

2. The property owner shall require that mobile food vendors meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes; including, but not limited to, permitting requirements regarding his/her specific business;
 3. The property owner understands the regulations governing the mobile food dispensing vehicle and shall be held responsible, along with the mobile food vendor, for any zoning code violations; and
 4. The property owner shall ensure the property is continuously maintained in a neat, clean, and orderly manner.
- j. Proof of business insurance, issued by an insurance company that is licensed to do business in the State of Florida, and which insures the applicant against all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the mobile food dispensing vehicle.
 - k. Copy of Jacksonville Beach Fire Marshal Fire Safety Inspection Report showing vehicle is code compliant with NFPA 1-50.7, NFPA 96.
 - l. Completed mobile food dispensing vehicle local business tax receipt form.

(7) *Enforcement procedure.*

- a. Inspections may be conducted by code enforcement inspectors, building code inspectors, fire marshal or designee, or police officers on each mobile food dispensing vehicle at any time and at any frequency deemed appropriate by the city.
- b. If at any time, the State of Florida revokes or suspends the issued mobile food dispensing vehicle permit, the City of Jacksonville Beach local business tax receipt will be simultaneously revoked or suspended. A mobile food dispensing vehicle that has its state license or permit declared null and void or revoked for any of the reasons set forth in this section shall not be allowed to reapply for a mobile food dispensing vehicle authorization or a local business tax receipt for a period of ninety (90) days after the effective date of such action.
- c. If at any time evidence is provided that a mobile food dispensing vehicle is being operated in a way that does not comply with these guidelines, a notice of violation shall be issued to the lot owner and mobile food vendor and the violation shall be referred to the special magistrate for a hearing and disposition in accordance with the provisions of Article VI Code Enforcement of Chapter 2 Administration of this Code of Ordinances.

- (8) *Non-transferability.* All mobile food dispensing vehicle operation locations approved by the City are non-transferable upon the sale or transfer of ownership of the mobile food dispensing vehicle. All local business tax receipts issued by the City are non-transferrable

upon the sale or transfer of ownership of the mobile food dispensing vehicle. Each location application for operation of a mobile food dispensing vehicle requires separate zoning approval and a separate local business tax receipt.

(Ord. No. 2014-8041, § 1, 2-3-14; Ord. No. 2014-8061, § 1, 12-15-14; Ord. No. 2020-8145, § 2, 9-21-20)



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CITY COUNCIL BRIEFING TOPIC	
TO:	Mayor and City Council
FROM:	Michael J. Staffopoulos, City Manager
DATE:	June 10, 2024
SUBJECT:	Legislative Impacts

BACKGROUND

This item is a discussion with the Council on the impacts of this year's passed legislation to the City of Jacksonville Beach. The attachment is a summary of notes related to specific bills, with an Impact summary at the end of each bill summary. The topics for review are similar to the presentation made to Beaches Watch by the City Manager and Mayor Pro Tem Golding in April.

FINANCIAL IMPACT

None.

COUNCIL DIRECTION REQUESTED

ATTACHMENTS

1. Legislative Update Notes for Council

IMPACTS OF LEGISLATION ON JACKSONVILLE BEACH – JUNE 2024

Vacation Rentals - SB 280

- Maintains the grandfathering of any local vacation rental restrictions passed prior to 2011
- Local governments:
 - Restricts all local registration requirements – except for Flagler County's
 - Local government registration can only require:
 - Identifying information about the owner and operator
 - Proof of license with unique identifier from the state
 - Obtain all required tax registrations, receipts or certificates from state, county or municipality
 - Designate responsible party who is capable of responding to emergencies, including being available by phone 24 hours a day, 7 days a week
 - State and comply with maximum occupancy:
 - 2 persons per bedroom plus 2, or
 - more than 2 persons per bedroom if there is at least 50 square feet per person
 - Doesn't require any safety inspections before the vacation rental can begin operation, and actually states that a local government can charge an inspection fee AFTER registration
 - Can fine \$500 for not registering, 15 days to cure before fine can be imposed
 - Can suspend the registration if 1 or more violations occur on 5 separate days over a 30 or 60 day period
 - Registration can be suspended 30, 60, or 90 days depending on the timeframe the violations occurred
 - Provides notice requirements for suspension of registration
 - Can revoke or refuse to renew a registration after 3 suspensions
 - Vacation rental must conspicuously display the local registration number in a visible location in the vacation rental
- Advertising platform requirements:
 - Remove advertisement within 15 days if:
 - Notified of license or registration suspension, revocation or non-renewal
 - The vacation rental fails to display the license number with unique identifier and local registration number
 - Must collect and remit all taxes due
 - Provide a list of all vacation rentals advertised on the platform in FL on a quarterly basis along with URL, license and registration numbers
 - State may fine the advertising platform up to \$1000 per offense for violation of these requirements or DBPR rule. The platform is given 15 days to cure the violation.
- State requirements:
 - Allows vacation rental to obtain a temporary state license and commence operation before the state approves the license
 - Create and maintain a vacation rental information system by July 1, 2025

- Allows platforms to search information to determine if the vacation rental can be advertised
- Allows local governments to notify DBPR of suspension, revocation or non-renewal of registration
- Allows local governments and advertising platforms to verify the status of a vacation rental license and local registration
- Allows a registered user to subscribe to get notifications about changes to the license and registration status of a vacation rental
- State MAY revoke, refuse to issue or renew, or suspend for a period not more than 30 days or the period of the local suspension if:
 - Operation violates a lease or property restriction
 - Local registration is suspended or revoked
 - Final order or judgment lawfully directing the termination of the premises' use as a vacation rental
- For 2024-2025 fiscal year, allocates funding and creates 9 full-time positions for DBPR for the purposes of implementing SB 280.

Impact – Provides some tools limited enforcement; erodes local registration; allows STVRs to operate before receiving all appropriate approvals; erosion of Home Rule, and reversal of previous State legislation.

Release of Balloons - HB 321

- Prohibits the intentional release of any number of balloons (removes the prohibition of intentional release of 10 or more balloons over a 24-hour period)
- Removes the exception for bio-degradable balloons
- Violation is considered a noncriminal littering infraction
- Does not apply to a person 6 years or younger

Impact – Negligible.

Live Local Act Glitch Bill - SB 328

Last year, the Live Local Act established for affordable housing:

- Municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40% of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004.
- Municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized by the Live Local Act.
- For mixed-use residential projects, at least 65% of the total square footage must be used for residential purposes.

- A proposed development authorized under this act must be administratively approved and no further action of the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height and land use.

Changes in SB 328 to last year's bill:

- Municipality may not restrict the density of a proposed development authorized under this section below the highest currently allowed density on any land in the municipality where residential development is allowed.
- Municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150% of the highest currently allowed floor area ratio on any land in the municipality where development is allowed under the municipality's land development regulations. The term "floor area ratio" includes floor lot ratio.
- Municipality may not restrict the height of a proposed development below the highest currently allowed height located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.
- "highest currently allowed density/floor area ratio/height" does not include the density/floor area ratio/height of any building that met the requirements of this subsection or the density/floor area ratio/height of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the municipality's land development regulations as an incentive for development.
- If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to:
 - 150% of the tallest building on any property adjacent to the proposed development,
 - the highest currently allowed height for the property provided in the municipality's land development regulations, or
 - 3 stories, whichever is higher.
- "Adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.
- Municipality must reduce parking requirements by at least 20% for a proposed development authorized by this act if the development:
 - Is located within ½ mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means. Major transportation hub means any transit station, whether bus, train or light rail which is served by public transit.
 - Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development
- Any development authorized under this section must be treated as a conforming use even after the expiration of the 30 year affordability period
- The property appraiser shall exempt:

- 75% of the assessed value of the units in multifamily projects that meet the requirements of this act used to house natural persons or families whose annual household income is greater than 80% but no more than 120% of the median annual adjusted gross income for households within the county
- From ad valorem taxes the units in multifamily projects that meet the requirements of this act and are used to house natural persons or families whose annual household income is less than 80% of the median annual adjusted gross income for households with in the county

Impact – Require expediency by the City in the event of an application, and relaxation of certain development codes. Workforce housing development in Jacksonville Beach is unlikely without County and/or City financial participation, due to land values and cost of construction.

Local Government Actions - SB 1628

- SB 170 was passed in 2023 to be” the preemption to end all preemptions”
 - Requires cities to file a business impact statement for ordinances, except those required by federal or state law, issuance of refinancing of debt, adoption or amendment of budgets, implementation of a contract or agreement, emergency ordinances, procurement, development orders and development agreements
- Revised to require cities to file a business impact estimate for ordinances relating to a comprehensive plan amendment or land development regulation initiated by a municipality or county
 - Impact statement not required for ordinances related to a comprehensive plan amendment or land development regulation initiated by a private party other than the municipality

Impact – Requires incrementally more work on staff to develop the impact statement.

Unauthorized Camping and Sleeping - HB 1365 (MS)

- Local govt. may not authorize or allow people to regularly engage in public camping or sleeping on any public property, including (not limited to) building or grounds, or public ROW under jurisdiction
- A County can designate property owned by the County or a City (with consent of City) for camping for up to 1 year
 - DCF must certify the location
 - Prove not enough open beds in homeless shelters
 - Property not contiguous to residential use (comp plan and FLUM)
 - Property would not materially affect property values or safety of children
 - Minimum standards:
 - Safety and security
 - Sanitation (restrooms and running water)
 - Access to behavioral health services (substance abuse and mental health treatment)
 - Prohibition on illegal substances

- A resident, business owner, or AG may bring a civil action against county or city for enforcement
 - Provide notice with 5 business days to cure violations
 - If they prevail, reasonable expenses (court cost, attorney fees, etc.)
 - Not applicable during Governor emergency declaration

Impact – Requires local action, possibly results in shift of homeless issues to County, may force county/city partnerships, increases liability to cities.

Expedited Approval of Residential Building Permits - SB 812 (MS)

- County over 100k, City over 10K AND 25 acres of contiguous Agricultural land for residential development, must create a program to expedite process for issuing permits for residential subdivisions
- Developer can commence on up to 50% of the subdivision; local government can do more if they want
 - December 31, 2027, number moves to 75%
 - Two-step application process for preliminary plats
 - Master building permit process (valid for 3 years)
- Applicant can use private provider to expedite application process for building permits after plat process
 - Local government to have a registry of 3 or more qualified firms to assist with expediting.
- Applicant must get a performance bond for up to 130% of the necessary improvements (to pay for public improvements if project stalls) and indemnify local government
- No property transfer can occur, nor Certificate of Occupancy, until final plat recorded

Impact – May not impact City based on thresholds contained in legislation.

Building Regulations - HB 267 (MS)

- Replacement of windows, doors, garage doors no longer need sealed drawings; install with manufacturers recommendations
- Private providers affixing their seal (architect or engineer), BO must release permit or provide written notice as to why and what code sections within 10 days; if no written notice, deemed approved by law
- Must have SOP for auditing in order to audit private providers
- Timeframes for permit reviews
 - 30 days for local government plan reviewer, less than 7.5k s.f., residential
 - 60 days for local government plan reviewer, over 7.5k s.f., residential
 - 60 days for local government plan reviewer, signs or non-residential buildings up to 25K s.f.
 - 60 days for local government plan reviewer, multifamily residential (<50 units), subdivisions not requiring public hearing/notice; lot grading and site alternation
 - 12 days master building permit

- 10 days for single-family residential by contractor licensed in FL for CDBG – Disaster Recovery Program
- 5 days to let applicant know what is missing
- Reduce permit fees by 10% increments if City misses deadlines

Impacts – Intent and requirement to expedite review and permitting process; thresholds are shorter than previous requirements.

Public Works Projects - HB 705 (MS)

- Redefines a PW project, excluding incidental to the project (security, janitorial, landscaping, maintenance, transportation, or anything not requiring a construction contractor license or involve supplying or carrying construction materials for the project)
- Cities cannot prohibit certified, licensed, or registered contractors, buss, or material supplier/carrier from participating in the bidding process UNLESS the City is the sole source of funding

Impact – Negligible.

Annual Adjustment to Homestead Exemption - HJR 7017 (MS)

- \$25k exemption (50-75k bracket) adjusted each January 1 for CPI
- All other assessment exemptions added to the constitution after January 1, 2025 will be adjusted annually based on inflation

Impact – If passed through referendum, it will have a negative financial impact on annual revenues.

Local Regulation of Nonconforming and Unsafe Structures - SB 1526

- Structures or buildings on a property in which all or a portion is seaward of the coastal construction control line, AND the structure is: non-conforming; determined unsafe by BO; order demolished by local government
- Following not applicable: National Register of Historic Places; single-family home; structure or building within a historic district listed in NHRHP before January 1, 2000; located on barrier island in a city with less than 10K and has at least 6 blocks located outside of FIRM zones
- Local government cannot restrict, prohibit, or prevent demolition of any structure; administrative review of application only
- Local government shall authorize replacement structures to max height and size authorized in LDC
- MUST NOT HINDER THE DEMOLITION OR REDEVELOPMENT

Impact – Negligible.

Employment Regulations - HB 433

- Cannot mandate heat exposure protocols
- Can't give preference in competitive solicitations based on heat exposure protocols
- Cannot control or affect wages or employment benefits for vendors through purchasing/procurement
- Cannot give preference in competitive solicitations based on wages or benefits
- Goes into effect September 2026 to give localities time to implement the bill and allow contracts to expire
- Preempted from regulating scheduling by a private employer except as required by state or federal law

Impact – Negligible.

FAILED:

Local business taxes - HB 609/SB 1144

- Prohibited local government from modifying the tax rate structure except as provided in f.s. 205.0535
- Require decreases in taxes under certain conditions
- Can't show increases in BTR revenue; issue refunds

Impact – If passed, it would have a negative financial impact on annual revenues (+/- \$300,000).

Millage rates - HB 1195/SB 1322

- Would require 2/3 vote of the local government to increase the millage rate (currently simple majority) from the previous year's millage rate
- 2/3 vote doesn't apply to existing millage rate increases that require a ¾ or unanimous vote or voter approval in a referendum under current law

Impact – Negligible; erosion of Home Rule.