

RESOLUTION NO. 2121-2022

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, EXPRESSING THE CITY COUNCIL'S SUPPORT FOR LOCAL BILL JB-1 TO BE CONSIDERED BY THE DUVAL COUNTY LEGISLATIVE DELEGATION CREATING A SPECIAL ZONE IN THE CITY OF JACKSONVILLE BEACH KNOWN AS THE DOWNTOWN INCENTIVE ZONE SO AS TO PROVIDE AN EXCEPTION TO §561.20(1), FLORIDA STATUTES, FOR SPACE, SEATING, AND MINIMUM GROSS REVENUE REQUIREMENTS FOR SPECIAL ALCOHOLIC BEVERAGE LICENSES FOR PUBLIC FOOD SERVICE ESTABLISHMENTS WITHIN THE DOWNTOWN INCENTIVE ZONE; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, with redevelopment taking place in the downtown area of the City of Jacksonville Beach ("City"), it can be anticipated that smaller tenant spaces may be created that could accommodate smaller public food service establishments that would be unable to qualify for a full alcoholic beverage license under the current state and local regulations; and

WHEREAS, lowering the space and seating requirements for those establishments within a special zone that derive at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages would allow smaller public food service establishments to qualify for a special alcoholic beverage license; and

WHEREAS, at its briefing on May 23, 2022, the City Council instructed City Staff to move forward with the process to initiate a local bill to lower the minimum space and seating requirements for public food service establishments that derive at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages within the Downtown Incentive Zone, which is bounded by 3rd Street, the Atlantic Ocean, 6th Avenue North, and 2nd Avenue South; and

WHEREAS, the first step in the process of initiating a local bill is to provide a resolution with the proposed legislation stating the City Council's support for the local bill to be considered by the Duval County Legislative Delegation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, THAT:

SECTION 1. Adoption of Recitals. The foregoing recitals are deemed true and material parts of this resolution and are fully incorporated herein by reference.

SECTION 2. Support of Local Bill JB-1. The City Council hereby expresses its support of Local Bill JB-1 to be considered by the Duval County Legislative Delegation for the 2023 State Legislative Session. Said Local Bill JB-1 provides for an amendment to the Laws of Florida to

create a special zone in the City of Jacksonville Beach known as the Downtown Incentive Zone to allow for an exception to §561.20(1), Florida Statutes, for space, seating, and minimum gross revenue requirements for special alcoholic beverage licenses for public food service establishments within the Downtown Incentive Zone. A true and correct copy of said Local Bill JB-1 is attached hereto as **Exhibit 1**.


SECTION 3. State Local Bill Process. After transmission of this Resolution to the Duval County Legislation Delegation, the Delegation will hold a Local Bill Hearing, which will occur in or about January 2023 in Jacksonville City Council Chambers on the first floor of City Hall, which is located at 117 West Duval Street, Jacksonville, FL 32202. If the Duval County Legislative Delegation agrees to support the issue and introduce the bill, the House of Representatives sponsor will deliver Exhibit 1 to House Bill Drafting. The City will be responsible for complying with the provisions of the Local Bill Filing Manual, including but not limited to advertising and public hearing requirements.

SECTION 4. Repeal of Prior Inconsistent Resolutions and Council Decisions. All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

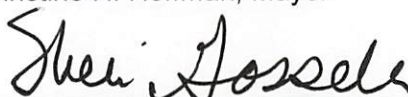
SECTION 5. Severability. If any section, sentence, clause, or phrase of this resolution should be held invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, or portion of this resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. Effective Date. This resolution shall become effective immediately upon passage and adoption by City Council.

AUTHENTICATED this 6th day of September, 2022.



Christine H. Hoffman, Mayor



Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:



Sandra R. Robinson, City Attorney

CHAPTER 2023-_____

House Bill No. _____

An act relating to the City of Jacksonville Beach, Duval County; creating a special zone in the City of Jacksonville Beach; providing boundaries; providing an exception to general law; providing space, seating, and minimum gross revenue requirements for special alcoholic beverage licenses for public food service establishments in described areas; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. There is hereby created a special zone in the City of Jacksonville Beach to be known as the Downtown Incentive Zone for the purposes of this act. The area is described as:

All lands bounded by 3rd Street, the Atlantic Ocean, 6th Avenue North, and 2nd Avenue South.

Section 2. Notwithstanding s. 561.20(1), Florida Statutes, in the area herein described as the Downtown Incentive Zone, the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation may issue a special alcoholic beverage license 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; provided that such licenses shall be subject to local zoning requirements and to any provision of the alcoholic beverage laws of the state and rules of the division not inconsistent herewith.

Section 3. This act shall take effect upon becoming a law.