



City of Alachua

Planning & Community Development Department

Staff Report

Planning & Zoning Board Hearing Date: January 8, 2018
Legislative Hearing

SUBJECT: A request to amend the City's Land Development Regulations (LDRs) to establish requirements for special events which include the sale or consumption of alcoholic beverages.

APPLICANT/AGENT: City of Alachua

PROJECT PLANNERS: Kathy Winburn, AICP; Justin Tabor, AICP; Adam Hall, AICP

RECOMMENDATION: Staff recommends that the Planning & Zoning Board find that the proposed Text Amendments to the City's Land Development Regulations to be consistent with the City of Alachua Comprehensive Plan and in compliance with the City's Land Development Regulations and transmit such finding to the City Commission with a recommendation to approve.

RECOMMENDED MOTION: *This Board finds that the proposed text amendments to the City's Land Development Regulations are consistent with the City of Alachua Comprehensive Plan and in compliance with the City's Land Development Regulations and transmits the proposed text amendments to the Land Development Regulations to the City Commission with a recommendation to approve.*

SUMMARY

The City has found that there are certain special events where local groups or event hosts wish to offer the sale or consumption of alcoholic beverages as a part of the event. Special events held on private property may obtain a temporary beverage license for the sale of alcoholic beverages. Currently, any special event held at a City-owned property or right-of-way is prohibited from offering alcoholic beverages for sale or consumption, with the exception of events held at the Swick House. This City-owned facility is exempt from the prohibition against the sale or consumption of alcoholic beverage on municipally owned properties per Chapter 4 of the City of Alachua Code of Ordinances. Other than this exception, the City's current regulations would not allow the sale or consumption of alcohol for an event held on other City property or right-of-ways.

In order to allow the sale or consumption of alcoholic beverages on certain City properties or within right-of-ways, Staff recommends that such events be required to obtain a Special Event Permit, per Section 4.6 of the LDRs. These types of events could include weddings, beer and wine tastings as part of a downtown event, music festivals, etc. Such events could further economic development in the City by attracting more visitors to patron local businesses. By requiring a Special Event Permit, the City can ensure adequate regulation to protect the public health, safety and welfare, and address impacts related to a proposed event, such as traffic flow and control, vehicular and pedestrian safety, noise, lighting, and effect on surrounding properties. The proposed amendment refers to Chapter 4, Section 4.2(c) of the City of Alachua Code of Ordinances for limits on hours, and allows for conditions to be placed on the event that limit the location of the sale or consumption of alcoholic beverages to designated areas.

In addition to amendments related to the sale or consumption of alcoholic beverages, Staff recommends that activities related to agritourism be exempt from the requirements for a Special Event Permit. This amendment ensures consistency between the City's Land Development Regulations and State law, as the State preempts local government regulation of agritourism activities, as defined in Chapter 570.85- 570.89, Florida Statutes.

The proposed text amendments in their entirety are incorporated as part of draft Ordinance 18-07, which is attached as Exhibit A to the Staff Report. A companion amendment to Sub-Part A, General Ordinances, of the City's Code of Ordinances, Chapter 4, Alcoholic Beverages, will also be proposed to the City Commission. The amendments to Chapter 4 of the Code of Ordinances would mirror the proposed amendments to the LDRs by requiring that a Special Event Permit be obtained, and would also allow for the sale or consumption of alcoholic beverages at two additional City-owned facilities: Theatre Park and the Legacy Park Multipurpose Center.

PROPOSED LDR TEXT AMENDMENTS

The proposed LDR text amendments would amend Section 4.6, Special Events, and are provided in Exhibit “A” of draft Ordinance 18-07 (attached to Exhibit “A” of this Staff Report). Please reference pages 4 through 6 of draft Ordinance 18-07.

FINDINGS OF FACT: COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

Subsection 2.4.1(E)(1) of the Land Development Regulations (LDRs) states that, “in determining whether to approve a proposed text amendment to the Land Development Regulations, the City Commission shall find that an application is consistent with the following standards.” These standards are listed below, followed by Staff’s evaluation.

- (a) ***Consistent with Comprehensive Plan*** – *Whether and the extent to which the proposed amendment is consistent with the Comprehensive Plan.*

Evaluation & Findings: This amendment does not conflict with any Goals, Objectives, or Policies of the Comprehensive Plan. The amendment would further implement the following Goals, Objectives, and Policies: Goals 1 and 2, Vision Element; Policy 1.3.c, Future Land Use Element; Goal 4, Objectives 4.1 and 4.2, Future Land Use Element.

- (b) ***Consistent with Ordinances*** – *Whether the proposed amendment is in conflict with any provision of these LDRs or the City Code of Ordinances.*

Evaluation & Findings: This amendment does not conflict with any provisions of the LDRs or the City Code of Ordinances.

- (c) ***Changed Conditions*** – *Whether and the extent to which there are changed conditions that require an amendment.*

Evaluation & Findings: In recent years the City has developed or acquired facilities which are intended to be used for a variety of events. The City has also hired a Community Redevelopment Area (CRA) Coordinator to facilitate and market new events in the downtown area. The CRA Coordinator is charged with the implementation of the CRA Plan and the CRA Market Study and Economic Development Implementation Plan. The Market Study and Economic Development Implementation Plan recommends hosting regular events within the downtown district, such as business after hours events. Similar events held elsewhere commonly include the sale of alcoholic beverages as a means to encourage participation of targeted attendees. The implementation of such events can be accomplished through the existing permitting process for Special Event Permits, with revisions to the applicable regulations as proposed by this amendment.

- (d) **Community Need** – *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

Evaluation & Findings: The amendment would address community need by amending regulations to allow the sale or consumption of alcoholic beverages at events allowed by a Special Event Permit, thereby expanding the types of events that could be held in the City, and promoting and encouraging economic development.

- (e) **Compatible with Surrounding Uses** – *Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zone districts in these LDRs, or will improve compatibility among uses and will ensure efficient development within the City.*

Evaluation & Findings: The amendment would ensure that compatibility is maintained through the standards of the Special Event Permit, and by applying conditions when appropriate.

- (f) **Development Patterns** – *Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

Evaluation & Findings: The amendment would have no effect upon development patterns.

- (g) **Effect on Natural Environment** – *Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

Evaluation & Findings: The amendment would not impact the natural environment.

- (h) **Public Facilities** – *Whether and the extent to which the proposed amendment would result in development that is adequately served by public facilities (roads, potable water, sewage, storm water management, parks, and solid wastes).*

Evaluation & Findings: The amendment would have no impact to the provision of public facilities.

EXHIBIT "A"

TO

**LAND DEVELOPMENT REGULATIONS (LDR) TEXT AMENDMENT
SECTION 4.6, SPECIAL EVENTS
STAFF REPORT**

**SUPPORTING APPLICATION MATERIALS
SUBMITTED BY CITY STAFF TO THE
PLANNING AND ZONING BOARD**