



Agenda City Council

Monday, December 17, 2018

7:00 PM

Council Chambers

MEMORANDUM TO:

The Honorable Mayor and
Members of the City Council
City of Jacksonville Beach, Florida

Council Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council.

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

18-223 Regular Council Meeting Held December 3, 2018

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

18-224 Accept the Monthly Financial Reports for the Month of November 2018

18-225 Approve the Addition of One Full-Time Animal Control Officer in the Police Department

RESOLUTIONS

ORDINANCES**18-226** ORDINANCE NO. 2018-8114 (Second Reading) (Public Hearing)

AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII. ZONING DISTRICTS, DIVISION 2, SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (B) PERMITTED USES TO ADD "NEWSPAPER AND MAGAZINE PUBLISHING" AS NEW SUBPARAGRAPH (22); AND AMENDING SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (D) CONDITIONAL USES TO ADD "MICROBREWERY" AND "BAR, LOUNGE, NIGHTCLUB, TAVERN OR OTHER DRINKING ESTABLISHMENT" AS NEW SUBPARAGRAPHS (6) AND (7) RESPECTIVELY; AND TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, AND FOR OTHER PURPOSES.

ADJOURNMENT**NOTICE**

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk or to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, extension 10, no later than one business day before the meeting.

**Minutes of Regular City Council Meeting
held Monday, December 3, 2018, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES

In lieu of the standard Invocation, Mayor Latham requested a moment of silent reflection to honor former President George H. W. Bush following his passing on Friday, November 30, 2018, followed by the salute to the flag.

CALL TO ORDER

Mayor Latham called the meeting to order at 7:02 P.M.

ROLL CALL

Mayor: William C. Latham
Council Members: Lee Buck Keith Doherty Christine Hoffman
Bruce Thomason Phil Vogelsang Jeanell Wilson

Also present were Interim City Manager Karen Nelson and City Attorney Susan Erdelyi.

APPROVAL OF MINUTES

It was moved by Ms. Wilson, seconded by Ms. Hoffman, and passed unanimously, to adopt the following minutes:

- Regular City Council Meeting held November 19, 2018

ANNOUNCEMENTS

Ms. Wilson commended Kurtis Loftus on the success of Deck the Chairs, noting they had an opening ceremony that was well attended. She encouraged everyone to take a look at a great family event.

Ms. Wilson expressed her appreciation to the City for being able to serve on the Council for the past eight years and thanked all the workers for helping the City run smoothly. Ms. Wilson thanked the Mayor and City Council for working together to make the City a better place. Ms. Wilson welcomed the incoming Council Members and stated she knew they would do a great job because they have a great staff to support them.

Mr. Doherty stated it had been a pleasure to work with Ms. Wilson, Mr. Buck, and Mr. Thomason, and he wished them well in the future. Mr. Doherty had praise for the golf course. He stated it is getting a lot of use and seems to be getting better.

Mr. Buck thanked everyone for having the opportunity to serve the community for 18 years, including 12 years on the City Council. He stated he was excited about the future and the new Council.

Mr. Thomason stated he was glad to see so many people come out to welcome the new Council. Mr. Thomason said the Council pays attention to what is going on in the City and how it affects each member of our City, as well as those who have businesses here. He stated the Mayor, Council and City workforce is focused on customer service. He was thankful to be able to serve the community for over 25 years.

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

Item #18-217 - Declare the Election Results from Duval County Canvassing Board, Certified by the State of Florida, for the November 6, 2018, General Election

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt the Declaration of the Election results from the Duval County Canvassing Board, certified by the State of Florida for the November 6, 2018, General Election.

Roll Call Vote: Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.

The motion passed unanimously.

Item #18-218 - Presentation of Resolutions of Esteem to Mayor Pro-Tem Jeanell Wilson, Council Member Bruce Thomason, and Council Member Lee Buck

Mayor Latham presented Mayor Pro-Tem Jeanell Wilson, Council Member Bruce Thomason, and Council Member Lee Buck with Resolutions of Esteem. City Clerk Laurie Scott read the Resolutions of Esteem into the record.

Mayor Latham thanked the three outgoing Council Members for doing a tremendous job.

Mayor Latham announced at the next meeting, with the addition of the City Attorney on the dais, the At-Large Council Members would be seated toward the middle of the dais, and the District Council Members would be seated at the outer area on the dais.

Item #18-219 - Oath of Office for Newly Elected Council Members

Ms. Scott administered the Oath of Office to newly elected Council Members Cory W. Nichols, P.E., Georgette E. Dumont, and Sandy Golding.

The new Council Members took their seats at the dais.

Item #18-220 – Election of Mayor Pro-Tem

Mayor Latham requested nominations from Council Members for the selection of a Mayor Pro-Tem.

Motion: It was moved by Mr. Vogelsang and seconded by Mr. Nichols, to nominate Chris Hoffman.

Roll Call Vote: Ayes – Doherty, Dumont, Golding, Hoffman, Nichols, Vogelsang, and Mayor Latham.

The motion passed unanimously.

ROLL CALL

Mayor Latham stated the first Roll Call of the newly seated Council was missed and requested the City Clerk to do a roll call.

Mayor: William C. Latham

Council Members: Keith Doherty Georgette Dumont Sandy Golding
Christine Hoffman Cory Nichols Phil Vogelsang

CITY CLERK

CITY MANAGER

Item #18-221 – Approve the emergency purchase of temporary tree trimming and vegetation management services provided by Trees, LLC, for \$45,000 per month.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the emergency purchase of temporary tree trimming and vegetation management services provided by Trees, LLC, for \$45,000 per month.

Discussion: Ms. Nelson stated on August 6, 2018, the City Council approved bid award 1718-22 for tree trimming and vegetation services to Core Services LLC. On two separate occasions, Core Services failed to show up to perform services. On October 7, 2018, Core Services notified Beaches Energy Services they were unable to perform the required services. Ms. Nelson stated a letter canceling the bid award was sent to Core Services on October 8, 2018, and on October 9, 2018, Ms. Nelson approved an emergency purchase order for temporary tree trimming and vegetation services to Trees, LLC. The City's Procurement Manual states an emergency purchase over \$25,000 must receive prior written approval by the City Manager or Deputy City Manager, and subsequently, the City Council must formally approve the emergency purchase.

Mr. Doherty questioned if Core Services was responsible for paying because of a breach of contract. Beaches Energy Services Director Allen Putnam stated it is a time and materials agreement, not a contract. Mr. Putnam stated this is a temporary agreement while the bid proposal is reworked due to FEMA issues. Mr. Doherty asked if Core Services provided a reason they could not perform the work. Mr. Putnam stated Core Services did not have the equipment or personnel to provide the service we required. Mr. Doherty asked if wording could be included in future contracts to prevent it from happening again. Mr. Putnam stated it could be a performance-based contract where, if a contractor does not provide the service, they have to pay a portion of the cost of the City acquiring another contractor.

Mr. Vogelsang asked if this is for tree trimming throughout the city. Ms. Nelson stated it is only for Beaches Energy Services.

Ms. Dumont asked how long the City would be paying for this temporary service. Mr. Putnam stated approximately three months.

Roll call vote: Ayes – Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, and Mayor Latham.
The motion passed unanimously.

ORDINANCE

Item #18-222 - ORDINANCE NO. 2018-8114

Mayor Latham requested the City Clerk read Ordinance No. 2018-8114 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII. ZONING DISTRICTS, DIVISION 2, SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (B) *PERMITTED USES* TO ADD “NEWSPAPER AND MAGAZINE PUBLISHING” AS NEW SUBPARAGRAPH (22); AND AMENDING SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (D) *CONDITIONAL USES* TO ADD “MICROBREWERY” AND “BAR, LOUNGE, NIGHTCLUB, TAVERN OR OTHER DRINKING ESTABLISHMENT” AS NEW SUBPARAGRAPHS (6) AND (7) RESPECTIVELY; AND TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.”

Mayor Latham read the following:

“This ordinance for the amendment of the Land Development Code is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, ordinances which change the actual list of permitted, conditional, or prohibited uses within a zoning category is a 'quasi-legislative' proceeding. A quasi-legislative proceeding means that a governing body is acting in its rule-making capacity.

It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed uses within a zoning category.

The application has been reviewed by Staff and the Planning Commission for consistency with other portions of the Land Development Code and the Comprehensive Plan. The Council may hear from all interested parties in the legislative determination of an amendment to the text of the Land Development Code.

The Council's decision on a text amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

I will now open the public hearing on Ordinance No. 2018-8114.”

Public Hearing

Mayor Latham opened the public hearing on Ordinance No. 2018-8114 and asked the applicant or spokesperson for the applicant to come forward.

Tye Wallace, 709 4th Avenue North, Jacksonville Beach, provided Council Members with copies of Void Magazine and Edible Magazine [*on file*]. Mr. Wallace presented an overview of the proposed Void Magazine/Edible Magazine/Bold Brands project. He stated they are looking to expand their business and have had difficulty locating an appropriate location. Mr. Wallace stated that, through a Conditional Use, they want to add microbrewery, tasting room and magazine publishing to the location.

Mayor Latham called the names of the people who wished to speak.

The following people spoke in favor of the item:

Aaron Meisenheimer, 102 6th Avenue North, Jacksonville Beach

Mike Sasser, 208 Oceanwood Drive, Neptune Beach

Jay Dodson, 1626 Palm Terrace West, Atlantic Beach

Scott Watley, 224 Oleander Street, Neptune Beach

Terry DeLoach, 405 32nd Avenue South, Jacksonville Beach, spoke in favor of the Land Development Code text amendment. Mr. DeLoach stated as a conditional use, the Planning Commission would have the option to impose restrictions and approve or deny an application.

Shandy Thompson, 522 3rd Avenue South

Christopher Griffith, 102 6th Avenue North

The following people were in support of the item, but did not wish to speak:

Michael Kilcullen, 251 East Coast Drive, Atlantic Beach

Jeff DeAngelis, 1122 Hamlet Court, Neptune Beach

Thomas Bozzuto, 11369 Ft. Caroline Lakes Drive South, Jacksonville

Kimmy Cottin, 417 8th Avenue North, Jacksonville Beach

Casey Bagby, 1709 Tanglewood Road, Jacksonville Beach

Jonar Delmundo, 2921 Discovery Way, Jacksonville

Matthew Shaw, 102 6th Avenue North, Jacksonville Beach

Nicole Parish, 13813 Zion Gate Court, Jacksonville

Kassie Ashburn, 405 Lower 8th Avenue South, Jacksonville Beach

John Parsons, 1628 3rd Avenue North, Jacksonville Beach

Sara Shapiro, 51 Tallwood Road, Jacksonville Beach

Haley Guiette, 1716 1st Street, Neptune Beach

Kiara Sánchez, 3050 Tamaya Boulevard, Jacksonville

The following people spoke in opposition to the item:

Jim Sorrell, 1410 Pinewood Road, Jacksonville Beach, spoke in opposition to the item because it involves alcohol, and alcohol is the number one problem in the city. Mr. Sorrell stated even though it is a conditional use, it can be abused. He gave an example of a business that abused their conditional use. Mr. Sorrell said another problem could be parking. He requested the item not be approved.

Brenda Shields, 315 18th Street North, spoke about increased traffic in the area, concern about other alcohol establishments, and the dangers of drinking and driving.

Mayor Latham closed the Public Hearing.

Ex-Parte Communications

Mayor Latham read the following statement for the record:

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record both the names of persons and the substance of any ex parte communications regarding this application. An ex parte communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

Mayor Latham stated he received a letter from Tye Wallace, but he did not open it because his policy is to have the discussion in public.

Mr. Vogelsang stated he had discussions with Mr. Wallace via email that had been sent to Council as a group, and Mr. Wallace emailed a copy of his presentation. Mr. Vogelsang also received an email expressing concern about a residential area.

Mr. Nichols received an email from Tye Wallace but did not speak or meet with him. He also received a Facebook message from Paula Conroy about an email she sent to Council, but he did not respond to her.

Ms. Golding received an email from Tye Wallace and spoke with him on the phone about his presentation. Ms. Golding spoke with Terry DeLoach, who contacted her to state he was in favor of the proposal.

Ms. Dumont spoke with Terry DeLoach who was in support of the item. Ms. Dumont received an email from Tye Wallace, and this item was before the Planning Commission while she was a member. She met with Tye Wallace and Aaron Meisenheimer on November 5, 2018, and received the email on November 27, 2018.

Mr. Doherty received an email from an individual who had concerns. He believed it is the same email everyone received. Mr. Doherty also received an email from Tye Wallace that included an invitation to meet and go over the proposal. Mr. Doherty stated he had concerns and met with Tye Wallace and Aaron Meisenheimer on November 29, 2018, at their office on 6th Avenue.

Ms. Hoffman had an unscheduled meeting with Mr. DeLoach in the Post Office parking lot. She also met with Aaron Meisenheimer and Tye Wallace at their office on November 30, 2018, and went over the information all Council Members have seen.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang to adopt Ordinance No. 2018-8114, amending the Land Development Code Section 34-344 to add "Newspaper and magazine publishing" to the list of permitted uses, and "Microbrewery" and "Bar, nightclub, tavern or other drinking establishment" to the list of Conditional Uses in the Commercial service: CS zoning district. (applicant – Bold Brands)

Discussion: Mayor Latham read the following statement for the record:

"Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, Staff's report, the recommendation of the Planning Commission and the public input at all hearings."

Mr. Vogelsang questioned why nightclub was included in the permitted use, if the language could be changed, or one specific word deleted. Senior Planner Heather Ireland stated there is only one description that covers drinking establishments. Ms. Ireland stated she was open to adding new definitions. Ms. Ireland stated the list of uses is listed that way in every zoning district where it is a conditional use.

City Attorney Susan Erdelyi stated to change the list of uses, Code Section 34-41, the Definitions section would have to be amended to add new definitions, such as "Tasting room." The process to change the Code would go through the Planning Commission.

Mr. Doherty discussed conditional uses and the limitations that can be required. Ms. Ireland stated if the limitations of the conditions are not met, the applicant would lose their conditional use and have to close. Ms. Golding wanted to know if this item was approved, could wording or additions to the definitions in the Land Development Code could be changed at a later time. Ms. Ireland confirmed changes to the Code could be made at a later time. Ms. Golding inquired if subparagraph (22) *Newspaper and magazine publishing* could be added to subparagraph (5) *Manufacturing establishments as follows: Bakery products, wood cabinet, jewelry, newspaper printing and publishing, and commercial printing*, and not add a new item. Ms. Ireland responded subparagraph (5) falls under manufacturing, and they wanted to stay consistent with the industrial classifications.

Ms. Dumont clarified a vote on this item is to change the Code text, and the Planning Commission can place conditions on applications that come before the Commission. Ms. Ireland confirmed if the Code was later changed, applications approved under this Code item, if approved, would be grandfathered in.

Additional discussion ensued related to conditional uses and looking at and modifying the Land Development Code.

Mr. Vogelsang clarified the City Council directs the Planning Commission, and with the proposed changes, let the Commission know to allow the ability to apply for conditional use is something the Council supports.

Mayor Latham summarized this item is not about a specific conditional use, but about setting a precedence. He stated this is the first reading and there would be a second reading on December 17, 2018. If anyone has concerns, it is time to make the Council aware.

Roll call vote: Ayes – Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, and Mayor Latham.
The motion passed unanimously.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:36 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:

William C. Latham, MAYOR

Date: _____

LS/sg

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

Fax: 904.270.1642

www.jacksonvillebeach.org

MEMORANDUM

TO: Karen W. Nelson, Deputy City Manager
FROM: Michael B. Nadeau, Chief Financial Officer
SUBJECT: Monthly Financial Reports for November 2018
DATE: December 11, 2018

Action Requested

Accept the monthly financial reports for the month of November 2018.

Summary

The Summary Budget Reports show the cumulative actual revenues and expenditures as compared to the actual amounts at the same point in time as last fiscal year. Exhibit 7 of the Summary Budget Reports compares actual revenues and expenditures to budget in total by fund. The financial reports are prepared on a cash basis.

Exhibit 1 - General Fund Revenues

General Fund revenues are under budget for the current year due to the timing of ad valorem tax distributions. The ad valorem taxes are normally received at mid-month for the prior month's collections. Partial permit revenue for a new hotel is included in the current year.

Miscellaneous revenues in the General Fund include interest on pooled investments, auction proceeds, facility rental fees, tennis fees, and cemetery lots purchased.

Exhibit 2 - General Fund Expenditures

General Fund Expenditures are slightly over prior year expenditures on a percentage of budget basis. Total year to date expenditures in the General Fund are under budget by 3.3%.

Exhibit 3 - Enterprise Fund Revenues

Enterprise Fund Revenues are over prior year revenues on a percentage of budget basis. Total year to date Enterprise Fund Revenues are slightly over amounts budgeted.



Exhibit 4 - Enterprise Fund Expenditures

Total expenditures in the Enterprise Funds are 6.4% under budget for the current year and in line with the amounts expended in the prior year.

Exhibit 5 – Special Revenue Fund Revenues

We have not yet received any tax revenues this fiscal year in the Convention Development Fund or the Tax Increment Funds. Convention development distributions are normally received on a two-month delay and tax increment revenues are received in December. Revenues reported in these funds are interest earnings in the City's pooled investment assets.

Exhibit 6 - Special Revenue Fund Expenditures

In total, Special Revenue Fund Expenditures are under budget for the current year and 6.9% lower than last year on a percentage of budget basis. For the Tax Increment Funds, the variance in current year expenditures as a percentage of budget is due to capital projects that are budgeted but not completed. Expenditures in the Community Development Block Grant Fund will be reimbursed by grant funding.

Exhibit 7 - Summary Revenues and Expenditures

- Expenditures in the Community Development Block Grant Fund exceed revenues because we have not yet received our first reimbursement from the City of Jacksonville.
- Expenditures exceed revenues in the Tax Increment Funds because we do not receive our annual tax increment distributions from Jacksonville until December.
- The net income shown for the Electric Fund is overstated because monthly power bills are paid in arrears to FMPA.
- Revenues in the Leased Facilities Fund are less than expenses, due mostly to annual technology maintenance charges that are paid at the beginning of the fiscal year.

Recommendation

Accept the financial reports for the month of November 2018, as submitted by the Chief Financial Officer.



Summary Budget Revenue Report

November 30, 2018

(16.71% of year has elapsed)

EXHIBIT 1 - GENERAL FUND REVENUES

Revenue Category	Current Year Revenue to Date	Current Year Revenue As a % of Budget	Prior Year Revenue to Date	Prior Year Revenue As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
1 Taxes	1,513,119	12.34%	2,396,304	20.79%	-8.45%	(883,185)
2 Licenses & Permits	167,364	28.10%	86,731	14.90%	13.20%	80,633
3 Intergovernmental Revenue	557,050	13.16%	518,985	12.52%	0.64%	38,065
4 Charges for Services	54,334	13.97%	51,861	14.00%	-0.03%	2,473
5 Enterprise Contributions	635,520	16.67%	630,552	16.67%	0.00%	4,968
6 Miscellaneous Revenue	53,766	12.97%	6,476	1.57%	11.41%	47,290
7 Fines & Forfeitures	17,257	10.12%	13,504	7.92%	2.20%	3,752
8 Interfund Transfers	85,000	16.67%	115,165	21.73%	-5.06%	(30,165)
Total Revenues	\$ 3,083,410	13.77%	\$ 3,819,578	17.75%	-3.98%	\$ (736,168)

**GENERAL FUND REVENUES TO DATE
CURRENT YEAR VS PRIOR YEAR**





Summary Budget Expenditure Report
 November 30, 2018
 (16.71% of year has elapsed)

EXHIBIT 2 - GENERAL FUND EXPENDITURES

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures As a % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
1 City Administration	54,824	10.95%	40,116	8.46%	2.49%	14,708
2 City Clerk	52,053	15.04%	37,897	11.29%	3.75%	14,156
3 Building Maintenance	42,267	10.44%	78,141	18.55%	-8.11%	(35,875)
4 Planning and Development	111,579	12.27%	109,197	12.08%	0.18%	2,381
5 Recreation and Parks	488,842	13.97%	377,595	10.93%	3.05%	111,247
6 Public Works	244,124	14.79%	213,022	13.35%	1.44%	31,102
7 Police	1,210,346	12.80%	1,121,239	12.68%	0.12%	89,107
8 Fire	524,801	12.45%	530,169	13.25%	-0.80%	(5,369)
9 Non-Departmental	314,890	18.80%	136,387	7.27%	11.53%	178,503
Total Expenditures	\$ 3,043,725	13.43%	\$ 2,643,764	12.07%	1.37%	\$ 399,961

**GENERAL FUND EXPENDITURES TO DATE
 CURRENT YEAR VS PRIOR YEAR**





Summary Budget Revenue Report

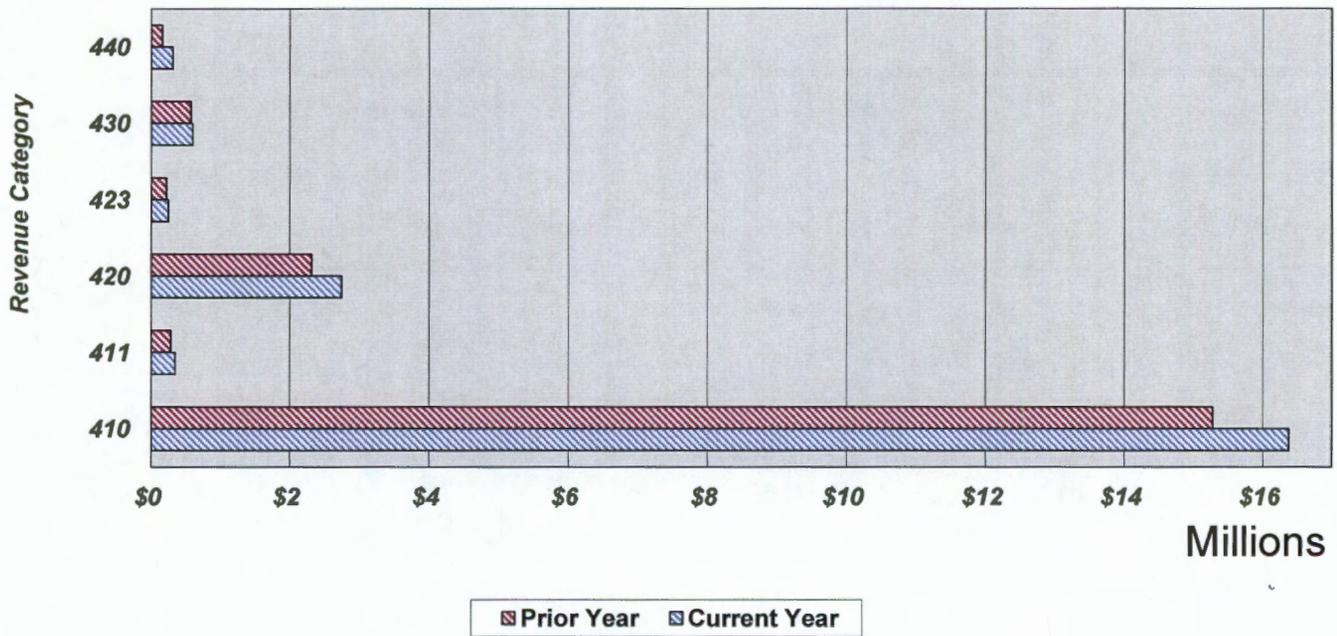
November 30, 2018

(16.71% of year has elapsed)

EXHIBIT 3 -ENTERPRISE FUND REVENUES

Revenue Category	Current Year Revenue to Date	Current Year Revenue As a % of Budget	Prior Year Revenue to Date	Prior Year Revenue As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
410 ELECTRIC	16,375,378	19.50%	15,268,238	17.58%	1.92%	1,107,140
411 NATURAL GAS	349,085	15.64%	283,207	14.75%	0.89%	65,877
420 WATER & SEWER	2,740,213	20.15%	2,312,341	17.37%	2.77%	427,872
423 STORMWATER	250,304	17.91%	220,799	16.04%	1.88%	29,504
430 SANITATION	599,256	17.13%	574,906	16.57%	0.57%	24,350
440 GOLF COURSE	309,809	20.19%	160,601	11.67%	8.51%	149,207
TOTAL REVENUES	\$ 20,624,044	19.42%	\$ 18,820,094	17.38%	2.04%	\$ 1,803,950

**ENTERPRISE FUND REVENUES TO DATE
CURRENT YEAR VS PRIOR YEAR**



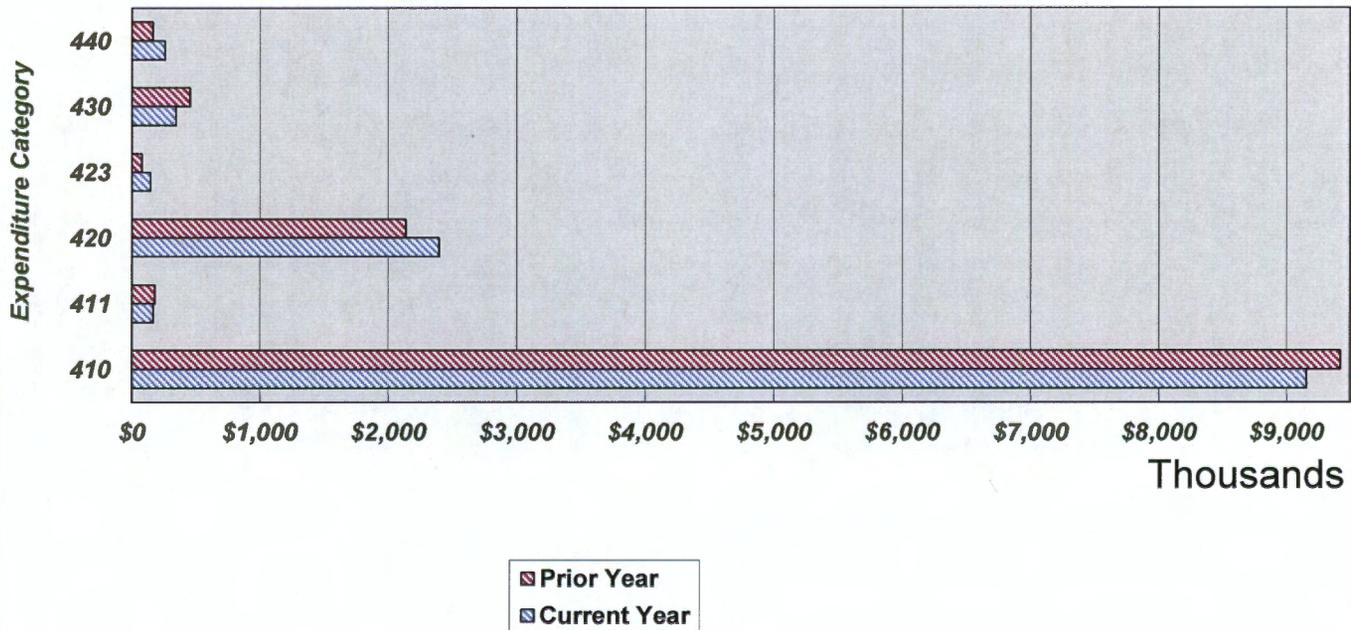


Summary Budget Expenditure Report
 November 30, 2018
 (16.71% of year has elapsed)

EXHIBIT 4 - ENTERPRISE FUND EXPENDITURES

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures As a % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
410 ELECTRIC	9,155,338	9.43%	9,423,298	9.75%	-0.33%	(267,960)
411 NATURAL GAS	166,977	8.50%	178,291	8.77%	-0.28%	(11,314)
420 WATER & SEWER	2,394,907	15.46%	2,136,594	12.66%	2.80%	258,313
423 STORMWATER	144,629	9.66%	77,692	5.94%	3.72%	66,937
430 SANITATION	344,932	9.27%	453,786	9.16%	0.12%	(108,854)
440 GOLF COURSE	257,220	17.73%	163,657	11.87%	5.85%	93,563
TOTAL EXPENDITURES	\$ 12,464,004	10.28%	\$ 12,433,318	10.09%	0.19%	\$ 30,686

**ENTERPRISE FUND EXPENDITURES TO DATE
 CURRENT YEAR VS PRIOR YEAR**



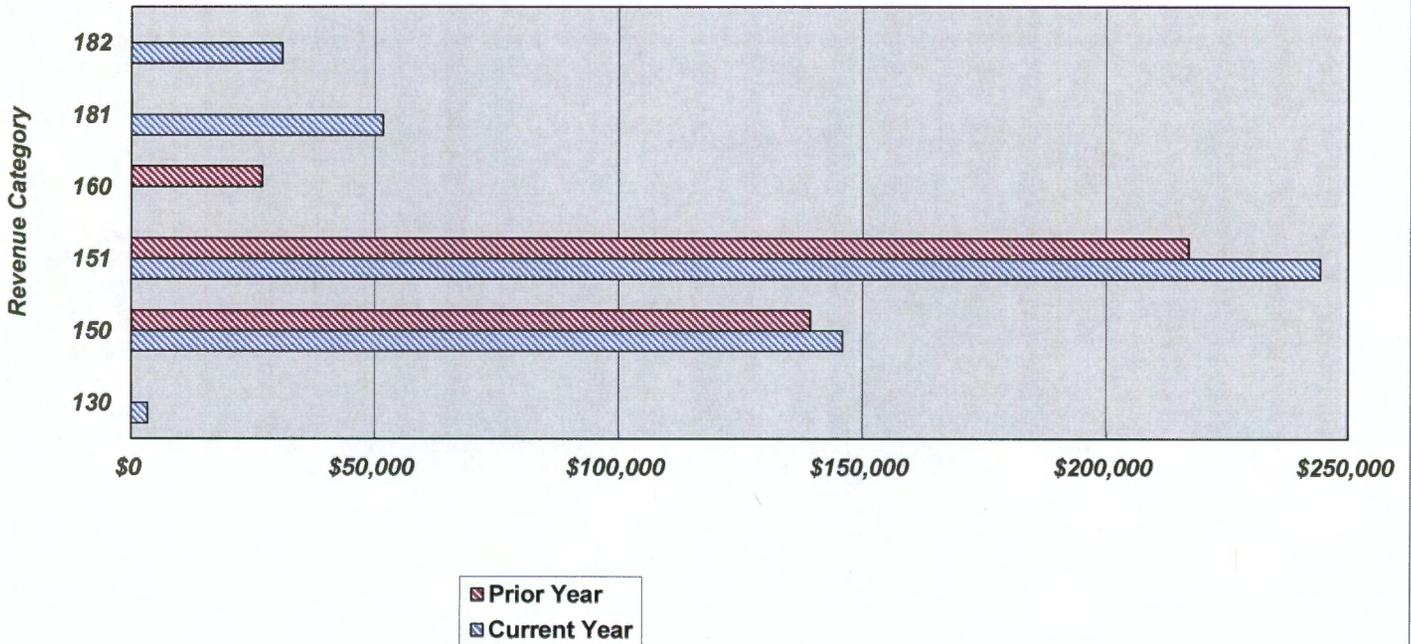


Summary Budget Revenue Report
 November 30, 2018
 (16.71% of year has elapsed)

EXHIBIT 5 -SPECIAL REVENUE FUND REVENUES

Revenue Category	Current Year Revenue to Date	Current Year Revenue As a % of Budget	Prior Year Revenue to Date	Prior Year Revenue As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
130 CONVENTION DEV. TAX	3,407	0.95%	(1,215)	-0.39%	1.34%	4,622
150 LOCAL OPTION GAS TAX	145,849	17.91%	139,216	17.71%	0.20%	6,633
151 INFRASTRUCTURE SURTAX	244,213	17.90%	216,987	16.67%	1.23%	27,226
160 COMMUNITY DEV. BLK. GRANT	-	0.00%	26,832	19.44%	-19.44%	(26,832)
181 DOWNTOWN INCREMENT FUND	51,641	0.77%	(23,130)	-0.36%	1.14%	74,771
182 SOUTHEND INCREMENT FUND	30,958	0.69%	(11,651)	-0.28%	0.97%	42,609
TOTAL REVENUES	\$ 476,068	3.44%	\$ 347,039	2.65%	0.79%	\$ 129,029

**SPECIAL REVENUE FUND REVENUES TO DATE
 CURRENT YEAR VS PRIOR YEAR**

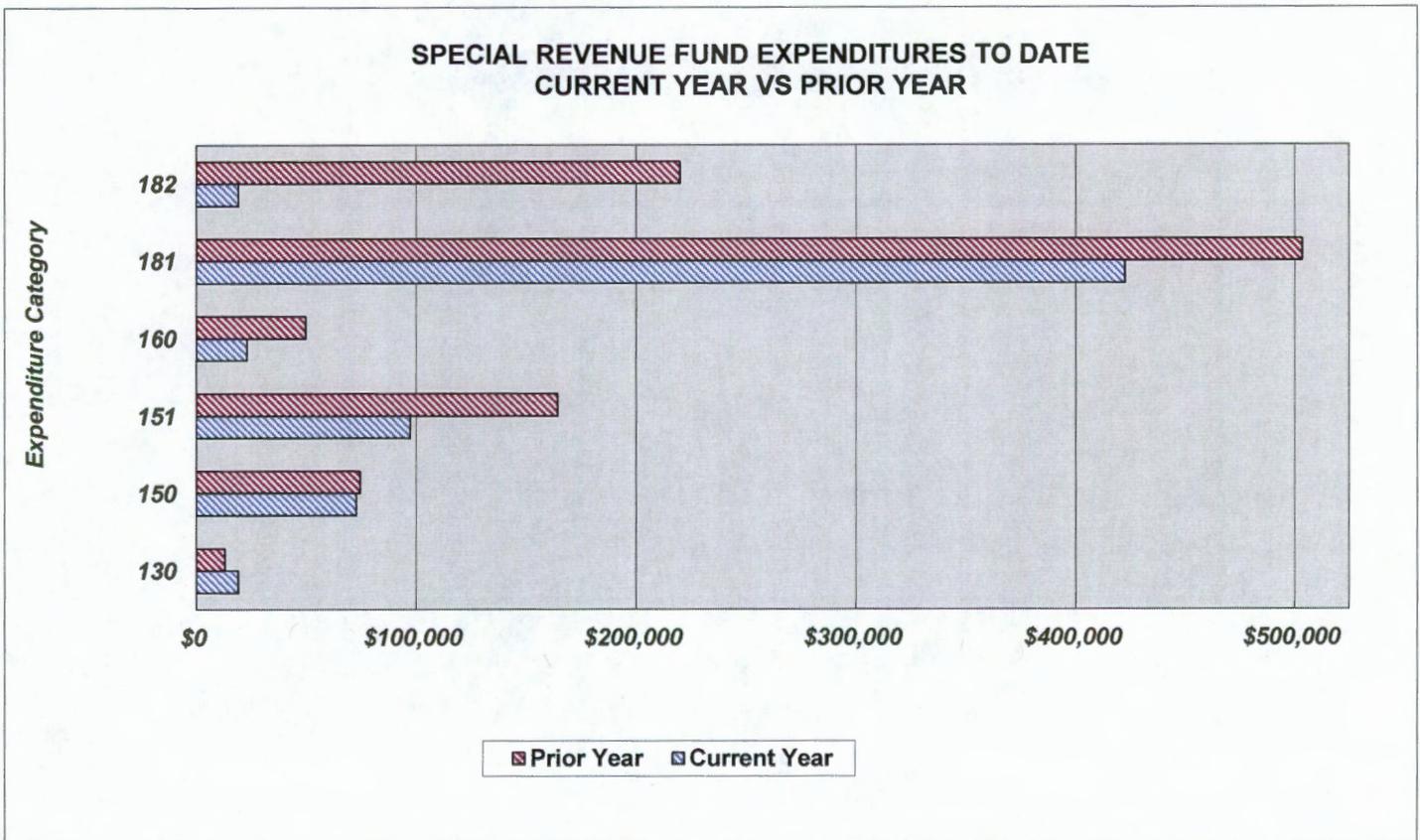




Summary Budget Expenditure Report
 November 30, 2018
 (16.71% of year has elapsed)

EXHIBIT 6 - SPECIAL REVENUE FUND EXPENDITURES

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures As a % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
130 CONVENTION DEV. TAX	19,041	6.96%	13,014	7.80%	-0.84%	6,026
150 LOCAL OPTION GAS TAX	72,827	9.12%	74,623	9.70%	-0.58%	(1,796)
151 INFRASTRUCTURE SURTAX	97,328	10.81%	164,267	15.54%	-4.73%	(66,938)
160 COMMUNITY DEV. BLK. GRANT	23,000	16.67%	49,832	36.11%	-19.44%	(26,832)
181 DOWNTOWN INCREMENT FUND	422,305	3.38%	503,499	10.00%	-6.62%	(81,194)
182 SOUTHEND INCREMENT FUND	19,148	4.56%	219,998	11.24%	-6.67%	(200,850)
TOTAL EXPENDITURES	\$ 653,648	4.35%	\$ 1,025,232	11.24%	-6.89%	\$ (371,584)





Summary Budget Report
 November 30, 2018
 (16.71% of year has elapsed)

EXHIBIT 7 - SUMMARY REVENUES AND EXPENDITURES

Fund Name	Budgeted Revenues Fiscal Year 2019	Budgeted Revenues To Date	Actual Revenues To Date	Variance Favorable/ (Unfavorable)
001 General Fund	22,390,353	3,741,949	3,083,410	(658,540)
130 Convention Development Tax	358,235	59,869	3,407	(56,462)
150 Local Option Gas Tax	814,267	136,083	145,849	9,766
151 Infrastructure Surtax	1,364,089	227,971	244,213	16,242
160 Community Dev. Blk. Grant	138,000	23,063	-	(23,063)
181 Downtown Increment Fund	6,678,011	1,116,051	51,641	(1,064,410)
182 Southend Increment Fund	4,491,223	750,588	30,958	(719,630)
410 Electric Utility	83,956,489	14,031,084	16,375,378	2,344,294
411 Natural Gas Utility	2,232,672	373,131	349,085	(24,047)
420 Water & Sewer Utility	13,601,950	2,273,203	2,740,213	467,010
423 Storm Water Management	1,397,278	233,518	250,304	16,786
430 Sanitation Fund	3,497,483	584,511	599,256	14,746
440 Golf Course Fund	1,534,839	256,507	309,809	53,301
460 Leased Facilities Fund	656,212	109,668	108,490	(1,178)
500 Internal Service Funds	12,593,930	2,104,739	1,987,905	(116,834)
Total Revenues	\$ 155,705,031	\$ 26,021,937	\$ 26,279,917	\$ 257,980

Fund Name	Budgeted Expenditures Fiscal Year 2019	Budgeted Expenditures To Date	Actual Expenditures To Date	Variance Favorable/ (Unfavorable)
001 General Fund	22,655,582	3,786,275	3,043,725	742,551
130 Convention Development Tax	273,639	45,731	19,041	26,691
150 Local Option Gas Tax	798,412	133,433	72,827	60,607
151 Infrastructure Surtax	900,197	150,444	97,328	53,116
160 Community Dev. Blk. Grant	138,000	23,063	23,000	63
181 Downtown Increment Fund	12,501,097	2,089,224	422,305	1,666,920
182 Southend Increment Fund	419,830	70,163	19,148	51,015
410 Electric Utility	97,128,346	16,232,408	9,155,338	7,077,071
411 Natural Gas Utility	1,965,201	328,431	166,977	161,454
420 Water & Sewer Utility	15,491,202	2,588,941	2,394,907	194,033
423 Storm Water Management	1,496,690	250,132	144,629	105,502
430 Sanitation Fund	3,719,126	621,552	344,932	276,621
440 Golf Course Fund	1,451,159	242,523	257,220	(14,698)
460 Leased Facilities Fund	679,362	113,537	209,249	(95,712)
500 Internal Service Funds	12,664,558	2,116,543	1,760,303	356,239
Total Expenditures	\$ 172,282,401	\$ 28,792,401	\$ 18,130,929	\$ 10,661,472

Fund Name	Net Income (Loss)	Net Variance Favorable/ (Unfavorable)
001 General Fund	39,685	84,011
130 Convention Development Tax	(15,633)	(29,771)
150 Local Option Gas Tax	73,022	70,373
151 Infrastructure Surtax	146,885	69,358
160 Community Dev. Blk. Grant	(23,000)	(23,000)
181 Downtown Increment Fund	(370,664)	602,510
182 Southend Increment Fund	11,810	(668,615)
410 Electric Utility	7,220,041	9,421,365
411 Natural Gas Utility	182,108	137,407
420 Water & Sewer Utility	345,305	661,043
423 Storm Water Management	105,674	122,288
430 Sanitation Fund	254,324	291,366
440 Golf Course Fund	52,588	38,603
460 Leased Facilities Fund	(100,759)	(96,890)
500 Internal Service Funds	227,602	239,405
Total	\$ 8,148,987	\$ 10,919,452



Cash and Investments by Fund
November 30, 2018

INVESTMENT HOLDER	TYPE	FACE AMOUNT	MARKET VALUE
Salem Trust Treasury Strip	TS	3,052,521	3,052,521
TOTAL UTILITY FUNDS 410 and 420			\$3,052,521
Salem Mutual Fund	Portfolio	31,985,911	31,985,911
Sawgrass Asset Management	Portfolio	23,822,552	23,822,552
Wells Capital	Portfolio	14,383,614	14,383,614
MD Sass	Portfolio	11,952,725	11,952,725
JPMCB - Strategic Property Fund	Portfolio	4,957,730	4,957,730
TOTAL PENSION FUNDS 611, 612 and 613			\$87,102,531
TOTAL INVESTMENTS			\$90,155,052
State Board of Administration	Pool	20,473,389	20,473,389
Florida Trust	Pool	1,000,000	1,000,000
FMIT 0-2 Yr High Quality Bond Fund	Pool	12,090,962	12,090,962
Bank of America	Cash	14,428,231	14,428,231
Sawgrass Asset Management	Portfolio	44,101,142	44,101,142
Insight Investment Services	Portfolio	0	0
Galliard Capital Management	Portfolio	41,160,095	41,160,095
Garcia Hamilton & Associates	Portfolio	41,994,199	41,994,199
Salem Trust	GNMA	0	0
Salem Trust: Goldman Sachs Treasury	MM	11,385	11,385
TOTAL EQUITY IN POOLED CASH			\$175,259,403
TOTAL CASH AND INVESTMENTS			\$265,421,181

Attorney Fees Paid During the Month

NAME	DESCRIPTION	CHECK DATE	CHECK AMOUNT
Bell & Roper	Las Olas v. COJB	11/20/18	4,112.06
TOTAL ATTORNEY FEES			4,112.06

City of Jacksonville Beach, 11 North Third Street, Jacksonville Beach, FL 32250

www.jacksonvillebeach.org



Cash and Investments by Type
Fiscal Year to Date
November 30, 2018

Type of Investment	Beginning Balance 10/1/2018	Investment Earnings	Realized Gain/(Loss)	Unrealized Gain/(Loss)	Fees	Net Investment Income	Net Deposits (Withdrawals)	Ending Balance 10/31/18	Weighted Net Return*
State Pooled Investment Fund	14,966,730	75,552	0	0	0	75,552	5,431,107	20,473,389	0.05%
Money Market: Goldman Sachs Treasury	11,503	35	0	0	(152)	(118)	0	11,385	0.00%
U.S. Treasury Stripped Coupons	3,035,428	0	0	17,094	0	17,094	0	3,052,521	0.01%
Florida Municipal Investment Trust 0-2 Yr HQ Bond Fund	12,059,542	31,420	0	0	0	31,420	0	12,090,962	0.02%
Sawgrass Asset Management	44,007,963	170,187	(24,199)	(34,098)	(18,711)	93,180	(0)	44,101,142	0.05%
Insight Asset Management	29,483,930	(76,247)	(386,205)	359,903	(10,758)	(113,308)	(29,370,623)	0	0.00%
Galliard Capital Management	29,195,370	201,411	(93,595)	(86,826)	(12,654)	8,335	11,956,390	41,160,095	0.01%
Garcia Hamilton & Associates	29,630,798	203,846	(130,837)	(14,838)	(12,622)	45,548	12,317,853	41,994,199	0.03%
Federal Agency Security: Govt Nil Mortgage Assoc.	511	0	0	0	0	0	(511)	0	0.00%
Florida Trust	0	0	0	0	0	0	1,000,000	1,000,000	0.00%
Operating Cash: Bank of America	8,055,737	0	0	0	0	0	6,372,494	14,428,231	0.00%
Petty Cash	6,725	0	0	0	0	0	0	6,725	0.00%
TOTAL CITY MANAGED INVESTMENTS AND CASH	170,454,235	606,203	(634,836)	241,234	(54,899)	157,703	7,706,711	178,318,650	0.09%
Pension Fund: Salem Mutual Fund	33,858,339	38,527	0	(1,910,955)	0	(1,872,428)	(0)	31,985,911	-2.03%
Pension Fund: Sawgrass Asset Mgt	23,857,182	124,903	(60,331)	(81,031)	(18,172)	(34,630)	0	23,822,552	-0.04%
Pension Fund: Wells Capital	15,788,041	18,222	105,051	(1,505,251)	(22,449)	(1,404,427)	0	14,383,614	-1.47%
Pension Fund: MD Sass	12,762,897	20,032	(270,047)	(540,146)	(20,010)	(810,171)	(0)	11,952,725	-0.87%
Pension Fund: JPMCB - Strategic Property Fund	4,937,925	0	0	19,804	0	19,804	(0)	4,957,730	0.02%
TOTAL PENSION INVESTMENTS	91,204,384	201,683	(225,327)	(4,017,578)	(60,631)	(4,101,853)	(0)	87,102,531	-4.50%
TOTAL CASH AND INVESTMENTS	261,658,619	807,887	(860,163)	(3,776,344)	(115,529)	(3,944,150)	7,706,711	265,421,181	

*Fiscal year to date

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

Fax: 904.270.1642

www.jacksonvillebeach.org

MEMORANDUM

TO: Karen W. Nelson, Deputy City Manager

FROM: Ann Meuse, Human Resources Director

SUBJECT: Addition of an Additional Animal Control Officer in the Police Department

DATE: December 10, 2018

ACTION REQUESTED

Approve adding a second full-time Animal Control Officer in the Police Department.

BACKGROUND

The City currently has one full-time Animal Control Officer who is responsible for handling all animal-related calls for service throughout the City. For the first 11 months of 2018, the Animal Control Officer responded to approximately 800 calls for service. In addition, the Animal Control Officer patrols the beach to enforce animal regulations and manages the care and feeding of all animals housed at the City's Animal Control Facility.

Currently, the Animal Control Officer works two weekends per month. When the Animal Control Officer is not working on the weekends, the City of Jacksonville Animal Control provides assistance with animal complaints; however, the City of Jacksonville does not always respond in a timely manner. The Animal Control Officer follows up on all animal complaints that occur during the hours that she is not working.

On the Animal Control Officer's days off, the Police Department is dependent upon volunteers from the Citizen Police Academy Alumni Association for the care and feeding of animals housed at animal control, and volunteers are not always available. If a volunteer is not available, the Patrol Officers take on the responsibility, which requires additional training and removes the Patrol Officers from their regular duties.

A second Animal Control Officer would provide increased coverage for the enforcement of animal regulations on the beach and in other areas, and relieve



MEMORANDUM
Animal Control Officer
December 10, 2018

Page 2 of 2

Patrol Officers of the additional duties associated with the Animal Control Officer position.

The estimated cost of adding a second Animal Control Officer in the Police Department is \$90,409. Funds are available in the General Fund and will be included in the mid-year budget modification.

Truck - F150 Standard Cab 4x4 Equipped	32,000
Radio - Motorola APX 6000	5,500
Uniforms	620
Total Vehicle & Equipment	\$38,120
Salary	36,000
FICA & Medicare	2,754
Worker's Comp	763
Life, Health & Dental Insurance	7,341
Pension	5,431
Total Salary & Benefits	\$52,289
TOTAL ESTIMATED COST	\$90,409

RECOMMENDATION

Approve the addition of one full-time Animal Control Officer in the Police Department, at an estimated cost of \$90,409.

PUBLIC HEARING PROCEDURES

LAND DEVELOPMENT CODE

TEXT AMENDMENT ORDINANCES

The attached is an outline of the procedures that will be followed in conducting the public hearing and quasi-legislative deliberations when an ordinance to amend the Land Development Code which changes the permitted, conditional, or prohibited uses in a zoning category is presented for its first reading. This information will be included with your agenda packets for each meeting where a Land Development Code Text Amendment application is presented.

**As revised
November 28, 2018**

LAND DEVELOPMENT CODE TEXT AMENDMENT HEARING

- A. MAYOR WILL ASK THE CITY CLERK TO READ THE ORDINANCE BY TITLE.
- B. THE ORDINANCE IS READ BY TITLE
- C. INTRODUCTION TO THE PUBLIC HEARING.

READ THE FOLLOWING STATEMENT FOR THE RECORD:

“This ordinance for the amendment of the Land Development Code is before this Council for a public hearing and consideration on its first/second reading. Under the laws of the State of Florida, ordinances which change the actual list of permitted, conditional, or prohibited uses within a zoning category is a ‘quasi-legislative’ proceeding. A quasi-legislative proceeding means that a governing body is acting in its rule-making capacity.

It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed uses within a zoning category.

The application has been reviewed by Staff and the Planning Commission for consistency with other portions of the Land Development Code and the Comprehensive Plan. The Council may hear from all interested parties in the legislative determination of an amendment to the text of the Land Development Code.

The Council’s decision on a text amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

I will now open the public hearing on Ordinance No. 2018-8114

b. Next, announce the opening of the hearing for public comment from any interested parties. Go first to cards that have been submitted.

- Start with those in favor of the application.
- Then recognize those in opposition to the application.
- Ask if there is anyone else who wishes to speak for or against the application.

E. **CLOSE THE PUBLIC HEARING.**

F. **EX PARTE COMMUNICATIONS.**

READ THE FOLLOWING STATEMENT FOR THE RECORD:

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record *both the names of persons and the substance* of any *ex parte* communications regarding this application. An *ex parte* communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

a. Announce any communications that you have had with anyone concerning the matter outside of the public hearing. You should disclose any written communications sent to all members and ask the City Clerk if any additional written communications had been received.

b. Ask each of the Council members to announce the same information.

G. **REQUEST A MOTION TO APPROVE THE ORDINANCE AS READ BY TITLE.**

READ THE FOLLOWING STATEMENT FOR THE RECORD:

“Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, Staff’s report, the recommendation of the Planning Commission and the public input at all hearings.”

H. **OPEN THE FLOOR FOR DISCUSSION BY COUNCIL MEMBERS.**

I. **CLOSE THE DISCUSSION.**

J. **CALL FOR THE VOTE.**

APPROVAL FACTORS WHICH SHALL BE CONSIDERED
Land Development Code Text Amendment

APPROVAL CRITERIA

The approval criteria for a Land Development Code Text Amendment application are found in Sec. 34-211 of the LDC as follows:

Sec. 34-211. Action by city council following public hearing.

- (a) After the review and recommendation of the planning commission, the application shall be scheduled for consideration at either one (1) or two (2) public hearings by the city council, pursuant to section 34-208.
- (b) The city council shall consider the application, all relevant support materials, the staff report, and recommendation of the planning and development director, the recommendation of the planning commission, and public comment received at the public hearing.
- (c) After the close of the public hearing or hearings, whichever is appropriate, the city council shall consider the adoption of an ordinance enacting the proposed amendment based on **one (1) or more of the following factors**, provided however, that in no event shall an amendment be approved which will result in an adverse community change in which the proposed development is located.
 - (1) Whether the proposed amendment is consistent with the comprehensive plan;
 - (2) Whether the proposed amendment is in conflict with any portion of the LDC;
 - (3) Whether and the extent to which the proposed amendment is consistent with existing and proposed land uses;
 - (4) Whether and the extent to which there are any changed conditions that require an amendment;
 - (5) Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether and the extent to which the proposed amendment would exceed the level of service standards established for public facilities in the comprehensive plan;
 - (6) Whether, and the extent to which, zoning district boundaries are not properly drawn on the official zoning atlas;
 - (7) 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, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the coastal environment;
 - (8) Whether and the extent to which the proposed amendment would adversely affect the property values in the area;
 - (9) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern;
 - (10) Whether it is impossible to find other lands in the city for the proposed use in a zoning district that permits such use as of right.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



MEMORANDUM

TO: Karen Nelson, Deputy City Manager

FROM: Heather Ireland, Senior Planner

SUBJECT: Ordinance No. 2018-8114, amending the Land Development Code Section 34-344

DATE: November 21, 2018

ACTION REQUESTED

Adopt Ordinance No. 2018-8114, to amend the Land Development Code Section 34-344 to add "Newspaper and magazine publishing" to the list of permitted uses, and "Microbrewery" and "Bar, nightclub, tavern or other drinking establishment" to the list of Conditional Uses in the *Commercial service: CS* zoning district. (Applicant – *Bold Brands*)

BACKGROUND

The applicants, who represent *Bold Brands* and *Void Magazine*, are looking to purchase a developed property located on the southwest corner of 6th Avenue South and Shetter Avenue for their expanding operations. The property is located in the *Commercial Service: CS* zoning district, and is currently occupied by a lawn mower retail and repair business. The combination of uses proposed by *Bold Brands* are not currently permitted uses in the *CS* zoning district. In addition to the relocation of their office space, the applicants are also interested in establishing a microbrewery with a small tasting room (drinking establishment) at the same location.

The applicants have applied to amend the Land Development Code in order to add "Newspaper and magazine publishing" to the list of Permitted Uses, and "Microbrewery" and "Bar, nightclub, tavern, or other drinking establishment" to the list of Conditional Uses, all in the *CS* zoning district.

Currently, restaurants and outdoor restaurants are listed conditional uses in the *CS* zoning district, though none currently exist. Adjacent to the north of the *CS* zoning district boundary is the *Commercial, general: C-2* zoning district, which

allows both newspaper publishing and restaurants as permitted uses, and which also allows outdoor dining areas, microbreweries, and drinking establishments as conditional uses.

The *Commercial Service: CS* zoning district is bounded by Shetter Avenue on the north, 5th Street South on the east, 10th Street South on the west, and half the block south of 1st Avenue South to the south (see attached map). As mentioned, to the north of the CS district is the City's *Commercial, general: C-2* zoning district. To the west lies an *Industrial: I-1* district, to the east a *Planned Unit Development: PUD* district containing the *Publix* shopping center, and to the south are developed neighborhoods zoned *Residential multi-family: RM-1*.

Existing establishments operating in the CS zoning district include open storage, building contractors, building material sales, warehousing and storage, auto repair, light manufacturing, retail, dog boarding, floriculture, and a few nonconforming residential properties. A copy of the CS district regulations, Section 34-344, showing the existing uses and proposed changes is attached for reference.

The proposed permitted use of "newspaper and magazine publishing" is consistent with other permitted uses in adjacent zoning districts and should not be problematic relative to other established and/or permitted uses in the district. Allowing "microbrewery" and "drinking establishment" uses as conditional uses would provide the City through the Planning Commission, with the opportunity to review any proposed establishment on a location by location basis to determine compatibility in a particular area, and to possibly require certain conditions of use as may be deemed necessary and appropriate.

At the November 26, 2018 meeting, the Planning Commission voted unanimously to recommend approval of the application to the City Council.

RECOMMENDATION

Adopt Ordinance No. 2018-8114, amending the Land Development Code Section 34-344 to add "Newspaper and magazine publishing" to the list of permitted uses, and "Microbrewery" and "Bar, nightclub, tavern or other drinking establishment" to the list of Conditional Uses in the *Commercial service: CS* zoning district. (Applicant – *Bold Brands*)

Introduced by: Council Member Hoffman

1st Reading: December 3, 2018

2nd Reading: December 17, 2018

ORDINANCE NO. 2018-8114

AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII. ZONING DISTRICTS, DIVISION 2, SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (B) *PERMITTED USES* TO ADD “NEWSPAPER AND MAGAZINE PUBLISHING” AS NEW SUBPARAGRAPH (22); AND AMENDING SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (D) *CONDITIONAL USES* TO ADD “MICROBREWERY” AND “BAR, LOUNGE, NIGHTCLUB, TAVERN OR OTHER DRINKING ESTABLISHMENT” AS NEW SUBPARAGRAPHS (6) AND (7) RESPECTIVELY; AND TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That Division 2, Section 34-344. Commercial service: CS, Paragraph (b) *Permitted uses* of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida, is hereby amended by adding Subparagraph (22), which shall henceforth read as follows:

Sec 34-344 Commercial service: CS

(b) *Permitted uses*

(22) Newspaper and magazine publishing.

SECTION 2. That Division 2, Section 34-344. Commercial service: CS, Paragraph (d) *Conditional uses* of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida, is hereby amended by adding Subparagraphs (6) and (7), which shall henceforth read as follows:

Sec 34-344 Commercial service: CS

(d) *Conditional Uses*

(6) Microbrewery.

(7) Bar, lounge, nightclub, tavern or other drinking establishment.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are, to the extent that the same may conflict, hereby repealed.

SECTION 4. That this ordinance shall take effect upon its adoption by the City Council.

AUTHENTICATED THIS 17th DAY OF December, A.D., 2018.

William C. Latham, Mayor

Laurie Scott, City Clerk

PROPOSED TEXT CHANGES TO COMMERCIAL SERVICE: CS ZONING

Sec. 34-344. Commercial service: CS.

- (a) *Purpose.* The commercial service (CS) zoning district is intended to implement the mixed land use district in the comprehensive plan. It is intended to apply to areas appropriate for general commercial use, wholesale trade and storage, and limited light industrial uses.
- (b) *Permitted uses.* The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the CS zoning district. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to section 34-348 planned unit development: PUD district standards and procedures.
- (1) Ornamental floraculture and nurseries.
 - (2) Veterinary services and kennels; provided animals are housed in enclosed, soundproof buildings.
 - (3) Lawn, garden and tree services.
 - (4) Building contractors and subcontractors.
 - (5) Manufacturing establishments as follows: Bakery products, wood cabinet, jewelry, newspaper printing and publishing, and commercial printing.
 - (6) Boat building and repairing.
 - (7) General warehousing and storage.
 - (8) Communications and utility services.
 - (9) Wholesale trade establishments as follows: Motor vehicle supplies and parts; lumber and construction materials; other durable goods, except scrap and waste materials; paper and paper products, drugs, drug propertities and druggists' sundries, apparel, piece goods and notions; beer, wine and distilled alcoholic beverages; and flowers, nursery stock and florists supplies.
 - (10) Retail trade establishments as follows: Building materials, hardware and garden supplies; motor vehicle dealers; auto and home supply stores; gasoline service stations; boat, recreational vehicle and motorcycle dealers; home furniture, furnishing and equipment stores; fuel dealers; and florists.
 - (11) Laundry, cleaning and garment services.
 - (12) Business service establishments as follows: Building services; medical and other equipment rental and leasing; and computer programming, data processing and other computer services; and commercial art, photography, and stenographic services.
 - (13) Automotive rental and leasing, repair shops, or carwashes.

- (14) Electrical, watch, clock, jewelry, upholstery, furniture, and miscellaneous repair shops and related services.
- (15) Medical and dental laboratories.
- (16) Child day care services.
- (17) Adult day care services.
- (18) Civic, social and fraternal associations.
- (19) Government use.
- (20) Mobile food vendors in accordance with the provisions of Section 12-33 *Mobile Food Vending* of Chapter 12 *Food and Food Products* of this Code of Ordinances.
- (21) Physical fitness facilities, excluding weightlifting facilities and weight training apparatus.

(22) Newspaper and magazine publishing.

(c) *Accessory uses.* The following uses are permitted as accessory uses in the CS zoning district.

- (1) Any use customarily accessory to the permitted or conditional uses in the CS zoning district.

(d) *Conditional uses.* The following uses are permitted as conditional uses in the CS zoning district, subject to the standards and procedures established in section 34-221 et seq.

- (1) Handbag and other personal leather goods manufacturing.
- (2) Computer and office equipment manufacturing.
- (3) Religious organizations.
- (4) Restaurants, except drive-ins.
- (5) Outdoor restaurants.

(6) Microbrewery.

(7) Bar, lounge, nightclub, tavern or other drinking place.

(e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the CS zoning district.

- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None.

(3) *Minimum yards:*

- a. *Front yard:* Ten (10) feet.
- b. *Side yard:* None, except where adjacent to streets. If adjacent to a street, ten (10) feet. For a corner lot, the side yard on the corner shall be ten (10) feet.
- c. *Rear yard:* None.

(4) *Floor area:* None.

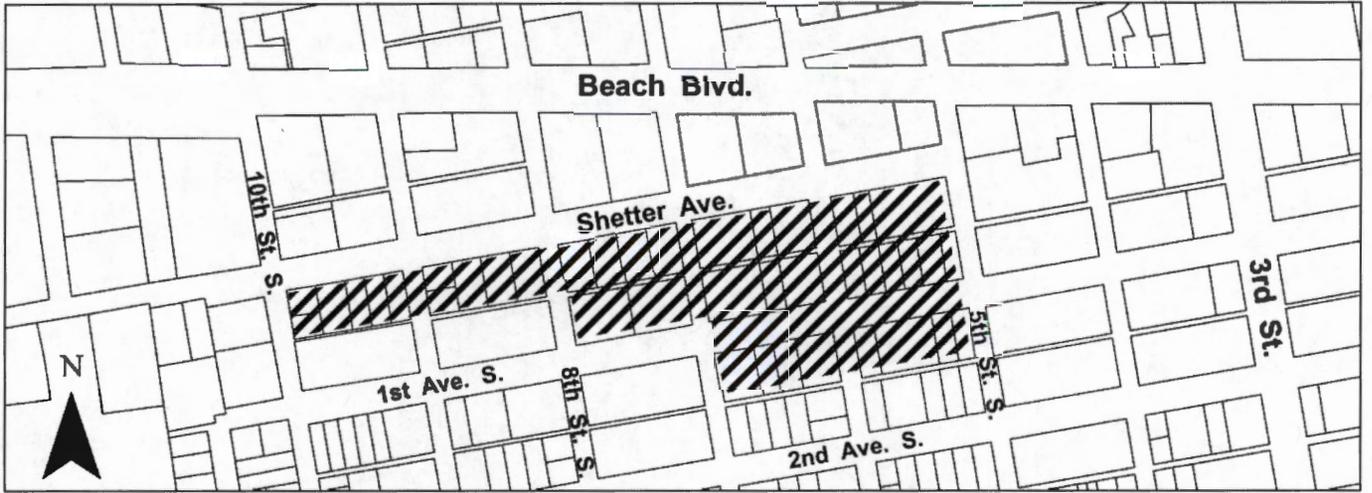
(5) *Maximum lot coverage:* Eighty-five (85) percent.

(6) *Height:* Thirty-five (35) feet.

- (f) *Off-street parking and loading.* The off-street parking and loading standards for the CS zoning district are found in Article VIII, Division 1.
- (g) *Supplemental standards.* The supplemental standards for the CS zoning district are found in Article VIII, Division 2.
- (h) *Landscape standards.* The landscape standards for the CS zoning district are found in Article VIII, Division 3.
- (i) *Sign standards.* The sign standards for the CS zoning district are found in Article VIII, Division 4.
- (j) *Environmental standards.* The environmental standards for the CS zoning district are found in Article VIII, Division 5.

(Ord. No. 7500, § 7.2(I), 8-19-91; Ord. No. 93-7571, § 1, 8-2-93; Ord. No. 99-7774, § 6, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2003-7860, § 7, 10-6-03, Ord. No. 2017-8092, § 8-7-2017)

Map of Commercial Service: CS Zoning District





REZONING/TEXT AMENDMENT APPLICATION

PC No. 26-18

AS/400# 18-100189

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

RECEIVED

APPLICANT INFORMATION

Land Owner's Name: LAWLER, JEFFREY B
Mailing Address: 7658 PHILIPS HWY SUITE 100
JACKSONVILLE, FL 32256

Telephone: OCT 15 2013
Fax: _____
E-Mail: PLANNING & DEVELOPMENT

Applicant Name: Bold Brands, LLC
Mailing Address: PO BOX 51266
JACKSONVILLE BEACH, FL 32240

Telephone: (904) 395-5628
Fax: (904) 701-7561
E-Mail: TYE@BOLDBRANDSJAX.COM

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: _____
Mailing Address: _____

Telephone: - _____
Fax: _____
E-Mail: _____

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: _____

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): _____

Current Zoning Classification: CS Future Land Use Map Designation: _____

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: 34-344(d) §(b)

	<u>REQUESTED INFORMATION</u>		Attached?
	Yes	No	Yes No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;			✓
2. An 8½" x11" vicinity map identifying the property proposed for amendment;			✓
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;			✓
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.			✓
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	✓		

Applicant Signature: [Signature]

Date: 10/15/18

Express Mower & Saw Inc.
7658 Philips Hwy Suite 100
Jacksonville, FL 32256

RECEIVED

PC#26-18

OCT 15 2018

PLANNING & DEVELOPMENT

To The City of Jacksonville Beach:

Legal Description 3-28 33-2s-29e .286 Pablo beach South Lots 1,2 Blk 7

This letter serves as the companies permission for Bold Brands LLC to file an application for code text amendment to the existing CS zone regarding the property located at 602 Shetter Ave, Jacksonville Beach, FL 32250.

Sincerely,

Jeffrey B Lawler

Owner and President

Express Mower & Saw Inc.

RECEIVED

NOV - 5 2018

Date: Oct 15, 2018

PLANNING & DEVELOPMENT

To: City of Jacksonville Beach

From: Tye Wallace, Partner



102 6th Ave. N - Suite 10
Jacksonville Beach, FL 32250

RE: Bold Brands Office Space - Code Text Amendment

To whom it may concern,

After an exhaustive search over the past year and a half we have finally found the perfect location for our new office expansion and new venture. Despite our efforts to find something within the C2 district, commercial property that fit our needs has been scarce to non-existent. All of our operations have been at the beach for nearly a decade now so we would love to stay and continue to invest in Jacksonville Beach. The subject property, 602 Shetter Avenue is right on the borderline of C2, with no immediate residential neighbors so we hope that our request to add "Magazine Publishing", "Microbrewery" and "Tasting Room" uses to the CS zone can be approved by *conditional use*.

A little background on our organization and intent for this new location. You may be familiar with our flagship publication, Void Magazine, which was started during the recession in 2010 by a passionate local team when headlines across the country read "Print is Dead". Despite the gloomy economic climate, we opened our doors in Jacksonville Beach and began telling the story of our local beach culture and art. We felt strongly that there was no other publication in the area that was capturing this in a positive and artistic manner. So we took a huge chance, quit our day jobs and began filling that "Void". Yes, that is how the name of the magazine was conceived.

Fast forward 8 years and we now print 30,000 magazines distributed to 400+ locations across the region. Additionally, we've recently acquired another local publication, Edible North Florida Magazine, that tells the story of our regions local food and the culture

RECEIVED

NOV - 5 2018

surrounding it. Our current Jacksonville Beach based office is filled with local, passionate folks who care about the growth and sustainability of our **COMMUNITY & DEVELOPMENT**. Through our media channels combined, we talk with over 100,000+ locals daily. We also offer marketing services and produce two festivals at the Seawalk Pavilion along with a handful of other local venues through our marketing agency, Bold Brands. Everything we do through our publishing, marketing and our events anchors back to one simple goal - to grow and elevate the community we love.

We are now ready for our next chapter. An opportunity to expand our business and the conversation about cuisine, arts and culture. We believe the addition of a small batch brewery and tasting room would give us a unique cultural edge to enhance the conversation and our community mission.

We want this location move to be a unique art & cultural addition to the diverse fabric of Jacksonville Beach. Something local residents are proud of and want to share with their friends and family. Storytelling is the heart of our media company and we want to share these stories and engage with the local community through this unique approach. We hope that the zoning amendment request can be approved to allow us this opportunity to realize this dream, to grow and to keep our business within the Jacksonville Beach city limits for years to come.

Sincerely,



Tye Wallace, Partner

edible + **VOID** + 
NORTHEAST FLORIDA CULTURE / LIFESTYLE **BOLD BRANDS**

