

LEGISLATIVE #

120152A



PLANNING DEPARTMENT
PO BOX 490, STATION 11
GAINESVILLE, FL 32602-0490

306 N.E. 6TH AVENUE
P: (352) 334-5022
P: (352) 334-5023
F: (352) 334-2648

TO: City Plan Board **Item Number: 5**

FROM: Planning and Development Services Staff **DATE: May 24, 2012**

SUBJECT: Petition **PB-12-53 TCH**. City of Gainesville. Amend the Land Development Code to allow the local exemption for dogs in designated outdoor portions of public food service establishments in accordance with F.S. 509.233.

Recommendation:

Approve the petition.

Discussion:

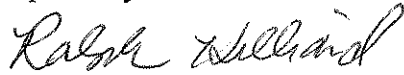
This is a request to amend the land development code to allow the local exemption for dogs in designated outdoor portions of public food service establishments in accordance with F.S. 509.233. State statute authorizes local governments to enact local laws allowing dogs in limited designated outdoor seating areas of food service establishments. Without this local exemption, dogs other than service dogs in food service establishment are prohibited. The statute and this proposed text amendment would still prohibit dogs (except service dogs) inside food service establishment including traveling through the establishment.

This issue was brought to the City Commission by Ryan Premdas the manager for the Warehouse Restaurant on South Main Street during citizen comments, the issue was referred to the Community Development Committee. The Community Development Committee reviewed the issue with staff and referred the issue back to the City Commission. On April 5, 2012 the City Commission directed staff to initiate a petition to the Plan Board to allow opportunities for public food service establishments that provide outdoor dining to allow patron's dogs within certain designated outdoor portions of the establishments when application is made and a permit is approved subject to the requirements of State Statute.

The proposed amendment will only apply to those food service establishments (restaurants) that wish to provide this service and obtain the required permit in-accordance with the procedures and

rules provided in Exhibit 1. Generally the proposed amendment requires every applicant for a permit to submit contact information, a diagram and description of the outdoor area, the hours of operation, sanitary procedures and general restrictions.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Ralph Hilliard". The signature is written in a cursive style with a large initial "R".

Ralph Hilliard
Planning Manager

Attachment: Exhibit 1- Proposed Amendment
Exhibit 2- Application