



## Legislation Text

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**File #:** 991151, **Version:** 1

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### LAND DEVELOPMENT CODE AMENDMENT PROHIBITING TEMPORARY SALE OF ALCOHOL IN THE UNIVERSITY CONTEXT AREA (B)

Ordinance No. 0-00-54; Petition No. 32TCH-00PB

An ordinance of the City of Gainesville, Florida, revising and amending section 30-67(g)(1) of the Land Development Code relating to outdoor storage and sales in business and mixed use zoning districts; providing that temporary permits for sale of alcoholic beverages are not allowed in the University Context Area surrounding the University of Florida main campus; providing requirements for temporary permits for sale of alcoholic beverages in other areas and clarifying that a permit for temporary sales may be denied or approved with conditions based on public health, safety and welfare; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

#### STAFF REPORT

During the fall of 1999, the City Commission heard testimony from the Gainesville Police Department that temporary outdoor alcohol sales were creating problems along University Avenue adjacent to the University of Florida Campus. Crowd control, open container violations and traffic problems associated with people spilling over into the street while trying to buy alcohol were cited as problems. The City Commission concluded that the outdoor alcohol sales under the City's special events sales permit process was creating a public safety problem. One of the problems which has compounded this issue is the frequent use of temporary tents for the sale of alcohol on football game days. Often, a large number of football fans flock to these tents to purchase alcohol and then leave with the open container (often due to overcrowded conditions).

Currently, City codes allow eating places and alcoholic beverage establishments that have a State Alcoholic Beverage License, to obtain a temporary permit to serve alcoholic beverages outdoors, under a tent, as part of a special event. The purpose of this petition is to address the problems associated with outdoor alcohol sales. Staff recommends that City codes be amended to prohibit the outdoor sales of alcoholic beverages through the use of a temporary alcoholic beverage permit. This prohibition would not prevent the sale of alcohol by restaurants as part of an approved outdoor cafe'.

The Plan Board approved the petition with staff's recommendation.

Public notice was published in the Gainesville Sun on March 1, 2000. The Plan Board held a public hearing March 16, 2000. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 32TCH-00 PB. Plan Board vote 5-0.

None

#### CITY ATTORNEY'S MEMORANDUM

This ordinance requires two public hearings. If the Commission adopts the ordinance on first reading, the second and final reading will be held on June 12, 2000.