

RESOLUTION 2023-10-06

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY ACTING AS THE DOWNTOWN ECONOMIC DEVELOPMENT AGENCY REQUESTING THAT CITY COUNCIL AMEND CHAPTER 154 SUBSTANTIALLY SIMILAR TO THOSE AMENDMENTS CONTAINED IN EXHIBIT 1 TO THIS RESOLUTION FOR THE PURPOSE OF CREATING A *JACKSONVILLE RIVERWALK SPECIALTY CENTER* WITHIN DOWNTOWN; AUTHORIZING ITS CHIEF EXECUTIVE OFFICER TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, INCLUDING THE FILING OF LEGISLATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, via its adoption of Ordinance 2012-0364, the City Council amended the Ordinance Code and City Charter to create the Downtown Investment Authority (“DIA”); and

WHEREAS, via Ordinance 2022-0372-E, the City Council adopted an updated Business Investment and Development Plan (“BID Plan”) for Downtown, inclusive of updated Community Redevelopment Area (“CRA”) Plans for Downtown Consisting of the Southside Community Redevelopment Area and the Combined Northbank Downtown Community Redevelopment Area, the goals and strategies of which govern both the Community Redevelopment Agency and DIA acting as the Downtown Economic Development Agency; and

WHEREAS, pursuant to Florida Statute 561.20 (2) (b) the legislature defined “Specialty Center” adjacent to navigable water bodies to authorize special liquor license provisions applicable thereto; and

WHEREAS, the DIA acting as the Downtown Economic Development Agency desires to create a *Jacksonville Riverwalk Specialty Center*, generally described as the Northbank and Southside Riverwalks together with adjoining public and privately held parcels and their respective development, for the purposes of permitting, subject to the restrictions and provisions within Exhibit 1, open-container alcohol consumption along the Riverwalk (defined in Exhibit 1 as the *Riverwalk Open Container Area*); and

WHEREAS, the DIA acting as the Downtown Economic Development Agency finds that the creation of a *Jacksonville Riverwalk Specialty Center*, furthers BID Plan; and

WHEREAS, the creation of *Jacksonville Riverwalk Specialty Center* has support from both Buildup Downtown and Downtown Vision; and

WHEREAS, other Cities, such as the City of Tampa, have successfully implemented *Specialty Centers* along their Riverwalks,

NOW THEREFORE, BE IT RESOLVED by the Downtown Investment Authority:

Section 1. The DIA acting as the Downtown Economic Development Agency finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. The DIA acting as the Downtown Economic Development Agency hereby requests of City Council to amend Chapter 154, Jacksonville Code of Ordinances, substantially similar to Exhibit 1.

Section 3. The DIA acting as the Downtown Economic Development Agency finds that the creation of a *Jacksonville Riverwalk Specialty Center* furthers the BID Plan with specific mention of the below Goals and Strategic Objectives applicable to DIA acting as the Downtown Economic Development Agency:

Redevelopment Goal No. 4: Increase the vibrancy of Downtown for residents and visitors through arts, culture, history, sports, theater, events, parks, and attractions.

Strategic Objective: Market and promote Downtown programming and visitor attractions.

Strategic Objective: Support the expansion, renovation, and improvement of existing, and creation of new, diverse civic attractions, cultural venues, theaters, and parks that provide a mix of activities and attract a broad range of demographics.

Strategic Objective: Increase number of daily visits to Downtown.

Redevelopment Goals No. 7: Capitalize on the aesthetic beauty of the St. John's River, value its health and respect its natural force, and maximize interactive and recreational opportunities for residents and visitors to create waterfront experiences unique to Downtown Jacksonville.

Section 4. The DIA authorizes its Chief Executive Officer to continue to work with the Office of General Council to refine those amendments contemplated within Exhibit 1, providing, however, that any amendments brought forward to or by City Council are substantially similar to Exhibit 1.

Section 5. The DIA authorizes its Chief Executive Officer to take all necessary action to effectuate the purposes of this Resolution, including the filing of legislation.

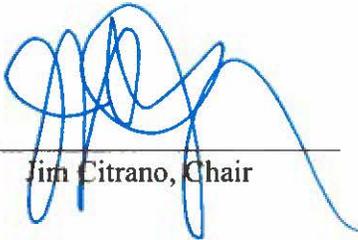
Section 6. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

[SIGNATURES ON FOLLOWING PAGE]

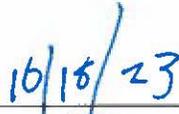
WITNESS:

DOWNTOWN INVESTMENT AUTHORITY





Jim Citrano, Chair



Date

VOTE: In Favor: 8 Opposed: 0 Abstained: 0

RESOLUTION 2023-10-06: EXHIBIT 1

1 Introduced by the Council President at the request of the DIA:
2
3

4 ORDINANCE 2023-

5 AN ORDINANCE AMENDING SECTION 154.101
6 (DEFINITIONS), PART 1 (IN GENERAL), CHAPTER 154
7 (ALCOHOLIC BEVERAGES), *ORDINANCE CODE*, TO ADD
8 CERTAIN DEFINITIONS; CREATING A NEW SECTION
9 154.115 (JACKSONVILLE RIVERWALK SPECIALTY
10 CENTER), PART 1 (IN GENERAL), CHAPTER 154
11 (ALCOHOLIC BEVERAGES), *ORDINANCE CODE*, TO CREATE
12 AND ESTABLISH THE JACKSONVILLE RIVERWALK
13 SPECIALTY CENTER DOWNTOWN; PROVIDING FOR
14 CODIFICATION INSTRUCTIONS; PROVIDING AN
15 EFFECTIVE DATE.
16

17 **WHEREAS**, Jacksonville's Northbank Riverwalk extends
18 approximately two miles along the north side of the St. Johns River,
19 encompassing Corkscrew Park and Riverfront Plaza, offering Downtown
20 visitors fantastic river and wildlife views as they leisurely amble
21 along its paved pathway; and

22 **WHEREAS**, Jacksonville's Southbank Riverwalk lies directly
23 across the St. Johns River from the Northbank Riverwalk, this similar
24 concrete boardwalk extends approximately one and one quarter miles
25 along the south side of the St. Johns River, includes Friendship
26 Fountain, and offers beautiful views of the downtown skyline,
27 riverboats, birds, and dolphins; and

28 **WHEREAS**, the Northbank and Southbank Riverwalks are connected
29 by pedestrian paths along both sides of the John T. Alsop Jr. Bridge,
30 also known as the Main Street Bridge; and

31 **WHEREAS**, establishing a specialty center along the Northbank

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1 and Southbank Riverwalks will allow patrons the opportunity to
2 purchase alcoholic drinks at designated locations along the
3 Riverwalks and enjoy imbibing their beverages as they stroll along
4 the St. Johns River, taking in all the beauty that Jacksonville has
5 to offer; and

6 **WHEREAS,** Florida Statutes defines a "specialty center" as a
7 defined geographic area with a development of at least 50,000 square
8 feet of leasable area containing restaurants, entertainment
9 facilities and specialty shops, located adjacent to a navigable water
10 body; and

11 **WHEREAS,** Section 561.20(2)(b), *Florida Statutes*, allows the
12 sale of alcoholic beverages by vendors within a specialty center, for
13 consumption by patrons located within the defined geographic area of
14 the specialty center open container area; and

15 **WHEREAS,** the creation of the Jacksonville Riverwalk Specialty
16 Center will attract patrons and increase economic activity to the
17 Downtown area, which will bestow benefit upon both visitors and
18 residents; now therefore

19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Amending Section 154.101 (Definitions), Part 1**
21 **(In General), Chapter 154 (Alcoholic Beverages), Ordinance Code.**
22 Section 154.101 (Definitions), Part 1 (In General), Chapter 154
23 (Alcoholic Beverages), *Ordinance Code*, is hereby amended to read as
24 follows:

25 **Chapter 154 - ALCOHOLIC BEVERAGES**

26 **Part 1. - IN GENERAL**

27 * * *

28 **Sec. 154.101. - Definitions.**

29 Whenever used in this Chapter, the following definitions
30 pertaining to alcoholic beverages shall apply:

31 (a) *Alcoholic beverages* means and includes distilled spirits and

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1 all beverages containing one-half of one percent or more of
2 alcohol by volume.

3 (b) Approved Container means a plastic cup that bears the
4 Jacksonville Riverwalk Logo, is no larger than 16 ounces and
5 is approved by the city for sale and use in the Jacksonville
6 Riverwalk Specialty Center.

7 ~~(b)~~(c) Fourteen percent alcoholic beverages means and includes
8 all beverages containing more than 14 percent of alcohol by
9 volume. The determination of the percentage of alcohol by
10 volume shall be made as provided in F.S. § 561.01.

11 ~~(e)~~(d) Intoxicating beverages means and includes only those
12 alcoholic beverages containing more than 4.007 percent of
13 alcohol by volume.

14 (e) Licensed premises means the area licensed by the state for
15 the sale of alcoholic beverages, pursuant to Florida
16 Statutes, as amended.

17 (f) Licensee means a legal or business entity, person, or persons
18 that hold a license issued by the Florida Division of Alcohol
19 and Tobacco for the sale of alcoholic beverages.

20 (g) Open container means any container of alcoholic beverage which
21 is immediately capable of being consumed from or the seal of
22 which has been broken.

23 (h) Jacksonville Riverwalk Open Container Area means the location
24 on the Riverwalk, including Riverwalk Connectors, as shown in
25 Figure 1 of Section 154.115 below, where possession and
26 consumption of alcoholic beverages are permitted between the
27 hours of 11:00 a.m. and 1:00 a.m. in conformance with this
28 part.

29 (i) Jacksonville Riverwalk Specialty Center means the area shown
30 in Figure 1 of Section 154.115 below, that includes licensed
31 premises on or near the Jacksonville Riverwalk where one may

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1 exit the licensed premises with open containers onto the
2 Riverwalk Open Container Area.

3 **Section 2. Creating Section 154.115 (Jacksonville**
4 **Riverwalk Specialty Center), Part 1 (In General), Chapter 154**
5 **(Alcoholic Beverages), Ordinance Code.** Section 154.115 (Jacksonville
6 Riverwalk Specialty Center), Part 1 (In General), Chapter 154
7 (Alcoholic Beverages), *Ordinance Code*, is hereby created to read as
8 follows:

9 **Chapter 154 - ALCOHOLIC BEVERAGES**

10 **Part 1. - IN GENERAL**

11 * * *

12 **Sec. 154.115. - Jacksonville Riverwalk Specialty Center.**

13 (a) *Creation of Jacksonville Riverwalk Specialty Center.*

14 Pursuant to F.S. § 561.20(2)(b), the city does hereby create
15 and establish a specialty center along the Northbank and
16 Southbank Riverwalks adjacent to the St. Johns River Downtown
17 with the areas and boundaries as set forth and designated in
18 Figure 1 below, to be called the Jacksonville Riverwalk
19 Specialty Center.

20 (b) *Possession of open containers of alcohol within the*
21 *Jacksonville Riverwalk Open Container Area.*

22 (1) A person who legally obtains an alcoholic beverage from
23 a licensed premises within the Jacksonville Riverwalk
24 Specialty Center may possess and/or consume the alcoholic
25 beverage within the Jacksonville Riverwalk Open
26 Container Area so long as the alcoholic beverage is in
27 an Approved Container.

28 (2) A person may only enter a licensed premises with an
29 alcoholic beverage if the alcoholic beverage is in an
30 Approved Container and only into that portion of the
31 licensed premises that extends into the Jacksonville

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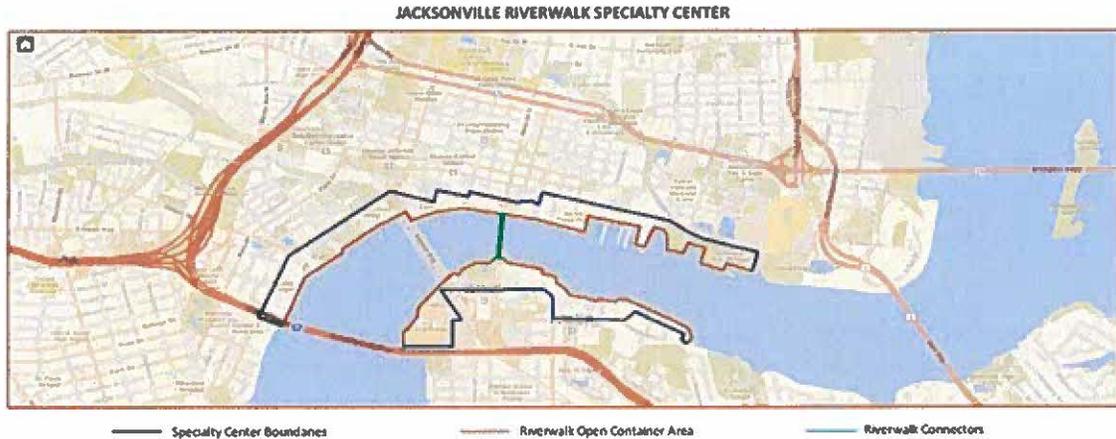
1 Riverwalk Open Container Area.

2 (3) No person may possess more than two (2) open containers
3 of alcoholic beverage in an Approved Container while in
4 the Jacksonville Riverwalk open Container Area.

5 (c) *Open container in public parks not allowed.* Except by valid
6 permit or license, no person shall possess or consume in any
7 public park within the Jacksonville Riverwalk Specialty
8 Center any open container of alcoholic beverage. However, if
9 a special event permit which allows alcoholic beverages has
10 been issued by the city for a park within the Jacksonville
11 Riverwalk Specialty Center, then that park may be included
12 within the Jacksonville Riverwalk Open Container Area for
13 the duration of the special event, provided such is requested
14 by the special event permit holder and approved as part of
15 the special event permit. During the time of such special
16 event, alcohol may be consumed in the Jacksonville Riverwalk
17 Open Container Area in a container other than the approved
18 container, provided the person has a wristband issued by the
19 holder of the special event permit.

20 (d) *Open containers of alcoholic beverages purchased outside the*
21 *Jacksonville Riverwalk Specialty Center not allowed in the*
22 *Jacksonville Riverwalk Specialty Center.* Except as provided
23 in this section, possession of any open container containing
24 an alcoholic beverage within the Jacksonville Riverwalk
25 Specialty Center shall be unlawful and punishable in
26 accordance with the appropriate laws.

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1
2 Figure 1: Jacksonville Riverwalk Open Container Area

3
4 **Section 3. Codification Instructions.** The Codifier and the
5 Office of General Counsel are authorized to make all chapter and
6 division "tables of contents" consistent with the changes set forth
7 herein. Such editorial changes and any others necessary to make the
8 Ordinance Code consistent with the intent of this legislation are
9 approved and directed herein, and changes to the Ordinance Code shall
10 be made forthwith and when inconsistencies are discovered.

11 **Section 4. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

14
15 Form Approved:

16
17 _____
18 Office of General Counsel

19 Legislation Prepared By: Carla A. Lopera

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