



PROPOSED LAND DEVELOPMENT CODE AMENDMENT

PROPOSED AMENDMENT

INTRODUCED BY:	Planning & Economic Opportunity Dept.
REQUESTED ACTION:	Amend LDC (Ord. 97-19, as amended) Article 15, Sec. 15.04 of the Land Development Code, Commercial Neighborhood (CN), allowing for the sale of alcoholic beverages with alcoholic content above fourteen (14) percent for on-premises consumption as a conditional use in the Commercial Neighborhood (CN) District.

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The CN district allows by-right 'Retail outlets for sale of food and drugs' and 'Restaurants'. The CN District allows via Conditional Use permit *"Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on-premises or off-premises."*

The outcome of the above language is a prohibition on serving liquor in a restaurant located in the CN District. In contrast to the above, the Commercial Neighborhood-American Beach (CN-AB) district includes the following language as a use permitted by Conditional Use permit:

"Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on-premises or off-premises. The sale of mixed drinks (cocktails) above fourteen (14) percent for on-premises consumption is permitted."

This ordinance would amend the CN district regulations (Article 15, Section 15.04) to allow the sale of alcoholic beverages above 14% alcohol for on-premises consumption via Conditional Use permit, thus making the CN District regulations consistent with the CN-AB District.



CONSISTENCY WITH COMPREHENSIVE PLAN

Applicable Plan Reference	Determination of Consistency
FL.10.05	✓
FL.11.01	✓

Policy FL.10.05

"The County shall review existing regulations in the Land Development Code and revise as necessary in order to implement the Future Land Use Plan."

Policy FL.11.01

"Nassau County will regulate the use of land only for valid public purposes and in a reasonable manner, in accordance with the Bert J. Harris, Jr., Private Property Rights Protection Act (Sec. 70.001 F.S.)."

This ordinance would amend the CN district regulations to allow the sale of alcoholic beverages above 14% alcohol for on-premises consumption via Conditional Use permit, making the CN District regulations consistent with the CN-AB District. The proposed ordinance supports a valid public purpose and is otherwise consistent with the County's Comprehensive Plan.

CONSISTENCY WITH EXISTING LAND DEVELOPMENT CODE

The proposed amendments to the CN district do not create any conflicts with existing provisions of the Land Development Code. The ordinance would make the CN district regulations consistent with those for the similar and related CN-AB district. It will not be in conflict with any other existing provisions of the Land Development Code. It will be the responsibility of the Conditional Use and Variance Board to grant conditional use permits for the on-premise sale of alcoholic beverages as specified in the ordinance.

CONCLUSION

Staff finds the requested action to be consistent with the Nassau County Comprehensive Plan and the existing Land Development Code. Therefore, staff recommends that the Ordinance be approved.

Submitted by:

A blue ink signature of Doug McDowell, AICP, Principal Planner.

Doug McDowell, AICP
Principal Planner