

**FLOOR AMENDMENT**

Council Member Boylan offers the following second amendment to File 2022-383:

- (1) On **page 1, line 11**, after "DEFINITIONS," **insert** "ADD DEFINITION OF "WATER'S EDGE RESTAURANT","";
- (2) On **page 1, line 15**, after "REALM," **insert** "ADD DEVELOPMENT STANDARDS FOR A WATER'S EDGE RESTAURANT,"";
- (3) On **page 1, lines 16-18**, **strike** "FREE STANDING WATERFRONT RESTAURANTS AS AN EXCEPTION TO THE RIVER SETBACK AND HEIGHT LIMITATIONS" and **insert** "WATER'S EDGE RESTAURANTS AS AN EXEMPTION FROM THE RIVER SETBACK AND HEIGHT LIMITATIONS SO LONG AS A ZONING EXCEPTION FOR THAT USE IS OBTAINED";
- (4) On **page 1, line 19**, **strike** "WATERFRONT" and **insert** "WATER'S EDGE";
- (5) On **page 1, lines 27-28**, **strike** "AND CHANGES TO THE ZONING CODE";
- (6) On **page 1, line 29**, **strike** "AND" and **insert** "AN";
- (7) On **page 4, line 20½**, **insert** the following:

\*\* \* \*

Water's Edge Restaurant means any freestanding restaurant which seeks a zoning exception pursuant to Sec. 656.131, Ordinance Code, for all or any portion of the structure to be located within the established fifty (50) foot setback from the river's edge (Zone A).";

- (8) On **page 8, line 1½**, **insert** the following:

"A. *Brooklyn District.*

1. *Bonus uses.*

\* \* \*

2. *Uses permissible by exception.*

\* \* \*

(j) Day Labor pool provided all activities, including waiting or queuing, are completely located within an enclosed facility.

(k) Water's Edge Restaurants, meeting the exception criteria found in Sec. 656.131, Ordinance Code, and the development standards found in 656.361.5.4.(B).";

- (9) On **page 8, line 31½**, **insert** the following:

"E. *Central Core District.*

1. *Bonus uses: None.*
2. *Uses permissible by exception.*

\* \* \*

(e) Private clubs.

(f) Water's Edge Restaurants, meeting the exception criteria found in Sec. 656.131, Ordinance Code, and the development standards found in 656.361.5.4.(B).

F. *Sports and Entertainment District.*

1. *Bonus uses: None.*

\* \* \*

2. *Uses permissible by exception.*

\* \* \*

(c) Thrift stores (retail outlets for the sale of used goods).

(d) Water's Edge Restaurants, meeting the exception criteria found in Sec. 656.131, Ordinance Code, and the development standards found in 656.361.5.4.(B).

G. *Working Waterfront District.*

1. *Bonus uses:* All uses permitted within the IW Zoning District.

2. *Uses permissible by exception.*

\* \* \*

(e) Bulk processing, including flammable liquids.

(f) Water's Edge Restaurants, meeting the exception criteria found in Sec. 656.131, Ordinance Code, and the development standards found in 656.361.5.4.(B).

H. *Southbank District.*

1. *Bonus uses:* None.

2. *Uses permissible by exception.*

\* \* \*

(h) Private clubs.

(i) Water's Edge Restaurants, meeting the exception criteria found in Sec. 656.131, Ordinance Code, and the development standards found in 656.361.5.4.(B).

\* \* \*

**Sec. 656.361.5.4. Development Standards for Uses**

**Regulated by District.**

The following additional development standards shall apply to uses permitted and permissible in Downtown:

- A. Personal property storage. It is the intent that self-storage facilities are part of a mixed-use building with ground floor activation.

\* \* \*

B. Water's Edge Restaurants. Water's Edge Restaurants, including those that utilize the open-air dining over sovereign submerged lands option provided by Rule 18-21.004, Florida Administrative Code, are exempt from the 50-foot setback requirement so long as the exception criteria in Sec. 656.131 and all of the following criteria are met:

1. The width of the building, or width of a structure blocking the view to the waterfront is not greater than 75-feet;
2. The restaurant must be open to the general public with no qualifying requirements, such as club membership, stock ownership, or equity interest;
3. The restaurant is prohibited from blocking a View and Access Corridor;
4. Only one (1) exempt restaurant is allowed between any two View and Access Corridors;
5. The height of the building and structure, as measured from the finished floor elevation, is no greater than 20-feet in height, or up to 35-

feet in height to accommodate rooftop restaurant, bars, or other activities; and

6. A Riverwalk Easement of equal required width is provided by the applicant as close as practicable to the waterfront.

\* \* \*";

(10) On **page 12, lines 29-31 and page 13, line 1, strike** "and with the exception of free-standing waterfront restaurants, including restaurants with open-air dining over the water as described below,";

(11) On **page 13, line 2, after "enforced" insert** ", except for projects granted a Water's Edge Restaurant exception";

(12) On **page 14, lines 3-18, strike** the following:

"(f) Free-standing waterfront restaurants. Waterfront restaurants, including waterfront restaurants that utilize the open-air dining over sovereign submerged lands option provided by Rule 18-21.004, Florida Administrative Code, are exempt from the 50-foot setback requirement so long as all of the following criteria are met:

(1) the width of the building, or width of a structure blocking the view to the waterfront is not greater than 75-feet;

(2) the restaurant must be open to the general public with no qualifying requirements, such as club membership, stock ownership, or equity interest;

- (3) the restaurant is prohibited from blocking a View and Access Corridor; and
- (4) only one (1) exempt restaurant is allowed between any two View and Access Corridors.”;
- (13) On **page 14, lines 21-23, strike** “Other than for the exemption for a free-standing waterfront restaurant which shall not be required to be calculated in the volume bonus, adherence” and **insert** “A Water’s Edge Restaurant granted a zoning exception shall not be required to be calculated in the volume bonus. Adherence”;
- (14) On **page 15, lines 16-25, strike** the following:  
“(d) Free-standing waterfront restaurants. Waterfront restaurants, including waterfront restaurants that utilize the open-air dining over sovereign submerged lands option provided by Rule 18-21.004, Florida Administrative Code, are exempt from the 0’ to 50’ height requirement within Zone A so long as the height of the building and structure, as measured from the finished floor elevation, is no greater than 20-feet in height, or up to 35-feet in height to accommodate rooftop restaurant, bars, or other activities.”;
- (15) On **page 18, lines 12-13, strike** “, Sports and Entertainment,;”
- (16) On **page 18, line 18½, insert** the following:  
“(3) For residential use parcels, On-Site or Accessory structured parking shall meet the Requirements of

656.361.6.2.G (Transparency) and for surface parking, shall meet the Requirements of 656.361.6.2.L (Screening and Landscaping of Surface Parking, and Trash, Storage and Loading Areas);-

(4) In the Sports and Entertainment and Working Waterfront Districts, new or expansion of surface parking of more than six spaces for non-residential uses, whether Accessory or On-Site, is allowed so long as it is interior to the parcel and wrapped by building on the street frontage, or as otherwise approved by grant of a Zoning Exception."

(17) On **page 22, lines 11-15, strike** "(except pertaining to the Downtown Overlay Zone and Downtown District Use and Form Regulations which shall be heard by the Downtown Development Review Board for review and recommendations to the Downtown Investment Authority and then the City Council)";

(18) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Lawsikia J. Hodges

Office of General Counsel

Legislation Prepared By: Susan C. Grandin