

## St. Petersburg Times tampabay.com

---

March 29, 2011

### Tampa neighborhoods alarmed over proposed changes to wet zoning rules

By Richard Danielson, Times Staff Writer

*Neighborhoods are alarmed by possible changes to Tampa's rules for wet zoning.*

TAMPA - On one side are city officials trying to make Tampa's rules on alcohol-related "wet zonings" less costly and burdensome.

On the other are neighborhood advocates with this worry: a convenience store that sells beer and wine suddenly popping up, without warning, next to a home, school, church or playground.

It could happen, says Margaret Vizzi, who chairs the zoning committee of Tampa Homeowners, An Association of Neighborhoods.

"I truly don't think council members realize that," she says.

In the middle is the outgoing Tampa City Council, which is holding a special meeting on the issue at 10 this morning.

At stake is a yearlong city effort to overhaul and update Tampa's zoning rules for businesses that want to sell alcohol.

Vizzi is alarmed at proposed changes that she says would erode hard-won protections for neighborhoods.

At the top of her list: the City Council would no longer hear requests on wet-zoning applications for retailers where selling alcohol is secondary to the main business. Those merchants include convenience stores, gas stations, grocery stores, hotels with more than 100 rooms and bowling alleys with more than 12 lanes.

Instead, those applications would be considered by the city's zoning administrator, not the City Council. As long as the application met every restriction set by the city, there would be no public hearing and no notices sent to surrounding property owners. There also would be no minimum distance that the store would have to be set back from the nearest home, church or school.

The City Council would continue to review applications for more alcohol-intensive businesses such as bars, lounges, nightclubs and many restaurants. And these businesses would be subject to setback requirements from residential areas, schools and each other.

Tampa's rules are the most restrictive the city staff found in any big city in Florida. Some date back 60 years, to when Tampa was much more rural. The goal of the re-write is to make the city an easier place to do business.

But Hillsborough school officials have requested that the city keep its current setback rule: that businesses selling alcohol must be at least 1,000 feet away from the nearest public school.

That's twice the distance required in unincorporated Hillsborough County, according to city officials. In St. Petersburg and Sarasota, there is no separation requirement if the sale of alcohol is incidental to the main business of the retailer.

Supporters of the change also note that the City Council routinely waives the distance requirement. The council approved 24 of 26 such convenience store requests from June 2007 to May 2010, said Tampa attorney Mark Bentley, who represents gas station owners.

But between the filing fee and the costs of site plans, surveys and professional fees, a waiver can cost up to \$20,000 and can delay a store's opening by four to five months, Bentley recently told the council.

Council Chairman Thomas Scott said easing the burden of city rules was the biggest issue he encountered on the campaign trail during the mayor's race.

Protecting neighborhoods is important, Scott said at a March 10 public hearing, but "if we don't find a way to help these small businesses, we are going to continue to choke them out."

Council member Mary Mulhern said much of the update sounded necessary, but neighborhoods' concerns gave her pause.

"I just don't see the urgency of doing this," she said.

At that meeting, the council deadlocked on the proposal 3-3, with Mulhern, Charlie Miranda and Yvonne Yolie Capin voting no and Curtis Stokes absent.

That automatically pushed the proposal to the March 17 meeting, where Stokes voted for it and it passed on the first of two readings.

The council is required to hold the second and final hearing at least 10 days after the first hearing. Given its regular meeting schedule, that would have pushed the question onto the calendar of the new council being sworn in Friday.

Do that, and the process probably will start all over, Scott said. Instead, the council decided to hold today's special meeting.

"My point is, if it took us a year, then you're talking about another year for the next council," Scott said.

#### **.Fast facts**

#### **If you go**

**What:** Final City Council public hearing on changes to Tampa's rules for alcoholic beverage zonings.

**When:** 10 a.m. today

**Where:** Third floor council chambers, City Hall, 315 E Kennedy Blvd., Tampa

St. Petersburg Times



2011 St. Petersburg Times. Permission granted for up to 5 copies. All rights reserved.

You may forward this article or get additional permissions by typing [http://license.icopyright.net/3.8618?](http://license.icopyright.net/3.8618?icx_id=1160349)

[icx\\_id=1160349](http://license.icopyright.net/3.8618?icx_id=1160349) into any web browser. St. Petersburg Times and St. Petersburg Times logos are registered trademarks of St. Petersburg Times. The iCopyright logo is a registered trademark of iCopyright, Inc.