



Planning and Zoning Board Meeting

Wednesday, September 23, 2020 at 7:00 am

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. CONSENT AGENDA

APPROVAL OF MINUTES

- a. **Approval of Minutes of Planning and Zoning Board Meeting of 09/09/2020**

Exhibit: Agenda Report Number 4a

Recommendation: Request Approval

Attachments:

- Agenda Report Number 4a (Agenda_Report_Number_4a.pdf)

5. PUBLIC HEARING : 0
6. ACTION ITEMS : 0
7. DISCUSSION/POSSIBLE ACTION ITEMS

- a. **Ordinance 2020-12 Table 1-3.3(A) - Debby Franklin, Town Clerk/Treasurer**

Exhibit: Agenda Report Number 7a

Attachments:

- Agenda Report Number 7a (Agenda_Report_Number_7a.pdf)

- b. **Discuss local regulations for Mobile Food Vendors**

Exhibit: Agenda Report Number 7b

Attachments:

- Agenda Report Number 7b (Agenda_Report_Number_7b.pdf)

8. ADDITIONAL ITEMS FOR FUTURE MEETING
9. PUBLIC COMMENTS
10. OLD BUSINESS/NEW BUSINESS
 - a. Old Business
 - b. New Business

Board Member Comments

Next regular Meeting - October 14, 2020

11. ADJOURNMENT

Contact: Denine Sherear (dsherear@townofmalabar.org 1321727764) | Agenda published on
09/16/2020 at 4:19 PM

TOWN OF MALABAR
PLANNING AND ZONING BOARD

AGENDA ITEM NO: 4a
Meeting Date: September 23, 2020

Prepared By: Richard W. Kohler, Acting P&Z Board Secretary

SUBJECT: Approval of Minutes of Planning and Zoning Board Meeting 09/09/2020

BACKGROUND/HISTORY:

The minutes must reflect the actions taken by the Board:

- Who made the motion?
- What is the motion?
- Who seconded the motion?
- What was the vote?

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim, and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS:

Draft Minutes of Planning and Zoning Board Meeting of 09/09/2020

ACTION OPTIONS: Acting Secretary Kohler is requesting approval of the minutes.

“The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board.”

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
September 9, 2020 7:00 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

1. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:00 P.M. Prayer and Pledge led by Chair Wayne Abare

2. ROLL CALL:

CHAIR:	WAYNE ABARE
VICE-CHAIR:	LIZ RITTER
BOARD MEMBERS:	GEORGE FOSTER
	DOUG DIAL (Listening Virtually)
	MARY HOFMEISTER (Excused)
ALTERNATE:	SUSAN SHORTMAN (Voting for Member Hofmeister)
ALTERNATE:	JEFF RINEHART (Voting for Member Dial)
ACTING BOARD SECRETARY:	RICHARD KOHLER

ADDITIONAL ATTENDEES:

TOWN PLANNER: TOD MOWREY (Virtual)

INTERIM TOWN MANAGER: LISA MORRELL

3. ADDITIONS/DELETIONS/CHANGE:

Chair Abare states that due to Secretary Sherear's excused absence, after the public hearing he will end the meeting.

4. CONSENT AGENDA: 1

4.a. Approval of Minutes	a. Planning and Zoning Meeting – 08/26/2020
Exhibit:	Agenda Report No.4. a
Recommendation:	Request Approval

Motion: Vice Chair Ritter / Chair Abare to approve as presented.

Vote: All Ayes, Motion Carried 5 to 0.

5. PUBLIC HEARING: 0

6. ACTION: 1

6.a. Review Site Plan for Commercial Development & make Recommendation to Council.	
Exhibit:	Agenda Report No.6. a.

Chair calls the project Engineer to the podium.

Engineer Vaheed Teimouri states that this project is an addition to the existing Route 1 Motor Sports location. It will be an additional storage and display area for their products. We will develop this site independently so that it could be sold independently of the main building in the future. There will be no additional employees, and it will add parking and landscaping to the existing lot,

as well as make the property more accessible to emergency vehicles. We have received the comments from staff, most of them from the Town Planner. We have identified and solved issues regarding lighting and landscaping. The biggest issue we see is if we need a turn lane. We are looking for a specified engineer to do a traffic study.

Chair asked acting Board Secretary Kohler if this property would meet the requirements for a turn lane.

Secretary Kohler explained that the site would not meet the Town of Malabar's requirements of 500 expected trips per day, but the site will be on a State road, so the FDOT rules and regulations would need to be met.

Chair Abare explains this process is only Malabar's approval. He asked about the landscaping requirements on the east side of the property.

Teimouri states that he will fix the issues discussed here before it is sent to Council.

Vice Chair Ritter asked engineer if the traffic study will be done during the busy winter months or slow summertime?

Engineer states that he will leave that decision up to FDOT, but generally they focus on morning and evening trip counts, not seasonal.

Chair asked about the lighting detail.

Engineer states it is provided on page C3 of the site plan.

Chair states that he has provided the retention pond, waste disposal and parking.

Chair states that the landscaping seems to be the only standing issue.

Engineer states that he has discussed a solution with the Town Planner of putting up a 6-foot vinyl fence instead of an 8-foot-high block wall, and extra trees.

Vice Chair asks if the engineer has considered the possibility of Malabar Road being expanded.

Engineer states he will worry about that when the time comes. He will develop the property as it stands today.

Chair reminds the board that the applicant has met all the Town's setback requirements.

Chair asks the applicant if there will be a bathroom in the new facility.

Owner states that there will be restrooms, and it will also have its own well.

Chair states that as a condition of approval, the engineer needs to solve a unity of title issue.

Engineer states that each unit of the business will have its own title.

Board Member Foster states that he supports this proposal. He believes the owner is going above and beyond and has demonstrated time and time again that he is a good steward of business in our Town.

Board Member Shortman states her support for the plan. Expanding businesses are great for Malabar. She reviewed these plans very thoroughly and was impressed. Everything was provided for.

Board Member Reinhart thanks the Owner for opening shop in Malabar and makes a motion to approve.

Motion: **Reinhart/Ritter Motion to approve the site plan for commercial development of multiple parcels located at 2740 Malabar Road also known as Route 1 Motorsports with two conditions:**

- **Resolve landscaping dispute on the eastern edge of the property with Town Staff**
- **Resolver the Unity of Title issue with Town Staff.**

ROLL CALL VOTE:

- George Foster: Aye**
- Wayne Abare: Aye**
- Liz Ritter: Aye**
- Susan Shortman: Aye**
- Jeff Reinhart: Aye**

7. DISCUSSION: 2

- 7.a. Ordinance 2020-12 Table 1-3.3(A) – Debby Franklin, Town Clerk/Treasurer**
Exhibit: Agenda Report No.7.a
Recommendation: Discussion

REMOVED FROM AGENDA PER CHAIR

- 7.b. Discuss Local Regulations for Mobile Food Vendors**

REMOVED FROM AGENDA PER CHAIR

8. ADDITIONAL ITEMS FOR FUTURE MEETING:

- 9. PUBLIC: None**

10. OLD BUSINESS/NEW BUSINESS:

Old Business:

New Business:

- **Next Regular Meeting- September 23, 2020**

11. ADJOURN

There being no further business to discuss

MOTION Shortman/Reinhart: Vote: All Ayes. The meeting adjourned 7:31 PM.

BY:

Wayne Abare Chair

Richard W. Kohler, Acting Board Secretary
presented/corrected:

Date Approved: as

TOWN OF MALABAR
PLANNING AND ZONING BOARD

AGENDA ITEM NO: 7a
Meeting Date: September 23, 2020

Prepared By: Richard W. Kohler, Acting P&Z Board Secretary

SUBJECT: Ordinance 2020-12 Amending District Provisions Table 1-3.3(A)

BACKGROUND/HISTORY:

This item was on the last two meeting agendas and was tabled at the 8.26 Planning and Zoning Board Meeting by a motion from Vice-Chair Ritter and Board Member Hofmeister and removed from the 9.09 agenda by Board Chair Abare. Town Clerk Franklin is requesting the Planning and Zoning Board make a recommendation to Council on this Ordinance. This Ordinance provides for a minimum square footage of 1,200 for single family homes in RM-6, RM-4 & R/LC zoning districts.

ATTACHMENTS:

Ordinance 2020-12

Package from Debby Franklin, C.M.C., Town Clerk/Treasurer

ACTION OPTIONS: Discussion/Recommendation to Council

TOWN OF MALABAR

MEMORANDUM

Date: September 3, 2020 2020-TC/T-037
To: Denine Sherear, Bldg. Dept. Manager, P&Z Board Secretary
From: Debby K. Franklin, C.M.C., Town Clerk/Treasurer
Ref: Upcoming Action for Council

While reviewing the recent recommendation from P&Z related to tiny homes, the Attorney noticed that the minimum square footage for single family homes in RM-6 and R/LC was missing from the Table 1-3.3(A). RM-4 also permits single family homes but does not specify a minimum square footage. The attached ordinance provides for a minimum square footage of 1,200 for single family homes in these Zoning classifications.

There is also a conflict between the language in the Comprehensive Plan for commercial development in R/LC which states in the narrative that it shall not exceed 4,000sf. The Attorney has stated that the Table 1-3.3(A) should be corrected to delete the .20 percent. That will eliminate the conflict between the narrative in the Comp Plan and in Article III, District Provisions of the Land Development Code.

This ordinance would correct these two issues. A separate ordinance is being created to address the tiny homes specifically.

ORDINANCE 2020-12

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE AMENDMENT TO ARTICLE III, DISTRICT PROVISIONS, SECTION 1.3.3, TABLE 1-3.3(A) OF THE LAND DEVELOPMENT CODE, PROVIDING CORRECT LANGUAGE FOR THE MINIMUM LIVING AREA OF 1,200 SQUARE FEET FOR SINGLE FAMILY HOMES IN RESIDENTIAL/LIMITED COMMERCIAL (R/LC) RM-4 AND RM-6 ZONING; REMOVING MAXIMUM BUILDING COVERAGE 0.20 FOR COMMERCIAL USE IN R/LC; PROVIDING FOR CODIFICATION AND REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Town Council has determined there is a need to clarify Table 1-3.3(A) of Article III, District Provisions, to state that 1,200 is the minimum square footage for single family homes in Residential/Limited Commercial (R/LC) RM-4 and RM-6 zoning; and

WHEREAS, The Town Council has determined there is a need to eliminate the conflict in Table 1-3.3(A) of Article III, District Provisions, by deleting the 0.20 in the *Maximum Building Coverage* column for R/LC as the maximum floor area is stated as 4,000 square feet for commercial development in Residential/Limited Commercial (R/LC); and

WHEREAS, The Town Council approved these recommendations upon advice of the Town Attorney.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:

Section 1. Findings. The above statements are correct.

Section 2. Table 1-3.3(A) is hereby amended as directed above. See attached Table 1-3.3(A).

Section 3. Codification. It is the intention of the Town Council of the Town of Malabar, Brevard County, Florida, that the provisions of this ordinance be codified into the next supplement update of the Land Development Code of the Town of Malabar, Florida.

Section 4. Severability. In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder of the ordinance shall not be affected, and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision

Section 5. Conflicts. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict with this Ordinance.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption. This ordinance was moved for adoption by Council Member _____. This motion was seconded by Council Member _____, and being put to a vote, the vote was as follows:

Council Member District 1 Grant Ball _____
Council Member District 2 Brian Vail _____

TABLE 1-3.3 (A) SIZE AND DIMENSION REGULATIONS See numbered Notes below

Zoning District	Minimum Lot (1)			Maximum Height (ft./stories)	Min Sq Ft Living Area Commercial Area	Setback (ft.) from property line or centerline(2)				MISR (%)	MBC	MOS	Maximum Density (units per acre)
	Size (sq. ft.)	Width (ft.)	Depth (ft.)			Front	Rear	Side interior	Side corner				
Rural Residential Development													
RR-65	65,340	150	250	35/3	Single Family:1500	40	30 (7)	30	30	20	N/A	80	1
Traditional Single-Family Residential Development													
RS-21	21,780	120	150	35/3	1,800	35	20	15	15	35	N/A	65	2
RS-15	15,000	100	120	35/3	1,500	30	20	15	15	45	N/A	55	3
RS-10	10,000	75	100	35/3	1,200	25	20	10	10	50	N/A	50	4
R/LC	20,000	100	150	35/3	1,200	25	20	10	10	50	N/A	50	2
RM-4				35/3	1,200								
RM-6				35/3	1,200								
Multiple Family Residential Development and Mixed-Use Development													
RM-4	5-acre min Site	200	200	35/3	Multi Family 1-bedrm 900 2-bedrm 1100 3-bedrm 1300 Ea additional bedrm 120	60	40	40	40	50	N/A	50	4
RM-6	5-acre min Site	200	200	35/3	Multi Family 1-bedrm 500 2-bedrm 700 3-bedrm 900 Ea additional bedrm 120	60	40	40	40	50	N/A	50	6
R/LC Residential	20,000	100	150	35/3	Multi Family 1-bedrm 500 2-bedrm 700 3-bedrm 900 Ea additional bedrm 120	50	25 (5)	10 (4)	20	65	N/A	35	6
R/LC Mixed Use	20,000	100	150	35/3	Commercial Min 900 sf Max: 4,000sf	50	25	10 (4)	20	65	20- N/A	35	6

TABLE 1-3.3 (A) SIZE AND DIMENSION REGULATIONS See numbered Notes below

Zoning	Minimum Lot (1)			Setback (ft.) from property line or centerline (2) See also Note 5					MBC %	MOS %	Maximum Density		
	Lot Size	Width	Depth	Max Height	Floor Area	Front (2)	Rear (5)	Side interior (I)				Side (C)	MISR %
Mobile Home Residential Development													
R-MH	Size: 5 acres Lot: 7000sf	N/A	N/A	N/A	N/A	10	8	8	10	50	N/A	50	6
Office Institutional Development													
OI	20,000	100	150	35/3	Minimum floor Area: 1,000sf	35/60 (2)	25	20	25	65	20	35	N/A
INS	20,000	100	150	35/3	Minimum floor Area: 1,200sf	50	25	20	30	60	20 (6)	40	N/A
Commercial Development													
CL	20,000	100	150	35/3	Minimum floor Area: 900sf Max: 4,000sf	50	25	10(4) 15(3)	20	65	20	35	N/A
CG	20,000	100	150	35/3	Minimum floor Area: 1,200sf Min hotel/motel 300sf ea unit	50	25	20(4) 15(3)	30	65	20	35	N/A
IND	20,000	100	150	35/3	Min 1,200sf	50 (5)	25 (5)	20(5)	30(5)	70	42	30	N/A
CP	No size or Dimension Standards Adopted												

Note 1: Minimum lot size include plus one-half of adjacent public right-of-way.

Note 2: Setbacks determined pursuant to Table 1-3.3(A) or (E) whichever is most restrictive.

Note 3: Setbacks where rear lot line abuts an alley.

Note 4: Setback shall be greater where side property line abuts a district requiring a larger setback on the abutting yard. In such cases the more restrictive abutting setback shall apply.

Note 5: Where any yard of industrial zoned property abuts a residential district, the building setback for such yard shall be 100 feet.

Note 6: Recreation activities Maximum Building coverage shall be 20%

Note 7: Sides and rear may be reduced to 15' for accessory structures only and will increase in proportion with the maximum height of the accessory structure, ie. if the height of the accessory structure is 20 feet, this will equal a 20-foot setback.

Comp. Plan

since such development would be incompatible with existing and anticipated future residential development within or in the vicinity of areas designated "R/LC" on the Future Land Use Map.

1-2.2.6 Policy:

Criteria for the Residential and Limited Commercial Development R/LC Designation. The following criteria for development within the R/LC FLUM designation shall be incorporated into the Town of Malabar Land Development Regulations:

- a. *Percent of Site for Mixed Use Development.* Within the R/LC designation where Residential and Limited Commercial activities are proposed to occupy the same site and/or the same building the following minimum and maximum percentages shall apply:

	Minimum	Maximum
Limited Commercial	20%	90%
Residential	10%	80%

- b. *Limited Commercial Uses.* Limited Commercial uses with the R/LC FLUM designation shall have a minimum floor area of nine hundred (900) square feet and a maximum of four thousand (4,000) square feet.

- c. *Residential Uses.* Single family units shall have a maximum density of four (4) units per acre. Multiple family uses shall have a density no greater than six (6) units per acre. However, any residential site located with a high surficial aquifer area on the Atlantic Coastal Ridge and not served by central water and wastewater shall have a density no greater than two (2) units per acre.

- d. *Minimum Lot Requirements.* Lots within the R/LC FLUM designation shall have a minimum lot size of 20,000 square feet, a minimum width of 100' and a minimum depth of 150'.

Malabar Article III

DISTRICT PROVISIONS

§ 1-3.1

N. *PUD "Planned Unit Development."* The PUD district is established to implement comprehensive plan policies for managing planned unit development. The comprehensive plan incorporates policies encouraging innovative development concepts, including mixed use development. The planned unit development is intended to provide a voluntary framework for coordinating objectives of developers which may require departures from established public policy. The planned unit development district provides a management strategy for negotiating innovative development concepts, design amenities, and measures for protecting natural features of the land. The management process shall promote public and private coordination and cooperation. The land development code incorporates detailed regulations, standards, and procedures for implementing the planned unit development concept.

The planned unit development district shall be available as a voluntary approach for managing specific development characteristics and project amenities to be incorporated in residential, commercial, industrial or mixed use development. Developers who voluntarily participate in the process shall bind themselves as well as their successors in title to the stipulations within the development order approving the planned unit development district.

→ O. *R/LC "Residential and Limited Commercial."* The R/LC district is established to implement comprehensive plan policies for managing development on land specifically designated for mixed use Residential and Limited Commercial development on the Comprehensive Plan Future Land Use Map (FLUM). Such development is intended to accommodate limited commercial goods and services together with residential activities on specific sites designated "R/LC" which are situated along the west side of the US 1 corridor as delineated on the FLUM. For instance, sites within this district are intended to accommodate neighborhood shops with limited inventory or goods as well as single family and multiple family structures with a density up to six (6) units per acre. Commercial activities shall generally cater to the following markets:

- Local residential markets within the town as opposed to regional markets; or
- Specialized markets with customized market demands.
- A Malabar Vernacular Style is required for all development along arterial roadways.

→ Areas designated for mixed use Residential and Limited Commercial development are not intended to accommodate commercial activities with a floor area in excess of four thousand (4,000) square feet, such as large-scale retail sales and/or service facilities or trade activities. These types of commercial activities generally serve regional markets and the intensity of such commercial activities is not generally compatible with residential activities located within the same structure or located at an adjacent or nearby site. Such stores would usually differ from limited commercial shops since the former would usually require a floor area larger than four thousand (4,000) square feet; would generally carry a relatively larger inventory; and require substantially greater parking area. Uses, which are not intended to be accommodated within the ←

SEP 03 2020

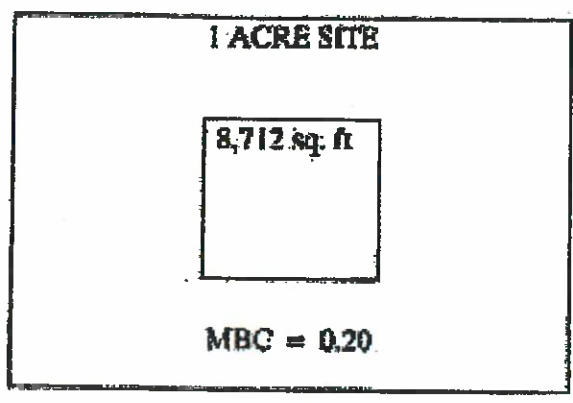
RECEIVED

As per
Chair Wayne
Abare

§ 1-3.3

MALABAR LAND DEVELOPMENT CODE

FIGURE 1-3.3(D). MAXIMUM BUILDING COVERAGE ILLUSTRATION



Maximum building coverage for a MBC of 0.20 = 8,712 sq. ft.

$$\text{MBC} = \frac{\text{Total Building Coverage}}{\text{Total Lot Area}}$$

E. *Principal Structure Setbacks.* Table 1-3.3(A) provides building setbacks for all zoning districts. In addition to these setbacks the required minimum setback shall be measured from the centerline of the right-of-way as in Table 1-3.3(E).

TABLE 1-3.3(E). PRINCIPAL STRUCTURE SETBACKS FROM CENTERLINE OF THOROUGHFARES

<i>Transportation Facility</i>	<i>Building Setback (feet)</i>
Arterial Roadways (150 feet R/W)	100
US 1 Highway	
Malabar Road (SR 514)	
Babcock Street (SR 507)	
Major Collector Streets (100 feet R/W)	85
Corey Road	
Weber Road	
Marie Street	
Jordan Blvd.	
Local Streets (50—60 feet R/W)	65
Minor Collector Streets (70 feet R/W)	75
Atz Blvd.	
Hall Road	
Old Mission Road	
Benjamin (Reese) Road	

TOWN OF MALABAR
PLANNING AND ZONING BOARD

AGENDA ITEM NO: 7a
Meeting Date: September 23, 2020

Prepared By: Richard W. Kohler, Acting P&Z Board Secretary

SUBJECT: Discuss local regulation for Mobile Food Vendors

BACKGROUND/HISTORY:

The Planning and Zoning Board has discussed regulations on Mobile Food Vendors in the past. The focus of the discussion should be related to restricted locations and zoning areas that Mobile Food Vendors may operate in, and what regulations the Town of Malabar may impose on them.

ATTACHMENTS:

Bill CS/SB 474 January 21, 2020 flsenate.gov – Chair Wayne Abare

ACTION OPTIONS: Discussion/Recommendation to Council.

SEP 03 2020

RECEIVED

Submitted
by chair
Wayne
Abare

1. **Public Food Service Establishments BILL CS/SB 474 January 21, 2020**

Present Situation

Section 509.013(5)(a), F.S., defines the term “public food service establishment” to mean:

any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared prior to being delivered to another location for consumption.

The Division of Hotels and Restaurants within the DBPR is the state agency charged with enforcing the provisions of part I of ch. 509, F.S., and all other applicable laws relating to the inspection and regulation of public food service establishments for the purpose of protecting the public health, safety, and welfare.

1. There are several exclusions from the definition of public food service establishment,
2. Any place maintained and operated by a public or private school, college, or university for the use of students and faculty or temporarily to serve events such as fairs, carnivals, and athletic contests.
3. • Any eating place maintained and operated by a church or a religious, nonprofit fraternal, or nonprofit civic organization for the use of members and associates or temporarily to serve events such as fairs, carnivals, or athletic contests.
4. • Any eating place located on an airplane, train, bus, or watercraft which is a common carrier.
5. • Any eating place maintained by a facility certified or licensed and regulated by the Agency for Health Health Care Care Administration or the Department of Children and Families
6. • Any place of business issued a permit or inspected by the Department of Agriculture and Consumer Services under 500.12, F.S..
7. • Any place of business serving only ice, beverages, popcorn, and prepackaged items.
8. • Any vending machine that dispenses any food or beverage other than potentially hazardous foods..
9. • Any research and development test kitchen limited to the use of employees and not open to the general public.

Effect of Proposed Changes

Section 66 of the bill creates s. 509.102, F.S, to preempt the regulation of mobile food dispensing vehicles (food truck) to the state. The bill prohibits local government from requiring a license, registration, or permit to operate a food truck. Under the bill, a local government may also not prohibit the operation of food trucks. It is not clear whether this prohibition applies to local regulation of the locations where a food truck may operate.

Florida lawmakers back deregulation efforts: Sun-sentinel.com

TALLAHASSEE Feb 23, 2020— Local governments would be barred from licensing food truck vendors in their communities, as part of broader deregulation proposals that cleared final House and Senate committees Thursday.

The Senate Appropriations Committee and House Commerce Committee approved similar bills ([SB 474](#) and [HB 1193](#)) that meet part of a call by Gov. Ron DeSantis to scale back occupational regulations

Local governments would be barred from prohibiting the operation of food trucks.

Senate sponsor Ben Albritton, R-Wauchula, said the intent is to eliminate the duplication of state and local licensing requirements. He said local officials will still be able to dictate the hours and locations of food trucks.

Albritton added that while state sanitary rules would be in place for the vehicles, local zoning laws would still be enforceable.

"It is clear in this bill that if the local ordinance or the local perspective is that they do not want these mobile vendors operating in that downtown space, they still have every right and authority to provide for that," Albritton said. "And the local law enforcement or whoever they choose can still enforce that."

The food truck "preemption" drew opposition from the Florida League of Cities.

Jeff Branch, a lobbyist for the league, said after the meeting that local governments should be able to know who is operating in their communities. Branch added that even requiring the vendors to register without a charge would save time for local code enforcement and law enforcement.

"If they're aware of our regulations, they [the vendors] are less likely to get a zoning violation," Branch said.

Senate Minority Leader Audrey Gibson, D-Jacksonville, questioned the wisdom of the food-truck regulation changes.

"In cities and counties where the food trucks operate, it is the requirement of the locals to make sure that those trucks are operating safely, that they are operating in a sanitary manner," Gibson said.

Gibson added that the changes would reduce local revenue generated by small businesses.

"By preempting everything to the state, it goes to the state," she said.

DeSantis has repeatedly called for scaling back occupational licensing requirements.

"We feel this is going to put success more in the hands of folks and not have a guild mentality where you're trying to keep people out," DeSantis told reporters Thursday.