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HB 1467

2023 Legislature

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An act relating to the City of Kissimmee, Osceola County; creating an overlay district; providing a short title; providing boundaries; providing an exception to general law; requiring the Division of Alcohol Beverages and Tobacco of the Department of Business and Professional Regulation to issue special alcohol beverage license to certain restaurant establishments meeting specified space, seating, and minimum gross revenues requirements; providing penalties for any licensee that fails to meet such requirements; prohibiting subsequent licensure application for a specified period; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. There is created an overlay district in the City of Kissimmee known as the Vine Street Community Redevelopment District, more particularly described as follows:

A parcel of land lying within Sections 13 & 24, Township 25 South, Range 28 East, Sections 14 through 23, Township 25 South, Range 29 East, Osceola County, Florida; all Plat Book and Pages and Official Record

ENROLLED

HB 1467

2023 Legislature

26 Book and Pages referenced within this legal are all
 27 found in the Public Records of Osceola County,
 28 Florida; and being more particularly described as
 29 follows:
 30 Begin at the Northeast corner of Lot 2, VALENCIA PARK,
 31 Plat Book 7, Page 101; thence East, along the Easterly
 32 extension of the North line of said Lot 2 to the East
 33 Right of Way line of Denn John Lane; thence South
 34 along the East Right of Way line of Denn John Lane to
 35 the South line of WINDSOR OAKS, Plat Book 8, Page 42;
 36 thence departing said East line, run East, along the
 37 South line of WINDSOR OAKS and the South Right of Way
 38 line of Columbia Avenue, as shown on SPRINGTREE
 39 CROSSING, Plat Book 5, Page 25 to the East line of
 40 Section 14, Township 25 South, Range 29 East; thence
 41 departing said South Right of Way line, run South
 42 along said East line to the North Right of Way line of
 43 Old Boggy Creek Road; thence departing said East line,
 44 run West, along said North Right of Way line, to a
 45 point being due North of the West boundary line of the
 46 Osceola Memorial Gardens as described in the Warranty
 47 Deed recorded in Official Records Book 261, Page 763;
 48 thence departing said North Right of Way line, run
 49 South, along the West boundary line of said deed and
 50 its Southerly extension, to the Southerly Right of Way

ENROLLED

HB 1467

2023 Legislature

51 line of US Highway 441 and 192; thence Northwesterly,
 52 along said Southerly Right of Way line, to a point on
 53 the East boundary line of Parcel 1D as described in
 54 Warranty Deed recorded in Official Records Book 4401,
 55 Page 164, said line, also labeled as Osceola County
 56 Property Appraisers Parcel ID as 23-25-29-00U0-0058-
 57 0000, thence departing said Southerly Right of Way
 58 line, run Southwesterly, along said East boundary
 59 line; thence West, along said South, boundary line, to
 60 a point on the East line of Osceola County Property
 61 Appraisers Parcel ID 23-25-29-00U0-0050-0000; thence
 62 South, along said East line, to the South line of the
 63 Northeast ¼ of the Northeast ¼ of Section 23, Township
 64 25 South, Range 29 East; thence West, along said South
 65 line, said line, also being the South line of
 66 NORTHSHORE PLAZA REPLAT, Plat Book 23, Page 121, to a
 67 point on the West line of said NORTHSHORE PLAZA
 68 REPLAT; thence North, along said West line, to a point
 69 on the South line of Lot 5, Block I, KISSIMMEE
 70 GARDENS, Plat Book 1, Page 32; thence departing said
 71 West line, run West, along said South line, to a point
 72 on the West line of said Block I; thence North, along
 73 said West line, to a point on the South Right of Way
 74 line of U.S. Highway No. 441 and 192, thence West,
 75 along said South Right of Way line, to a point on the

ENROLLED

HB 1467

2023 Legislature

76 East boundary line of a Warranty Deed recorded in
 77 Official Records Book 4317, Page 1737 said point also
 78 being the West line of Mill Slough Canal; thence
 79 departing said South Right of Way line, run
 80 Southwesterly, along the West line of Mill Slough
 81 along the following Official Records Book 4317, Page
 82 1737; Book 1719, Page 922 and Book 1239, Page 2698, to
 83 a point on the East line of MILL CREEK MALL, Plat Book
 84 11, Pages 104-105; thence Southwesterly, along the
 85 boundary of said MILL CREEK MALL, to the intersection
 86 of the West line of Mill Slough and MILL CREEK MALL,
 87 said point also being the Easterly boundary line of a
 88 Quit Claim Deed recorded in Official Records Book 943,
 89 Page 1452; thence departing said MILL CREEK MALL
 90 boundary line, run Southwesterly, along said East
 91 boundary line of said deed, to the Government Meander
 92 line of Lake Tohopekaliga; thence Northwesterly along
 93 said Government Meander line to the West line of
 94 Section 23, Township 25 South, Range 29 East; thence
 95 North along said West line to the Easterly Right of
 96 Way line Oak Street; thence Southwesterly along said
 97 Easterly Right of Way line to a point on the East
 98 boundary line of a Special Warranty Deed recorded in
 99 Official Records Book 3722, Page 995; thence South
 100 along said East boundary line to the Government

ENROLLED

HB 1467

2023 Legislature

101 Meander line; thence Southwesterly along said
 102 Government Meander line to the East boundary line of
 103 said Special Warranty Deed recorded in Official
 104 Records Book 1165, Page 2403; thence North along said
 105 East boundary line to the South Right of Way line of
 106 Oak Street; thence North to the Southeast corner of
 107 Tract C, HERITAGE SQUARE, Plat Book 5, Page 58; thence
 108 West along the North Right of Way line of Oak Street
 109 to the East Right of Way line of the Central Florida
 110 Commuter Rail Transit - SunRail; thence departing said
 111 North Right of Way line, run Northerly along said East
 112 Right of Way line to the intersection of the North
 113 Right of Way line of Vine Street/U.S. Highway No. 441
 114 and 192 with the East Right of Way line said Central
 115 Florida Commuter Rail Transit - SunRail; thence
 116 departing said East Right of Way line, run Westerly
 117 along said North Right of Way line to the West Right
 118 of Way line of Central Avenue; thence departing said
 119 North Right of Way line, run South, along said West
 120 Right of Way line to the North Right of Way line of
 121 Oak Street; thence departing said West Right of Way
 122 line, run West, along said North Right of Way line to
 123 the East Right of Way line of Mann Street; thence
 124 departing said North Right of Way line, run
 125 Southwesterly to the Northeast corner of Lot 1, Block

ENROLLED

HB 1467

2023 Legislature

126 A, PALM PARK, Plat Book 1, Page 127, said point also
 127 being on the South Right of Way line of Oak Street;
 128 thence West, along said South Right of Way line to the
 129 West Right of Way line of Dyer Boulevard; thence
 130 North, along said West Right of Way line to the South
 131 line of Lots 13 & 14, KISSIMMEE EXECUTIVE PARK, Plat
 132 Book 2, Page 206; thence departing the West Right of
 133 Way line, run West, along said South line to the East
 134 Right of Way line of Collins Drive; thence departing
 135 said South line, run South, along said East Right of
 136 Way line to the North line of T & H HOLDINGS, Plat
 137 Book 20, Page 117; thence departing said East Right of
 138 Way line, run West, along said North line to the East
 139 line of Lot 2, GASPERONI CENTER PHASE 2, Plat Book 13,
 140 Page 49; thence South, along said East line to the
 141 Southeast corner of said Lot 2; thence departing said
 142 East line, run West, along said South line to the West
 143 Right of Way line of Armstrong Boulevard; thence
 144 departing said South line, run North, along said West
 145 Right of Way line to a point on the South line of
 146 lands described in Warranty Deed recorded in Official
 147 Records Book 5911, Page 426; thence departing said
 148 West Right of Way line, run West, along the South line
 149 of said Warranty Deed recorded in Official Records
 150 Book 5911, Page 426 to the West boundary line of said

ENROLLED

HB 1467

2023 Legislature

151 lands; thence departing said boundary line, run the
 152 following six (6) courses and distances according to
 153 the Special Warranty Deed recorded in Official Records
 154 Book 2617, Page 962; thence West, along the North line
 155 of a parcel of land described in Official Records Book
 156 258, Page 132, a distance of 144.65 feet; thence
 157 South, along the North line of a parcel described in
 158 Official Records Book 258, Page 132, a distance of
 159 91.00 feet; thence S58°27'55"W, along the North line
 160 of a parcel described in Official Records Book 258,
 161 Page 132, a distance of 258.12 feet; thence West,
 162 along the North line of a parcel described in Official
 163 Records Book 258, Page 132, a distance of 115.00 feet;
 164 thence S59°02'10"W, along the North line of a parcel
 165 described in Official Records Book 258, Page 132, a
 166 distance of 174.93 feet; thence West, along the North
 167 line of a parcel described in Official Records Book
 168 258, Page 132, a distance of 40.57 feet to the East
 169 Right of Way line of Hoagland Boulevard; thence
 170 continue West along the Westerly extension of said
 171 South line to the West Right of Way line of said
 172 Hoagland Boulevard; thence Northerly, along said West
 173 Right of Way line to the North Right of Way line
 174 McClellan Street; thence departing said West Right of
 175 Way line, run West, along the North Right of Way line

ENROLLED

HB 1467

2023 Legislature

176 of said McClellan Street to the East line of the lands
 177 described in Warranty deed recorded in Official
 178 Records Book 2987, Page 57; thence departing said
 179 North Right of Way line, run North, along said East
 180 line to the North line of the North line of the South
 181 ½ of the Northwest ¼ of the Northeast ¼ of said
 182 Section 19 as described in said Official Records Book
 183 2987, Page 57; thence departing said East line, run
 184 West, along said North line to the West line of lands
 185 described in Official Records Book 822, Page 2934;
 186 thence departing said North line, run South, along
 187 said West line to the North line of McClellan Street;
 188 thence departing said West line, run West, along the
 189 Westerly extension of the North line of McClellan
 190 Street to the East line of the Northwest ¼ of
 191 aforesaid Section 19; thence departing the North line
 192 of said Westerly extension of the North Right of Way
 193 line of McClellan Street, run North, along said East
 194 line to the South Right of Way line U.S. Highway No.
 195 441 and 192; thence departing said East line, run
 196 West, along said South Right of Way line to the West
 197 line of the Northeast ¼ of the Northwest ¼ of said
 198 Section 19; thence departing said South Right of Way
 199 line, run South, along said West line to the North
 200 line of PARADISE COVE, Plat Book 16, Page 97; thence

ENROLLED

HB 1467

2023 Legislature

201 departing said East line, run West, along said North
 202 line to the West Right of Way line of Bass Road;
 203 thence departing said North line, run North, along
 204 said West Right of Way line to the South line of
 205 KISSIMMEE CHICK-FIL-A REPLAT, Plat Book 22, Page 46;
 206 thence departing said East Right of Way line, run
 207 West, along the South line of said Easterly extension
 208 and South line of the said KISSIMMEE CHICK-FIL-A
 209 REPLAT and the South line of KISSIMMEE WAL-MART #817,
 210 Plat Book 9, Page 3 to the Southwest Corner of said
 211 KISSIMMEE WAL-MART #817; thence departing said South
 212 line, run North, along the West line of said KISSIMMEE
 213 WAL-MART #817 to a point on the South Right of Way
 214 line of Oren Brown Road; thence departing said West
 215 line, run West, along said South Right of Way line to
 216 the East Right of Way line of South Roma Way; thence
 217 departing said East Right of Way line, run
 218 Northwesterly to the West line of MEDIEVAL TIMES, Plat
 219 Book 18, Page 22, said point also being the West line
 220 of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13,
 221 Township 25 South, Range 28 East, said point also
 222 being on the North Right of Way line of Oren Brown
 223 Road; thence departing said North Right of Way line,
 224 run North, along said West line, to a point on the
 225 South line of the North 934.00 feet of the Northwest $\frac{1}{4}$

ENROLLED

HB 1467

2023 Legislature

226 of the Southeast ¼ of said Section 13 as referenced in
 227 Official Records Book 6100, Page 1632; thence East,
 228 along said South line, to a point on the Westerly
 229 Right of Way line of U.S. Highway 192-State Road 530;
 230 thence Southerly and Easterly, along said Westerly and
 231 Southerly Right of Way line to a point being the
 232 Southerly extension of the West boundary line as
 233 described in Warranty Deed recorded in Official
 234 Records Book 1664, Page 842; thence North, along said
 235 West boundary line, to the North line of said
 236 described lands; thence East, along said North
 237 boundary line, to the East line of said described
 238 lands; thence South, along said East boundary line, to
 239 the South Right of Way line of U.S. Highway 192-State
 240 Road 530, said point being a Southerly extension of
 241 the East boundary line of said deed; thence departing
 242 said East line, run East, along said South Right of
 243 Way line to the East line of said Section 13; thence
 244 departing said South Right of Way line, run North,
 245 along said East line, to a point on the North Right of
 246 Way line of U.S Highway 192-State Road 530, said point
 247 also being a Westerly extension of the South line of
 248 CALOIARO COMMERCE CENTER, Plat Book 22, Page 35;
 249 thence departing said East line, run East, along said
 250 North Right of Way line and said South line, to a

ENROLLED

HB 1467

2023 Legislature

251 point on the West line of KISSIMMEE OAKS A REPLAT,
 252 Plat Book 9, Page 86; thence departing said North
 253 Right of Way line, run thence Northwesterly, along
 254 said West line, to a point on the Southerly line of
 255 CITRUS ESTATES, Plat Book 4, Page 68; thence
 256 Southwesterly, along said Southerly line, to a point
 257 on the East Right of Way line of Old State Road
 258 530/Old Vineland Road; thence Northwesterly, along
 259 said East Right of Way line, to the Northerly line of
 260 said CITRUS ESTATES; thence departing said East Right
 261 of Way, run Easterly, along the North line of CITRUS
 262 ESTATES, to the East line of Section 13, Township 25
 263 South, Range 28 East; thence North, along said East
 264 line, to a point on the North boundary line of a
 265 Warranty Deed recorded in Official Records Book 5983,
 266 Page 2414; thence the following two (2) courses and
 267 distances, as described in said Warranty Deed; thence
 268 East, a distance of 218.17 feet; thence S32°34'East, a
 269 distance of 401.80 feet to the Northeast corner of Lot
 270 1, KISSIMMEE OAKS A REPLAT, Plat Book 9, Page 86;
 271 thence Southeasterly, along the East line of said Lot
 272 1 to a point on the North boundary line of a Special
 273 Warranty Deed recorded in Official Records Book 6183,
 274 Page 1536; thence N85°25'12"East, along the South line
 275 of Yates lands, 789.39 feet to the Westerly line of

ENROLLED

HB 1467

2023 Legislature

276 Yates Road (as described in Official Records Book
 277 6183, Page 1536); thence departing said Westerly Right
 278 of Way line, continue Easterly to the East Right of
 279 Way line of Yates Road; thence North, along said East
 280 Right of Way line to the North line of the South ½ of
 281 the Northwest ¼ of the Southeast ¼ of the Southwest ¼
 282 of Section 18, Township 25 South, Range 29 East, as
 283 referenced in Official Records Book 3371, Page 2063;
 284 thence departing said East Right of Way line, run
 285 East, along said North line to the West line of the
 286 Northeast ¼ of the Southeast ¼ of the Southwest ¼ of
 287 said Section 18; thence departing said North line, run
 288 North, along said West line to the North line of the
 289 Northeast ¼ of the Southeast ¼ of the Southwest ¼ of
 290 said Section 18; thence departing said West line, run
 291 East, along said North line to the West line of Tract
 292 B, SHINGLE CREEK PLAZA, Plat Book 7, Page 2; thence
 293 departing said North line, run Northerly, along the
 294 West line of said Tract B to the Northwest corner of
 295 said Tract B; thence departing said West line, run
 296 Easterly and Southerly, along the North line Tract B
 297 to the East line of Tract B and West line of Lot 3,
 298 SHINGLE CREEK PLAZA; thence departing said North Line
 299 of Tract B, run South, along said West line of Lot 3
 300 to the South line of said Lot 3; thence departing said

ENROLLED

HB 1467

2023 Legislature

301 West line, run East, along said South line to the West
 302 line of FOXHALL PHASES 1, 2, & 3, according to
 303 Official Records Book 710, Page 574 and Official
 304 Records Book 754, Page 1102; thence continue East,
 305 along said South line of FOXHALL PHASES 1, 2, & 3 to
 306 the West Right of Way line of Hoagland Boulevard;
 307 thence departing said West Right of Way line, run
 308 Northeasterly to the Southwest corner of Lot 10,
 309 OSCEOLA SQUARE, Plat Book 4, Page 146, said point also
 310 being the intersection of the East Right of Way line
 311 of Hoagland Boulevard and the North Right of Way line
 312 of Columbia Avenue; thence departing said East Right
 313 of Way line, run Easterly, along the North Right of
 314 Way line of Columbia Avenue to the West line of CROSS
 315 ROADS PLAZA, Plat Book 20, Page 70; thence departing
 316 said North Right of Way line, run North, along said
 317 West line to the North line of said CROSS ROADS PLAZA;
 318 thence departing said West line, run East, along said
 319 North line to the East Right of Way line of Thacker
 320 Avenue; thence departing said North line, run South,
 321 along said East Right of Way line to the North Right
 322 of Way line of Columbia Avenue; thence run Easterly,
 323 Northerly & Easterly, along said North Right of Way
 324 line of Columbia Avenue to a point on the East Right
 325 of Way line of Main Street; thence South, along said

ENROLLED

HB 1467

2023 Legislature

326 East Right of Way line to the North Right of Way line
 327 of Columbia Avenue; thence departing said East Right
 328 of Way line, run East, along said North Right of Way
 329 line to the West Right of Way line of Michigan Avenue;
 330 thence departing said West Right of Way line, run
 331 Southeasterly to a point on the East Right of Way line
 332 of Michigan Avenue, said point also being the
 333 Northwest corner of lands described in Official
 334 Records Book 257, Page 434; thence departing said East
 335 Right of Way line, run East, along the North line of
 336 said lands described in Official Records Book 257,
 337 Page 434, said North line also being the South line of
 338 the North ½ of the Southwest ¼ of Section 14, Township
 339 25 South, Range 29 East; thence continue East, along
 340 the South line of the North ½ of the Southwest ¼ of
 341 said Section 14 to the Southwest corner of Tract C,
 342 PEBBLE CREEK ADDITION, Plat Book 4, Page 178; thence
 343 continue East, along the South line of said Tract C to
 344 the Southeast corner of said Tract C, said point also
 345 being the West line of VALENCIA PARK, Plat Book 7,
 346 Page 101; thence run Northerly, along the West
 347 boundary line of said VALENCIA PARK to the North line
 348 of said VALENCIA PARK; thence departing said West
 349 boundary line, run East, along said North line to the
 350 Northeast corner of Lot 2, VALENCIA PARK; thence

ENROLLED

HB 1467

2023 Legislature

351 departing said North line, run Southerly and Easterly
 352 along the boundary of said Lot 2 to the Point of
 353 Beginning.

354
 355 Section 2. Notwithstanding s. 561.20(1), Florida Statutes,
 356 the Division of Alcoholic Beverages and Tobacco of the
 357 Department of Business and Professional Regulation shall issue a
 358 special alcoholic beverage license to a bona fide restaurant in
 359 the Vine Street Community Redevelopment District described in
 360 section 1 that is licensed by the division, occupies at least
 361 1,800 square feet of contiguous space, is equipped to serve
 362 meals to at least 80 persons at one time, and derives at least
 363 51 percent of its gross food and beverage revenue from the sale
 364 of food and nonalcoholic beverages during the first 60-day
 365 operating period and each 12-month operation period thereafter.
 366 Failure of any licensee issued a special license to meet the
 367 required percentage of food and nonalcoholic beverage gross
 368 revenue during the covered operating period shall result in the
 369 revocation of the license or denial of the pending application
 370 for a permanent license of a licensee operating with a temporary
 371 license. A licensee whose license is revoked, or an applicant
 372 whose pending application for a permanent license is denied, or
 373 any person required to qualify on the special alcoholic beverage
 374 license application, is ineligible to have any interest in a

ENROLLED

HB 1467

2023 Legislature

375 | subsequent license application for such license for a period of
376 | 120 days after the date of the final denial or revocation.

377 | Section 3. This act shall take effect upon becoming a law.