

# State Laws that Shape our Communities

Neighborhood schools and bars are largely a thing of the past thanks to state laws

By Mark Schnell



There was a time in America when children walked to school and (some) adults walked to their neighborhood bar. Come to think of it, there was a time in

America when people walked more than just the distance to their car.

In a recent column for The Seaside Times, I discussed how the Walton County Land Development Code prevents the creation of walkable urbanism that people love (in all but the larger planned communities). The example I used was downtown Grayton Beach. The current laws would not allow it to be replicated today. Unfortunately, this is a very common situation across the entire country.

A land development code is specifically written to govern how we design and build our communities, but there are other, more surprising laws on the state level that also affect the shape and function of our communities.

Most of us who enjoy an occasional adult beverage have at some point in life found a perfect neighborhood bar. It's your very own Cheers, the fictional Boston bar in the '80s TV show of the same name. (It was modeled after a real establishment named the Bull and Finch Pub.) With any luck, you live close enough that you can walk to this local hangout where... you guessed it... everybody knows your name.

But Cheers — both the real life and TV version — serves food along with alcoholic beverages, which makes it more of a pub or tavern.

A pure and simple bar might serve nuts or some kind of snack mix, but that's often the only food. I love a real honest-to-goodness bar like that, but sadly they are in short supply here in Walton County.

You might wonder: why are bars (that do not serve food) in short supply in a Florida county that depends on tourism? It doesn't make much sense. The answer lies within the State of Florida statutes: Title XXXIV Chapter 561.

A true bar requires a "Consumption on Premises" license, or COP for short. A COP license is considered a "quota" license because the number of such licenses is limited by the population of the county. By state statute, there is one quota license for every 7,500 people in a county. (Licenses to sell packaged alcoholic beverages — such as in a liquor store — are also considered quota licenses.)

(Several other states also have caps on the number of liquor licenses. New Jersey has the most restrictive, at one restaurant license per 3,000 people and one package

store license per 7,500 people.)

According to the United States Census Bureau, Walton County had an estimated population of 71,375 in 2018, but it was only 55,043 at the time of the last census in 2010. Based on population alone, this suggests that there are only seven or so quota licenses in Walton County. (Please note that I don't know the exact number of licenses. This might not include licenses that were grandfathered.)

According to the Walton County Tourist Development Council, the county hosts over three million tourists every year. This is the heart of the problem: small county population and a huge number of tourists.

And here's where it gets really interesting: one can buy and sell quota licenses on the open market. I've been told that a quota license in Walton County can be purchased on the open market for approximately \$475,000. That number is substantially lower in surrounding counties, which also have a large number of tourists, but have more licenses

thanks to a larger full-time population. A license purchased from the state costs less than \$2,000, but we won't have that opportunity again until after the next census when more licenses are released through a lottery.

So if you want to open a bar (and there's part of me that has always wanted to do that — whether it's a good idea or not), you either need very deep pockets or very good luck.

Obviously people are still getting their liquor drinks, but it almost always happens in a bar that's within a restaurant. Again, per Florida statute, a restaurant can get a liquor license in the following situation:

"The limitation of the number of licenses as provided in this section does not prohibit the issuance of a special license to... A food service establishment that has 2,500 square feet of service area, is equipped to serve meals to 150 persons at one time, and derives at least 51 percent of its gross food and beverage revenue from the sale of food and non-

Urban Design cont. page 10



The Seaside Neighborhood School illustrates how a school can be integrated into a neighborhood and use less land than a typical school. Photo courtesy Seaside archives

**BUD & ALLEY'S**  
Good Food. Good People. Good Times.  
SEASIDE, FLORIDA

**Good Food. Good People. Good Times.**  
*Breakfast, Lunch and Dinner.*

BudandAlleys.com  
850.231.5900

★ Best Rooftop Bar  
Coastal Living Magazine

## Three Great Restaurants on the Beach

★ BUD & ALLEY'S ★  
**TACO BAR**  
★ TACOS, TEQUILA & CERVEZA ★  
Seaside, Florida

850.231.4781

BUD & ALLEY'S  
**PIZZA BAR + TRATTORIA**  
WOOD FIRED  
Seaside, Florida

850.231.3113

## FOOD

## A Summer of Seafood

*Fresh, local and tasty, the seafood in SEASIDE® is worth diving into*

By Susan Benton

Beach town, waterfront neighborhood, New Urbanism designed community — call Seaside what you want, but many locals like myself call this special place home.

It doesn't matter if you actually own a dwelling in the coastal escape of Seaside, the town was built for lasting memories to be created. And it holds a place near and dear to my heart, and to all who visit.

There is a sense of connectedness to the lush outdoors, front porches, picket fences and to the brick lined streets. It makes it hard to meet a stranger, especially come summertime when swimmers and sun worshipers flock to the sugar white sand beaches and crystal blue waters of the Gulf of Mexico.

When hunger strikes, those in the know are looking for bonafide seafood that comes from our local waters for consumption. For many, life's most intimate details can come flooding back at the sight, smell and taste of a particular food, especially in the summer, the season for nostalgia.

Like others who have traveled to the Gulf Coast before, just opening a pack of saltines or buttery captain's wafers will evoke fond memories of childhood beach trips and vacation dinners that include slurping cold briny oysters from their shells, devouring lump crab cakes, grouper sandwiches and royal red shrimp served steamed.

Researchers suggest that when we associate foods with happy memories, the effects are profound, impacting how good we think foods taste as well as how good those foods make us feel.

Guided by instincts for the best eats,

I've tracked down the feel-good seafood dishes for the summer in Seaside, and here are a few of my favorites.

#### Bud & Alley's Pizza Bar + Trattoria

Don't let the name fool you, Bud & Alley's Pizza Bar + Trattoria does serve some of the best pies and pasta dishes in South Walton, along with the tastiest fried Mahi fish sticks. But, it's the oysters that have me coming back for more, as they are sourced right down the road in Panacea, and served chilled by the dozen with cocktail and mignonette sauces, along with a wedge of lemon. Make sure to grab a seat on the outside patio to catch the salty breeze billowing in from the Gulf as you slurp down the plump and briny bivalves.

#### 45 Central Wine & Sushi Bar

Chef Jim Shirley owns a bevy of top-notch area restaurants, and 45 Central is my go to for great wines by the glass, tapas and small plates. Known as the hot spot for adult dining and for the daily happy hour from 4 to 6 p.m., 45 Central is also the place to find the freshest sushi for those in search of their fix. Make sure to try my favorite Kelli Roll made with ginger panko fried shrimp, spicy tuna, cream cheese and avocado.

#### The Shrimp Shack

Though the lobster roll at the Shrimp Shack had me at hello, the best menu item in my opinion is the peel-and-eat steamed royal red shrimp. They are unique to our area, and live in the very deep water over 100 miles offshore in the Gulf of Mexico. The Shrimp Shack serves them perfectly



The Kelli Roll at 45 Central Wine & Sushi Bar is a fan favorite.

cooked with warm drawn butter, fingerling potatoes and corn on the cob. These beautiful crustaceans have a taste that is succulent and sweet.



The Shrimp Shack serves up fresh shrimp and lobster rolls, refreshing on a summer's day.

#### Bud & Alley's Waterfront Restaurant

Blue crabs are one of the most popular sources of food for many coastal communities, and quite popular in Northwest Florida, too. The crustacean's scientific name is Callinectes sapidus, which translates to "savory beautiful swimmer." Prized for their sweet, delicate flavor and tender meat, my favorite way to consume them is in the form of a (no filler) jumbo lump crab cake, like those served at Bud & Alley's. Plan to order and consume this dish while sitting on the rooftop deck watching the sun dip below the horizon at sunset. It's pure bliss.

#### Modica Market

The last thing you want to do is spend hours in the kitchen while on vacation making meals for the family. That's where Modica Market comes in. This one-stop shop offers a large selection of prepared foods to be eaten on the spot or taken to go. Homemade with love, the shrimp salad is my favorite. I should own a small share in the family business considering how much of it I've devoured. The plump and juicy shrimp are tossed in a mayonnaise based sauce, chilled to perfection, and the tastiest warm weather meal.

#### Bud & Alley's Taco Bar

With a motto that states, "Great food starts with the best ingredients," Bud & Alley's Taco Bar's open-air eatery is the perfect place to dine when coming off the beach wearing nothing but a wet bathing suit. I don't know what could scream summertime vacation more than eating the fresh caught fish of the day in the form of a taco, and my top pick is grilled Baja Style with shaved cabbage, pico de gallo, and house made avocado salsa.

*Susan Benton is a food and travel writer with published articles, recipes, and photography in many local, regional and national publications. Her website is 30AEATS.com where she writes about the secrets of Gulf Coast food.*

30AEATS.com



Oysters on the half shell served fresh at Bud & Alley's Pizza Bar + Trattoria. Photos by Susan Benton



Bud & Alley's Waterfront Restaurant's famous crab cakes are a must try this summer.

## Urban Design

Cont. from page 5

alcoholic beverages during the first 60-day operating period and each 12-month operating period thereafter."

Restaurants that fit this description are much larger and more complex businesses than the proverbial corner bar. They typically require much more parking and cannot as easily be tucked into a neighborhood. And even if you would not patronize a bar in your neighborhood, wouldn't you rather that your neighbor be able to walk — rather than drive — to that bar?

Until these state laws are changed, the neighborhood bar will largely remain a thing of the past. And the laws are unlikely to change when a few people have \$475,000 investments in the status quo.

Speaking of places that are too large to fit in a neighborhood, let's

talk about schools.

The percentage of kids who walk and bike to school has dropped significantly in the post-World War II era of American sprawl. In 1969, 48 percent of children ages 5 to 14 usually walked or bicycled to school. By 2009, that dropped to 13 percent.

There are many reasons why this has happened, but one of them involves state laws rather than local school district and land use regulations: minimum acreage requirements for schools. To my knowledge, Florida does not have such a requirement. That's good news, but approximately half of the states have a minimum acreage requirement.

According to the Council of Educational Facility Planners, a typical state requirement looks something like this (some states are higher, some are lower): elementary schools are required to have a minimum of 10 acres plus one acre per 100 students, junior high schools/middle schools are required to have a

minimum of 20 acres plus one acre per 100 students, and senior high schools are required to have a minimum of 30 acres.

We know from experience that not all schools need that much land. We can point to many examples, including private schools, historic schools, and charter schools such as the Seaside Neighborhood School.

The minimum acreage requirements push school districts to buy huge parcels and build schools that more closely resemble suburban office parks than neighborhood schools. These schools are often located so far from neighborhoods that virtually nobody walks to school. And this creates a vicious circle: a school without pedestrian or bike access needs even more land for all of the cars and buses.

The shift away from neighborhood amenities such as bars and schools has real consequences for our society. Neighborhood schools have long been a building block of cohe-

sive community. And when we build them within walking distance, and with adequate sidewalks, children learn to be independent and they get some physical exercise during the walk. Bars may or may not be your cup of tea (or more likely beer), but having one in your neighborhood can help reduce drunk driving and social isolation.

The barriers to building walkable mixed-use communities are significant enough on the local level. It's shame when even our state governments contribute to the problem.

*Mark Schnell is an urban designer based in Seagrave Beach. Among his most prominent projects are three New Urban beach communities on the Texas coast: Cinnamon Shore, Palmilla Beach, and Sunflower Beach. Learn more about his firm Schnell Urban Design at SchnellUrbanDesign.com.*