

1 Introduced by Council Member Diamond and Co-Sponsored by Council
2 Members Freeman and Carrico and amended by the Land Use and Zoning
3 Committee and amended on the Floor of Council:
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6 **ORDINANCE 2024-256-E**

7 AN ORDINANCE AMENDING SECTION 656.311
8 (RESIDENTIAL - PROFESSIONAL - INSTITUTIONAL
9 CATEGORY), SUBPART C (COMMERCIAL USE CATEGORIES
10 AND ZONING DISTRICTS), PART 3 (SCHEDULE OF
11 DISTRICT REGULATIONS), CHAPTER 656 (ZONING
12 CODE), *ORDINANCE CODE*, TO INCLUDE ALL
13 SINGLE-FAMILY DWELLINGS ON THE LIST OF
14 PERMISSIBLE USES AND STRUCTURES IN THE
15 COMMERCIAL, RESIDENTIAL AND OFFICE ZONING
16 DISTRICT; AMENDING SECTION 656.704
17 (NONCONFORMING LOTS OF RECORD AND INFILL LOTS -
18 RESIDENTIAL), PART 7 (NONCONFORMING LOTS, USES
19 AND STRUCTURES), CHAPTER 656 (ZONING CODE),
20 *ORDINANCE CODE*, TO ADDRESS MODULAR AND MOBILE
21 HOMES AND TO PROVIDE THAT AN INFILL LOT OR
22 COMBINATION OF COMPLETE INFILL LOTS SHALL BE
23 EQUAL TO THE AVERAGE LOT WIDTH AND LOT AREA OF
24 LEGALLY DEVELOPED LOTS ON THE SAME BLOCK OR 25
25 FEET IN WIDTH AND 1,500 SQUARE FEET IN AREA,
26 WHICHEVER IS LESS; AMENDING SECTION 656.1601
27 (DEFINITIONS), PART 16 (DEFINITIONS), CHAPTER
28 656 (ZONING CODE), *ORDINANCE CODE*, TO DEFINE
29 "COTTAGE" AND TO AMEND CERTAIN OTHER
30 DEFINITIONS; PROVIDING FOR CODIFICATION
31 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

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BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Amending Section 656.311 (Residential-Professional-Institutional Category), Subpart C (Commercial Use Categories and Zoning Districts), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code), Ordinance Code.
Section 656.311 (Residential-Professional-Institutional Category), Subpart C (Commercial Use Categories and Zoning Districts), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code), Ordinance Code, is hereby amended to read as follows:

CHAPTER 656 - ZONING CODE

* * *

PART 3. - SCHEDULE OF DISTRICT REGULATIONS

* * *

SUBPART C. - COMMERCIAL USE CATEGORIES AND ZONING DISTRICTS

* * *

Sec. 656.311. - Residential-Professional-Institutional Category.

* * *

A. *Primary zoning districts.* The primary zoning districts shall include the following:

* * *

III. Commercial, Residential and Office (CRO) District.

(a) *Permitted uses and structures.*

* * *

(4) Single family dwellings ~~that were originally designed and constructed prior to adoption of the Comprehensive Plan.~~

* * *

(d) *Permissible uses by exception.*

(1) Cemeteries and mausoleums but not funeral homes or mortuaries.

- 1 (2) Residential treatment facilities.
- 2 (3) Off-street parking lots for premises requiring off-
- 3 street parking meeting the performance standards and
- 4 development criteria set forth in Part 4.
- 5 ~~(4) New Single-family dwellings.~~
- 6 (45) Community residential homes of seven to 14 residents
- 7 meeting the performance standards and development
- 8 criteria set forth in Part 4.
- 9 (56) Emergency shelter meeting the performance standards
- 10 and development criteria set forth in Part 4.
- 11 (67) Group care home meeting the performance standards and
- 12 development criteria set forth in Part 4.
- 13 (78) Essential services meeting the performance standards
- 14 and development criteria set forth in Part 4.
- 15 (89) Day care centers meeting the performance standards
- 16 and development criteria set forth in Part 4.
- 17 (910) Home occupations meeting the performance standards
- 18 and development criteria set forth in Part 4.
- 19 (1011) Drive-through facilities in conjunction with a
- 20 permitted or permissible use or structure.
- 21 (1112) Rooming houses.
- 22 (1213) Private clubs.
- 23 (1314) Churches, including a rectory or similar use, meeting
- 24 the performance standards and development criteria
- 25 set forth in Part 4.
- 26 (1415) Retail outlets for the sale of food, leather goods
- 27 and luggage, jewelry (including watch repair but not
- 28 pawn shops), art, cameras or photographic supplies
- 29 (including camera repair), sporting goods, hobby
- 30 shops and pet shops (but not animal kennels), musical
- 31 instruments, television and radio (including repair

1 incidental to sales), florist or gift shops,
2 delicatessens, bake shops (but not wholesale
3 bakeries), and dry cleaning pickup stations, all not
4 to exceed 50 percent of the gross floor area of the
5 buildings of which they are a part.

6 (i) Sale, display and preparation shall be conducted
7 within a completely enclosed building.

8 (ii) Products shall be sold only at retail.

9 (iii) No sale, display or storage of secondhand
10 merchandise shall be permitted.

11 ~~(1516)~~ Restaurants, including the facilities for the sale
12 and service of all alcoholic beverages for on-
13 premises consumption only, subject to the following
14 condition:

15 (i) Seating shall not exceed a capacity of 60;
16 provided, that seating may be unlimited where
17 total floor area of the restaurant does not
18 exceed ten percent of the gross floor area of
19 the building of which it is a part.

20 ~~(1617)~~ Pharmacies in existence with a valid exception as
21 of the effective date of Ordinance 2018-75-E shall
22 continue to be legally permitted uses and shall not
23 be deemed legal nonconforming uses.

24 * * *

25 **Section 2. Amending Section 656.704 (Nonconforming lots of**
26 **record and infill lots - Residential), Part 7 (Nonconforming Lots,**
27 **Uses and Structures), Chapter 656 (Zoning Code), Ordinance Code.**

28 Section 656.704 (Nonconforming lots of record and infill lots -
29 Residential), Part 7 (Nonconforming Lots, Uses and Structure),
30 Chapter 656 (Zoning Code), *Ordinance Code*, is hereby amended to read
31 as follows:

CHAPTER 656 - ZONING CODE

* * *

PART 7. - NONCONFORMING LOTS, USES AND STRUCTURES

* * *

Sec. 656.704. - Nonconforming lots of record and infill lots - Residential.

Notwithstanding limitations imposed by the provisions of the Zoning Code as to lot area, lot width and street frontage on a single lot of record, as defined in Section 656.1601, Ordinance Code, a combination of complete lots of record, an infill lot, or a combination of complete infill lots, where residential use is a permitted use or permissible use by exception in the district, except as otherwise provided:

- (a) One single-family dwelling may be constructed on a single lot of record, a combination of complete lots of record, an infill lot, or a combination of complete infill lots in a RR, RLD, RMD, or AGR District or with a grant of exception in the a-RO and CRO District. One cottage may be constructed on an infill lot. Cottages are also allowed in RMD-A, RMD-B, RMD-C, RMD-D, or CRO Districts up to the maximum number of units allowed on the site by the underlying density and zoning district requirements. Cottages are only allowed on any lot that is zoned RMD-A, RMD-B, RMD-C, RMD-D and CRO as of the effective date of this legislation. No lot may be rezoned to permit cottages. Manufactured homes and modular homes which comply with the provisions of Subpart C, Part 4 of this Chapter or which are otherwise allowed upon issuance of a Waiver of Architectural and Aesthetic Regulations by the Department when applicable are considered single-family dwellings. and a mobile home may be placed on a single lot of record in an RLD-MH, RMD-MH or AGR District, or with a grant of exception

1 ~~in an RLD, RMD, or CRO District; provided, however, that a~~
2 ~~mobile home may be placed on a single lot of record without~~
3 ~~a grant of exception in an RLD, RMD, or CRO District where~~
4 ~~the lot was classified as an "RM District" (Residential,~~
5 ~~Mixed) or an "RHM District" (Residential, Mobile Home)~~
6 ~~immediately prior to the effective date of this Zoning Code.~~

7 An infill lot or a combination of complete infill lots shall
8 be equal to the average lot width and lot area of legally
9 developed lots on the same block or 25 feet in width and
10 1,500~~2,500~~ square feet in area, whichever is less~~greater~~.

11 Notwithstanding any requirements found in a zoning district
12 as to required yards, an infill lot shall have yards which
13 are equal to the yards of a majority of single-family
14 dwellings on the same block.

15 (b) A two family multiple dwelling in a RMD, RHD, CRO, or RO
16 District may be constructed on a single lot of record, a
17 combination of lots of record, an infill lot, or a combination
18 of complete infill lots where the lot or combination of lots
19 is not less than 50 feet in width and is not less than 5,000
20 square feet in area.

21 (c) A three family multiple dwelling in a RMD, RHD, CRO, or RO
22 District may be constructed on a single lot of record, a
23 combination of lots of record, an infill lot, or a combination
24 of complete infill lots where the lot or combination of lots
25 is not less than 60 feet in width and is not less than 6,000
26 square feet in area.

27 (d) A four family multiple dwelling in a RMD, RHD, CRO, or RO
28 District may be constructed on a single lot of record, a
29 combination of lots of record, an infill lot, or a combination
30 of complete infill lots where the lot or combination of lots
31 of record is not less than 70 feet in width and is not less

1 than 7,000 square feet in area.

2 **Section 3. Amending Section 656.1601 (Definitions), Part 16**
3 **(Definitions), Chapter 656 (Zoning Code), Ordinance Code.** Section
4 656.1601 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning
5 Code), *Ordinance Code*, is hereby amended to read as follows:

6 **CHAPTER 656 - ZONING CODE**

7 * * *

8 **PART 16. - DEFINITIONS**

9 **Sec. 656.1601. - Definitions.**

10 For the purposes of this Chapter, Zoning Code, the following
11 terms, phrases, words, and their derivations, as listed in
12 alphabetical order herein, shall have the meaning contained below,
13 or as referenced within specific Sections.

14 * * *

15 *Contributing structure* means a building or structure which is:

- 16 (1) At least 50 years old;
- 17 (2) Within the boundaries of a designated Historic District;
- 18 (3) Contributing to the historic or architectural character of
19 the district; and
- 20 (4) Identified by the City Council in its designation of the
21 Historic District.

22 Cottage means a type of dwelling unit authorized to be
23 constructed on any infill lot or on any lot within the RMD-A, RMD-B,
24 RMD-C, RMD-D and CRO Zoning Districts, up to the maximum number of
25 units allowed on the site by the underlying density and zoning
26 district requirements, subject to the provisions of Sections 656.306,
27 656.311, and 656.604. Cottages are only allowed on any lot that is
28 zoned RMD-A, RMD-B, RMD-C, RMD-D and CRO as of the effective date of
29 this legislation. No lot may be rezoned to permit cottages.

30 * * *

31 *Dwelling, multiple-dwelling use* means, for purposes of

1 determining whether a lot is in multiple-dwelling use, the following:

- 2 (1) Multiple-dwelling uses in which individual dwelling units
3 are intended to be rented and maintained under central
4 ownership and management; those which are under collective
5 ownership and management, including cooperative
6 apartments, condominiums and the like; row houses, ~~or~~
7 townhouses or cottages in individual ownership; and all
8 other forms of multiple dwellings regardless of ownership
9 management, taxation or other consideration, where the form
10 does not meet the requirements of this Zoning Code for a
11 single-family dwelling. A multiple-dwelling use may
12 contain residents who receive *supportive services*, whether
13 provided by the owner, management or third parties. Owners
14 and managers may provide or coordinate *supportive services*
15 for tenants. Ancillary services whose primary purpose is
16 to support tenants may be located onsite, including but
17 not limited to laundry facilities, day care and after-
18 school programs for children, gymnasiums, swimming pools,
19 concierge services, and coordination of care for disabled
20 persons which are within the scope of *supportive services*.
21 (2) An undivided lot containing more than one building and the
22 buildings are not so located that lots and yards conforming
23 to requirements for single-family dwellings in the district
24 could be provided, in which event the lot shall be
25 considered to be in multiple-dwelling use if there is more
26 than one dwelling unit on the lot, even though the
27 individual buildings may each contain only one dwelling
28 unit, excluding guesthouses and servants' quarters.
29 (3) A multiple dwelling in which dwelling units are available
30 for rental for periods of less than one week shall be
31 considered a motel or a hotel, as the case may be.

1 Dwelling, multiple-family means a building containing more than
2 one dwelling unit or a cottage.

3 * * *

4 Guesthouse ~~or cottage~~ means living quarters in a building
5 separate from and in addition to the main residential building on a
6 lot, used for intermittent or temporary occupancy by nonpaying guests;
7 provided, that the quarters shall have no kitchen, cooking facilities
8 or kitchen sink. The quarters shall not be rented, leased or
9 otherwise made available for compensation of any kind.

10 * * *

11 Infill lot for the purposes of this Chapter 656 means a lot or
12 parcel ~~located in the Urban Priority Area development area or Urban~~
13 ~~Area development area~~ which has access to centralized potable water
14 and sanitary sewer and is: (i) part of a plat recorded on or before
15 September 21, 1990 in the Office of the Clerk of the Circuit Court
16 of Duval County; or (ii) described by metes and bounds and the
17 description for which was recorded on or before September 21, 1990
18 in the Office of the Clerk of the Circuit Court of Duval County.

19 * * *

20 **Section 4. Codification Instructions.** The Codifier and the
21 Office of General Counsel are authorized to make all chapter and
22 division "tables of contents" consistent with the changes set forth
23 herein. Such editorial changes and any other necessary to make the
24 Ordinance Code consistent with the intent of this legislation are
25 approved and directed herein, and changes to the Ordinance Code shall
26 be made forthwith and when inconsistencies are discovered.

27 **Section 5. Effective Date.** This Ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.

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1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Mary E. Staffopoulos

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