1 | Introduced by Council Member Matt Carlucci:

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4 | **ORDINANCE 2024-373**

5 | AN ORDINANCE AMENDING CHAPTER 656 (ZONING

6 | CODE), PART 3 (SCHEDULE OF DISTRICT

7 | REGULATIONS), SUBPART F (PLANNED UNIT

8 | DEVELOPMENT), SECTION 656.341 (PROCEDURES),

9 | *ORDINANCE CODE*, TO ADD A NEW SUBPARAGRAPH (F)

10 | TO PROHIBIT PUD ZONING APPLICATIONS WHICH

11 | ALLOW DEVIATIONS FROM ZONING OVERLAYS UNLESS

12 | APPROVED BY A 2/3 VOTE OF THE FULL COUNCIL;

13 | PROVIDING CODIFICATION INSTRUCTIONS; PROVIDING

14 | AN EFFECTIVE DATE.

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16 | **WHEREAS**, the purpose and intent of a zoning overlay is to

17 create a special zoning district, placed over the existing zoning

18 scheme, to apply area-specific standards or conditions due to the

19 unique development patterns, unique needs or to protect features or

20 aspects of the geographic area over which the overlay applies; and

21 | **WHEREAS**, zoning overlays are adopted by the Council based on

22 studies and evaluations of the proposed overlay area and involve

23 community input into the future development needs of their area;

24 and

25 | **WHEREAS**, those studies and evaluations are adopted into a

26 zoning overlay to provide custom regulations laid over the

27 underlying zoning laws, fine tuning regulations to preserve the

28 unique character, economic viability, historic fabric and

29 environmentally sensitive resources of some of Jacksonville's most

30 significant areas; and

31 | **WHEREAS**, the Council has adopted eleven (11) zoning overlays

1 to protect and preserve Downtown, Springfield, Mayport Road and

2 Waterfront, San Marco, Riverside/Avondale, Industrial Sanctuary

3 Areas, Black Hammock Island, King/Soutel Crossing Area, Arlington

4 Area and the Cedar Point and Sawpit Road Area; and

5   **WHEREAS**, developers may use PUD rezoning applications as a way

6 to circumvent an adopted zoning overlay in these areas in order to

7 authorize uses, development schemes or regulatory waivers and

8 relaxations, which erodes and degrades the integrity of the

9 carefully crafted zoning overlay plan; now therefore

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

11   **Section 1.**   **Amending**   **Section**   **656.341**   **(Procedures),**

12 ***Ordinance Code.*** Section 656.341 (Procedures), Chapter 656 (Zoning

13 Code), *Ordinance Code*, is hereby amended to read as follows:

14   **CHAPTER 656. ZONING CODE.**

15   *** * ***

16   **PART 3. SCHEDULE OF DISTRICT REGULATIONS.**

17   *** * ***

18   **SUBPART F. PLANNED UNIT DEVELOPMENT**

19   *** * ***

20   **Sec. 656.341. – Procedures.**

21   *** * ***

22 (e) *Enactment of the ordinance for a planned unit*

23 *development.* Following the public hearings, as required for all

24 applications for rezoning, the City Council may enact an ordinance,

25 which clearly identifies and/or lists all data, exhibits,

26 information, site plan(s), etc. being approved as part of the

27 Planned Unit Development district, establishing a Planned Unit

28 Development district including any conditions related thereto,

29 based upon findings that the Planned Unit Development district will

30 accomplish the objectives and meet the standards of the district

31 and is consistent with the Comprehensive Plan. Any monetary

contributions shall be conditions listed in the ordinance and the conditions shall contain a minimum dollar amount for such contribution, the timing of the payment, the Department responsible for accepting the payment, and the Department who will be assigned the payment, including the appropriate revenue account number for the payment. Any nonmonetary contributions, including but not limited to recreation facilities, shall be conditions listed in the ordinance and the conditions shall contain a minimum value of such nonmonetary contribution.

Development within a Planned Unit Development district shall proceed substantially in accordance with the site plan(s), written description of the intended plan of development and any conditions set forth by the City Council in the ordinance which approves the Planned Unit Development district.

(f) No Planned Unit Development shall be approved to allow any use, design element or any other requirement placed on a property by an applicable zoning overlay. Waivers of this prohibition shall require approval by a 2/3 vote of the full Council.

(g) *Modifications to a Planned Unit Development district.* An amendment to an approved Planned Unit Development district may be accomplished through either an Administrative Modification, Minor Modification, or by filing an application for rezoning, meeting criteria as herein described.

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(g) (h) *Verification of substantial compliance with the Planned Unit Development district.*

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Section 2. Codification Instructions. The Codifier and the Office of General Counsel are authorized to make all chapter and division "tables of contents" consistent with the changes set forth herein. Such editorial changes and any other necessary to

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make the *Ordinance Code* consistent with the intent of this legislation are approved and directed herein, and changes to the *Ordinance Code* shall be made forthwith and when inconsistencies are discovered.

Section 3. **Effective Date.** This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

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Office of General Counsel

Legislation Prepared By: Jason R. Teal

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