

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

April 21, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-220**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 8-0

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

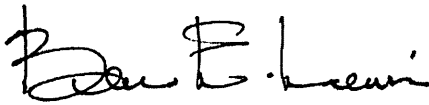
Jordan Elsbury Aye

Joshua Garrison Aye

 Jason Porter Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendations on:

ORDINANCE 2022-220

AN ORDINANCE AMENDING SECTION 656.399.62 (CHARACTER AREAS) AND SECTION 656.399.64 (RA/CRA ZONING OVERLAY ADMINISTRATIVE DEVIATIONS), SUBPART S (RENEW ARLINGTON ZONING OVERLAY), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, TO PROVIDE AUTO SERVICE FACILITIES EXISTING AS OF JULY 1, 2019 THE ABILITY TO APPLY FOR AN ADMINISTRATIVE DEVIATION TO REDUCE LOT AREA; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The bill amends Chapter 656 (Zoning Code), Ordinance Code, specifically the Renew Arlington Zoning Overlay, to provide that geographically separated parking lots shall be considered separate for purposes of buffers and landscaping when applying the Parking Lot Matrix to a business. It also allows auto service businesses existing as of July 1, 2019 to apply for administrative deviations to reduce minimum lot size, something currently prohibited.

II. EVALUATION

A. The need and justification for the change

Service garages are common in parts of the Renew Arlington Zoning Overlay and they are subject to design guidelines. Several are older and occupy several lots sometimes separated by a public right-of-way. Also, many have non-conforming characteristics such as landscaping and lot size. This bill amends the overlay so that it is easier to bring these sites into conformity with the overlay.

B. The relationship of the proposed amendment to the Comprehensive Plan and the work of the Department with appropriate consideration as to whether the proposed amendment will further the purposes of the Zoning Code and Comprehensive Plan.

This bill is consistent with the spirit and intent of both the Comprehensive Plan and the Zoning Code in that it is the intent of the legislation to protect and preserve the public health, safety and welfare of the people of the City of Jacksonville by promoting and sustaining the viability of existing and emerging commercial areas.

III. RECOMMENDATION

The Planning and Development Department recommends that **Ordinance 2020-220** be approved.

1 Introduced by Council Member Morgan:
2
3

4 **ORDINANCE 2022-220**

5 AN ORDINANCE AMENDING SECTION 656.399.62
6 (CHARACTER AREAS) AND SECTION 656.399.64 (RA/CRA
7 ZONING OVERLAY ADMINISTRATIVE DEVIATIONS),
8 SUBPART S (RENEW ARLINGTON ZONING OVERLAY), PART
9 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER
10 656 (ZONING CODE), *ORDINANCE CODE*, TO PROVIDE
11 AUTO SERVICE FACILITIES EXISTING AS OF JULY 1,
12 2019 THE ABILITY TO APPLY FOR AN ADMINISTRATIVE
13 DEVIATION TO REDUCE LOT AREA; PROVIDING AN
14 EFFECTIVE DATE.

15
16 **WHEREAS**, pursuant to Section 656.399.60, *Ordinance Code*,
17 existing auto service facilities within the RA/CRA Zoning Overlay
18 boundary are required to be located on one (1) acre lot if the
19 facility is improved to the level of a Major Renovation; and

20 **WHEREAS**, many of the auto service facilities within the boundary
21 are of a size less than one (1) acre; and

22 **WHEREAS**, pursuant to Section 656.399.64, *Ordinance Code*,
23 Administrative Deviations to reduce lot size are not available to
24 auto service facilities because they are listed as a High Intensity
25 Use; and

26 **WHEREAS**, an auto service facility that is undergoing a Major
27 Renovation and meets all the other requirements of the Zoning Overlay
28 and Code should not be penalized if by doing such renovations are an
29 improvement to the Zoning Overlay area; and

30 **WHEREAS**, it is in the spirit and intent of the Zoning Overlay
31 to encourage Major Renovations of existing businesses, particularly

1 those that renovate to meet the new Zoning Overlay standards, so
2 there should be a mechanism to apply for an Administrative Deviation
3 for lot size of High Intensity Uses because the size of the lot may
4 not be alterable, now, therefore

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

6 **Section 1.** Section 656.399.62 (Character Areas), Subpart S
7 (Renew Arlington Zoning Overlay), Part 3 (Schedule of District
8 Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby
9 amended to read as follows:

10 **CHAPTER 656 - ZONING CODE**

11 * * *

12 **PART 3. - SCHEDULE OF DISTRICT REGULATIONS**

13 * * *

14 **SUBPART S. - RENEW ARLINGTON ZONING OVERLAY**

15 * * *

16 **Sec. 656.399.62.- Character areas.**

17 Given the differing aesthetics within the Redevelopment Area, the
18 Zoning Overlay consists of five Character Areas. Each has distinct
19 design guidelines and performance standards. These areas are as
20 follows:

- 21 A. University Village Character Area
- 22 B. University Commercial Character Area
- 23 C. Merrill Commercial Character Area
- 24 D. Arlington Road Character Area
- 25 E. Catalyst Character Areas

26 * * *

27 *A. University Village Character Area Standards.*

28 * * *

29 *3. Design Guidelines.*

30 * * *

31 (f) Landscaping/Landscaped Buffers. Landscaping and tree

1 protection shall be provided in accordance with Part
2 12 of the Zoning Code with the following additional
3 and superseding provisions:

4 (1) Uncomplimentary adjacent use Vehicular Use Area
5 Buffer.

6 (i) For a business existing as of July 1, 2019,
7 where the Vehicular Use Area (VUA) of a non-
8 residential property abuts a residential use, a
9 minimum 85 percent opaque, six-foot high
10 masonry wall, pre-cast panel, wood or vinyl
11 fence, or similar, shall be provided on the
12 side of the non-residential use.

13 (ii) For businesses existing on July 1, 2019, where
14 a building is adjacent to a residential use, a
15 minimum 85 percent opaque, six-foot high wood,
16 stone, brick, vinyl, masonry, pre-cast panel,
17 or similar fence or wall shall be provided on
18 the side of the non-residential use.

19 (2) Right-of-way Vehicular Use Area Buffer.

20 (i) A minimum five-foot landscape buffer shall be
21 provided along the boundary of all non-
22 residential VUAs abutting public right-of-way.
23 No more than 25 percent of the landscaped area
24 may be grass or mulch; the balance shall be
25 landscaped with trees, shrubs or ground
26 covers.

27 (3) Lawfully existing landscaping as of July 1, 2019
28 shall meet the requirements herein by April 28,
29 2025.

30 (4) Geographically separated parking areas shall be
31 considered separate for purposes of Vehicular Use

1 Area buffers and landscaping in the application
2 of the Parking Lot Matrix in Part 6 of the Zoning
3 Code.

4 * * *

5 B. *University Commercial Character Area Standards.*

6 * * *

7 3. *Design Guidelines.*

8 * * *

9 (e) Landscaping/Landscaped Buffers. Landscaping and tree
10 protection shall be provided in accordance with Part
11 12 of the Zoning Code with the following additional
12 and superseding provisions:

13 (1) Uncomplimentary adjacent use Vehicular Use Area
14 Buffer.

15 (i) For a business existing as of July 1, 2019
16 where the Vehicular Use Area (VUA) of a non-
17 residential property abuts a residential use, a
18 minimum 85 percent opaque six-foot high masonry
19 wall, pre-cast panel, wood or vinyl fence, or
20 similar, shall be provided on the side of the
21 non-residential use.

22 (ii) For businesses existing on July 1, 2019, where
23 a building is adjacent to a residential use, a
24 minimum 85 percent opaque, six-foot high wood,
25 stone, brick, vinyl, masonry, pre-cast panel,
26 or similar fence or wall shall be provided on
27 the side of the non-residential use.

28 (2) Right-of-way Vehicular Use Area Buffer.

29 (i) Lots fronting any public right-of-way may
30 replace the standard landscape buffer
31 requirement with a minimum four foot landscape

1 buffer along the boundary of all non-
2 residential vehicular use areas abutting public
3 right-of-way. No more than 25 percent of the
4 landscaped area may be grass or mulch, the
5 balance shall be landscaped with trees, shrubs
6 or ground covers.

7 (3) Lawfully existing landscaping as of July 1, 2019
8 shall meet the requirements herein by April 28,
9 2025.

10 (4) Geographically separated parking areas shall be
11 considered separate for purposes of Vehicular Use
12 Area buffers and landscaping in the application of
13 the Parking Lot Matrix in Part 6 of the Zoning
14 Code.

15 * * *

16 C. *Merrill Commercial Character Area Standards.*

17 * * *

18 3. *Design Guidelines.*

19 * * *

20 (e) Landscaping/Landscaped Buffers. Landscaping and tree
21 protection shall be provided in accordance with Part
22 12 of the Zoning Code with the following additional
23 and superseding provisions:

24 (1) Uncomplimentary Adjacent Use Vehicular Use Area
25 Buffer.

26 (i) For a business existing as of July 1, 2019,
27 where the Vehicular Use Area (VUA) of a non-
28 residential property abuts a residential use, a
29 minimum 85 percent opaque, six-foot high
30 masonry wall, pre-cast panel, wood or vinyl
31 fence, or similar, shall be provided on the

1 side of the non-residential use.

2 (ii) For businesses existing on July 1, 2019, where
3 a building is adjacent to a residential use, a
4 minimum 85 percent opaque, six-foot high wood,
5 stone, brick, vinyl, masonry, pre-cast panel,
6 or similar fence or wall shall be provided on
7 the side of the non-residential use.

8 (2) Right-of-way Vehicular Use Area Buffer.

9 (i) Lots fronting Merrill Road may replace the
10 standard landscape buffer requirement with a
11 minimum four foot landscape buffer along the
12 boundary of all non-residential VUAs abutting
13 public right-of-way. No more than 25 percent of
14 the landscaped area may be grass or mulch, the
15 balance shall be landscaped with trees, shrubs
16 or ground covers.

17 (3) Lawfully existing landscaping as of July 1, 2019
18 shall meet the requirements herein by April 28,
19 2025.

20 (4) Geographically separated parking areas shall be
21 considered separate for purposes of Vehicular Use
22 Area buffers and landscaping in the application of
23 the Parking Lot Matrix in Part 6 of the Zoning
24 Code.

25 * * *

26 D. *Arlington Road Character Area Standards.*

27 * * *

28 3. *Design Guidelines.*

29 * * *

30 (e) Landscaping/Landscaped Buffers. Landscaping and tree
31 protection shall be provided in accordance with Part

1 12 of the Zoning Code with the following additional
2 and superseding provisions:

3 (1) Uncomplimentary Adjacent Use Vehicular Use Area
4 Buffer.

5 (i) For a business existing as of July 1, 2019,
6 where the Vehicular Use Area (VUA) of a non-
7 residential property abuts a residential use, a
8 minimum 85 percent opaque, six-foot high
9 masonry wall, pre-cast panel, wood or vinyl
10 fence, or similar, shall be provided on the
11 side of the non-residential use.

12 (ii) For businesses existing on July 1, 2019, where
13 a building is adjacent to a residential use, a
14 minimum 85 percent opaque, six-foot high wood,
15 stone, brick, vinyl, masonry, pre-cast panel,
16 or similar fence or wall shall be provided on
17 the side of the non-residential use.

18 (2) Right-of-way Vehicular Use Area Buffer.

19 (i) Lots fronting Arlington Road may replace the
20 standard landscape buffer requirement with a
21 minimum four foot landscape buffer along the
22 boundary of all non-residential VUAs abutting
23 public right-of-way. No more than 25 percent
24 of the landscaped area may be grass or mulch,
25 the balance shall be landscaped with trees,
26 shrubs or ground covers.

27 (3) Lawfully existing landscaping as of July 1, 2019,
28 shall meet the requirements herein by April 28,
29 2025.

30 (4) Geographically separated parking areas shall be
31 considered separate for purposes of Vehicular Use

1 Area buffers and landscaping in the application of
2 the Parking Lot Matrix in Part 6 of the Zoning
3 Code.

4 * * *

5 E. *Catalyst Character Areas Standards.*

6 * * *

7 3. *Design Guidelines.*

8 * * *

9 (f) Landscaping/Landscaped Buffers. Landscaping and tree
10 protection shall be provided in accordance with Part
11 12 of the Zoning Code with the following additional
12 and superseding provisions:

13 (1) Uncomplimentary Adjacent Use Vehicular Use Area
14 Buffer.

15 (i) For a business existing as of July 1, 2019,
16 where the Vehicular Use Area (VUA) of a non-
17 residential property abuts a residential use, a
18 minimum 85 percent opaque, six-foot high
19 masonry wall, pre-cast panel, wood or vinyl
20 fence, or similar, shall be provided on the
21 side of the non-residential use.

22 (ii) For businesses existing on July 1, 2019, where
23 a building is adjacent to a residential use, a
24 minimum 85 percent opaque, six-foot high wood,
25 stone, brick, vinyl, masonry, pre-cast panel,
26 or similar fence or wall shall be provided on
27 the side of the non-residential use.

28 (2) Right-of-way Vehicular Use Area Buffer.

29 (i) A minimum five-foot landscape buffer shall be
30 provided along the boundary of all non-
31 residential VUAs abutting public right-of-way.

1 No more than 25 percent of the landscaped area
2 may be grass or mulch; the balance shall be
3 landscaped with trees, shrubs or ground covers.

4 (3) Lawfully existing landscaping as of July 1, 2019
5 shall meet the requirements herein by April 28,
6 2025.

7 (4) Geographically separated parking areas shall be
8 considered separate for purposes of Vehicular Use
9 Area buffers and landscaping in the application
10 of the Parking Lot Matrix in Part 6 of the Zoning
11 Code.

12 * * *

13 **Section 2.** Section 656.399.64 (RA/CRA Zoning Overlay
14 Administrative Deviations), Subpart S (Renew Arlington Zoning
15 Overlay), Part 3 (Schedule of District Regulations), Chapter 656
16 (Zoning Code), *Ordinance Code*, is hereby amended to read as follows:

17 **CHAPTER 656 - ZONING CODE**

18 * * *

19 **PART 3. - SCHEDULE OF DISTRICT REGULATIONS**

20 * * *

21 **SUBPART S. - RENEW ARLINGTON ZONING OVERLAY**

22 * * *

23 **Sec. 656.399.64.- RA/CRA Zoning Overlay Administrative Deviations.**

24 A. *Administrative Deviation requests heard by Zoning*
25 *Administrator.* Pursuant to Sec. 656.101, *Ordinance Code*, an
26 Administrative Deviation may be granted by the Zoning
27 Administrator, after due notice and hearing, for a
28 relaxation of certain Zoning Code requirements.
29 Notwithstanding items for which deviations may be allowed in
30 other areas of Jacksonville, within the Renew Arlington
31 Zoning Overlay, the Zoning Administrator may allow

1 deviations for the following:

- 2 1. Reduce minimum lot area, unless the property is a High
3 Intensity Use as described in this Zoning Overlay;
4 however, if the use is an auto service facility existing
5 as of July 1, 2019, such facility may apply for an
6 Administrative Deviation for lot area. In order to obtain
7 said Deviation, the applicant must show that the facility
8 is in compliance with the other provisions of the Zoning
9 Overlay such as, but not limited to, fencing,
10 landscaping, building placement and screening of stored
11 vehicles;
- 12 2. Reduce required yards;
- 13 3. Reduce the minimum number of required off-street parking
14 spaces, so long as the landscaping requirements of this
15 Zoning Overlay are fully met;
- 16 4. Reduce the minimum landscaping requirements;
- 17 5. Increase the maximum lot coverage;
- 18 6. Adjust required driveway aisle widths, parking stall
19 dimensions, and allow tandem parking;
- 20 7. Consider on-street parking to meet parking requirements;
- 21 8. Increase the allowable maximum height of structures,
22 including fences, but not signs;
- 23 9. Increase the maximum number of off-street parking spaces
24 so long as the landscaping is not also reduced, and
25 either a professional study indicating that more spaces
26 are warranted is performed and approved by the
27 Department, or the request is consistent with the current
28 edition of the ITE parking Generation Manual; and

29 * * *

30 **Section 3. Effective Date.** This ordinance shall become
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

2

3 Form Approved:

4

5 /s/ Susan C. Grandin

6 Office of General Counsel

7 Legislation prepared by: Susan C. Grandin

8 GC-#1488476-v3-Zoning_Code_Overlay_Amendment_Legislation_(CM_Morgan).docx