

CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2019-879 - amended

Introducer/Sponsor(s): Council Member Morgan

Date of Introduction: December 10, 2019

Committee(s) of Reference: NCSPHS, LUZ

Date of Analysis: December 12, 2019

Type of Action: Zoning Code amendment

Bill Summary: The bill amends various portions of the Renew Arlington Zoning Overlay in Ordinance Code Chapter 656 – Zoning Code - as follows:

- Creates a consolidated plan review process for helping those property owners faced with the mandatory compliance deadline for fencing, landscape buffers and signage. The deadline is 5 years plus 90 days after a grant program to help mitigate the cost of compliance is approved by the RA/CRA Board. A multi-disciplinary team of Planning Department staff (the Renew Arlington Design Review (RADR) team will provide review. In order to further streamline the process, the RADR team also drafts the Staff Report that will go with any RA/CRA Zoning Overlay AD request that may be required. The RADR team is created and the duty to provide the Staff Report is accomplished in the new Sec. 656.399.63.
- Outlines what may be requested as an RA/CRA Zoning Overlay Administrative Deviation, the application process and the appeal process, in the new Sec. 656.399.64. The RA/CRA Zoning Overlay AD will be very similar to the regular AD process: notice by letter to property owners within 350' and posting of signs; includes a public meeting; but the requests allowed are tailored to fit the Zoning Overlay.
- Relocates the provisions Section 656.399.61A regarding ADs to the new Sec. 656.399.64. Changes the language in 656.399.61.B regarding parking reductions to only require the property owner to meet the landscape requirements of the Zoning Overlay, not to the extent required in the Landscape Code (Part 12 of the Zoning Code).
- Adds definitions for *RA/CRA Mandatory Compliance Grant*, *RA/CRA Designer*, *Renew Arlington Design Review team* ("RADR"), *Mandatory Compliance deadline*, and *Mandatory Compliance elements*.

Background Information: The Renew Arlington Zoning Overlay was established this year via Ordinance 2019-239-E to help facilitate the improvement and redevelopment of the commercial corridors (University Boulevard, Arlington Road, Merrill Road, Fort Caroline Road) in the Arlington area). The overlay imposed certain requirements for fencing, landscaping/buffers, signage, etc. that have proved difficult to achieve in some cases because of small lot sizes, particularly in cases where former residential dwellings have been converted to business uses. These amendments provide a mechanism for achieving the goals of the Zoning Overlay while recognizing the limitations of certain lots within the overlay zone by means of creating a team of Planning Department employees to review plans and offer suggested solutions to the Zoning Administrator with the goal of crafting individualized solutions that meet the spirit of the overlay while recognizing particular site limitations. This bill addresses the Council's requirement when the zoning overlay was established that a grant program be created to assist affected property owners in meeting the mandatory compliance elements by setting forth the process by which property owners will interface with the Planning Department regarding compliance. The grant program itself (Mandatory Compliance Grant) has been crafted by the Office of Economic Development staff and will be taken up separately from this bill by the RA/CRA Board (the City Council sits as the board).

Policy Impact Area: Renew Arlington Zoning Overlay

Fiscal Impact: Reduces the cost to property owners that are faced with the mandatory compliance issue by providing quicker reviews and the assistance, at no cost to the property owner, of the RA/CRA Designer. It may also reduce the cost to the City in terms of reduced staff time to review small projects that would otherwise be caught in a larger civil review process (10-set review) which involves separate review by several staff members. The fiscal impact to the CRA will be significant for the assistance grant program. The program is envisioned to pay for:

- The entire cost to the property owner for the design, permitting, and construction of the minimum that would be needed for the property to comply with the design standards for the 3 mandatory compliance elements. (If the property owner wants to exceed the minimum standard, they will pay the difference for the upgrade); and
- The cost to retain the RA/CRA Designer.

The grant program runs for 5 years, and anyone who applies within the timeframe would be eligible for funding, even if the CRA were to run out of funds those first years and it takes the rest of the CRA term and increment to pay for it.

Analyst: Clements