

1 Introduced by Council Member Diamond and amended by the Land Use and
2 Zoning Committee:

3
4 **ORDINANCE 2023-152-E**

5 AN ORDINANCE AMENDING SECTION 650.105
6 (DEFINITIONS), PART 1 (GENERAL PROVISIONS),
7 CHAPTER 650 (COMPREHENSIVE PLANNING FOR FUTURE
8 DEVELOPMENT), *ORDINANCE CODE*, SECTION 656.704
9 (NONCONFORMING LOTS OF RECORD - RESIDENTIAL),
10 PART 7 (NONCONFORMING LOTS, USES AND
11 STRUCTURES), AND SECTION 656.1601
12 (DEFINITIONS), PART 16 (DEFINITIONS), CHAPTER
13 656 (ZONING CODE), *ORDINANCE CODE*, TO CLARIFY
14 THE DEFINITION OF A "LOT OF RECORD", TO DEFINE
15 "INFILL LOT", AND TO ADDRESS DEVELOPMENT OF
16 INFILL LOTS IN RESIDENTIAL ZONING DISTRICTS;
17 PROVIDING AN EFFECTIVE DATE.

18
19 **WHEREAS**, Section 656.704, *Ordinance Code*, allows a landowner to
20 build on certain lots of record notwithstanding limitations imposed
21 by the provisions of the Zoning Code as to lot area, lot width, and
22 street frontage; and

23 **WHEREAS**. Sections 650.105 and 656.1601, *Ordinance Code*, provide
24 the definition for "lot of record"; and

25 **WHEREAS**, the language in Sections 650.105, 656.704 and 656.1601,
26 *Ordinance Code*, requires clarification because the definition of "lot
27 of record" fails to account for many non-conforming residential lots;
28 and

29 **WHEREAS**, allowing development of non-conforming lots in the
30 Urban Priority Area and Urban Area promotes infill development; now
31 therefore

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

2 **Section 1. Amending Section 650.105 (Definitions), Part 1**
3 **(General Provisions), Chapter 650 (Comprehensive Planning for Future**
4 **Development), Ordinance Code.** Section 650.105 (Definitions), Part 1
5 (General Provisions) Chapter 650 (Comprehensive Planning for Future
6 Development), *Ordinance Code*, is hereby amended to read as follows:

7 **CHAPTER 650 - COMPREHENSIVE PLANNING FOR FUTURE DEVELOPMENT**

8 **PART 1. GENERAL PROVISIONS**

9 * * *

10 **Sec. 650.105. - Definitions.**

11 In this Chapter, unless the context otherwise requires:

12 * * *

13 (p) *Lot of record* means a lot, which is part of a subdivision,
14 the plat of which has been recorded in the public records of
15 Duval County, Florida, or any parcel of land described by
16 metes and bounds, the description of which has been recorded
17 in the public records of Duval County, Florida, provided such
18 lot met the minimum lot requirements of the zoning district
19 in which it was located at the time of recording and was
20 recorded on or before September 21, 1990~~prior to the effective~~
21 ~~date of the adoption of the comprehensive plan, or amendment~~
22 ~~thereto.~~

23 * * *

24 **Section 2. Amending Section 656.704 (Nonconforming lots of**
25 **record - Residential), Part 7 (Nonconforming Lots, Uses and**
26 **Structures), and Section 656.1601 (Definitions), Part 16**
27 **(Definitions), Chapter 656 (Zoning Code), Ordinance Code.** Section
28 656.704 (Nonconforming lots of record - Residential), Part 7
29 (Nonconforming Lots, Uses and Structures), and Section 656.1601
30 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code),
31 *Ordinance Code*, are hereby amended to read 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~~7~~ area, lot width and street frontage on a single lot of record, as defined in Section 656.1601, Ordinance Code, ~~or~~ a combination of complete lots of record, an infill lot, or a combination of complete infill lots, existing on September 5, 1969, where residential use is a permitted use or permissible use by exception in the district, except as otherwise provided:

- (a) One~~A~~ single-family dwelling may be constructed on a single lot of record, ~~or~~ 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 a RO and CRO District, 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 in an RLD, RMD, or CRO District; provided, however, that a mobile home may be placed on a single lot of record without a grant of exception in an RLD, RMD, or CRO District where the lot was classified as an "RM District" (Residential, Mixed) or an "RHM District" (Residential, Mobile Home) immediately prior to the effective date of this Zoning Code. An infill lot or a combination of complete infill lots shall be equal to the average lot width and lot area of legally developed lots on the same block or 25 feet in width and 2,500 square feet in area, whichever is greater. Notwithstanding any requirements found in a zoning district as to required yards, an infill lot shall have yards

1 which are equal to the yards of the majority of single-family
2 dwelling on the same block.

3 (b) A two family multiple dwelling in a RMD, RHD, ~~or~~CRO, or RO
4 District may be constructed on a single lot of record, ~~or~~a
5 combination of lots of record, an infill lot, or a combination
6 of complete infill lots where the lot or combination of lots
7 is not less than 50 feet in width and is not less than 5,000
8 square feet in area.

9 (c) A three family multiple dwelling in a RMD, RHD, ~~or~~CRO, or RO
10 District may be constructed on a single lot of record, ~~or~~a
11 combination of lots of record, an infill lot, or a combination
12 of complete infill lots where the lot or combination of lots
13 is not less than 60 feet in width and is not less than 6,000
14 square feet in area.

15 (d) A four family multiple dwelling in a RMD, RHD, ~~or~~CRO, or RO
16 District may be constructed on a single lot of record, ~~or~~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 of record is not less than 70 feet in width and is not less
20 than 7,000 square feet in area.

21 * * *

22 **Sec. 656.1601. Definitions.**

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

27 * * *

28 Infill lot for the purposes of this Chapter 656 means a lot or
29 parcel located in the Urban Priority Area development area or Urban
30 Area development area which has access to centralized potable water
31 and sanitary sewer and is: (i) part of a plat recorded on or before

1 September 21, 1990 in the office of the Clerk of the Circuit Court
2 of Duval County; or (ii) described by metes and bounds and the
3 description for which was recorded on or before September 21, 1990
4 in the office of the Clerk of the Circuit Court of Duval County.

5 * * *

6 Lot of record shall have the meaning ascribed to it in Section
7 650.105(p), Ordinance Code.~~means a lot which is part of a~~
8 ~~subdivision recorded on or before September 21, 1990, in the office~~
9 ~~of the Clerk of the Circuit Court of Duval County or a lot or~~
10 ~~parcel described by metes and bounds, which was lawfully created~~
11 ~~and the description for which was recorded on or before September~~
12 ~~21, 1990.~~

13 * * *

14 **Section 3. Codification Instructions.** The Codifier and
15 the Office of General Counsel are authorized to make all chapter and
16 division "table of contents" consistent with the changes set forth
17 herein. Such editorial changes and any other necessary changes to
18 make the *Ordinance Code* consistent with the intent of this legislation
19 are approved and directed herein, and the changes to the *Ordinance*
20 *Code* shall be made forthwith and when inconsistencies are discovered.

21 **Section 4. Effective Date.** This Ordinance shall become
22 effective upon signature by the Mayor or upon becoming effective
23 without the Mayor's signature.

24
25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Mary E. Staffopoulos