



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
214 N. Hogan St., Suite 300  
Jacksonville, FL 32202  
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February 20, 2025

The Honorable Randy White  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2025-0074**

Dear Honorable Council President White, Honorable Council Member and LUZ Chairperson Carrico 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 w/ Amendment**

ii. When in conjunction with an existing, multi-use building, the service window or device is contiguous to and accessed from an improved vehicle use area (e.g. parking lot) other than a commercial surface lot, existing as of 2014, and all queuing lines are located within such approved vehicle use area.

Planning Commission Recommendation: **Approve w/ Amendment**

ii. When in conjunction with an existing, multi-use building, the service window or device is contiguous to and accessed from an improved vehicle use area (e.g. parking lot) other than a commercial surface lot, existing as of 2014, and all queuing lines are located within such approved vehicle use area.

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

Planning Commission Vote: **6-0**

Mark McGowan, Chair	Aye
Tina Meskel, Vice Chair	Aye

Mon'e Holder, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Absent
Charles Garrison	Aye
Julius Harden	Absent
Ali Marar	Aye

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erin L. Abney', with a stylized, flowing script.

**Erin L. Abney, MPA**

Chief, Current Planning Division  
Planning & Development Department  
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# DOWNTOWN INVESTMENT AUTHORITY

117 West Duval Street #310, Jacksonville, Florida 32202  
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## ORDINANCE 2025-74 RECOMMENDATION REPORT

**To:** Downtown Development Review Board

**Through:** Linzee Ott, Chair

**From:** Guy Parola, ACIP

**Date:** February 13, 2025

**RE:** Ordinance 2025-74 Amending Chapter 656, Part 3, Subpart H to Revise Requirements for Drive-In and Drive Through Facilities

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### Bill Summary

The bill amends Ordinance Code Chapter 656 – Zoning Code – to amend the criteria for when drive-in and drive-through facilities may be Permissible By Exception. Note, this legislation *does not* expand the geographic areas in which drive-in and drive-through facilities may be Permissible By Exception, nor does this legislation apply to the following Downtown Districts: *LaVilla, Cathedral and Southbank*. Each of these districts will remain as is written in the current Ordinance Code.

As it currently stands, drive-in and drive-through facilities are Permissible by Exception within the Brooklyn, Northcore, Central Core, Sports & Entertainment and Working Waterfront Districts, providing that the service window or device and all queuing lines are located entirely within an enclosed structure such as a parking garage. This legislation, as proposed, would also permit by grant of an exception drive-in and drive-through facilities when:

(New Provision)

The service window or device is contiguous to and accessed from an improved vehicle use area (e.g. parking lot) other than a commercial surface lot, existing as of 2014, and all queuing lines are located within such approved vehicle use area.

Additionally, the drive-in and drive-through facility continue to be in conjunction with a permitted use such as a restaurant, bank, etc. Essentially, a drive-in or drive-through facility when permitted by grant of an exception is accessory to another use such as a restaurant, bank, etc.

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Zoning Exceptions

A Zoning Exception is the mechanism by which the Planning Commission, DDRB, etc. may allow for a use that is otherwise not permitted within a Zoning District or specially defined area such as the Downtown's various overlay districts (e.g. Northcore). In other words, the proposed use must have demonstrated that it meets an enhanced level of review with that determination by, in this instance DDRB, having occurred in a public meeting.

For Zoning Exceptions, this enhanced level of review includes determination that the use meets the following criteria:

- (i) Will be consistent with the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;
- (ii) Will be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values, and existing similar uses or zoning;
- (iii) Will not have an environmental impact inconsistent with the health, safety and welfare of the community;
- (iv) Will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community;
- (v) Will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan, including any subsequent amendment to the plan adopted by the Council;
- (vi) Will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity;
- (vii) Will not overburden existing public services and facilities;
- (viii) Will be sufficiently accessible to permit entry onto the property by fire, police, rescue and other services; and
- (ix) Will be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such particular use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission.

In its authority to review an application for a Zoning Exception, the DDRB may a deny, approve or approve with conditions the request.

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STAFF RECOMMENDATION

Staff recommends that the DDRB **Recommends to City Council Approval of Ordinance 2025-74.**

Note: DDRB decision is a recommendation to City Council. DDRB's recommendation together with staff's recommendation report will be forwarded to the City's Planning Department for distribution to Planning Commission and City Council.

Staff Recommendation Analysis

Staff's recommendation is based, in part, on the following:

- Drive-in and Drive-Through Facilities will remain Permissible by Exception, ensuring that a heightened level of review and consistency findings by the DDRB would be required. This review would remain in a public meeting;
- This legislation will not result in the expansion of surface parking as: if located in a surface parking area, that surface parking would have needed to be in existence since 2014; pursuant to the Ordinance Code, new or expansion surface parking of more than six spaces for non-residential uses, whether accessory or on-site, is prohibited unless interior to the parcel and wrapped by building on the street frontage; and expansion of surface parking is prohibited in the Central Core;
- Queuing of vehicles are required to remain within an existing vehicle use area, an area already used for vehicular movement and parking; and
- This legislation does not apply to the LaVilla, Cathedral and Southbank Districts.