

LAND USE AND ZONING AMENDMENT

The Land Use & Zoning Committee offers the following amendment to File No. 2025-159:

- (1) On **page 1, line 5**, after "AMENDING" insert "SECTION 250.1201 (LICENSES AND PERMITS; MOBILE FOOD DISPENSING VENDING AREAS), PART 12 (MOBILE FOOD DISPENSING VENDORS), CHAPTER 250 (MISCELLANEOUS BUSINESS REGULATIONS), *ORDINANCE CODE*, TO PROVIDE THAT MOBILE FOOD DISPENSING VEHICLES SHALL BE PROHIBITED FROM OPERATING AS A FOOD SERVICE BUSINESS ON ANY PROPERTY THAT DISPENSES GASOLINE OR OTHER FLAMMABLE PETROLEUM PRODUCTS FOR COMMERCIAL SALE SUBJECT TO CERTAIN CONDITIONS; AMENDING SECTION 656.312 (NEIGHBORHOOD COMMERCIAL CATEGORY)," ;
- (2) On **page 1, line 8**, strike "AND" and insert ", " ;
- (3) On **page 1, line 10**, after "DISTRICTS)," insert "AND SECTION 656.340 (PLANNED UNIT DEVELOPMENT-PUD), SUBPART F (PLANNED UNIT DEVELOPMENT)," ;
- (4) On **page 1, line 12**, after "PROHIBIT" insert ", SUBJECT TO CERTAIN CONDITIONS," ;
- (5) On **page 1, lines 14-16**, strike "IN COMMERCIAL OR INDUSTRIAL ZONING CATEGORIES WHICH SELLS GASOLINE OR OTHER FLAMMABLE PETROLEUM PRODUCTS" and insert "IN COMMERCIAL, INDUSTRIAL AND PUD ZONING CATEGORIES THAT DISPENSE GASOLINE OR OTHER FLAMMABLE PETROLEUM PRODUCT FOR COMMERCIAL SALE" ;
- (6) On **page 1, line 17**, after "INSTRUCTIONS;" insert "ESTABLISHING A PROSPECTIVE EFFECTIVE DATE OF JULY 21, 2025, FOR CODE AMENDMENTS CONTAINED IN THIS ORDINANCE TO BECOME EFFECTIVE;" ;
- (7) On **page 1, line 21½**, insert a new Section 1 to read as follows:

"Section 1. Amending Section 250.1201 (Licenses and permits; Mobile Food Dispensing vending areas), Part 12 (Mobile Food Dispensing Vendors), Chapter 250 (Miscellaneous Business Regulations), Ordinance Code. Section 250.1201 (Licenses and permits; Mobile Food Dispensing vending areas), Part 12 (Mobile Food Dispensing Vendors), Chapter 250 (Miscellaneous Business Regulations), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 250 - MISCELLANEOUS BUSINESS REGULATIONS

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PART 12. - MOBILE FOOD DISPENSING VENDORS

Sec. 250.1201. - Licenses and permits; Mobile Food Dispensing vending areas.

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(b) Vending Areas.

- (1) Downtown Jacksonville - Mobile Food Dispensing Vendors are allowed in all zoning districts as a permitted use.
- (2) All areas in Jacksonville other than Downtown - Mobile Food Dispensing Vendors may vend food or nonalcoholic beverages from a mobile food dispensing vehicle in all zoning districts except the Commercial Neighborhood (CN) zoning district subject to the issuance of a zoning exception pursuant to the Zoning Code.
- (3) Mobile food dispensing vehicles which employ an open flame, propane or combustible fuel to prepare food, are prohibited from preparing, distributing or

selling food or beverages, or in any other way operating as a food service business, on any property that dispenses gasoline or other flammable petroleum products for commercial sale within 300 feet from the pump or other mechanism that dispenses the gasoline or other flammable petroleum products for commercial sale. This prohibition does not extend to adjacent properties regardless of their distance from the pump or other mechanism that dispenses gasoline or other flammable petroleum products.

* * *";

- (8) Renumber the remaining Sections accordingly;
- (9) On **page 1, line 22, strike "Section" and insert "Sections 656.312 (Neighborhood Commercial Category) and"**;
- (10) On **page 1, line 27, strike "Section" and insert "Sections 656.312 (Neighborhood Commercial Category) and"**;
- (11) On **page 1, line 28, strike "is" and insert "are"**;
- (12) On **page 2, line 3½, insert new language to read as follows:**
"Sec. 656.312. - Neighborhood Commercial Category.

This category permits retail uses, office commercial uses and services establishments which serve the daily needs of contiguous residential neighborhoods. Neighborhood commercial sites should abut a roadway classified as a collector or higher facility on the adopted Functional Highway Classification Map. Sites with two or more property boundaries on transportation rights-of-way will be considered preferred locations for neighborhood serving uses. Mobile food vehicles which employ an open flame, propane or combustible fuel to prepare food,

are prohibited from preparing, distributing or selling food or beverages, or in any other way operating as a food service business, on any property that dispenses gasoline or other flammable petroleum products for commercial sale within 300 feet from the pump or other mechanism that dispenses the gasoline or other flammable petroleum products for commercial sale. This prohibition does not extend to adjacent properties regardless of their distance from the pump or other mechanism that dispenses gasoline or other flammable petroleum products.

The following primary and secondary zoning districts may be considered in the Neighborhood Commercial Category depicted on the Future Land Use Maps of the Comprehensive Plan.

A. Primary zoning districts. The primary zoning districts shall include the following:

(1) Commercial Office (CO); Section 656.311.

(2) Commercial Neighborhood (CN); Section 656.312.

These districts allow neighborhood commercial uses which include convenience goods, personal services, and other low intensity retail and office uses developed in freestanding or shopping center configurations. Normally, such shopping centers will be anchored by a food store and will contain other supporting retail and office uses.

* * *";

(13) On **page 2, line 9 and page 3, line 18**, after "vehicles" **insert** "which employ an open flame, propane, or combustible fuel to prepare food";

(14) On **page 2, line 12 and page 3, line 21**, after "sale" **insert**

"within 300 feet from the pump or other mechanism that dispenses the gasoline or other flammable petroleum products for commercial sale. This prohibition does not extend to adjacent properties regardless of their distance from the pump or other mechanism that dispenses gasoline or other flammable petroleum products";

- (15) On **page 3, line 6 and page 4, line 16, strike "* * *"**;
- (16) On **page 4, line 16½, insert** a new Section to read as follows:

"Section 4. Amending Section 656.340 (Planned Unit Development-PUD), Subpart F (Planned Unit Development), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code), Ordinance Code. Section 656.340 (Planned Unit Development-PUD), Subpart F (Planned Unit Development), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code), Ordinance Code, is hereby amended to read as follows:

CHAPTER 656 - ZONING CODE

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PART 3. - SCHEDULE OF DISTRICT REGULATIONS

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SUBPART F. - PLANNED UNIT DEVELOPMENT

Sec. 656.340. - Planned Unit Development-PUD.

It is the intent and purpose of this district that Planned Unit Developments, both large scale, which consists of five acres or more, and small scale, which consists of less than five acres, be utilized to create living environments that are responsive to the needs of their inhabitants; to provide flexibility in planning, design and development; to encourage innovative approaches to the design of community environments;

to encourage the fulfillment of housing needs appropriate to various lifestyles and income levels; to encourage the integration of different housing types within a development; provide an opportunity for new approaches to ownership; to provide for an efficient use of land; to provide an environment compatible with surrounding land use; to adapt the zoning process to changes in construction and development technology; to encourage the preservation of the natural site features; to provide community environments that are so designed and located as to be an integral part of the total ecosystem; to encourage the design of communities and structures adapted to the local climate; thereby promoting the public health, safety, morals, order, comfort, convenience, appearance, prosperity, and general welfare of the City of Jacksonville. It is further intended that the Planned Unit Development district may be utilized to implement the Comprehensive Plan. It is not the intent to utilize the Planned Unit Development district solely to diminish the usual application of the provisions of the Zoning Code. The Planned Unit Development district process shall not be used to discriminate against or otherwise violate civil rights of the existing or future residents, users or occupants of the PUD. The rights of people with disabilities to access and use housing in the form of dwelling units, community residential homes or group homes shall not be more restrictive in a PUD than in equivalent conventional zoning districts. In addition, within a PUD, mobile food vehicles which employ an open flame, propane or combustible fuel to prepare food, are prohibited from preparing, distributing or

selling food or beverages, or in any other way operating as a food service business, on any property that dispenses gasoline or other flammable petroleum products for commercial sale within 300 feet from the pump or other mechanism that dispenses the gasoline or other flammable petroleum products for commercial sale. This prohibition does not extend to adjacent properties regardless of their distance from the pump or other mechanism that dispenses gasoline or other flammable petroleum products.

* * *";

(17) Renumber the remaining Sections accordingly;

(18) On **page 4, line 23½, insert** a new Section to read as follows:

"Section 6. Establishment of Prospective Date of July 21, 2025, for the Code Amendments Contained in this Ordinance to Become Effective. The Code amendments contained in this Ordinance shall not become effective until July 21, 2025."

(19) Renumber the remaining Section accordingly;

(20) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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