

1 Introduced by the Council President at the request of the Mayor:
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3

4 **ORDINANCE 2020-695-E**

5 AN ORDINANCE REGARDING CHAPTER 656 (ZONING
6 CODE), AND CHAPTER 55 (DOWNTOWN INVESTMENT
7 AUTHORITY), *ORDINANCE CODE*; AMENDING SECTION
8 656.314 (CENTRAL BUSINESS DISTRICT CATEGORY)
9 TO DELETE REFERENCE TO THE CONSOLIDATED
10 DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI);
11 AMENDING SECTION 656.361.4 (GENERAL STANDARDS)
12 TO DELETE REFERENCE TO THE CONSOLIDATED
13 DOWNTOWN DRI DEVELOPMENT ORDER AND TO
14 REFERENCE THE CBD FUTURE LAND USE CATEGORY AND
15 THE CITY'S MOBILITY PLAN AND PUBLIC FACILITY
16 LEVEL OF SERVICE STANDARDS IN THE CAPITAL
17 IMPROVEMENTS ELEMENT OF THE CITY'S
18 COMPREHENSIVE PLAN; AMENDING SECTION
19 656.361.7.1.F. (PROCEDURES TO BE FOLLOWED BY
20 THE DDRB) TO DELETE REFERENCE TO THE
21 CONSOLIDATED DOWNTOWN DRI DEVELOPMENT ORDER
22 AND TO REFERENCE THE CBD FUTURE LAND USE
23 CATEGORY, THE BUSINESS INVESTMENT AND
24 DEVELOPMENT (BID) PLAN AND THE PUBLIC FACILITY
25 LEVEL OF SERVICE STANDARDS IN THE CAPITAL
26 IMPROVEMENTS ELEMENT OF THE CITY'S
27 COMPREHENSIVE PLAN; AMENDING SECTION
28 656.361.9.C. (POWERS AND DUTIES) TO DELETE
29 REFERENCE TO THE CONSOLIDATED DOWNTOWN DRI
30 DEVELOPMENT ORDER AND TO REFERENCE THE CBD

1 FUTURE LAND USE CATEGORY AND THE PUBLIC
2 FACILITY LEVEL OF SERVICE STANDARDS IN THE
3 CAPITAL IMPROVEMENTS ELEMENT OF THE CITY'S
4 COMPREHENSIVE PLAN; AMENDING SECTION 656.1601
5 (DEFINITIONS) TO CORRECTLY IDENTIFY THE NAME
6 OF THE DOWNTOWN INVESTMENT AUTHORITY; AMENDING
7 SECTION 55.106 (DEFINITIONS) AND SECTION
8 55.108 (POWERS AND DUTIES) TO DELETE REFERENCE
9 TO THE CONSOLIDATED DOWNTOWN DRI DEVELOPMENT
10 ORDER; PROVIDING FOR CONSISTENCY WITH THE CITY
11 OF JACKSONVILLE 2030 COMPREHENSIVE PLAN; AND
12 PROVIDING FOR SEVERABILITY, CONFLICT AND AN
13 EFFECTIVE DATE.

14
15 **WHEREAS**, in 2019, the Downtown Investment Authority, in
16 collaboration with the Planning and Development Department,
17 initiated the process and procedures to abandon the Consolidated
18 Downtown Development of Regional Impact (DRI); and

19 **WHEREAS**, as part of this process, certain revisions and
20 modifications to the City of Jacksonville Ordinance Code are
21 necessary and appropriate; and

22 **WHEREAS**, as a part of this process, the City Council has
23 previously approved Ordinance 2020-110-E, approving the Mobility
24 Fee Credit Contract between the DIA, as the Master Developer, and
25 the City, which identified the mitigated development rights
26 remaining in Phase I of the Consolidated Downtown DRI and to
27 memorialize the fee credits available for distribution by the DIA
28 for future development within the Central Business District
29 development area; and

30 **WHEREAS**, as a further part of the process to abandon the
31 Consolidated Downtown DRI, the City Council also approved for

1 transmittal, Ordinance 2020-277-E approving certain text amendments
2 to the Future Land Use Element and the Transportation Element of
3 the City of Jacksonville *2030 Comprehensive Plan* to amend
4 objectives and policies related to growth and development in the
5 downtown area and to remove reference to the Consolidated Downtown
6 DRI; and

7 **WHEREAS**, the Florida Department of Economic Opportunity, the
8 Florida Department of Transportation, along with other State and
9 Regional entities, completed their reviews and had no comment on
10 the proposed amendments to the Future Land Use Element and to the
11 Transportation Element of the City of Jacksonville *2030*
12 *Comprehensive Plan*; and

13 **WHEREAS**, the proposed amendments to the Future Land Use
14 Element and to the Transportation Element of the City of
15 Jacksonville *2030 Comprehensive Plan* are now pending before the
16 City Council for approval, which is proceeding concurrently with
17 this Ordinance; and

18 **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public
19 hearing on these proposed amendments to the City of Jacksonville
20 Ordinance Code, and having considered all written and oral comments
21 received during the public hearing, has made its recommendation to
22 the Council; and

23 **WHEREAS**, the City Council held a public hearing on these
24 proposed amendments to the City of Jacksonville Ordinance Code,
25 with public notice having been provided, and having considered all
26 written and oral comments received during the public hearing, and
27 the recommendations of various applicable reviewing entities,
28 desires to adopt these proposed amendments; now, therefore

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

30 **Section 1. Purpose and Intent.**

31 The purpose and intent of this Ordinance is to update the

1 Downtown Overlay and other Downtown regulations to delete
2 references to the Consolidated Downtown DRI and the Consolidated
3 Downtown DRI Development Order, and to reference the provisions of
4 the Future Land Use Element, the Central Business District Future
5 Land Use Category, the Public Facility Level of Service Standards
6 in the City's adopted Comprehensive Plan, the Business Investment
7 and Development (BID) Plan, and to correctly identify the name of
8 the Downtown Investment Authority.

9 **Section 2. Amending Section 656.314 (Central Business**
10 **District Category), Subpart C (Commercial Use Categories and Zoning**
11 **Districts), Part 3 (Schedule of District Regulations), Chapter 656**
12 **(Zoning Code), Ordinance Code.** Section 656.314 (Central Business
13 District Category) is hereby amended to read as follows:

14 **CHAPTER 656 - ZONING CODE**

15 * * *

16 **PART 3. SCHEDULE OF DISTRICT REGULATIONS**

17 * * *

18 **SUBPART C. COMMERCIAL USE CATEGORIES AND ZONING DISTRICTS**

19 * * *

20 **Sec. 656.314. - Central Business District Category.**

21 This is a mixed land use category that is coterminous with the
22 jurisdictional area of the Downtown Investment Authority (DIA). The
23 category allows medium to high-density residential (including loft
24 apartments), commercial, industrial, institutional, recreational,
25 and entertainment uses, as well as transportation and communication
26 facilities. Loft apartments consisting of residential units within
27 large, formerly nonresidential buildings converted or partially
28 converted to residential purposes will be permitted throughout the
29 Central Business District Category in all zoning districts the
30 Downtown Overlay Zone. ~~All the area in the Central Business~~
31 ~~District Category is included within the boundaries of the~~

1 ~~development of regional impact (DRIs) for the downtown area.~~ The
2 exact location, distribution, and density/intensity of various
3 types of land use in the DIA's jurisdictional area is guided by the
4 ~~master development plans approved as part of the DRIs for the~~
5 ~~downtown area~~ Central Business District Future Land Use Category as
6 described in the Future Land Use Element of the City's adopted
7 Comprehensive Plan, the Business Investment and Development Plan
8 (BID), and the Downtown Overlay Zone and Downtown District
9 Regulations in Sec. 656.361.

10 * * *

11 **Section 3. Amending Section 656.361.4 (General Standards)**
12 **and Subsection 656.361.7.1.F. (Procedures to be followed by the**
13 **DDRB) and Subsection 656.361.9.C. (Powers and Duties), Subpart H**
14 **(Downtown Overlay Zone and Downtown District Use and Form**
15 **Regulations), Part 3 (Schedule of District Regulations), Chapter**
16 **656 (Zoning Code), Ordinance Code.** Section 656.361.4 (General
17 Standards), and Subsections 656.361.7.1.F (Procedures to be
18 followed by the DDRB) and 656.361.9.C (Powers and Duties), are
19 hereby amended to read as follows:

20 **CHAPTER 656 - ZONING CODE**

21 * * *

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

23 * * *

24 **SUBPART H. - DOWNTOWN OVERLAY ZONE AND DOWNTOWN DISTRICT USE AND**
25 **FORM REGULATIONS**

26 * * *

27 **Sec. 656.361.4 - General Standards.**

28 All development and redevelopment in the Downtown Overlay Zone
29 including, but not limited to, all Public Works and JTA projects
30 and streetscape projects, partnerships with the City that require
31 funding, and all projects that require permits of any type for the

1 development or redevelopment of a site, building, structure, or
2 right-of-way shall be subject to the Use Regulations, the Form
3 Regulations, the Design Guidelines, the Riverwalk Park Design
4 Criteria, and the following general standards:

5 A. The use shall be consistent with the BID Plan which includes
6 the Community Redevelopment Plans and with the Central
7 Business District Future Land Use Category as described in
8 the Future Land Use Element of the City's adopted
9 Comprehensive Plan ~~the Consolidated Downtown Development of~~
10 ~~Regional Impact (DRI) Development Order.~~

11 * * *

12 E. All applications and plans submitted shall be consistent with
13 the ~~Consolidated Downtown DRI Development Order Conditions~~
14 City's adopted Mobility Plan and Public Facility Level of
15 Service Standards identified in the Capital Improvements
16 Element of the Comprehensive Plan ~~to assure consistency with~~
17 ~~the mitigation requirements of the applicant to support the~~
18 ~~proposed development.~~ The requirements associated with the
19 above are implemented separately with DIA through the
20 approval of a redevelopment agreement and associated
21 allocation of ~~DRI~~ development rights which includes
22 mitigation of impacts (transportation, utilities, police and
23 fire protection, and similar impacts) by the applicant
24 resulting from the development. Approval of the application
25 and plans can occur during the above review, or before the
26 above review, at the discretion of the applicant, subject to
27 compliance with the above ~~DRI~~ requirements before building
28 permit applications are filed with the Building Official.

29 * * *

30 **Sec. 656.361.7.1. - Application and Review Procedure to DDRB**
31 **and Council; Appeals.**

1 * * *

2 **F. Procedures to be followed by the DDRB.**

3 * * *

4 6. Upon approval of a project with or without conditions by
5 the DDRB, building permits shall be issued for
6 development, subject to compliance with all applicable
7 Building Code requirements, including any required
8 conditions imposed by the DDRB. DDRB approvals shall be
9 valid for one year from the date of approval, but may be
10 extended upon written request to DDRB staff for just
11 cause, but in no event shall an extension be granted for
12 more than one additional year beyond the original
13 approval date. DDRB approvals may be granted for longer
14 periods of time, if the applicant is subject to a
15 Redevelopment Agreement that incorporates:

16 (a) A performance schedule of completion for the
17 project;

18 (b) An allocation of development rights that ~~meets the~~
19 ~~Consolidated Downtown DRI Development Order~~
20 ~~Conditions~~ is consistent with the Central Business
21 District Future Land Use Category as described in
22 the Future Land Use Element of the City's adopted
23 Comprehensive Plan, the BID Plan, and the Public
24 Facility Level of Service Standards identified in
25 the Capital Improvements Element of the
26 Comprehensive Plan; and

27 * * *

28 **Sec. 656.361.9. - Downtown Development Review Board.**

29 * * *

30 **C. Powers and Duties.** DIA shall have the responsibility and
31 authority to approve any amendments to the Downtown Design

1 Guidelines, recommend changes to the Downtown District
2 Regulations, interpret the BID Plan, approve development and
3 redevelopment projects within the Downtown Overlay Zone, and
4 succeed to all of the powers of the former Downtown
5 Development Authority. In order to assist the DIA in carrying
6 out this responsibility, the DDRB shall have the following
7 powers and duties:

8 1. To review and make decisions with respect to all
9 applications for development and redevelopment regarding
10 use and form within the Downtown Overlay Zone to:

11 (a) To ensure consistency and compatibility of all
12 proposed development and redevelopment with the BID
13 Plan;

14 (b) To ensure consistency with, ~~and provide mitigation~~
15 ~~as may be required by, the Consolidated Downtown DRI~~
16 ~~Development Order~~ the Central Business District
17 Future Land Use Category as described in the Future
18 Land Use Element of the City's adopted Comprehensive
19 Plan and Public Facility Level of Service Standards
20 identified in the Capital Improvements Element of
21 the Comprehensive Plan; and

22 * * *

23 **Section 4. Amending Section 656.1601 (Definitions), Part**
24 **16 (Definitions), Chapter 656 (Zoning Code), Ordinance Code.**

25 Section 656.1601 (Definitions) is hereby amended to read as
26 follows:

27 **CHAPTER 656 - ZONING CODE**

28 * * *

29 **PART 16. - DEFINITIONS**

30 **Sec. 656.1601. - Definitions.**

31 * * *

1 *Downtown Overlay Zone*. The Downtown Overlay Zone includes all
2 of the area included with the jurisdiction of the Jacksonville
3 ~~Downtown Development~~ Investment Authority. Within the Downtown
4 Overlay Zone the various subzones are intended for application in
5 combination with the designated zoning districts in order to
6 provide special uses and development regulations, implement
7 downtown design standards and policies, and protect and enhance
8 unique features of downtown Jacksonville.

9 * * *

10 **Section 5. Amending Section 55.106 (Definitions) and**
11 **Section 55.108 (Powers and Duties), Part 1 (Downtown Investment**
12 **Authority), Chapter 55 (Downtown Investment Authority), Ordinance**
13 **Code.** Section 55.106 (Definitions) and Section 55.108 (Powers and
14 Duties) are hereby amended to read as follows:

15 **CHAPTER 55 - DOWNTOWN INVESTMENT AUTHORITY**

16 **PART 1. - DOWNTOWN INVESTMENT AUTHORITY**

17 * * *

18 **Sec. 55.106. - Definitions.**

19 * * *

20 (d) *Business Investment and Development Plan or BID Plan*
21 means the plan approved by Council pursuant to Ordinance 2014-560-E
22 , which includes specific and measurable goals, objectives, and
23 performance for the successful development of Downtown, and which
24 includes long-range plans designed to halt or prevent deterioration
25 of downtown property values, and which includes a community
26 redevelopment plan for the Southside Community Redevelopment Area
27 and the Downtown Northbank Community Redevelopment Area that:

28 (1) Meets the requirements of F.S. Ch. 163, Pt. III;

29 (2) Conforms to the comprehensive plan for the City ~~and~~
30 ~~the Downtown DRI;~~

31 * * *

1 (m) ~~Master Developer shall mean the Authority with respect to~~
2 ~~the Downtown DRI Development Order~~ Reserved.

3 * * *

4 **Sec. 55.108. - Powers and Duties.**

5 (a) The Board shall have the following powers and duties,
6 subject to appropriated funds, within Downtown:

7 * * *

8 (10) To negotiate, assign and allocate development rights
9 ~~as Master Developer pursuant to the Downtown DRI Development Order~~
10 within the Central Busines District, including assigning mobility
11 fee credits pursuant to any applicable mobility fee contract.

12 * * *

13 **Section 6. Consistency with Comprehensive Plan.** The City
14 Council hereby finds the amendments adopted herein consistent with
15 the City of Jacksonville *2030 Comprehensive Plan*.

16 **Section 7. Severability.** If a court of competent
17 jurisdiction at any time finds any provision of this Ordinance to
18 be unlawful, illegal, or unenforceable, the offending provision
19 shall be deemed severable and removed from the remaining provisions
20 of this Ordinance which shall remain in full force and effect.

21 **Section 8. Conflict.** All ordinances, resolutions,
22 official determinations, or parts thereof previously adopted or
23 entered by the City or any of its officials and in conflict with
24 this Ordinance are repealed to the extent inconsistent herewith.

25 **Section 9. Effective Date.** This Ordinance shall become
26 effective upon signature by the Mayor or upon becoming effective
27 without the Mayor's signature.

28
29 Form Approved:

30
31 /s/ Shannon K. Eller

1 Office of General Counsel

2 Legislation Prepared By: Shannon K. Eller

3 GC-#1400161-v1-2020-695_Downtown_DRI_Code_Update