

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

September 9, 2021

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2021-543 / Residential Infill on Lots of Record Text Amendment to the Future Land Use Element of the 2030 Comprehensive Plan**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairman Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2021-543 on September 9, 2021.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>5-0 APPROVE</b>

Joshua Garrison, Chair	Absent
Dawn Motes, Vice-Chair	Absent
David Hacker, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alexander Moldovan	Aye
Jason Porter	Aye

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

Sincerely,

*Kristen D. Reed*

Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville - Planning and Development Department  
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**Staff Report on Proposed 2021B Series Text Amendment  
to the Future Land Use Element of the  
2030 Comprehensive Plan**

**ORDINANCE 2021-543**

Ordinance 2021-543 is an amendment to the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. This amendment adds FLUE Policy 3.1.27 which allows for consideration of amendments to residential Future Land Use Categories to permit infill single-family development on lots of record where the lot size does not comply with the minimum lot size for development without access to centralized water and sewer services.

For the purposes of this policy, a lot of record is a lot that was legally recorded prior to adoption of the 2010 Comprehensive Plan on September 21, 1990. Minimum lot area requirements for residential development in the FLUE residential land use categories and policies of the Infrastructure Element were introduced with adoption of the 2010 Comprehensive Plan. The minimum lot size for residential development without centralized water and sewer ranges from one to one half of an acre and the minimum lot area without at least one utility ranges from one half of an acre to one quarter of an acre.

The Planning and Development Department recommends **APPROVAL** of the text amendment in the attached **EXHIBIT 1** submitted as **Ordinance 2021-543**.

1 Introduced by Council Member Diamond:  
2  
3

4 **ORDINANCE 2021-543**

5 AN ORDINANCE APPROVING THE PROPOSED 2021B SERIES  
6 TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT OF  
7 THE *2030 COMPREHENSIVE PLAN* OF THE CITY OF  
8 JACKSONVILLE, CREATING A NEW FUTURE LAND USE  
9 ELEMENT POLICY 3.1.27 TO ALLOW FOR CONSIDERATION  
10 TO AMEND LAND USE AND ZONING OF LEGAL LOTS OF  
11 RECORD EXISTING BEFORE SEPTEMBER 21, 1990, SO  
12 THAT ONE SINGLE-FAMILY DWELLING PER LOT IS  
13 PERMITTED, SUBJECT TO CASE-BY-CASE REVIEW FOR  
14 CONSISTENCY WITH THE COMPREHENSIVE PLAN, FOR  
15 TRANSMITTAL TO THE STATE OF FLORIDA'S VARIOUS  
16 AGENCIES FOR REVIEW; PROVIDING A DISCLAIMER THAT  
17 THE AMENDMENT TRANSMITTED HEREIN SHALL NOT BE  
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, Council Member Diamond, as Chair of the Land Use and  
22 Zoning Committee, has initiated a revision to the text of the *2030*  
23 *Comprehensive Plan* in accordance with the procedures and requirements  
24 set forth in Chapter 650, Part 4, *Ordinance Code*, to amend the Future  
25 Land Use Element to create a new Policy 3.1.27, which allows for  
26 consideration of amending the land use and zoning of a legal lot of  
27 record existing before September 21, 1990, to allow one single-family  
28 dwelling per lot be permitted, subject to a case-by-case review for  
29 consistency with the Comprehensive Plan, which is more particularly  
30 set forth in **Exhibit 1**, attached hereto, dated August 3, 2021, and  
31 incorporated herein by reference; and

1           **WHEREAS**, the Jacksonville Planning Commission, as the Local  
2 Planning Agency, held a public hearing on this proposed Amendment to  
3 the *2030 Comprehensive Plan*, with due public notice having been  
4 provided, and reviewed and considered all comments received during  
5 the public hearing, and made a recommendation to the City Council;  
6 and

7           **WHEREAS**, the Land Use and Zoning (LUZ) Committee held a public  
8 hearing on this proposed Amendment pursuant to Chapter 650, Part 4,  
9 *Ordinance Code*, and having considered all written and oral comments  
10 received during the public hearing, has made its recommendation to  
11 the Council; and

12           **WHEREAS**, the City Council held a public hearing on this proposed  
13 Amendment with public notice having been provided, pursuant to Section  
14 163.3184(3), *Florida Statutes*, and Chapter 650, Part 4, *Ordinance*  
15 *Code*, and having considered all written and oral comments received  
16 during the public hearing, the recommendations of the Planning and  
17 Development Department, the Planning Commission and the LUZ  
18 Committee, desires to transmit this proposed Amendment through the  
19 State's expedited state review process to the Florida Department of  
20 Economic Opportunity, as the State Land Planning Agency, the Northeast  
21 Florida Regional Council, the Florida Department of Transportation,  
22 the St. Johns River Water Management District, the Florida Department  
23 of Environmental Protection, the Florida Fish and Wildlife  
24 Conservation Commission, the Department of State's Bureau of Historic  
25 Preservation, the Florida Department of Education, and the Department  
26 of Agriculture and Consumer Affairs; now, therefore

27           **BE IT ORDAINED** by the Council for the City of Jacksonville:

28           **Section 1.           Approval of Amendment for Transmittal Purposes.**

29 The Council hereby approves the proposed 2021 B Series Text Amendment  
30 to the Future Land Use Element of the *2030 Comprehensive Plan*, as set  
31 forth in **Exhibit 1**, attached hereto, dated August 3, 2021, for

1 transmittal to Florida's various required State Agencies for review.

2       **Section 2. Disclaimer.**       The transmittal approved herein  
3 shall **not** be construed as an exemption from any other applicable  
4 local, state, or federal laws, regulations, requirements, permits or  
5 approvals. All other applicable local, state or federal permits or  
6 approvals shall be obtained before commencement of the development  
7 or use, and transmittal is based upon acknowledgement, representation  
8 and confirmation made by the applicant(s), owner(s), developer(s)  
9 and/or any authorized agent(s) or designee(s) that the subject  
10 business, development and/or use will be operated in strict compliance  
11 with all laws. Transmittal does **not** approve, promote or condone any  
12 practice or act that is prohibited or restricted by any federal,  
13 state or local laws.

14       **Section 3. Effective Date.**       This Ordinance shall become  
15 effective upon the signature by the Mayor or upon becoming effective  
16 without the Mayor's signature.

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18  
19 Form Approved:

20  
21     /s/ Paige H. Johnston    

22 Office of General Counsel

23 Legislation Prepared By: Paige H. Johnston

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**Ordinance 2021-543**

**2021B Series Text Amendment**  
**City of Jacksonville 2030 Comprehensive Plan**  
**Future Land Use Element**

**Policy .1.2**

The City shall consider amending the land use and zoning of a legal lot of record existing before September 21, 1990, in a manner that permits development of one single-family dwelling, regardless of the availability of centralized water or sewer facility connections and related density or lot area requirements. Land use amendments and rezonings shall be subject to a case-by case review for consistency with the Comprehensive Plan.