

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



JEFFREY R. CLEMENTS
Chief of Research
(904) 255-5137

117 West Duval Street
City Hall, Suite 425
Jacksonville, FL 32202
FAX (904) 255-5229

Bill Type and Number: Ordinance 2022-766

Introducer/Sponsor(s): Council Member Becton

Date of Introduction: October 11, 2022

Committee(s) of Reference: F

Date of Analysis: October 13, 2022

Type of Action: Zoning Code amendment

Bill Summary: The bill makes several amendments to the Zoning Code with regard to Certificates of Use (CUs). It adds a new definition for *Demised Premises* meaning a property or space in which a tenant has a leasehold interest pursuant to a lease agreement. It provides that a new CU shall not be required solely because of a change in name or ownership of a business provided the use remains the same, unless required by state law or regulation. If a CU is required by state law to be in the name of a license holder, a CU shall be amended to reflect a new business name or the existing CU may be transferred to a new owner. The issuance of a CU shall not require a structure or demised premises to be retrofitted or brought into compliance with the current building code unless required by state law or elsewhere in the Zoning Code, or unless there is substantial alteration within the demised premises or substantial alteration, including new construction of the existing structure.

The bill provides that the Planning and Development Department shall review each certificate of use application for any new uses, changes in use, expansion of square footage or inclusion of new uses, for compliance with the Zoning Code and must promptly notify an applicant of any additional information needed. City inspections must occur within 10 business days and a CU decision made within 10 additional business days or as soon thereafter as practical. The Zoning Administrator may issue a conditional CU good for up to 90 days while final approval is pending. The bill shifts responsibility for reviewing and ruling on challenges to CU denials from the Certificate of Use Board to the Building Codes Adjustment Board.

Background Information: The bill is intended to streamline the certificate of use issuance procedure and eliminate the requirement for a new CU to be issued if a business changes name or ownership but otherwise continues operating in the same place and manner as before the change.

Policy Impact Area: Certificate of Use

Fiscal Impact: None to City

Analyst: Clements