

1 Introduced by Council Member Morgan:  
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3

4 **ORDINANCE 2022-220-E**

5 AN ORDINANCE AMENDING SECTION 656.399.62  
6 (CHARACTER AREAS) AND SECTION 656.399.64 (RA/CRA  
7 ZONING OVERLAY ADMINISTRATIVE DEVIATIONS),  
8 SUBPART S (RENEW ARLINGTON ZONING OVERLAY), PART  
9 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER  
10 656 (ZONING CODE), *ORDINANCE CODE*, TO PROVIDE  
11 AUTO SERVICE FACILITIES EXISTING AS OF JULY 1,  
12 2019 THE ABILITY TO APPLY FOR AN ADMINISTRATIVE  
13 DEVIATION TO REDUCE LOT AREA; PROVIDING AN  
14 EFFECTIVE DATE.  
15

16 **WHEREAS**, pursuant to Section 656.399.60, *Ordinance Code*,  
17 existing auto service facilities within the RA/CRA Zoning Overlay  
18 boundary are required to be located on one (1) acre lot if the  
19 facility is improved to the level of a Major Renovation; and

20 **WHEREAS**, many of the auto service facilities within the boundary  
21 are of a size less than one (1) acre; and

22 **WHEREAS**, pursuant to Section 656.399.64, *Ordinance Code*,  
23 Administrative Deviations to reduce lot size are not available to  
24 auto service facilities because they are listed as a High Intensity  
25 Use; and

26 **WHEREAS**, an auto service facility that is undergoing a Major  
27 Renovation and meets all the other requirements of the Zoning Overlay  
28 and Code should not be penalized if by doing such renovations are an  
29 improvement to the Zoning Overlay area; and

30 **WHEREAS**, it is in the spirit and intent of the Zoning Overlay  
31 to encourage Major Renovations of existing businesses, particularly

1 those that renovate to meet the new Zoning Overlay standards, so  
2 there should be a mechanism to apply for an Administrative Deviation  
3 for lot size of High Intensity Uses because the size of the lot may  
4 not be alterable, now, therefore

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

6 **Section 1.** Section 656.399.62 (Character Areas), Subpart S  
7 (Renew Arlington Zoning Overlay), Part 3 (Schedule of District  
8 Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby  
9 amended to read as follows:

10 **CHAPTER 656 - ZONING CODE**

11 \* \* \*

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

13 \* \* \*

14 **SUBPART S. - RENEW ARLINGTON ZONING OVERLAY**

15 \* \* \*

16 **Sec. 656.399.62.- Character areas.**

17 Given the differing aesthetics within the Redevelopment Area, the  
18 Zoning Overlay consists of five Character Areas. Each has distinct  
19 design guidelines and performance standards. These areas are as  
20 follows:

- 21 A. University Village Character Area
- 22 B. University Commercial Character Area
- 23 C. Merrill Commercial Character Area
- 24 D. Arlington Road Character Area
- 25 E. Catalyst Character Areas

26 \* \* \*

27 A. *University Village Character Area Standards.*

28 \* \* \*

29 3. *Design Guidelines.*

30 \* \* \*

31 (f) Landscaping/Landscaped Buffers. Landscaping and tree

1 protection shall be provided in accordance with Part  
2 12 of the Zoning Code with the following additional  
3 and superseding provisions:

4 (1) Uncomplimentary adjacent use Vehicular Use Area  
5 Buffer.

6 (i) For a business existing as of July 1, 2019,  
7 where the Vehicular Use Area (VUA) of a non-  
8 residential property abuts a residential use, a  
9 minimum 85 percent opaque, six-foot high  
10 masonry wall, pre-cast panel, wood or vinyl  
11 fence, or similar, shall be provided on the  
12 side of the non-residential use.

13 (ii) For businesses existing on July 1, 2019, where  
14 a building is adjacent to a residential use, a  
15 minimum 85 percent opaque, six-foot high wood,  
16 stone, brick, vinyl, masonry, pre-cast panel,  
17 or similar fence or wall shall be provided on  
18 the side of the non-residential use.

19 (2) Right-of-way Vehicular Use Area Buffer.

20 (i) A minimum five-foot landscape buffer shall be  
21 provided along the boundary of all non-  
22 residential VUAs abutting public right-of-way.  
23 No more than 25 percent of the landscaped area  
24 may be grass or mulch; the balance shall be  
25 landscaped with trees, shrubs or ground  
26 covers.

27 (3) Lawfully existing landscaping as of July 1, 2019  
28 shall meet the requirements herein by April 28,  
29 2025.

30 (4) Geographically separated parking areas shall be  
31 considered separate for purposes of Vehicular Use

1 Area buffers and landscaping in the application  
2 of the Parking Lot Matrix in Part 6 of the Zoning  
3 Code.

4 \* \* \*

5 B. *University Commercial Character Area Standards.*

6 \* \* \*

7 3. *Design Guidelines.*

8 \* \* \*

9 (e) Landscaping/Landscaped Buffers. Landscaping and tree  
10 protection shall be provided in accordance with Part  
11 12 of the Zoning Code with the following additional  
12 and superseding provisions:

13 (1) Uncomplimentary adjacent use Vehicular Use Area  
14 Buffer.

15 (i) For a business existing as of July 1, 2019  
16 where the Vehicular Use Area (VUA) of a non-  
17 residential property abuts a residential use, a  
18 minimum 85 percent opaque six-foot high masonry  
19 wall, pre-cast panel, wood or vinyl fence, or  
20 similar, shall be provided on the side of the  
21 non-residential use.

22 (ii) For businesses existing on July 1, 2019, where  
23 a building is adjacent to a residential use, a  
24 minimum 85 percent opaque, six-foot high wood,  
25 stone, brick, vinyl, masonry, pre-cast panel,  
26 or similar fence or wall shall be provided on  
27 the side of the non-residential use.

28 (2) Right-of-way Vehicular Use Area Buffer.

29 (i) Lots fronting any public right-of-way may  
30 replace the standard landscape buffer  
31 requirement with a minimum four foot landscape

1 buffer along the boundary of all non-  
2 residential vehicular use areas abutting public  
3 right-of-way. No more than 25 percent of the  
4 landscaped area may be grass or mulch, the  
5 balance shall be landscaped with trees, shrubs  
6 or ground covers.

7 (3) Lawfully existing landscaping as of July 1, 2019  
8 shall meet the requirements herein by April 28,  
9 2025.

10 (4) Geographically separated parking areas shall be  
11 considered separate for purposes of Vehicular Use  
12 Area buffers and landscaping in the application of  
13 the Parking Lot Matrix in Part 6 of the Zoning  
14 Code.

15 \* \* \*

16 C. *Merrill Commercial Character Area Standards.*

17 \* \* \*

18 3. *Design Guidelines.*

19 \* \* \*

20 (e) Landscaping/Landscaped Buffers. Landscaping and tree  
21 protection shall be provided in accordance with Part  
22 12 of the Zoning Code with the following additional  
23 and superseding provisions:

24 (1) Uncomplimentary Adjacent Use Vehicular Use Area  
25 Buffer.

26 (i) For a business existing as of July 1, 2019,  
27 where the Vehicular Use Area (VUA) of a non-  
28 residential property abuts a residential use, a  
29 minimum 85 percent opaque, six-foot high  
30 masonry wall, pre-cast panel, wood or vinyl  
31 fence, or similar, shall be provided on the

1 side of the non-residential use.

2 (ii) For businesses existing on July 1, 2019, where  
3 a building is adjacent to a residential use, a  
4 minimum 85 percent opaque, six-foot high wood,  
5 stone, brick, vinyl, masonry, pre-cast panel,  
6 or similar fence or wall shall be provided on  
7 the side of the non-residential use.

8 (2) Right-of-way Vehicular Use Area Buffer.

9 (i) Lots fronting Merrill Road may replace the  
10 standard landscape buffer requirement with a  
11 minimum four foot landscape buffer along the  
12 boundary of all non-residential VUAs abutting  
13 public right-of-way. No more than 25 percent of  
14 the landscaped area may be grass or mulch, the  
15 balance shall be landscaped with trees, shrubs  
16 or ground covers.

17 (3) Lawfully existing landscaping as of July 1, 2019  
18 shall meet the requirements herein by April 28,  
19 2025.

20 (4) Geographically separated parking areas shall be  
21 considered separate for purposes of Vehicular Use  
22 Area buffers and landscaping in the application of  
23 the Parking Lot Matrix in Part 6 of the Zoning  
24 Code.

25 \* \* \*

26 D. *Arlington Road Character Area Standards.*

27 \* \* \*

28 3. *Design Guidelines.*

29 \* \* \*

30 (e) Landscaping/Landscaped Buffers. Landscaping and tree  
31 protection shall be provided in accordance with Part

1 12 of the Zoning Code with the following additional  
2 and superseding provisions:

3 (1) Uncomplimentary Adjacent Use Vehicular Use Area  
4 Buffer.

5 (i) For a business existing as of July 1, 2019,  
6 where the Vehicular Use Area (VUA) of a non-  
7 residential property abuts a residential use, a  
8 minimum 85 percent opaque, six-foot high  
9 masonry wall, pre-cast panel, wood or vinyl  
10 fence, or similar, shall be provided on the  
11 side of the non-residential use.

12 (ii) For businesses existing on July 1, 2019, where  
13 a building is adjacent to a residential use, a  
14 minimum 85 percent opaque, six-foot high wood,  
15 stone, brick, vinyl, masonry, pre-cast panel,  
16 or similar fence or wall shall be provided on  
17 the side of the non-residential use.

18 (2) Right-of-way Vehicular Use Area Buffer.

19 (i) Lots fronting Arlington Road may replace the  
20 standard landscape buffer requirement with a  
21 minimum four foot landscape buffer along the  
22 boundary of all non-residential VUAs abutting  
23 public right-of-way. No more than 25 percent  
24 of the landscaped area may be grass or mulch,  
25 the balance shall be landscaped with trees,  
26 shrubs or ground covers.

27 (3) Lawfully existing landscaping as of July 1, 2019,  
28 shall meet the requirements herein by April 28,  
29 2025.

30 (4) Geographically separated parking areas shall be  
31 considered separate for purposes of Vehicular Use

1                   Area buffers and landscaping in the application of  
2                   the Parking Lot Matrix in Part 6 of the Zoning  
3                   Code.

4   \* \* \*

5       E. *Catalyst Character Areas Standards.*

6   \* \* \*

7           3. *Design Guidelines.*

8   \* \* \*

9                   (f) Landscaping/Landscaped Buffers. Landscaping and tree  
10                   protection shall be provided in accordance with Part  
11                   12 of the Zoning Code with the following additional  
12                   and superseding provisions:

13                   (1) Uncomplimentary Adjacent Use Vehicular Use Area  
14                   Buffer.

15                   (i) For a business existing as of July 1, 2019,  
16                   where the Vehicular Use Area (VUA) of a non-  
17                   residential property abuts a residential use, a  
18                   minimum 85 percent opaque, six-foot high  
19                   masonry wall, pre-cast panel, wood or vinyl  
20                   fence, or similar, shall be provided on the  
21                   side of the non-residential use.

22                   (ii) For businesses existing on July 1, 2019, where  
23                   a building is adjacent to a residential use, a  
24                   minimum 85 percent opaque, six-foot high wood,  
25                   stone, brick, vinyl, masonry, pre-cast panel,  
26                   or similar fence or wall shall be provided on  
27                   the side of the non-residential use.

28                   (2) Right-of-way Vehicular Use Area Buffer.

29                   (i) A minimum five-foot landscape buffer shall be  
30                   provided along the boundary of all non-  
31                   residential VUAs abutting public right-of-way.

- 1 No more than 25 percent of the landscaped area  
2 may be grass or mulch; the balance shall be  
3 landscaped with trees, shrubs or ground covers.
- 4 (3) Lawfully existing landscaping as of July 1, 2019  
5 shall meet the requirements herein by April 28,  
6 2025.
- 7 (4) Geographically separated parking areas shall be  
8 considered separate for purposes of Vehicular Use  
9 Area buffers and landscaping in the application  
10 of the Parking Lot Matrix in Part 6 of the Zoning  
11 Code.

12 \* \* \*

13 **Section 2.** Section 656.399.64 (RA/CRA Zoning Overlay  
14 Administrative Deviations), Subpart S (Renew Arlington Zoning  
15 Overlay), Part 3 (Schedule of District Regulations), Chapter 656  
16 (Zoning Code), *Ordinance Code*, is hereby amended to read as follows:

17 **CHAPTER 656 - ZONING CODE**

18 \* \* \*

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

20 \* \* \*

21 **SUBPART S. - RENEW ARLINGTON ZONING OVERLAY**

22 \* \* \*

23 **Sec. 656.399.64.- RA/CRA Zoning Overlay Administrative Deviations.**

24 A. *Administrative Deviation requests heard by Zoning*  
25 *Administrator.* Pursuant to Sec. 656.101, Ordinance Code, an  
26 Administrative Deviation may be granted by the Zoning  
27 Administrator, after due notice and hearing, for a  
28 relaxation of certain Zoning Code requirements.  
29 Notwithstanding items for which deviations may be allowed in  
30 other areas of Jacksonville, within the Renew Arlington  
31 Zoning Overlay, the Zoning Administrator may allow

1 deviations for the following:

- 2 1. Reduce minimum lot area, unless the property is a High  
3 Intensity Use as described in this Zoning Overlay;  
4 however, if the use is an auto service facility existing  
5 as of July 1, 2019, such facility may apply for an  
6 Administrative Deviation for lot area. In order to obtain  
7 said Deviation, the applicant must show that the facility  
8 is in compliance with the other provisions of the Zoning  
9 Overlay such as, but not limited to, fencing,  
10 landscaping, building placement and screening of stored  
11 vehicles;
- 12 2. Reduce required yards;
- 13 3. Reduce the minimum number of required off-street parking  
14 spaces, so long as the landscaping requirements of this  
15 Zoning Overlay are fully met;
- 16 4. Reduce the minimum landscaping requirements;
- 17 5. Increase the maximum lot coverage;
- 18 6. Adjust required driveway aisle widths, parking stall  
19 dimensions, and allow tandem parking;
- 20 7. Consider on-street parking to meet parking requirements;
- 21 8. Increase the allowable maximum height of structures,  
22 including fences, but not signs;
- 23 9. Increase the maximum number of off-street parking spaces  
24 so long as the landscaping is not also reduced, and  
25 either a professional study indicating that more spaces  
26 are warranted is performed and approved by the  
27 Department, or the request is consistent with the current  
28 edition of the ITE parking Generation Manual; and

29 \* \* \*

30 **Section 3. Effective Date.** This ordinance shall become  
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

2

3 Form Approved:

4

5           /s/ Susan C. Grandin          

6 Office of General Counsel

7 Legislation prepared by: Susan C. Grandin

8 *GC-#1488476-v3-Zoning\_Code\_Overlay\_Amendment\_Legislation\_(CM\_Morgan).docx*