

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

December 3, 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-695**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

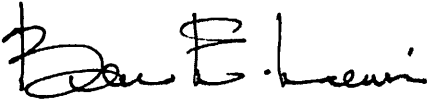
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 7-0

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

OCTOBER 14, 2020

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendations on:

ORDINANCE 2020-695

AN ORDINANCE REGARDING THE DOWNTOWN OVERLAY ZONE AS OUTLINED IN CHAPTER 656 (ZONING CODE), *ORDINANCE CODE*; AMENDING SECTION 656.314 (CENTRAL BUSINESS DISTRICT (CBD)) TO DELETE REFERENCES TO THE CONSOLIDATED DEVELOPMENT OF REGIONAL IMPACT (DRI) FOR THE DOWNTOWN AREA; AMENDING SECTION 656.361.4 (GENERAL STANDARDS) TO REMOVE REFERENCES TO THE CONSOLIDATED DOWNTOWN DRI DEVELOPMENT ORDER AND TO REFERENCE THE CBD FUTURE LAND USE CATEGORY AND THE CITY'S MOBILITY PLAN AND PUBLIC FACILITY LEVEL OF SERVICE STANDARDS ADOPTED IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY'S COMPREHENSIVE PLAN; AMENDING SECTION 656.361.7.1.F. (PROCEDURES TO BE FOLLOWED BY THE DDRB) TO REMOVE THE REFERENCE TO THE CONSOLIDATED DOWNTOWN DRI DEVELOPMENT ORDER AND TO REFERENCE THE CBD FUTURE LAND USE CATEGORY, THE BUSINESS INVESTMENT AND DEVELOPMENT (BID) PLAN AND THE PUBLIC FACILITY LEVEL OF SERVICE STANDARDS; AMENDING SECTION 656.361.9.C. (POWERS AND DUTIES OF THE DDRB) TO REMOVE REFERENCES TO THE CONSOLIDATED DOWNTOWN DRI DEVELOPMENT ORDER AND TO REFERENCE THE CBD FUTURE LAND USE CATEGORY AND THE PUBLIC FACILITY LEVEL OF SERVICE STANDARDS; AMENDING SECTION 656.1601 (DEFINITIONS) TO CORRECTLY IDENTIFY THE NAME OF THE DOWNTOWN INVESTMENT AUTHORITY; PROVIDING FOR CONSISTENCY WITH THE *2030 COMPREHENSIVE PLAN*; AND PROVIDING FOR SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The City of Jacksonville Downtown Investment Authority (DIA) is leading the effort to abandon the Consolidated Downtown Development of Regional Impact (DRI) and rescind the Development Order in accordance with Ch. 380.06(11), Florida Statutes. These efforts represent the next step in a process started last year to simplify the regulatory procedures for development and redevelopment in downtown Jacksonville, enhance economic growth, and achieve the City's vision for downtown Jacksonville.

The text amendments in this application are necessary to remove all references to the Consolidated Downtown DRI and/or Development Order and replace with appropriate language, as necessary. An amendment to Section 656.1601 (Definitions) is also proposed to update the name for the Downtown Investment Authority. This application is running concurrently with the DRI Abandonment Application and the necessary Comprehensive Plan Text Amendments (Ordinance 2020-277). All applications are expected to go before the City Council in January 2021 for a final decision.

The primary goals of the DRI abandonment process, and concurrent Comprehensive Plan and Ordinance Code Text Amendments, are to more clearly present the policies regulating development in downtown Jacksonville and to allow development and redevelopment within the downtown area to move at a pace that can better respond to market demands. It should be noted that the development entitlements approved by the DRI are being maintained. These entitlements will not be increased or decreased as a result of this application.

II. EVALUATION

A. The need and justification for the change

Once the Consolidated Downtown DRI and Development Order are abandoned, they will have no regulatory authority over development in the downtown area. All development within the area once encompassed by the DRI must be consistent with the goals, objectives, and policies of the City's Comprehensive Plan, Zoning Code, Mobility Plan, and DIA Business Investment and Development Plan. The text amendments in this application are necessary to remove all references to the Consolidated Downtown DRI and/or Development Order and replace with appropriate language, as necessary. An amendment to Section 656.1601 (Definitions) is also proposed to update the name for the Downtown Investment Authority.

B. Summary of Bill

This bill amends

- Section 656.314 (Central business district (CBD)) to delete references to the Consolidated Development of Regional Impact (DRI) for the Downtown area;
- Section 656.314 (General Standards) to remove references to the Consolidated Downtown DRI Development Order and to reference the CBD Future Land Use category and the City's Mobility Plan and public facility level of service standards adopted in

the Capital Improvements Plan and public facility level of service standards adopted in the Capital Improvements Element of the City's Comprehensive Plan;

- Section 656.361.7.1.F (procedures to be followed by the DDRB) to remove the reference to the Consolidated Downtown DRI Development Order and to reference the CBD Future Land Use category, the Business Investment and Development (BID) Plan, and the public facility level of service standards;
- Section 656.361.9.c (powers and duties of the DDRB) to remove references to the Consolidated Downtown DRI Development Order and to reference the CBD Future Land Use category and the public facility levels of service standards; and
- Section 656.1601 (Definitions) to correctly identify the name of the Downtown Investment Authority.

C. Consistency with the Comprehensive Plan.

Ordinance 2020-695 is consistent with the following Goals, Objectives, and Policies of the 2030 Comprehensive Plan:

Future Land Use Element, Policy 2.3.16

The City and DIA shall continue encouraging development and redevelopment within the CBD. Growth within the CBD will be exempt from the Mobility Plan requirements and governed by the Consolidated Downtown DRI Development Order through Phase I. Previously approved transportation improvements in Phase II and Phase III will be replaced by the improvements included in the Mobility Plan for Mobility Zone 10. Prior to proceeding with development rights authorized in Phases II or III of the Downtown DRI, the City shall either rescind or abandon the DRI pursuant to Section 380.06, F.S., or adopt a project specific Notice of Proposed Change ("NOPC") acknowledging the authorized Phase II and Phase III development rights will be governed by the City Mobility Fee System.

III. RECOMMENDATIONS

Based upon examination of the proposed ordinance with respect to the goals, objectives and policies of the 2030 Comprehensive Plan, and the intent of the Zoning Code, the Planning and Development Department finds that Ordinance 2020-695 is consistent with the Comprehensive Plan and furthers the spirit and intent of the Zoning Code. Therefore, it is the recommendation of the Planning and Development Department that Ordinance 2020-695 be **APPROVED**.

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2020-695**

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

1 PLAN; AMENDING SECTION 656.1601 (DEFINITIONS) TO
2 CORRECTLY IDENTIFY THE NAME OF THE DOWNTOWN
3 INVESTMENT AUTHORITY; AMENDING SECTION 55.106
4 (DEFINITIONS) AND SECTION 55.108 (POWERS AND
5 DUTIES) TO DELETE REFERENCE TO THE CONSOLIDATED
6 DOWNTOWN DRI DEVELOPMENT ORDER; PROVIDING FOR
7 CONSISTENCY WITH THE CITY OF JACKSONVILLE 2030
8 COMPREHENSIVE PLAN; AND PROVIDING FOR
9 SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

10
11 **WHEREAS**, in 2019, the Downtown Investment Authority, in
12 collaboration with the Planning and Development Department, initiated
13 the process and procedures to abandon the Consolidated Downtown
14 Development of Regional Impact (DRI); and

15 **WHEREAS**, as part of this process, certain revisions and
16 modifications to the City of Jacksonville Ordinance Code are necessary
17 and appropriate; and

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

25 **WHEREAS**, as a further part of the process to abandon the
26 Consolidated Downtown DRI, the City Council also approved for
27 transmittal, Ordinance 2020-277-E approving certain text amendments
28 to the Future Land Use Element and the Transportation Element of the
29 City of Jacksonville *2030 Comprehensive Plan* to amend objectives and
30 policies related to growth and development in the downtown area and
31 to remove reference to the Consolidated Downtown DRI; and

1 **WHEREAS**, the Florida Department of Economic Opportunity, the
2 Florida Department of Transportation, along with other State and
3 Regional entities, completed their reviews and had no comment on the
4 proposed amendments to the Future Land Use Element and to the
5 Transportation Element of the City of Jacksonville *2030 Comprehensive*
6 *Plan*; and

7 **WHEREAS**, the proposed amendments to the Future Land Use Element
8 and to the Transportation Element of the City of Jacksonville *2030*
9 *Comprehensive Plan* are now pending before the City Council for
10 approval, which is proceeding concurrently with this Ordinance; and

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

16 **WHEREAS**, the City Council held a public hearing on these proposed
17 amendments to the City of Jacksonville Ordinance Code, with public
18 notice having been provided, and having considered all written and
19 oral comments received during the public hearing, and the
20 recommendations of various applicable reviewing entities, desires to
21 adopt these proposed amendments; now, therefore

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

23 **Section 1. Purpose and Intent.**

24 The purpose and intent of this Ordinance is to update the
25 Downtown Overlay and other Downtown regulations to delete references
26 to the Consolidated Downtown DRI and the Consolidated Downtown DRI
27 Development Order, and to reference the provisions of the Future Land
28 Use Element, the Central Business District Future Land Use Category,
29 the Public Facility Level of Service Standards in the City's adopted
30 Comprehensive Plan, the Business Investment and Development (BID)
31 Plan, and to correctly identify the name of the Downtown Investment

1 Authority.

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

7 **CHAPTER 656 - ZONING CODE**

8 * * *

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

10 * * *

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

12 * * *

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

14 This is a mixed land use category that is coterminous with the
15 jurisdictional area of the Downtown Investment Authority (DIA). The
16 category allows medium to high-density residential (including loft
17 apartments), commercial, industrial, institutional, recreational, and
18 entertainment uses, as well as transportation and communication
19 facilities. Loft apartments consisting of residential units within
20 large, formerly nonresidential buildings converted or partially
21 converted to residential purposes will be permitted throughout the
22 Central Business District Category in ~~all zoning districts~~ the
23 Downtown Overlay Zone. ~~All the area in the Central Business District~~
24 ~~Category is included within the boundaries of the development of~~
25 ~~regional impact (DRIs) for the downtown area.~~ The exact location,
26 distribution, and density/intensity of various types of land use in
27 the DIA's jurisdictional area is guided by the ~~master development~~
28 ~~plans approved as part of the DRIs for the downtown area~~ Central
29 Business District Future Land Use Category as described in the Future
30 Land Use Element of the City's adopted Comprehensive Plan, the
31 Business Investment and Development Plan (BID), and the Downtown

1 Overlay Zone and Downtown District Regulations in Sec. 656.361.

2 * * *

3 **Section 3. Amending Section 656.361.4 (General Standards)**
4 **and Subsection 656.361.7.1.F. (Procedures to be followed by the DDRB)**
5 **and Subsection 656.361.9.C. (Powers and Duties), Subpart H (Downtown**
6 **Overlay Zone and Downtown District Use and Form Regulations), Part 3**
7 **(Schedule of District Regulations), Chapter 656 (Zoning Code),**
8 **Ordinance Code.** Section 656.361.4 (General Standards), and
9 Subsections 656.361.7.1.F (Procedures to be followed by the DDRB) and
10 656.361.9.C (Powers and Duties), are hereby amended to read as
11 follows:

12 **CHAPTER 656 - ZONING CODE**

13 * * *

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

15 * * *

16 **SUBPART H. - DOWNTOWN OVERLAY ZONE AND DOWNTOWN DISTRICT USE AND**
17 **FORM REGULATIONS**

18 * * *

19 **Sec. 656.361.4 - General Standards.**

20 All development and redevelopment in the Downtown Overlay Zone
21 including, but not limited to, all Public Works and JTA projects and
22 streetscape projects, partnerships with the City that require
23 funding, and all projects that require permits of any type for the
24 development or redevelopment of a site, building, structure, or right-
25 of-way shall be subject to the Use Regulations, the Form Regulations,
26 the Design Guidelines, the Riverwalk Park Design Criteria, and the
27 following general standards:

- 28 A. The use shall be consistent with the BID Plan which includes
29 the Community Redevelopment Plans and with the Central Business
30 District Future Land Use Category as described in the Future
31 Land Use Element of the City's adopted Comprehensive Plan the

1 ~~Consolidated Downtown Development of Regional Impact (DRI)~~
2 ~~Development Order.~~

3 * * *

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

21 * * *

22 **Sec. 656.361.7.1. - Application and Review Procedure to DDRB**
23 **and Council; Appeals.**

24 * * *

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

26 * * *

27 6. Upon approval of a project with or without conditions by
28 the DDRB, building permits shall be issued for development,
29 subject to compliance with all applicable Building Code
30 requirements, including any required conditions imposed by
31 the DDRB. DDRB approvals shall be valid for one year from

1 the date of approval, but may be extended upon written
2 request to DDRB staff for just cause, but in no event shall
3 an extension be granted for more than one additional year
4 beyond the original approval date. DDRB approvals may be
5 granted for longer periods of time, if the applicant is
6 subject to a Redevelopment Agreement that incorporates:

- 7 (a) A performance schedule of completion for the project;
8 (b) An allocation of development rights that ~~meets the~~
9 ~~Consolidated Downtown DRI Development Order~~
10 ~~Conditions~~ is consistent with the Central Business
11 District Future Land Use Category as described in the
12 Future Land Use Element of the City's adopted
13 Comprehensive Plan, the BID Plan, and the Public
14 Facility Level of Service Standards identified in the
15 Capital Improvements Element of the Comprehensive
16 Plan; and

17 * * *

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

19 * * *

20 **C. Powers and Duties.** DIA shall have the responsibility and
21 authority to approve any amendments to the Downtown Design
22 Guidelines, recommend changes to the Downtown District
23 Regulations, interpret the BID Plan, approve development and
24 redevelopment projects within the Downtown Overlay Zone, and
25 succeed to all of the powers of the former Downtown Development
26 Authority. In order to assist the DIA in carrying out this
27 responsibility, the DDRB shall have the following powers and
28 duties:

- 29 1. To review and make decisions with respect to all
30 applications for development and redevelopment regarding
31 use and form within the Downtown Overlay Zone to:

1 (a) To ensure consistency and compatibility of all
2 proposed development and redevelopment with the BID
3 Plan;

4 (b) To ensure consistency with, ~~and provide mitigation as~~
5 ~~may be required by, the Consolidated Downtown DRI~~
6 ~~Development Order~~ the Central Business District
7 Future Land Use Category as described in the Future
8 Land Use Element of the City's adopted Comprehensive
9 Plan and Public Facility Level of Service Standards
10 identified in the Capital Improvements Element of the
11 Comprehensive Plan; and

12 * * *

13 **Section 4. Amending Section 656.1601 (Definitions), Part 16**
14 **(Definitions), Chapter 656 (Zoning Code), Ordinance Code.** Section
15 656.1601 (Definitions) is hereby amended to read as follows:

16 **CHAPTER 656 - ZONING CODE**

17 * * *

18 **PART 16. - DEFINITIONS**

19 **Sec. 656.1601. - Definitions.**

20 * * *

21 *Downtown Overlay Zone.* The Downtown Overlay Zone includes all
22 of the area included with the jurisdiction of the Jacksonville
23 Downtown ~~Development~~ Investment Authority. Within the Downtown
24 Overlay Zone the various subzones are intended for application in
25 combination with the designated zoning districts in order to provide
26 special uses and development regulations, implement downtown design
27 standards and policies, and protect and enhance unique features of
28 downtown Jacksonville.

29 * * *

30 **Section 5. Amending Section 55.106 (Definitions) and**
31 **Section 55.108 (Powers and Duties), Part 1 (Downtown Investment**

1 Authority), Chapter 55 (Downtown Investment Authority), Ordinance
2 Code. Section 55.106 (Definitions) and Section 55.108 (Powers and
3 Duties) are hereby amended to read as follows:

4 **CHAPTER 55 - DOWNTOWN INVESTMENT AUTHORITY**

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

6 * * *

7 **Sec. 55.106. - Definitions.**

8 * * *

9 (d) *Business Investment and Development Plan or BID Plan* means
10 the plan approved by Council pursuant to Ordinance 2014-560-E , which
11 includes specific and measurable goals, objectives, and performance
12 for the successful development of Downtown, and which includes long-
13 range plans designed to halt or prevent deterioration of downtown
14 property values, and which includes a community redevelopment plan
15 for the Southside Community Redevelopment Area and the Downtown
16 Northbank Community Redevelopment Area that:

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

18 (2) Conforms to the comprehensive plan for the City ~~and~~
19 ~~the Downtown DRI;~~

20 * * *

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

23 * * *

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

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

27 * * *

28 (10) To negotiate, assign and allocate development rights
29 ~~as Master Developer pursuant to the Downtown DRI Development Order~~
30 within the Central Business District, including assigning mobility fee
31 credits pursuant to any applicable mobility fee contract.

1 * * *

2 **Section 6. Consistency with Comprehensive Plan.** The City
3 Council hereby finds the amendments adopted herein consistent with
4 the City of Jacksonville *2030 Comprehensive Plan*.

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

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

14 **Section 9. Effective Date.** This Ordinance shall become
15 effective upon signature by the Mayor or upon becoming effective
16 without the Mayor's signature.

17
18 Form Approved:

19
20 /s/ Shannon K. Eller

21 Office of General Counsel

22 Legislation Prepared By: Shannon K. Eller

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