

1 Introduced by Council Member J. Carlucci and amended by the Land Use
2 and Zoning Committee:

3
4
5 **ORDINANCE 2025-159-E**

6 AN ORDINANCE AMENDING SECTION 250.1201 (LICENSES
7 AND PERMITS; MOBILE FOOD DISPENSING VENDING
8 AREAS), PART 12 (MOBILE FOOD DISPENSING
9 VENDORS), CHAPTER 250 (MISCELLANEOUS BUSINESS
10 REGULATIONS), *ORDINANCE CODE*, TO PROVIDE THAT
11 MOBILE FOOD DISPENSING VEHICLES SHALL BE
12 PROHIBITED FROM OPERATING AS A FOOD SERVICE
13 BUSINESS ON ANY PROPERTY THAT DISPENSES GASOLINE
14 OR OTHER FLAMMABLE PETROLEUM PRODUCTS FOR
15 COMMERCIAL SALE SUBJECT TO CERTAIN CONDITIONS;
16 AMENDING SECTION 656.312 (NEIGHBORHOOD
17 COMMERCIAL CATEGORY), SECTION 656.313
18 (COMMUNITY/GENERAL COMMERCIAL CATEGORY),
19 SUBPART C (COMMERCIAL USE CATEGORIES AND ZONING
20 DISTRICTS), SECTION 656.320 (PURPOSES AND
21 INTENT), SUBPART D (INDUSTRIAL USE CATEGORIES
22 AND ZONING DISTRICTS), AND SECTION 656.340
23 (PLANNED UNIT DEVELOPMENT-PUD), SUBPART F
24 (PLANNED UNIT DEVELOPMENT), PART 3 (SCHEDULE OF
25 DISTRICT REGULATIONS), CHAPTER 656 (ZONING
26 CODE), *ORDINANCE CODE*, TO PROHIBIT, SUBJECT TO
27 CERTAIN CONDITIONS, MOBILE FOOD VEHICLES FROM
28 PREPARING AND/OR SELLING FOOD OR BEVERAGES ON
29 ANY PROPERTY IN COMMERCIAL, INDUSTRIAL AND PUD
30 ZONING CATEGORIES THAT DISPENSE GASOLINE OR
31 OTHER FLAMMABLE PETROLEUM PRODUCT FOR COMMERCIAL

SALE; PROVIDING FOR CODIFICATION INSTRUCTIONS;
ESTABLISHING A PROSPECTIVE EFFECTIVE DATE OF
JULY 21, 2025, FOR CODE AMENDMENTS CONTAINED IN
THIS ORDINANCE TO BECOME EFFECTIVE; PROVIDING AN
EFFECTIVE DATE.

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

Section 1. Amending Section 250.1201 (Licenses and permits; Mobile Food Dispensing vending areas), Part 12 (Mobile Food Dispensing Vendors), Chapter 250 (Miscellaneous Business Regulations), Ordinance Code. Section 250.1201 (Licenses and permits; Mobile Food Dispensing vending areas), Part 12 (Mobile Food Dispensing Vendors), Chapter 250 (Miscellaneous Business Regulations), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 250 - MISCELLANEOUS BUSINESS REGULATIONS

*** * ***

PART 12. - MOBILE FOOD DISPENSING VENDORS

Sec. 250.1201. - Licenses and permits; Mobile Food Dispensing vending areas.

*** * ***

(b) Vending Areas.

(1) Downtown Jacksonville - Mobile Food Dispensing Vendors are allowed in all zoning districts as a permitted use.

(2) All areas in Jacksonville other than Downtown - Mobile Food Dispensing Vendors may vend food or nonalcoholic beverages from a mobile food dispensing vehicle in all zoning districts except the Commercial Neighborhood (CN) zoning district subject to the issuance of a zoning exception pursuant to the Zoning Code.

(3) Mobile food dispensing vehicles which employ an open flame, propane or combustible fuel to prepare food, are prohibited

1 from preparing, distributing or selling food or beverages, or
2 in any other way operating as a food service business, on any
3 property that dispenses gasoline or other flammable petroleum
4 products for commercial sale within 300 feet from the pump or
5 other mechanism that dispenses the gasoline or other flammable
6 petroleum products for commercial sale. This prohibition does
7 not extend to adjacent properties regardless of their distance
8 from the pump or other mechanism that dispenses gasoline or
9 other flammable petroleum products.

10 * * *

11 **Section 2. Amending Sections 656.312 (Neighborhood**
12 **Commercial Category) and 656.313 (Community/General Commercial**
13 **Category), Subpart C (Commercial Use Categories and Zoning**
14 **Districts), Part 3 (Schedule of District Regulations), Chapter 656**
15 **(Zoning Code), Ordinance Code.** Chapter 656 (Zoning Code), Part 3
16 (Schedule of District Regulations), Subpart C (Commercial Use
17 Categories and Zoning Districts), Sections 656.312 (Neighborhood
18 Commercial Category) and 656.313 (Community/General Commercial
19 Category), *Ordinance Code*, are hereby amended as follows:

20 **CHAPTER 656 - ZONING CODE**

21 * * *

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

23 * * *

24 **SUBPART C. - COMMERCIAL USE CATEGORIES AND ZONING DISTRICTS.**

25 * * *

26 **Sec. 656.312. - Neighborhood Commercial Category.**

27 This category permits retail uses, office commercial uses and
28 services establishments which serve the daily needs of contiguous
29 residential neighborhoods. Neighborhood commercial sites should abut
30 a roadway classified as a collector or higher facility on the adopted
31 Functional Highway Classification Map. Sites with two or more property

boundaries on transportation rights-of-way will be considered preferred locations for neighborhood serving uses. Mobile food vehicles which employ an open flame, propane or combustible fuel to prepare food, are prohibited from preparing, distributing or selling food or beverages, or in any other way operating as a food service business, on any property that dispenses gasoline or other flammable petroleum products for commercial sale within 300 feet from the pump or other mechanism that dispenses the gasoline or other flammable petroleum products for commercial sale. This prohibition does not extend to adjacent properties regardless of their distance from the pump or other mechanism that dispenses gasoline or other flammable petroleum products.

The following primary and secondary zoning districts may be considered in the Neighborhood Commercial Category depicted on the Future Land Use Maps of the Comprehensive Plan.

A. *Primary zoning districts.* The primary zoning districts shall include the following:

(1) Commercial Office (CO); Section 656.311.

(2) Commercial Neighborhood (CN); Section 656.312.

These districts allow neighborhood commercial uses which include convenience goods, personal services, and other low intensity retail and office uses developed in freestanding or shopping center configurations. Normally, such shopping centers will be anchored by a food store and will contain other supporting retail and office uses.

* * *

Sec. 656.313. Community/General Commercial Category.

This category allows a wide range of retail sales and services including general merchandise, apparel, food and related items. General commercial uses include offices, highway commercial, entertainment and similar other types of commercial developments.

1 Mobile food vehicles which employ an open flame, propane, or
2 combustible fuel to prepare food are prohibited from preparing,
3 distributing or selling food or beverages, or in any other way
4 operating as a food service business, on any property that dispenses
5 gasoline or other flammable petroleum products for commercial sale
6 within 300 feet from the pump or other mechanism that dispenses the
7 gasoline or other flammable petroleum products for commercial sale.
8 This prohibition does not extend to adjacent properties regardless
9 of their distance from the pump or other mechanism that dispenses
10 gasoline or other flammable petroleum products.

11 The following primary and secondary zoning districts may be
12 considered in the Community/General Commercial Category depicted on
13 the Future Land Use Maps of the Comprehensive Plan.

14 A. *Primary zoning districts.* The primary zoning districts shall
15 include the following:

16 (1) Commercial Office (CO); Section 656.311.

17 (2) Commercial Residential Office (CRO); Section 656.311.

18 (3) Commercial Neighborhood (CN); Section 656.312.

19 (4) Commercial Community/General-1 (CCG-1); Section 656.313.

20 (4) Commercial Community/General-2 (CCG-2); Section 656.313.

21 (5) Public Buildings and Facilities-2 (PBF-2); Section 656.332.

22 * * *

23 **Section 2. Amending Section 656.320 (Purposes and intent),**
24 **Subpart D (Industrial Use Categories and Zoning Districts), Part 3**
25 **(Schedule of District Regulations), Chapter 656 (Zoning Code),**
26 **Ordinance Code.** Chapter 656 (Zoning Code), Part 3 (Schedule of
27 District Regulations), Subpart D (Industrial Use Categories and
28 Zoning Districts), Section 656.320 (Purposes and intent), *Ordinance*
29 *Code*, is hereby amended as follows:

30 **CHAPTER 656. - ZONING CODE**

31 * * *

PART 3. - SCHEDULE OF DISTRICT REGULATIONS.*** * *****SUBPART D. - INDUSTRIAL USE CATEGORIES AND ZONING DISTRICTS.****Sec. 656.320. - Purposes and intent.**

The industrial categories allow for uses associated with processing, manufacturing, warehousing and distribution operations. Also included are construction and utility maintenance yards and machinery repair shops. In addition, non-industrial supporting uses with similar external impacts are allowed. Such uses include railroad switching yards, truck terminals, bus and train stations, trade and technical training facilities, medical facilities, and utility plants and facilities, including spoil disposal sites, sanitary landfills, recycling centers, air strips, business/professional offices, hotels, motels, restaurants, gas stations and similar supporting commercial uses. Mobile food vehicles which employ an open flame, propane, or combustible fuel to prepare food are prohibited from preparing, distributing or selling food or beverages, or in any other way operating as a food service business, on any property that dispenses gasoline or other flammable petroleum products for commercial sale within 300 feet from the pump or other mechanism that dispenses the gasoline or other flammable petroleum products for commercial sale. This prohibition does not extend to adjacent properties regardless of their distance from the pump or other mechanism that dispenses gasoline or other flammable petroleum products.

The Comprehensive Plan includes four industrial land use categories: Light Industry, Heavy Industry, Water Dependent-Water Related and Business Park. Some industries produce adverse impacts, such as noise, odors, toxic chemicals and wastes, and transportation conflicts and should therefore be isolated away from residential and other low intensity use areas.

Not all potential uses are permissible anywhere in the

1 industrially designated areas. The exact type of land use and the
2 intensity appropriate at any one location will be determined using
3 the criteria and standards in this Chapter and in the Comprehensive
4 Plan.

5 The loss of industrial lands combined with residential intrusion
6 into established industrial areas has created a need to protect
7 existing strategically located industrial lands for future expansion
8 and economic development. Industrial Sanctuaries are areas of the
9 City that have been identified as being crucial to the long-term
10 economic well-being of the City. Existing Sanctuaries include
11 property surrounding the Cecil Commerce Center and port related
12 properties along the St. Johns River and northeast quadrant of the
13 County inside of S.R. 9A. It is the intent of the Comprehensive Plan
14 and Zoning Code to protect these industrial areas from intrusion of
15 non-industrial users. Relaxation of certain site development
16 standards within an Industrial Sanctuary are intended to attract and
17 retain industrial users in these areas.

18 **Section 4. Amending Section 656.340 (Planned Unit**
19 **Development-PUD), Subpart F (Planned Unit Development), Part 3**
20 **(Schedule of District Regulations), Chapter 656 (Zoning Code),**
21 **Ordinance Code.** Section 656.340 (Planned Unit Development-PUD),
22 Subpart F (Planned Unit Development), Part 3 (Schedule of District
23 Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby
24 amended to read as follows:

25 **CHAPTER 656 - ZONING CODE**

26 * * *

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

28 * * *

29 **SUBPART F. - PLANNED UNIT DEVELOPMENT**

30 **Sec. 656.340. - Planned Unit Development-PUD.**

31 It is the intent and purpose of this district that Planned Unit

1 Developments, both large scale, which consists of five acres or more,
2 and small scale, which consists of less than five acres, be utilized
3 to create living environments that are responsive to the needs of
4 their inhabitants; to provide flexibility in planning, design and
5 development; to encourage innovative approaches to the design of
6 community environments; to encourage the fulfillment of housing needs
7 appropriate to various lifestyles and income levels; to encourage the
8 integration of different housing types within a development; provide
9 an opportunity for new approaches to ownership; to provide for an
10 efficient use of land; to provide an environment compatible with
11 surrounding land use; to adapt the zoning process to changes in
12 construction and development technology; to encourage the
13 preservation of the natural site features; to provide community
14 environments that are so designed and located as to be an integral
15 part of the total ecosystem; to encourage the design of communities
16 and structures adapted to the local climate; thereby promoting the
17 public health, safety, morals, order, comfort, convenience,
18 appearance, prosperity, and general welfare of the City of
19 Jacksonville. It is further intended that the Planned Unit Development
20 district may be utilized to implement the Comprehensive Plan. It is
21 not the intent to utilize the Planned Unit Development district solely
22 to diminish the usual application of the provisions of the Zoning
23 Code. The Planned Unit Development district process shall not be used
24 to discriminate against or otherwise violate civil rights of the
25 existing or future residents, users or occupants of the PUD. The
26 rights of people with disabilities to access and use housing in the
27 form of dwelling units, community residential homes or group homes
28 shall not be more restrictive in a PUD than in equivalent conventional
29 zoning districts. In addition, within a PUD, mobile food vehicles
30 which employ an open flame, propane or combustible fuel to prepare
31 food, are prohibited from preparing, distributing or selling food or

1 beverages, or in any other way operating as a food service business,
2 on any property that dispenses gasoline or other flammable petroleum
3 products for commercial sale within 300 feet from the pump or other
4 mechanism that dispenses the gasoline or other flammable petroleum
5 products for commercial sale. This prohibition does not extend to
6 adjacent properties regardless of their distance from the pump or
7 other mechanism that dispenses gasoline or other flammable petroleum
8 products.

9 * * *

10 **Section 5. Codification Instructions.** The Codifier and the
11 Office of General Counsel are authorized to make all chapter and
12 division "table of contents" consistent with the changes set forth
13 herein. Such editorial changes and any other changes necessary to
14 make the Ordinance Code consistent with the intent of this legislation
15 are approved and directed herein, and the changes to the Ordinance
16 Code shall be made forthwith and when inconsistencies are discovered.

17 **Section 6. Establishment of Prospective Date of July 21,**
18 **2025, for the Code Amendments Contained in this Ordinance to Become**
19 **Effective.** The Code amendments contained in this Ordinance shall not
20 become effective until July 21, 2025.

21 **Section 7. Effective Date.** This Ordinance shall become
22 effective upon signature by the Mayor or upon becoming effective
23 without the Mayor's signature.

24
25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Laura C. Hartung

30 GC-#1681832-v1-2025-159-E.docx