

1 Introduced by Council Member Gay:
2
3

4 **ORDINANCE 2024-851**

5 AN ORDINANCE ESTABLISHING THE NORTHEAST
6 DEVELOPMENT REVIEW BOARD; IDENTIFYING
7 LEGISLATIVE PURPOSE AND INTENT; AMENDING SECTION
8 30.204 (FUNCTIONS), PART 2 (PLANNING
9 COMMISSION), CHAPTER 30 (PLANNING AND
10 DEVELOPMENT DEPARTMENT), *ORDINANCE CODE*, TO
11 PROVIDE THAT THE NORTHEAST DEVELOPMENT REVIEW
12 BOARD SHALL REVIEW AND PROVIDE A RECOMMENDATION
13 TO THE CITY COUNCIL REGARDING CERTAIN REZONING
14 APPLICATIONS WITHIN THE NORTHEAST DEVELOPMENT
15 AREA; CREATING A NEW PART 9 (NORTHEAST
16 DEVELOPMENT REVIEW BOARD), CHAPTER 30 (PLANNING
17 AND DEVELOPMENT DEPARTMENT), *ORDINANCE CODE*, TO
18 ESTABLISH THE NORTHEAST DEVELOPMENT REVIEW BOARD
19 (THE "BOARD") AND TO PROVIDE FOR THE BOARD'S
20 ORGANIZATION, MEMBERSHIP, POWERS AND DUTIES;
21 AMENDING SECTION 656.101 (DEFINITIONS), SUBPART
22 A (BASIC PROVISIONS), PART 1 (DEFINITIONS) AND
23 SECTION 656.1601 (DEFINITIONS), PART 16
24 (DEFINITIONS), CHAPTER 656 (ZONING CODE),
25 *ORDINANCE CODE*, TO AMEND THE DEFINITION OF
26 "COMMISSION"; PROVIDING FOR CODIFICATION
27 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.
28

29 **WHEREAS**, Northeast Jacksonville is a unique portion of the
30 City due to its abundance of waterways and waterbodies,
31 environmentally sensitive and protected nature preserves,

1 recreational beaches and fishing and historical and archeological
2 resources; and

3 **WHEREAS,** Northeast Jacksonville is also home to some of the
4 City's most concentrated industrial and commercial shipping uses, the
5 JAXPORT cruise ship terminal, and a growing commercial presence; and

6 **WHEREAS,** while Northeast Jacksonville is experiencing a
7 massive increase in new residential development, it is also home to
8 some of Jacksonville's longest established residential neighborhoods
9 and developments; and

10 **WHEREAS,** Northeast Jacksonville has some of the largest tracts
11 of undeveloped rural and agricultural lands remaining in
12 Jacksonville, and is increasingly the focus of development interests
13 for land use and zoning changes to facilitate Jacksonville's
14 burgeoning population and affiliated commercial growth; and

15 **WHEREAS,** because of the diversity of history, environment,
16 recreation, industry and transportation uses existing in Northeast
17 Jacksonville, there is a need for a specialized review program which
18 can evaluate applications for land use and zoning changes and more
19 closely take into consideration the unique needs of existing property
20 owners to balance the historical development patterns and property
21 uses with the need to recognize new growth opportunities that are
22 increasingly presented in this area; now therefore

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

24 **Section 1. Amending Section 30.204 (Functions), Part 2**
25 **(Planning Commission), Chapter 30 (Planning and Development**
26 **Department), Ordinance Code.** Section 30.204 (Functions), Part 2
27 (Planning Commission), Chapter 30 (Planning and Development
28 Department), *Ordinance Code*, is hereby amended to read as follows:

29 **CHAPTER 30. PLANNING AND DEVELOPMENT DEPARTMENT**

30 * * *

31 **PART 2. - PLANNING COMMISSION**

1 * * *

2 **Sec. 30.204. - Functions.**

3 The Commission shall:

- 4 (a) Review proposed land use changes, text changes to the
5 Comprehensive Plan, requests for exceptions (except
6 alcohol-related exceptions which shall be heard by
7 the City Council), variances, waivers to the Zoning
8 Code, and rezonings (except those pertaining to
9 properties located within the Downtown Overlay Zone,
10 as defined in Section 656.361.2 and the Northeast
11 Development Area, as defined in Section 30.904),
12 appeals from written orders granting or denying an
13 administrative deviation and written interpretations
14 of the Zoning Code and final orders of the Cell Tower
15 Review Committee and other matters related to land
16 use and area planning which are referred to the
17 Department or to the Commission pursuant to law. For
18 rezonings within the Downtown Overlay that have a
19 companion Future Land Use Map amendment, both
20 the Commission and the Downtown Development Review
21 Board shall review and make recommendations to the
22 City Council and the DIA, as the case may be. For
23 rezonings within the Northeast Development Area that
24 have a companion Future Land Use Map amendment, the
25 Northeast Development Review Board shall review and
26 make recommendations to the City Council.

27 * * *

28 **Section 2. Creating a New Part 9 (Northeast Development**
29 **Review Board), Chapter 30 (Planning and Development Department),**
30 **Ordinance Code.** A new Part 9 (Northeast Development Review Board),
31 Chapter 30 (Planning and Development Department), *Ordinance Code*, is

1 hereby created to read as follows:

2 **CHAPTER 30. PLANNING AND DEVELOPMENT DEPARTMENT**

3 * * *

4 **PART 9. - NORTHEAST DEVELOPMENT REVIEW BOARD**

5 **Sec. 30.901. - Purpose and intent.**

6 The purpose and intent of this Part is to:

7 (a) Implement the Goals and Objectives of the Northeast
8 Development Area; and

9 (b) Clarify the existing regulations and guidelines used by
10 the Planning and Development Department to ensure consistent
11 development within the Northeast Development Area and to provide
12 clarity and direction for developers and property owners when
13 evaluating investment opportunities; and

14 (c) Enforce the goals, objectives and policies of the existing
15 Industrial Sanctuary and Situational Compatibly Overlay Zones, the
16 Black Hammock Island Overlay and the Cedar Point - Sawpit Zoning
17 Overlay; and

18 (d) Protect the natural environment of the City's Pumpkin Hill
19 Creek Preserve, Cedar Point Preserve, and Betz-Tiger Point Preserve
20 environmentally sensitive areas from unnecessary and incompatible
21 encroachment; and

22 (e) Recognize the existing rural nature of the area and
23 existing development patterns in evaluating requests for land use and
24 zoning changes to appropriately locate higher density and intensity
25 uses in areas where traditional low-density development and
26 environmentally and industrially sensitive areas will not be
27 detrimentally impacted.

28 **Sec. 30.902. - Establishment; membership.**

29 (a) *Establishment and composition.* There is established within
30 the Department, as an autonomous component thereof, a Northeast
31 Development Review Board (hereafter referred to as "NDRB") consisting

1 of nine members appointed by the Mayor, with input from the District
2 Council member(s) whose District(s) comprise the Northeast
3 Development Area, and confirmed by the Council for a term of three
4 years. Each member shall be a resident of the Northeast Development
5 Area, as defined herein, for a period of not less than five years
6 prior to their appointment. Failure to retain these qualifications
7 shall automatically remove the person not qualified from membership.

8 (b) *Terms.* Members shall be appointed for three-year staggered
9 terms (except appointments to fill vacancies). Four members of the
10 initial appointments shall serve an initial three-year first full
11 term, and three members shall serve an initial two-year first full
12 term. No member shall serve for more than two consecutive full terms.
13 Any individual appointed to serve for less than 50 percent of the
14 length of term, at the time of the effective date of the legislation,
15 shall not be considered a first full term. These appointments shall
16 be referred to as partial terms.

17 (c) *Removal.* A member may be removed by the Mayor or any one of
18 the District Council members whose District(s) comprise the Northeast
19 Development Area during his or her term, with the approval of the
20 Council. A vacancy shall be filled in the same manner as the original
21 appointment for the unexpired term. Members shall serve without
22 compensation but shall be entitled to travel expense reimbursement
23 in accordance with Chapter 106, Part 7, *Ordinance Code*. The provisions
24 of F.S. § 286.012, as amended from time to time, shall apply to each
25 member of the NDRB.

26 (d) *Ex officio members.* Additionally, as required pursuant to
27 F.S. § 163.3174(a), a representative of the Duval County School
28 District appointed by the Duval County School Board shall be included
29 as a nonvoting member of the NDRB to attend those meetings or portions
30 of meetings at which the NDRB considers comprehensive plan amendments
31 and rezonings that would, if approved, increase residential density

1 on property that is the subject of an application. Additionally, as
2 required pursuant to F.S. § 163.3175(5), a representative of a
3 military installation acting on behalf of all military installations
4 within the City of Jacksonville shall be included as an ex officio,
5 non-voting member of the NDRB to facilitate the exchange of
6 information regarding proposed changes to the Comprehensive Plan or
7 land development regulations which, if approved, would affect the
8 intensity, density, or use of land adjacent to, or in close proximity
9 to a military installation.

10 **Sec. 30.903. - Organization.**

11 (a) The members of the NDRB shall annually elect a chair and
12 one or more vice chairs as provided in its rules. The officers shall
13 have such duties and responsibilities as are assigned to them by the
14 rules of the NDRB.

15 (b) The NDRB may establish such committees from among its
16 membership as it deems necessary to carry out its functions. The NDRB
17 may also, from time to time, authorize the establishment of task
18 forces to carry out specialized and detailed projects within the
19 scope of its purposes; a task force may include persons who are not
20 members of the NDRB.

21 (c) The Director shall furnish the NDRB with all necessary
22 administrative support. The NDRB shall be independent of the
23 Department in the performance of its duties and functions.

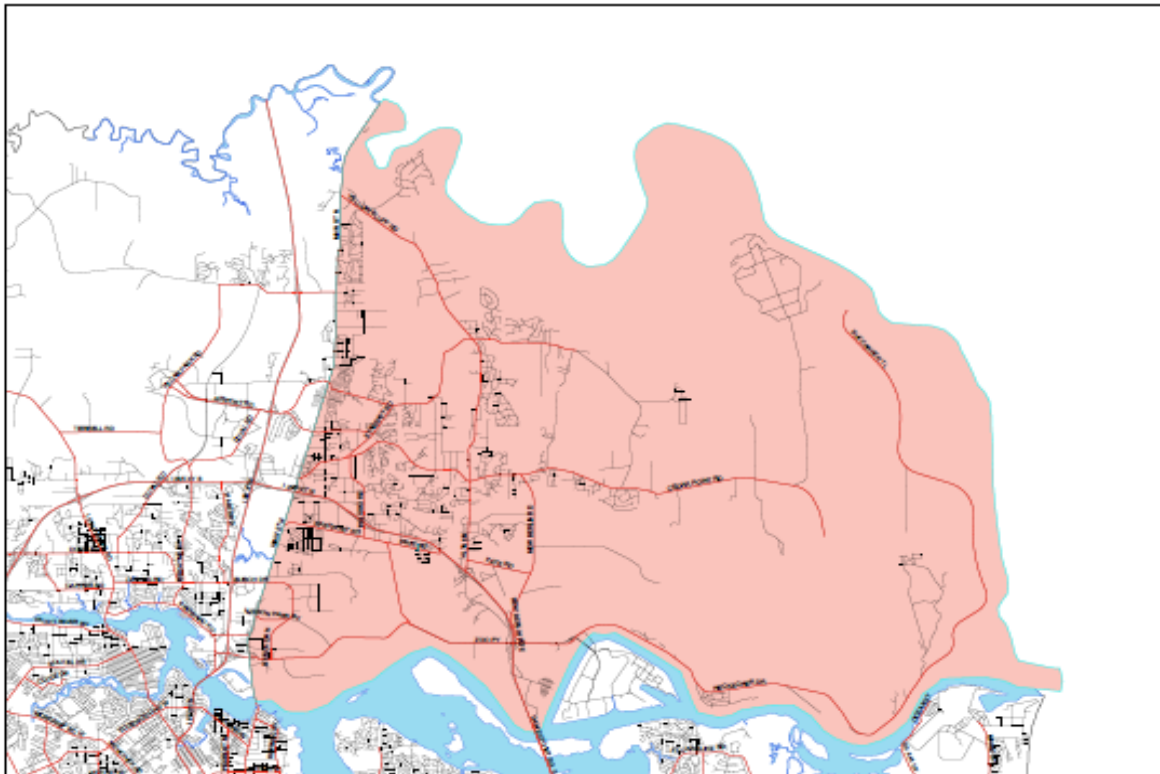
24 **Sec. 30.904. - Conduct of business.**

25 The NDRB shall meet at least twice each month at such time and
26 place as shall be fixed by its rules (but it may waive one meeting
27 each month by a majority vote of the members), and special meetings
28 shall be called in accordance with its rules; however, all meetings
29 shall be held at a location within the Northeast Development Area. A
30 quorum shall be a majority of the members of the NDRB and the
31 concurrence of a majority of the members present shall be required

1 before any report or recommendation is made on any matter considered
2 by the NDRB; provided, that when the NDRB is acting upon a request
3 for an exception or a variance, the concurrence of at least four
4 members shall be necessary to a final determination of these matters.
5 A vacancy shall not impair the ability of the remaining members to
6 execute all the duties and perform all the functions of the NDRB. The
7 NDRB shall have the power to adopt, amend and repeal rules for its
8 internal organization and the conduct of its business.

9 **Sec. 30.905. - Northeast Development Area.**

10 There is hereby created the Northeast Development Area. The
11 boundaries of the Northeast Development Area shall generally consist
12 of that portion of Council Districts 8 and 2 bounded on the east by
13 United States Highway 17 (North Main Street), the north and east by
14 the Duval County boundary line and to the south by the center line
15 of the St. Johns River (north of Blount Island) and are shown on the
16 Northeast Development Area Map below.



18 **NORTHEAST DEVELOPMENT AREA MAP - 2024**

1 More specifically, the Northeast Development Area includes all land
2 within the following boundaries:

3 For the Point of Beginning, begin at the centerline of the Trout
4 River at the centerline of the Main Street N Bridge; thence northerly
5 along the centerline of Main Street N to the centerline of the Nassau
6 River; thence easterly along the meanderings of the centerline of the
7 Nassau River to the Atlantic Ocean; thence southerly along the western
8 boundary of the Atlantic Ocean to the centerline of the St Johns
9 River; thence westerly along the meanderings of the centerline of the
10 St Johns River north of Blount Island to the centerline of the Main
11 Street N Bridge at the Trout River and the Point of Beginning.

12 The Northeast Development Area Map represents the boundaries
13 herein described. The Zoning Atlas shall depict the Northeast
14 Development Area as described above on the applicable Zoning Atlas
15 map.

16 **Section 3. Amending Section 656.101 (Definitions), Subpart**
17 **A (Basic Provisions), Part 1 (General Provisions) and Section 656.1601**
18 **(Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code),**
19 **Ordinance Code.** Section 656.101 (Definitions), Subpart A (Basic
20 Provisions), Part 1 (General Provisions) and Section 656.1601
21 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code),
22 *Ordinance Code*, are hereby amended to read as follows:

23 **CHAPTER 656. - ZONING CODE**

24 **PART 1. - GENERAL PROVISIONS**

25 **SUBPART A. - BASIC PROVISIONS**

26 **Sec. 656.101. - Definitions.**

27 For purposes of Part 1, certain terms and words are defined as
28 follows:

29 * * *

30 (f) *Commission* or *Planning Commission* means the Planning
31 Commission, ~~or the Downtown Design Review Board ("DDRB"),~~

1 or the Northeast Development Review Board ("NDRB"), depending on the
2 physical location of the subject property or issue as being in the
3 Downtown Overlay Zone or the Northeast Development Area as those
4 terms are defined in this Code, as the case may be.

5 * * *

6 **PART 16. - DEFINITIONS**

7 **Sec. 656.1601. - Definitions.**

8 * * *

9 Commission or Planning Commission means the Planning Commission, the
10 Downtown Development Review Board ("DDRB"), or the Northeast
11 Development Review Board ("NDRB"), depending on the physical location
12 of the subject property or issue as being in the Downtown Overlay
13 Zone or the Northeast Development Area as those terms are defined in
14 this Code, as the case may be.

15 * * *

16 **Section 4. Codification Instructions.** The Codifier and the
17 Office of General Counsel are authorized to make all chapter and
18 division "tables of contents" consistent with the changes set forth
19 herein. Such editorial changes and any others necessary to make the
20 *Ordinance Code* consistent with the intent of this legislation are
21 approved and directed herein, and changes to the *Ordinance Code* shall
22 be made forthwith and when inconsistencies are discovered.

23 **Section 5. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature. To the extent that any provision of
26 the new Part 9, Chapter 30 above, is inconsistent with the 2045
27 *Comprehensive Plan*, the 2045 *Comprehensive Plan* shall control until
28 amended.

1 Form Approved:

2

3 /s/ Jason R. Teal

4 Office of General Counsel

5 Legislation Prepared By: Jason R. Teal

6 GC-#1648706-v5-Northeast_Development_Review_Board.DOCX