

# 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

April 21, 2022

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2022-220**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond 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: 8-0

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

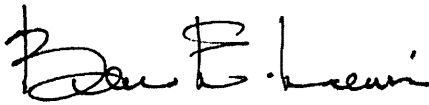
Jordan Elsbury Aye

Joshua Garrison 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 fluid and cursive, with the first name "Bruce" being the most prominent.

Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
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## REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

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 2022-220**

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

#### **I. GENERAL INFORMATION**

The bill amends Chapter 656 (Zoning Code), Ordinance Code, specifically the Renew Arlington Zoning Overlay, to provide that geographically separated parking lots shall be considered separate for purposes of buffers and landscaping when applying the Parking Lot Matrix to a business. It also allows auto service businesses existing as of July 1, 2019 to apply for administrative deviations to reduce minimum lot size, something currently prohibited.

#### **II. EVALUATION**

##### ***A. The need and justification for the change***

Service garages are common in parts of the Renew Arlington Zoning Overlay and they are subject to design guidelines. Several are older and occupy several lots sometimes separated by a public right-of-way. Also, many have non-conforming characteristics such as landscaping and lot size. This bill amends the overlay so that it is easier to bring these sites into conformity with the overlay.

##### ***B. The relationship of the proposed amendment to the Comprehensive Plan and the work of the Department with appropriate consideration as to whether the proposed amendment will further the purposes of the Zoning Code and Comprehensive Plan.***

This bill is consistent with the spirit and intent of both the Comprehensive Plan and the Zoning Code in that it is the intent of the legislation to protect and preserve the public health, safety and welfare of the people of the City of Jacksonville by promoting and sustaining the viability of existing and emerging commercial areas.

#### **III. RECOMMENDATION**

The Planning and Development Department recommends that **Ordinance 2020-220** be approved.

1 Introduced by Council Member Morgan:  
2  
3

4 **ORDINANCE 2022-220**

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

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