



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

October 3, 2024

The Honorable Randy White
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2024-373**

Dear Honorable Council President White, Honorable Council Member and LUZ Chairperson Carrico 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: **6-0**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Absent
Amy Fu	Aye
Julius Harden	Aye
Mon'e Holder	Aye

Ali Marar

Absent

Jack Meeks

Absent

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

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

REVISED 09/27/2024

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 2024-373

AN ORDINANCE CREATING A NEW SECTION 656.130.1 (AMENDMENTS TO THE ZONING CODE FOR ZONING OVERLAYS), SUBPART C (PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE), PART 1 (GENERAL PROVISIONS), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, TO ESTABLISH A PROCESS FOR CREATION OF NEW ZONING OVERLAYS; AMENDING SECTION 656.341 (PROCEDURES), SUBPART F (PLANNED UNIT DEVELOPMENT), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, TO ADD A NEW SUBPARAGRAPH (F) TO PROHIBIT PLANNED UNIT DEVELOPMENT ZONING APPLICATIONS WHICH ALLOW DEVIATIONS FROM ZONING OVERLAYS UNLESS APPROVED BY A 2/3 VOTE OF THE FULL COUNCIL; PROVIDING CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

GENERAL INFORMATION

This bill amends Section 656.341 (Procedures), Chapter 656 (Zoning Code), Ordinance Code to require a 2/3 majority vote of the full City Council in order to use a Planned Unit Development (PUD) rezoning to deviate from zoning overlay design criteria, permitted uses or any other requirement. This bill also amends 656.1301.1 by creating a procedure for the creation of overlays by requiring proof of community involvement through the establishment of the overlay.

I. EVALUATION

A. The need and justification for the change

The purpose of this legislation is to specify that no Planned Unit Development (PUDs) shall be approved to allow deviation from any use, design element or any other requirement placed on a property by an applicable zoning overlay. Waivers of this prohibition will require approval by a 2/3 vote of the full Council. It also establishes a procedure for creating overlays and ensures that community involvement is required before submittal of an overlay to the City Council for approval.

A zoning overlay creates a special zoning district, placed over the existing zoning, to apply area-specific standards or conditions due to unique needs or features of the area. Many overlays were created due to rezonings allowing for intensive and intrusive uses into historic neighborhoods

causing disinvestment and blight due to incompatible zoning. The overlays recognize the unique characteristics of the various neighborhoods and preserve the area for future generations.

There are 11 Council adopted zoning overlays: Downtown, Springfield, Mayport Road and Waterfront, San Marco, Riverside/Avondale, Industrial Sanctuary Areas, Black Hammock Island, King/Soutel Crossing Area, Arlington Area and the Cedar Point and Sawpit Road Area. The impact of this bill is to prohibit developers from potentially utilizing PUD applications to circumvent adopted overlay uses or waive overlay regulations.

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.

The proposed ordinance does not conflict with the 2045 Comprehensive Plan.

II. RECOMMENDATION

The Planning and Development Department recommends that Ordinance 2024-0373 be **APPROVED**.