



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

June 6, 2024

The Honorable Ronald B. Salem, Pharm. D., President  
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 Salem, 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: CM Matt Carlucci spoke in support of the Ordinance. There were no speakers in opposition. Many of the Commissioners realized the long unpaid hours residents put in to crafting Overlays and NAPs. There was a concern that this may stifle development of non-controversial rezonings.

Planning Commission Vote: **5-2**

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

Ali Marar

Aye

Jack Meeks

Aye

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**

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 AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART F (PLANNED UNIT DEVELOPMENT), SECTION 656.341 (PROCEDURES), ORDINANCE CODE, TO ADD A NEW SUBPARAGRAPH (F) TO PROHIBIT PUD 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.

### **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.

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**.