

1 Introduced by Council Member Carrico and Co-Sponsored by Council
2 Member Gaffney:

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5 **ORDINANCE 2022-526-E**

6 AN ORDINANCE REPEALING AND REPLACING PART 14
7 (TRANSIT ORIENTED DEVELOPMENT), CHAPTER 656
8 (ZONING CODE), *ORDINANCE CODE*, IN ITS ENTIRETY;
9 CREATING A NEW PART 14 (TRANSIT ORIENTED
10 DEVELOPMENT), CHAPTER 656 (ZONING CODE),
11 *ORDINANCE CODE*, TO ADDRESS TRANSIT-ORIENTED
12 DEVELOPMENT (TOD) MASTER PLANNING AND
13 IMPLEMENTATION; PROVIDING FOR SEVERABILITY;
14 PROVIDING FOR CODIFICATION INSTRUCTIONS;
15 PROVIDING AN EFFECTIVE DATE.

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

18 **Section 1. Repealing Part 14 (Transit Oriented**
19 **Development), Chapter 656 (Zoning Code), Ordinance Code, in its**
20 **entirety.** Part 14 (Transit Oriented Development), Chapter 656 (Zoning
21 Code), *Ordinance Code*, a copy of which is attached hereto as **Exhibit**
22 **1**, is hereby repealed in its entirety.

23 **Section 2. Creating a new Part 14 (Transit Oriented**
24 **Development), Chapter 656 (Zoning Code), Ordinance Code.** A new Part
25 14 (Transit Oriented Development), Chapter 656 (Zoning Code),
26 *Ordinance Code*, is hereby created to read as follows:

27 **CHAPTER 656 - ZONING CODE**

28 * * *

29 **PART 14. - TRANSIT ORIENTED DEVELOPMENT**

30 **Sec. 656.1401. - Purpose.**

31 The purpose of this Part 14 is to create hereby a two-phase

1 procedure for the establishment of Transit-Oriented Development (TOD)
2 overlay zones to encourage TOD throughout the City, and thereby to
3 implement the provisions of the Comprehensive Plan pertaining to TOD.
4 TOD, as contemplated in this Part 14, is intended to encourage a more
5 sustainable model for development centered on transit stations which
6 promotes mixtures of uses and permits greater density and intensity
7 of activity and development around transit stations, leading to
8 increases in transit ridership and encouraging the use of alternative
9 modes of transportation. The end goal of TOD is to promote a lively,
10 prosperous area that serves as an attractive place to live, work,
11 shop, and recreate with less reliance on the automobile, which in
12 turn will decrease traffic congestion and auto-pollution while
13 increasing social interaction and promoting healthier lifestyles.
14 The City, in partnership with the Jacksonville Transportation
15 Authority (JTA), intends to achieve this objective by creating a
16 pedestrian-, bicycle-, and transit-friendly environment, combining
17 automobile uses with complementary land uses, and creating streets
18 with high levels of connectivity all within comfortable walking or
19 cycling distance to JTA-transit stations.

20 **Sec. 656.1402. - Definitions.**

21 The definitions contained in Part 16 of the Zoning Code shall
22 be applicable to this Part 14. In addition, for the purposes of this
23 Part 14, the following terms, phrases, words, and their derivations,
24 as listed in alphabetical order herein, shall have the meanings
25 contained below, or as referenced within specific Sections.

26 *Absolute TOD area* means an area within a radius of ½ mile
27 measured from a JTA existing or planned premium transit station and
28 designated as such in the applicable TOD master plan, serving as an
29 aspirational area for development and infrastructure improvements.

30 *Actual TOD area* means an area located within a 15 minute ped-
31 shed, the distance covered in 15 minutes at a normal walking pace

1 traveled using the existing or proposed pedestrian network, of a JTA
2 existing or planned premium transit station designated as such in the
3 applicable TOD master plan.

4 *Mobility hub* means a transit station where multiple services
5 come together at a point in the transit system, accomplishing the
6 integration of shared-use mobility options, including improved
7 pedestrian and bicycle, ride share, car share, bike share, and
8 microtransit feeder networks into mainline frequent or premium
9 transit services. Mobility hubs provide improved wayfinding, easier
10 access to transit boarding areas, and improved connectivity to other
11 services and surrounding locations. Mobility hubs are comprehensively
12 designed to maximize the footprint of the TOD site and make it
13 welcoming, with ample amenities and opportunities to access transit.

14 *Premium transit station* means a transit station served by either
15 a fixed guideway service, such as BRT, rail, or the Skyway/U2C, or a
16 station serving as a mobility hub. Premium transit stations provide
17 service at higher-speed and higher-frequency than typical transit
18 stops, usually with service frequencies at 15 minutes or less.
19 Premium transit stations also include more infrastructure and
20 amenities to serve higher passenger activity. Amenities can include
21 on-board amenities, such as seating, comfort and cleanliness; station
22 design features, such as real-time passenger information, shelters,
23 and lighting; and other features, such as reliability, service
24 frequency, and parking.

25 *Transit-Oriented Development (TOD)* means development consisting
26 of mixed-use medium to high density development designed and intended
27 to reduce personal automobile use through the incorporation of premium
28 transit services, alternative mobility solutions, and infrastructure
29 for active modes, such as walking and biking, and reduced parking
30 requirements.

31 *TOD-1 area* means an area designated as such in the applicable

1 TOD master plan up to and within an absolute radius of $\frac{1}{4}$ of a mile
2 from a TOD-designated transit station used for planning purposes and
3 to support transitions from the TOD to surrounding uses.

4 *TOD-2 area* means an area designated as such in the applicable
5 TOD master plan that lies between absolute radii of $\frac{1}{4}$ of a mile and
6 up to $\frac{1}{2}$ of a mile from a TOD-designated transit station and is
7 adjacent to a TOD-1 area used for planning purposes and to support
8 transitions from the TOD to surrounding uses.

9 **Sec. 656.1403. - Applicability.**

10 This Part 14 shall apply to lands designated as an absolute TOD
11 area in a TOD master plan within which an appropriate TOD typology
12 shall be assigned, appropriate transitions in density and intensity
13 in relation to established residential areas within and adjacent to
14 the TOD shall be addressed, and appropriate land use strategies,
15 urban design standards, zoning recommendations, and implementation
16 strategies shall be articulated in order to implement the TOD. In
17 conjunction with a TOD master plan, the TOD zoning overlay will build,
18 refine, and codify the implementation tools outlined in the TOD master
19 plan, and should reflect the recommended zoning, land uses, densities,
20 height limitations, transitions to existing neighborhoods, sidewalk
21 widths, building frontages, entrance locations, and other design
22 aspects for the TOD. The TOD zoning overlay and designated land use
23 categories serve as the mechanisms for allocation of entitlements
24 within the absolute TOD area. As provided herein, each TOD zoning
25 overlay will be submitted to City Council for review and approval
26 concurrently with the review and approval of the TOD master plan.

27 **Sec. 656.1404. - Locational criteria.**

28 To be eligible for TOD designation under this Part 14, the land
29 under consideration must meet the following criteria:

30 (a) Be located entirely within a $\frac{1}{2}$ mile radius of a premium
31 transit station;

1 (b) Not be located within the Rural Area as defined by the
2 Future Land Use Element of the Comprehensive Plan;

3 (c) Be consistent with the City's mobility goals; and

4 (d) Not negatively impact surrounding neighborhoods.

5 **Sec. 656.1405. - General development standards.**

6 (a) The TOD master plan and zoning overlay should reflect form-
7 based zoning principles and be generally consistent with the City of
8 Jacksonville Land Development Procedures Manual.

9 (b) In addition to minimum development standards provided
10 herein, the TOD master plan and zoning overlay shall be evaluated in
11 accordance with the following standards:

12 (1) *Walkability.* Utilize neighborhood designs that promote
13 walking.

14 (2) *Cycling.* Prioritize non-motorized transport networks.

15 (3) *Connectivity.* Create dense networks of streets and paths.

16 (4) *Transit.* Locate development near high-quality public
17 transport.

18 (5) *Mixture.* Plan for mixed use.

19 (6) *Densification.* Optimize density and transit capacity.

20 (7) *Compactness.* Create regions with short commutes.

21 (8) *Mobility.* Increase mobility by regulating parking and road
22 use.

23 **Sec. 656.1406. - TOD master plan and zoning overlay development.**

24 Sites proposed by JTA deemed suitable for TOD designation by the
25 City and JTA will undergo a two-phased process for the development
26 of a TOD zoning overlay. The first phase includes the creation of a
27 TOD master plan, the identification of the TOD area, the assignment
28 of a TOD typology, and the development of a vision and implementation
29 strategy for the TOD. The second phase is the codification of the
30 development principles identified in the TOD master plan through the
31 establishment of the TOD zoning overlay for property located within

1 the TOD master plan area.

2 The following procedures shall apply with respect to the
3 designation and establishment of a Transit-Oriented Development:

4 (a) *Phase I - TOD Master Plan.* The TOD master plan is created
5 to provide a vision and plan tailored to the specific context in and
6 around each TOD. It includes designations of both the absolute TOD
7 area and the actual TOD area. Building upon the assigned TOD
8 typology, the TOD master plan addresses the appropriate land use
9 strategies, urban design standards, zoning recommendations, and
10 implementation strategies to realize the vision. The TOD master plan
11 should be oriented toward the future, but based in reality. The TOD
12 master plan should take into account what is financially feasible and
13 responsive to citywide goals and market forces, while still being
14 reflective of the vision of the TOD and its principles. In the
15 development of the TOD master plan, sites located in the actual TOD
16 area are presumed to be suitable locations and are encouraged for TOD
17 as described in this Part 14, subject to a case-by-case review of
18 consistency with state and regional plans, the Comprehensive Plan,
19 and adopted neighborhood plans and studies. The TOD master plan is
20 not the mechanism for the allocation of entitlements. In creating a
21 TOD master plan, area identification and locational criteria shall
22 be applied and typology assigned as provided herein.

23 (1) *TOD area identification and locational criteria.* An area
24 that is up to and within a $\frac{1}{4}$ mile radius of a TOD designated
25 transit station shall be classified as TOD-1. An area that
26 lies between a $\frac{1}{4}$ of a mile radius and up to $\frac{1}{2}$ of a mile
27 radius from a TOD designated transit station, and is
28 adjacent to a TOD-1 area, shall be classified as TOD-2.

29 (2) *Typology assignment.* The TOD master plan shall identify a
30 contextually sensitive TOD typology to guide the TOD area.
31 TOD typologies provide minimum density goals. While the

1 TOD master plan will recommend suitable density for each
2 area, the TOD zoning overlay and designated land use
3 categories will determine the actual maximum and minimum
4 allowable densities. The applicable TOD typologies and
5 their descriptions and goals are as follows:

6 (i) *Type 1 - Urban Center Typology.* The Urban Center
7 Typology applies to lands located in the most heavily
8 urbanized areas. Its infrastructure should include
9 a dense grid block structure street design and high
10 vertical development to support a high diversity of
11 uses, high residential and employment densities, and
12 greater volume of pedestrian activity. Modes of
13 transportation should include a premium transit
14 service, such as Bus Rapid Transit (BRT), rail, and/or
15 the Skyway/Ultimate Urban Circulator (U²C), or a mix
16 of local or express bus services and alternative
17 mobility solutions, including personal and shared
18 automobiles. Alongside these premium transit
19 services, non-motorized transportation (walking and
20 bicycling) should be integrated with the essential
21 infrastructure in place to support the use and
22 accomplish the Complete Streets component of a
23 comprehensive transportation network. A progressive
24 parking requirement shall enforce integrated
25 structured parking, off-street structured parking,
26 and on-street parking, with no minimum parking
27 requirement. The minimum residential density goals
28 for the Urban Center typology are 50 dwelling units
29 per acre (DU/Acre) in the TOD-1 area and 20 DU/Acre
30 in the TOD-2 area to support a mix of housing types.
31 Uses include mid- and high-rise condominium

1 residential use and multifamily residential use,
2 large retail and office uses, and mixed-use
3 buildings.

4 (ii) *Type 2 - Regional Center Typology.* The Regional
5 Center Typology applies to lands located at emerging
6 centers of regional significance. Regional Centers
7 are medium- to high-density areas that occur outside
8 of the urban core. They should be primarily
9 commercial in nature, which draws patrons in from
10 across the region. The moderate mix of uses supports
11 a medium to high density when compared to other
12 typologies. Due to their location outside the urban
13 core, Regional Centers consist of mid- and low-rise
14 buildings, and their infrastructure is comprised of
15 irregular street patterns. The mix of infrastructure
16 and residential density supports a medium to high
17 volume of pedestrian activity within the station
18 area. Modes of transportation should include a
19 premium transit service, such as BRT or rail, or a
20 mix of local or express bus services and alternative
21 mobility solutions which emphasize feeding the
22 premium transit service. There should also be an
23 emphasis on active modes, such as walking and
24 bicycling. Parking requirements shall enforce off-
25 street structured parking, rear surface parking, and
26 on-street parking, with no minimum parking
27 requirement. The minimum-residential density goals
28 for the Regional Center typology are 40 DU/Acre in
29 the TOD-1 area and 15 DU/Acre in the TOD-2 area to
30 support the commercial activity within the district.
31 Uses include mid-rise condominium residential use and

1 multifamily residential use, major retail and office
2 uses, and mixed-use buildings.

3 (iii) *Type 3 - Core Neighborhood Typology.* The Core
4 Neighborhood Typology applies to lands located within
5 the neighborhoods adjacent to the Central Business
6 District (CBD). These neighborhoods are primarily
7 residential and support the commercial nature of the
8 CBD. Due to the proximity to the urban core,
9 buildings range from mid- to high-rise, and the street
10 network is less dense than the urban core, comprised
11 of a grid and alley network, usually with a "Main
12 Street" urban design. The infrastructure supports a
13 moderate mix of uses and a medium to high volume of
14 pedestrian activity. Modes of transportation should
15 include a premium transit service, such as BRT, rail,
16 and/or the U²C, or a mix of local or express services
17 and alternative mobility solutions which favor low-
18 speed options to compliment active modes, like
19 walking and bicycling. Parking design requirements
20 shall be consistent with the Urban Center typology
21 with integrated structured parking, off-street
22 structured parking, and on-street parking, with no
23 minimum parking requirement. The minimum-residential
24 density goals for the Core Neighborhood typology are
25 30 DU/Acre in the TOD-1 area and 15 DU/Acre in the
26 TOD-2 area to support a mix of housing types. Uses
27 include townhouse residential use, low- and mid-rise
28 condominium residential use and multifamily
29 residential use, retail and office uses, and mixed-
30 use buildings.

31 (iv) *Type 4 - Suburban Neighborhood Typology.* The Suburban

1 Neighborhood Typology applies to lands located at
2 commercial/retail nodes that support surrounding
3 residential developments outside of the urban core.
4 These sites are comprised of low-rise buildings, with
5 suburban block patterns abutting a suburban "Main
6 Street" urban design. The suburban scale of these
7 areas supports both medium-low residential and
8 employment density, as well as moderate pedestrian
9 activity. Modes of transportation should include a
10 mix of BRT and local and express bus, walking and
11 biking. Rear surface and on-street parking designs
12 shall be required to ensure streetscapes can fully
13 accommodate non-motorized modes, with no minimum
14 parking requirement. Pedestrian and bicycle
15 infrastructure should provide good connectivity to
16 encourage these active uses. The minimum-residential
17 density goals for the Suburban Neighborhood typology
18 are 20 DU/Acre in the TOD-1 area and 15 DU/Acre in
19 the TOD-2 area to provide adequate housing to support
20 commercial uses. Uses include small lot single-
21 family residential use, single-family residential use
22 with an accessory dwelling unit, townhouse
23 residential use, low-rise condominium residential use
24 and multifamily residential use, neighborhood retail
25 and office uses, and mixed-use buildings.

26 (v) *Type 5 - Special Use Typology.* The Special Use
27 Typology applies to lands located at destinations
28 that have a singular use functionality, which
29 generate high transit ridership, but do not align
30 with a traditional mixed-use TOD pattern. Examples
31 include airports, hospitals, schools, universities,

1 and entertainment venues. Residential density will
2 vary at these locations, but the intensity and
3 pedestrian activity will be high. Modes of
4 transportation should include a premium transit
5 service which can adequately handle the demand, and
6 low speed alternative mobility solutions which help
7 create connections from the transit station to nearby
8 destinations. Parking design requirements within
9 this typology also varies based on location, but
10 should prioritize vertical parking structures that
11 efficiently utilize parking footprints, and
12 incorporate ground floor retail or commercial uses.

13 (b) *Elements of the TOD master plan.* The TOD master plan shall
14 address the following elements:

15 (1) *Community vision.* A vision for the community should be
16 developed through an educational and participatory
17 planning process utilizing tools such as informational
18 sessions, public workshops, and smaller stakeholder
19 meetings to isolate major themes expressed by the
20 community. Resultant themes should be used to craft an
21 overall vision for the TOD, which acts as the foundation
22 for the development of the TOD master plan and its
23 accompanying zoning overlay.

24 (2) *Urban design.* The TOD master plan should recommend design
25 standards that affect at a minimum sidewalk and building
26 placement, sidewalk width, building articulation, and
27 relationship of buildings to the street. These design
28 standards are more rigorous than those included in other
29 provisions of the *Ordinance Code*. In providing regulations
30 that promote walkability, multiple modes of travel, a mix
31 of housing, quality active recreation and open space, and

1 complementary design features, the TOD master plan is able
2 to steer development in a direction that supports the
3 community vision while promoting interconnecting
4 neighborhoods and communities.

5 (3) *Connectivity.* The TOD master plan should encourage dense
6 development at activity nodes such as transit stations,
7 providing much needed mobility options for all members of
8 the community. Additionally, the TOD master plan should
9 develop an integrated street and pathway network to ensure
10 safe and convenient travel for all modes of transportation.
11 The network should encourage additional streets to make
12 smaller, more manageable blocks for people traveling on
13 foot. The network should also include enhanced connections
14 to existing and proposed trail systems, encouraging access
15 to recreational opportunities, while on-street bicycle
16 lanes and facilities make bike-riding safer and more
17 efficient.

18 (4) *Active recreation and open space.* The TOD master plan
19 should recognize that integrated, well designed, and
20 accessible active recreation and open space is critical to
21 achieving the vision of the TOD. In particular, the higher
22 density and compact character of TOD development requires
23 an approach to active recreation and open space that
24 recognizes the different needs of TOD inhabitants. Denser,
25 more urban communities require increased urban active
26 recreation and open spaces such as plazas, private open
27 space, storm water gardens, water efficiency landscapes,
28 on-site renewable energy systems, and landscape methods
29 that can reduce the urban heat island effects.
30 Alternatively, more residential districts should be
31 connected with active recreation and open space such as

1 pocket parks, which provide open space at a more local
2 level. The TOD master plan should recognize the different
3 needs of varying areas within the TOD area and include
4 specific regulations based on such needs.

5 (5) *Land use and density.* Providing a mix of uses in close
6 proximity to one another is vital to the prosperity of a
7 TOD. The TOD master plan should analyze existing land use
8 and zoning within the TOD boundary. The analysis should
9 cover current land use trends such as undeveloped or vacant
10 properties and existing zoning, including those developed
11 through existing Neighborhood Plans. After reviewing the
12 existing land use patterns, the TOD master plan shall
13 recommend land use designations that encourage an
14 appropriate mix of residential, commercial, retail, office
15 and other suitable uses. The TOD master plan shall further
16 recommend building height, Floor-Area Ratio (FAR), and
17 housing densities to support transit in the area while
18 integrating the TOD into the surrounding community.

19 (6) *Sustainability.* Achieving a sustainable future means
20 meeting the needs of today without compromising the needs
21 of the future. Under this philosophy, this process aims
22 to build more livable communities. A primary goal of the
23 TOD zoning overlays is to promote development and
24 redevelopment in areas well supported by transit. Compact
25 and connected development will help the City and the region
26 address continued population growth and increasing
27 greenhouse gas emissions, resulting in impacts on climate
28 change. Additionally, setting sustainability goals for
29 the built environment is an important component of an
30 environmentally responsible community. The TOD master plan
31 should promote sustainability and active measures to

1 protect against unwanted environmental impacts. The TOD
2 master plan should set specific goals for green building,
3 renewable energy, and sustainable technologies and
4 incorporate these measures into the larger community vision
5 for the TOD.

6 (7) *Affordability.* Including affordable housing in TODs can
7 provide lower income households with improved
8 transportation access to employment and services. Reduced
9 transportation costs can improve the ability of low-income
10 families to afford housing payments. The TOD master plan
11 should take into account affordable housing needs and
12 include an affordable housing analysis and feasibility
13 review that describes potential strategies for achieving
14 affordable housing goals.

15 (8) *Infrastructure Assessment.* Some TOD areas may be located
16 within existing urban environments, while others are
17 located in or near currently undeveloped areas of the City.
18 TODs encourage density and connectivity, but acknowledge
19 the necessity of infrastructure support for this type of
20 development. The TOD master plan shall provide an analysis
21 of existing conditions including water, wastewater, and
22 stormwater systems, which can identify future needs and
23 methods for addressing flood, water quality, and erosion
24 issues.

25 (9) *Financial analysis.* Projects incorporating higher density
26 development with increased multi-modal connectivity tend
27 to have higher construction costs than those with less
28 dense and less connected development patterns. A TOD area
29 located within a moderate financial market may require
30 additional economic support to offset what could be higher
31 construction costs. The TOD master plan shall evaluate

1 market conditions within each TOD and then evaluate
2 financial strategies that can be applied to realize the
3 TOD vision. Some financial tools include the creation of
4 parking districts, the assembly of a development site that
5 can be sold or leased at a discount to developers, and
6 catalyst projects. In particular, catalyst projects can
7 be used to demonstrate creative approaches to tackling
8 issues such as affordable housing, infrastructure costs,
9 and parking and serve to stimulate subsequent development
10 to provide mixed-income and market-rate residential
11 projects. In addition, the TOD master plan should provide
12 a future financing implementation plan that takes into
13 consideration a range of market issues.

14 (10) *Implementation plan.* The implementation of the plan, along
15 with other TODs surrounding the existing and proposed JTA
16 premium transit stations, is expected to support ridership
17 on JTA services and take full advantage of public transit
18 investments and the development potential of the station
19 areas. The TOD master plan shall outline partnerships and
20 mechanisms for TOD implementation including financing and
21 value capture strategies as well as governance structure.

22 (c) *Phase II - TOD Zoning Overlay.* In accordance with the TOD
23 master plan, the TOD zoning overlay shall be created which builds,
24 refines, and codifies the implementation tools outlined in the TOD
25 master plan, and should reflect the zoning, land uses, densities,
26 active recreation and open space, height limitations, transitions to
27 existing neighborhoods, sidewalk widths, building frontages, entrance
28 locations, and other design aspects as addressed in the TOD master
29 plan. The boundaries of the TOD zoning overlay may be less than the
30 boundaries of the TOD master plan. The TOD zoning overlay is the
31 mechanism for the allocation of entitlements within the TOD area.

1 (d) *Elements of the TOD zoning overlay.* The TOD zoning overlay
2 shall include and address, as appropriate, the following elements:

3 (1) A narrative describing zoning, land uses, densities, height
4 limitations, transitions to existing neighborhoods,
5 sidewalk widths, building frontages, entrance locations,
6 and other design aspects as addressed in the TOD master
7 plan;

8 (2) A site plan at suitable scale depicting and labeling the
9 zoning and land uses of all areas within the TOD zoning
10 overlay, as well as proposed street and sidewalk layouts,
11 building frontages, entrance locations, landscaping, open
12 spaces and any other design aspects as addressed in the
13 TOD master plan capable of graphic depiction;

14 (3) A description of all entitlement allocations within the
15 TOD zoning overlay;

16 (4) A description of all development standards; and

17 (5) Mechanisms and incentives promoting orderly development
18 within the TOD zoning overlay so that each designated use
19 may be realized within a reasonable time horizon in order
20 that the integrated, interconnected, pedestrian-friendly
21 and transit-oriented goals of the TOD master plan can be
22 achieved.

23 (e) *Executive summary.* Following the completion of the TOD
24 zoning overlay, JTA shall prepare an executive summary or similar
25 document explaining in reasonable detail how the TOD master plan and
26 zoning overlay address each of the requirements and elements provided
27 in this Part 14, and identifying all land uses and entitlements
28 established in the TOD zoning overlay.

29 (f) *Comprehensive Plan.* The TOD master plan and zoning overlay
30 must be consistent with the applicable provisions and requirements
31 of the Comprehensive Plan.

1 **Sec. 656.1407. - Procedure.**

2 (a) *Pre-application charettes.* Prior to the preparation of an
3 application for the establishment of a site-specific TOD master plan
4 and zoning overlay under this Part 14, JTA shall conduct a series of
5 charettes with written notice to the Department, the Public Works
6 Department, other affected and/or interested City departments as
7 requested by the Department, the Council member of the district within
8 which the proposed TOD is located, the Citizen Planning Advisory
9 Committee of the district within which the proposed TOD is located,
10 any registered neighborhood organizations serving a neighborhood area
11 located within 350 feet of any boundary of the proposed TOD, each
12 owner of real property located within the boundaries of the proposed
13 TOD and within 350 feet of any boundary of the proposed TOD, and the
14 Florida Department of Transportation. The purpose of the charettes
15 is first to educate stakeholders about the TOD vision and the TOD
16 master plan and zoning overlay concept, then to present initial
17 proposals for the TOD master plan and zoning overlay and solicit
18 comments, and last to present finalized versions of the TOD master
19 plan and zoning overlay. JTA will be responsible for documenting the
20 charette process and providing minutes or written summaries of the
21 presentations made and comments received. JTA shall also document
22 the evolution of the TOD master plan and zoning overlay through the
23 charette process and JTA's reaction to the comments received. JTA
24 must support the development of the TOD master plan and zoning overlay
25 with appropriate data and analysis, which must be presented in
26 reasonable detail to the charette participants. To the extent
27 reasonably practicable, JTA should endeavor to develop the TOD master
28 plan and zoning overlay such that the same accommodates as many
29 stakeholder interests as possible. As they become available, JTA
30 should post the TOD master plan and zoning overlay and the revisions
31 thereof throughout the stages of development on a separate page linked

1 to the home page of its website and devoted exclusively to the
2 proposed TOD.

3 (b) *Charette notices.*

4 (1) *Mailed notice.* Each charette notice required under Section
5 656.1407(a) must include a conspicuous heading stating that
6 it is a notice of a public meeting for the development of
7 a Transit-Oriented Development master plan and zoning
8 overlay, must identify the date, time and place of the
9 meeting, must state that the purpose of the meeting is the
10 development by JTA of a site-specific TOD master plan and
11 zoning overlay under this Part 14, must include a graphic
12 depiction showing the location of the proposed TOD and the
13 immediately-surrounding area with street names and/or
14 other landmarks sufficient to identify the impacted area,
15 must include sufficient information for interested parties
16 to contact JTA regarding the proposed TOD, and must state
17 that all interested persons are invited to attend. Each
18 notice must be mailed to the stakeholders identified in
19 656.1407(a) at least 14 days prior to each charette.
20 Notices to the owners of real property located within the
21 proposed TOD and within 350 feet of any boundary thereof
22 shall be mailed to the address of each according to the
23 most recent ad valorem tax roll. JTA shall prepare a
24 certificate of its compliance with the mailing requirements
25 of this subsection identifying all addressees and their
26 addresses for filing with the application under subsection
27 (e) of this Section.

28 (2) *Published notice.* JTA must publish a notice of each
29 charette in a newspaper of general circulation published
30 in the City at least 10 days prior to the date thereof.
31 The published notice must contain the same items and

1 information specified for mailed notices under Section
2 656.1407(b)(1).

3 (3) *Website notice.* JTA must post a notice of each charette
4 in a conspicuous location on its website. The posted
5 notice must contain the same items and information
6 specified for mailed notices under Section 656.1407(b)(1).

7 (c) *Pre-application conference.* Following the completion of
8 the charette process, and prior to preparing an application for the
9 establishment of a site-specific TOD master plan and zoning overlay,
10 JTA shall schedule a pre-application conference with the Department
11 to discuss the same. The purpose of the pre-application conference
12 is for JTA to inform the Department regarding its intent to prepare
13 and file the application, to assist JTA in causing the application
14 to be as consistent as practicable with these and other applicable
15 regulations, to provide JTA recommendations to inform and assist with
16 the preparation of the application and its components, and to address
17 any other matters deemed relevant and appropriate by the Department.

18 (d) *Authorization to file an application for establishment of*
19 *a site-specific TOD master plan and zoning overlay.* Following the
20 pre-application conference, a written application for the
21 establishment of a site-specific TOD master plan and zoning overlay
22 shall be prepared by JTA and submitted to the Department prior to
23 filing. The Department shall verify that the application is complete
24 and sufficient for review, including any specific requirements from
25 the pre-application conference. The Department shall notify the JTA
26 in writing regarding its sufficiency determination. If the
27 application is determined to be insufficient, JTA may revise and
28 resubmit the same to the Department for a further sufficiency
29 determination. Upon the determination by the Department that the
30 application is sufficient, JTA may formally file the same with the
31 Department through such process or portal as the Department may

1 direct.

2 (e) *Application for Establishment of a Site-Specific TOD Master*
3 *Plan and Zoning Overlay.* The application shall identify the name of
4 the TOD and be accompanied by the following, in sufficient copies as
5 deemed necessary by the Department for referrals and recommendations:

6 (1) The TOD master plan and zoning overlay as finalized during
7 the charette process;

8 (2) The executive summary or similar document required under
9 Section 656.1406(e);

10 (3) A description of the land within the proposed TOD
11 sufficiently detailed for physically locating the same;

12 (4) A map of suitable scale depicting and labeling each parcel
13 within the proposed TOD, together with a table identifying
14 the owner(s) of each parcel and the mailing address(es)
15 thereof on the latest ad valorem tax roll;

16 (5) A list of the dates, times and locations of each charette;

17 (6) The minutes or written summaries for each charette;

18 (7) A specimen copy of the notice of each charette and the
19 certificate of mailing thereof;

20 (8) Proof of the publication of the notice of each charette;

21 (9) All data and analysis used in the development of the TOD
22 master plan and zoning overlay; and

23 (10) Such other information or documentation as may reasonably
24 be approved or required by the Department.

25 (f) *Processing of an application.* An application for the
26 establishment of a site-specific TOD master plan and zoning overlay
27 shall proceed in general as other applications for rezoning.

28 **Sec. 656.1408. - Approved status.**

29 Upon City Council approval of a TOD master plan and its
30 corresponding zoning overlay, the zoning classifications of the land
31 within the TOD shall be as depicted and described in the TOD zoning

1 overlay.

2 **Sec. 656.1409. - Zoning amendments within a TOD.**

3 (a) *Applications and Recommendations.* Applications filed by
4 individual property owners, or JTA, to amend or modify the adopted
5 TOD zoning overlay or overlay provisions, to add land to the TOD
6 zoning overlay, and/or to remove land from the TOD zoning overlay,
7 shall be processed in accordance with Section 656.121, *Ordinance*
8 *Code.* Applications and additional documents subsequently filed by
9 the applicant with the Department shall be provided to JTA for review
10 and comment regarding consistency of the application with the TOD
11 master plan and TOD zoning overlay. A copy of the Department
12 recommendation report shall be provided to JTA.

13 (b) *Additional Criteria.* In addition to the criteria set forth
14 in Section 656.125, *Ordinance Code,* an applicant for a proposed zoning
15 request has the burden of proving by substantial, competent evidence
16 that the proposed application is consistent with the following
17 criteria:

- 18 (1) Whether the proposed request is consistent with the TOD
19 development standards set forth in Section 656.1405,
20 *Ordinance Code;* and
21 (2) Whether the proposed request furthers the vision, goals,
22 and elements of the designated TOD master plan and zoning
23 overlay.

24 Approval of the proposed zoning request shall be accomplished
25 by an appropriate amendment to the TOD master plan or TOD zoning
26 overlay, or both.

27 **Section 3. Severability.** The provisions of this Ordinance,
28 including sections and subsections within the Ordinance, are intended
29 to be severable and if any provision is declared invalid or
30 unenforceable by a court of competent jurisdiction, such provision
31 shall be severed and the remainder shall continue in full force and

1 effect, with the Ordinance being deemed amended to the least degree
2 legally permissible.

3 **Section 4. Codification Instructions.** The Codifier and the
4 Office of General Counsel are authorized to make all chapter and
5 division "table of contents" consistent with the changes set forth
6 herein. Such editorial changes and any other necessary to make the
7 *Ordinance Code* consistent with the intent of this legislation are
8 approved and directed herein, and the changes to the *Ordinance Code*
9 shall be made forthwith and when inconsistencies are discovered.

10 **Section 5. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

13
14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation prepared by: Mary E. Staffopoulos

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