

1 The \_\_\_\_\_ Committee offers the following Substitute to File No.  
2 2024-373:

3  
4 Introduced by Council Member Matt Carlucci and substituted by:  
5  
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7 **ORDINANCE 2024-373**

8 AN ORDINANCE AMENDING CHAPTER 656 (ZONING  
9 CODE), PART 1 (GENERAL PROVISIONS), SUBPART C  
10 (PROCEDURES FOR REZONING AND AMENDMENTS TO THE  
11 ZONING CODE); AND PART 3 (SCHEDULE OF DISTRICT  
12 REGULATIONS), SUBPART F (PLANNED UNIT  
13 DEVELOPMENT), SECTION 656.341 (PROCEDURES),  
14 ORDINANCE CODE, TO CREATE A NEW SECTION  
15 656.130.1 (AMENDMENTS TO THE ZONING CODE FOR  
16 ZONING OVERLAYS) TO ESTABLISH A PROCESS FOR  
17 NEW ZONING OVERLAYS AND TO ADD SUBPARAGRAPH  
18 (F) TO PROHIBIT PLANNED UNIT DEVELOPMENT  
19 ZONING APPLICATIONS WHICH ALLOW DEVIATIONS  
20 FROM ZONING OVERLAYS UNLESS APPROVED BY A 2/3  
21 VOTE OF THE FULL COUNCIL; PROVIDING  
22 CODIFICATION INSTRUCTIONS; PROVIDING AN  
23 EFFECTIVE DATE.  
24

25 **WHEREAS**, the purpose and intent of a zoning overlay is to  
26 create a special zoning district, placed over the existing zoning  
27 scheme, to apply area-specific standards or conditions due to the  
28 unique development patterns, unique needs or to protect features or  
29 aspects of the geographic area over which the overlay applies; and

30 **WHEREAS**, zoning overlays are adopted by the Council based on

1 studies and evaluations of the proposed overlay area and involve  
2 community input into the future development needs of their area;  
3 and

4 **WHEREAS**, those studies and evaluations are adopted into a  
5 zoning overlay to provide custom regulations laid over the  
6 underlying zoning laws, fine tuning regulations to preserve the  
7 unique character, economic viability, historic fabric and  
8 environmentally sensitive resources of some of Jacksonville's most  
9 significant areas; and

10 **WHEREAS**, the Council has adopted eleven (11) zoning overlays  
11 to protect and preserve Downtown, Springfield, Mayport Road and  
12 Waterfront, San Marco, Riverside/Avondale, Industrial Sanctuary  
13 Areas, Black Hammock Island, King/Soutel Crossing Area, Arlington  
14 Area and the Cedar Point and Sawpit Road Area; and

15 **WHEREAS**, the Council desires to establish a process for the  
16 establishment of new zoning overlay; and

17 **WHEREAS**, developers may use PUD rezoning applications as a way  
18 to circumvent an adopted zoning overlay in these areas in order to  
19 authorize uses, development schemes or regulatory waivers and  
20 relaxations, which erodes and degrades the integrity of the  
21 carefully crafted zoning overlay plan; now therefore

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

23 **Section 1. Creating Section 656.130.1 (Amendments to the**  
24 **Zoning Code for Zoning Overlays), Ordinance Code.** Section 656.130.1  
25 (Amendments to the Zoning Code for Zoning Overlays), Subpart C  
26 (Procedures for Rezoning and Amendments to the Zoning Code), Part 1  
27 General Provisions), Chapter 656 (Zoning Code), *Ordinance Code*, is  
28 hereby amended to read as follows:

29 **CHAPTER 656. ZONING CODE.**

30 **PART 1. GENERAL PROVISIONS.**

\* \* \*

SUBPART C. PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING  
CODE

\* \* \*

Sec. 656.130.1 - Amendments to the Zoning Code for Zoning  
Overlays.

(a) It is the intent of the City of Jacksonville to permit  
the creation of new zoning overlays in accordance with  
the following circumstances:

(1) In general, when there is a special and substantial  
public interest in the protection of the character  
of an area, which could be, but is not limited to  
environmental or historical features, or the  
protection of principal views of, from, or through  
the areas; or

(2) In other cases where the special and substantial  
public interest requires modification of otherwise  
applicable zoning regulations, or repeal and  
replacement of such regulations, for the  
accomplishment of the special public purposes for  
which the Zoning Overlay is established.

(b) Zoning overlays will be developed through a community-led  
planning process that heavily engages the stakeholders  
(property owners, tenants, City staff, including the  
Office of General Council and the Planning and  
Development Department and the applicable District  
Council Member or Members, and others as appropriate), in  
the development of a proposed overlay document. Evidence  
of the community engagement, including but not limited  
to, meeting notices, sign in sheets, community meeting

minutes and communications, shall be provided, along with any proposed draft overlay document and any desired accompanying maps and graphics, to the applicable District Council Member or Members and Planning and Development Department.

\* \* \*

Section 2. Amending Section 656.130.1 (Procedures), Ordinance Code. Section 656.341 (Procedures), Part 3 (Schedule of District Regulations), Subpart F (Planned Unit Development), Chapter 656 (Zoning Code), Ordinance Code, is hereby amended to read as follows:

CHAPTER 656. ZONING CODE.

\* \* \*

PART 3. SCHEDULE OF DISTRICT REGULATIONS.

\* \* \*

SUBPART F. PLANNED UNIT DEVELOPMENT

\* \* \*

Sec. 656.341. - Procedures.

\* \* \*

(e) *Enactment of the ordinance for a planned unit development.* Following the public hearings, as required for all applications for rezoning, the City Council may enact an ordinance, which clearly identifies and/or lists all data, exhibits, information, site plan(s), etc. being approved as part of the Planned Unit Development district, establishing a Planned Unit Development district including any conditions related thereto, based upon findings that the Planned Unit Development district will accomplish the objectives and meet the standards of the district and is consistent with the Comprehensive Plan. Any monetary contributions shall be conditions listed in the ordinance and the

1 conditions shall contain a minimum dollar amount for such  
2 contribution, the timing of the payment, the Department responsible  
3 for accepting the payment, and the Department who will be assigned  
4 the payment, including the appropriate revenue account number for  
5 the payment. Any nonmonetary contributions, including but not  
6 limited to recreation facilities, shall be conditions listed in the  
7 ordinance and the conditions shall contain a minimum value of such  
8 nonmonetary contribution.

9 Development within a Planned Unit Development district shall  
10 proceed substantially in accordance with the site plan(s), written  
11 description of the intended plan of development and any conditions  
12 set forth by the City Council in the ordinance which approves the  
13 Planned Unit Development district.

14 (f) No Planned Unit Development shall be approved to allow a  
15 deviation from any use, design element or any other requirement  
16 placed on a property by an applicable zoning overlay. Waivers of  
17 this prohibition shall require approval by a 2/3 vote of the full  
18 Council.

19 (g) *Modifications to a Planned Unit Development district.* An  
20 amendment to an approved Planned Unit Development district may be  
21 accomplished through either an Administrative Modification, Minor  
22 Modification, or by filing an application for rezoning, meeting  
23 criteria as herein described.

24 \* \* \*

25 ~~(g)~~ (h) *Verification of substantial compliance with the Planned Unit*  
26 *Development district.*

27 \* \* \*

28 **Section 2. Codification Instructions.** The Codifier and  
29 the Office of General Counsel are authorized to make all chapter  
30 and division "tables of contents" consistent with the changes set

1 forth herein. Such editorial changes and any other necessary to  
2 make the *Ordinance Code* consistent with the intent of this  
3 legislation are approved and directed herein, and changes to the  
4 *Ordinance Code* shall be made forthwith and when inconsistencies are  
5 discovered.

6       **Section 3.       Effective Date.** This ordinance shall become  
7 effective upon signature by the Mayor or upon becoming effective  
8 without the Mayor's signature.

9 Form Approved:

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Office of General Counsel

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Legislation Prepared By: Jason R. Teal

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## **City Services Contract Scope of Work**

**Contractor:** Riverside-Avondale Preservation, Inc. ("Contractor")

**City Funding Request:** \$10,000 ("City Funds")

**Fiscal Year:** October 1, 2024 – September 30, 2025

**City Contract Term:** October 1, 2024 – September 30, 2025

**Purpose:** The purpose of the City Funds is to provide funding for a grant to Contractor to procure off-duty Jacksonville Sheriff's Office police officer security services for security and traffic control for the commercial corridor of Park and King Street during peak hours.

### **Scope of Work:**

Contractor shall use the City Funds to pay the costs for up to two (2) off-duty police officers to provide security and traffic control services on Fridays and Saturdays from 11:00 p.m. until 03:00 a.m. Services will be provided only when off-duty officers are available and have accepted the assignment. Contractor shall provide off-duty security and traffic control services using the City Funds until the City Funds are exhausted. Contractor and Park and King Merchant Association, Inc. will use best efforts to equally bear the management responsibility for the funding and scheduling of officers.

**Payment Terms:** City Funds will be provided to Contractor on a monthly reimbursement basis only, and up to two reimbursements may be requested by Contractor per month.

All other terms and conditions shall be reviewed and approved by the Office of General Counsel in the best interest of the City and consistent with this Scope of Work.

## **ORDINANCE 2024-697**

### **CM Howland Amendment to Exhibit 2**

#### **New Proposed Marker Language:**

##### **ERECTED IN MEMORY OF MRS. JOHNNIE MAE CHAPPELL**

This marker stands as a solemn tribute to Mrs. Johnnie Mae Chappell, whose life was tragically taken on the evening of March 23, 1964, amid a period of racial violence in Jacksonville. While searching for her lost wallet at this location, Mrs. Chappell was targeted by four men in a passing vehicle. One of the men, motivated by racial hatred, fatally shot Mrs. Chappell simply because of the color of her skin. Despite the heinous nature of the crime, the case remained unsolved for several months. When it was finally prosecuted, the perpetrator was convicted of manslaughter and served only three years of a ten-year sentence. Mrs. Johnnie Mae Chappell was more than just a victim of violence; she was a devoted wife to Mr. Willie Chappelle Sr., a dedicated mother of ten children, a hardworking domestic/midwife, and a proud resident of Jacksonville's Pickettville neighborhood. This marker honors Mrs. Johnnie Mae Chappell, whose children became wards of the state, forced to grow up in a system without their mother, and whose life was cut short by a racist who, not even knowing her name, aimed his gun and pulled the trigger. May this marker preserve Mrs. Chappell's legacy, remind us of this tragic incident in Jacksonville's history, and inspire a future dedicated to peace, equality, and justice for all residents of our City.

#### **Original Proposed Marker Language:**

##### **ERECTED IN MEMORY OF MRS. JOHNNIE MAE CHAPPELL**

At this location on the evening of March 23, 1964, during a month marked by racial violence in Jacksonville, Mrs. Johnnie Mae Chappell was targeted by four men in a passing vehicle and killed by one of them due to the color of her skin. Her murder went unsolved for months and, when the case was finally prosecuted, the killer was convicted and served just three years of a ten-year sentence for Manslaughter. Johnnie Mae Chappell was a devoted wife to Willie, a dedicated mother of ten, a housecleaner, and a proud resident of Jacksonville's Pickettville neighborhood. This marker serves as a tribute to Johnnie Mae Chappell, whose children were forced to grow up without their mother and whose life was cut short by a racist who did not even know her name when he aimed the gun and pulled the trigger. May this marker preserve Mrs. Chappell's legacy, serve as a reminder of a tragic incident in Jacksonville's past, and stand as an inspiration for a future dedicated to peace, equality, and justice for all residents of our City.