

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 7, 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.: 2021-821**

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**

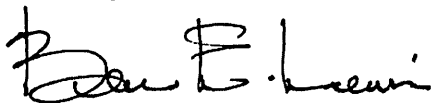
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	5-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Absent
Jason Porter	Absent

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

Sincerely,

A handwritten signature in black 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
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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 2021-821

AN ORDINANCE AMENDING SECTION 656.361.5.2 (USES REGULATED BY DISTRICT) AND SECTION 656.361.5.4 (DEVELOPMENT STANDARDS FOR USES REGULATED BY DISTRICT), SUBPART H (DOWNTOWN OVERLAY ZONE AND DOWNTOWN DISTRICT USE AND FORM REGULATIONS), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, TO ADD PERSONAL PROPERTY STORAGE FACILITIES AS A PERMISSIBLE USE BY EXCEPTION, MEETING CERTAIN DEVELOPMENT STANDARDS, TO THE CATHEDRAL, CENTRAL CORE, SPORTS AND ENTERTAINMENT, WORKING WATERFRONT, AND SOUTHBANK DISTRICTS OF DOWNTOWN; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The bill amends Zoning Code Part 3 – Schedule of District Regulations – in Subpart H – Downtown Overlay Zone and Downtown District Use and Form Regulations - to add personal property self-storage facilities as a permissible use by exception in the Cathedral, Central Core, Sports and Entertainment, Working Waterfront and Southbank areas of downtown. The performance standards are amended with regard to the requirement that no more than 25% of the ground floor building façade may be “wrapped with” the rental and management office of the facility to change the wording to “occupied by” and to make the requirement apply only to building façades facing roads classified as Minor Arterial or higher, not every public street as the section currently reads.

Personal property self-storage facilities are already permissible by exception in the Brooklyn, LaVilla, and Church districts of the downtown overlay. This bill would make such facilities permissible by exception throughout the overlay area.

II. EVALUATION

A. The need and justification for the change

The bill amends the Ordinance Code Chapter 656 - Zoning Code – to add personal property self-storage facilities as a permissible use by exception, meeting certain prescribed development standards, in the portions of the Downtown Overlay area where they are not currently permissible. The development standards are slightly modified with regard to the maximum office space requirement on the ground floor of a building used for this purpose depending on the classification of road it faces.

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 downtown commercial areas to support the City's residential areas.

III. RECOMMENDATION

The Planning and Development Department adopts by reference the attached Downtown Development Authority staff report and DIA Resolution 2022-01-07.

DOWNTOWN DEVELOPMENT REVIEW BOARD

STAFF REPORT

ORDINANCE 2021-821

Summary

Ordinance 2021-821 seeks to permit by exception personal property/self-storage facilities within all Districts of Downtown. This legislation further seeks to amend the additional development standards (see Section 656.361.5.4 in attached legislation) for personal property storage facilities as shown below:

Section 656.361.5.4

(3) No more than 25 percent of the ground floor building façade fronting a public street road classified as Minor Arterial or higher may be ~~wrapped with~~ occupied by the rental and management office associated with the self-storage facility.

Background

In 2019, after over a year of analysis, public meetings, public input, and vetting through the Downtown Investment Authority, the Planning and Development Department, the Downtown Development Review Board, various stakeholders, and ultimately by City Council, Ordinance 2019-196 amended the Downtown portion (Chapter 656, Part 3, Subpart H) of the Zoning Code.

This was a wholistic amendment that resulted, specific to this proposed legislation and personal property storage facilities, (a) identification by District of where personal property storage could be located by grant of an exception, and (b) the additional development standards for personal property storage facilities.

Ultimately, after all of the stakeholder input, public meetings and actions by the various required bodies, including City Council, personal property storage facilities were excluded from the Southbank District, the Cathedral District, the Central Core District, the Sports and Entertainment District, and the Working Waterfront District.

Analysis

Generally, staff supports the Ordinance Code and, given that we have had only one request for a person property storage facility in the last six years, does not find exigence in amending the Ordinance Code as proposed. That said, staff recognizes that the requested changes do not grant blanket, by-right approval of these facilities and would require that they proceed through the zoning exception process and through Downtown Development Review Board ("DDRB") development review.

Should this legislation and the changes to the Ordinance Code found therein be adopted, staff would recommend the following amendments to the legislation:

Sec. 656.361.5.4.A.3: remain as is currently in the Ordinance Code. Staff finds that the proposed changes imply or rather enable 25% of a facilities frontage along neighborhood and local streets (i.e., not classified as a minor arterial or higher) to have up to 50% of their frontage be rental and office space associated with the self-storage facility (when factoring in the requirement that 50% of street frontages shall be devoted as functional space for at least one primary use unrelated to, and not an accessory to, the self-storage facility per sec. 656.361.5.4.A.2).

In the Cathedral, LaVilla, Brooklyn/Riverside, Church, Central Core, Southbank and Sports & Entertainment Districts, require that the personal- or self-storage facilities be incorporated into a mixed-use building that includes (which is to be interpreted as a mandate) ground-floor retail/restaurant uses unrelated to the personal- or self-storage facility. This puts a finer point on the existing language in sec. 656.361.5.4.A.2.

In the Cathedral, LaVilla, Brooklyn/Riverside, Church, Central Core, Southbank Districts, require that at least 25% of the total building in which the facility is part be dedicated to uses unrelated to the personal property- or self-storage facility.

Sec. 656.361.5.4.A.7, should be amended as follows to ensure compatibility with adjoining properties:

Building façades visible from the public right-of-way must have the appearance of an office, retail or residential building through the use of doors, windows, awnings, and other appropriate building elements. Personal property storage facilities are prohibited along any waterway. In the Cathedral, LaVilla, Brooklyn/Riverside, Church, Central Core, Southbank and Sports & Entertainment Districts, granting of a zoning exception to permit a personal property- or self-storage facility is predicated on meeting the requirements of section 656.361.6.8 – Private Realm Regulations, and section 656.361.6.3 – Public Realm Regulations without the grant of a deviation. Further, the granting of a zoning exception to permit a personal property- or self-storage facility is predicated on meeting the Downtown Design Guidelines and any district-specific design guideline contained therein.

For informational purposes, the following are the standard Zoning Exception criteria. Note: in Downtown, where the criteria reads "Planning Commission" or "Commission", that is to mean the Downtown Development Review Board:

The Commission shall issue an order to grant the exception only if it finds from a preponderance of the evidence of record presented that the proposed use meets, to the extent applicable, the following standards and criteria:

- (i) Will be consistent with the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;
- (ii) Will be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values, and existing similar uses or zoning;
- (iii) Will not have an environmental impact inconsistent with the health, safety and welfare of the community;
- (iv) Will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community;
- (v) Will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan, including any subsequent amendment to the plan adopted by the Council;
- (vi) Will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity;
- (vii) Will not overburden existing public services and facilities;
- (viii) Will be sufficiently accessible to permit entry onto the property by fire, police, rescue and other services; and
- (ix) Will be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such particular use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission.

RESOLUTION 2022-01-07

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY ("DIA") FORWARDING TO THE CITY COUNCIL ITS RECOMMENDATION REGARDING ORDINANCE 2021-0821, AN ORDINANCE SEEKING TO AMEND CERTAIN PROVISIONS OF SECTION 656.361.4.A (PERSONAL PROPERTY STORAGE) AND SECTION 656.361.5.2 (USES REGULATED BY DISTRICT); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 2021-0821 was introduced by a City Councilman for action by the City Council; and

WHEREAS, Ordinance 2021-0821 seeks to amend section 656.361.4.A and section 656.361.5.2, the affect of which will be an amendment to the Downtown District Regulations to permit personal property / self storage facilities within all Overlay Districts in Downtown; and

WHEREAS, pursuant to section 656.361.9.C.2: *Any proposed amendments to the Downtown District Regulations, the Downtown Streetscape Design Guidelines, and the Riverwalk Park Design Criteria shall be recommended by the DDRB for recommendation to the DIA, who in turn may recommend to the City Council for adoption*; and

WHEREAS, the Downtown Development Review Board made a recommendation regarding the legislation at their January 13, 2021 meeting, with that recommendation forwarded to the Downtown Investment Authority pursuant to section 656.361.9.C.2; and

WHEREAS, the DIA, after consideration of the DDRB recommendation, and the impact of 2021-0821 on Downtown property values, development potential and the adopted BID and CRA plan is forwarding a recommendation to City Council pursuant to section 656.361.9.C.2,

NOW THEREFORE, BE IT RESOLVED, by the Downtown Investment Authority:

Section 1. The DIA finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. The DIA finds that the current Downtown Zoning Overlay, without the changes proposed, continues to remain appropriate and serves the interests of Downtown redevelopment.

Section 3. If City Council nevertheless finds it in the public interest to modify the Downtown Zoning Overlay to permit additional self- storage locations, the DIA recommends adoption with amendment of the recommendation of the Downtown Development Review Board regarding Ordinance 2021-0821, as attached on Exhibit A.

Section 4. The CEO of DIA is hereby directed to forward this recommendation to the City Council.

Section 5. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

RESOLUTION 2022-01-07
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Section 4. The CEO of DIA is hereby directed to forward this recommendation to the City Council.

Section 5. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Sydney Chicko

Braxton Gillam
Braxton Gillam, Esq., Chair

2/23/22
Date

VOTE: In Favor: 6 Opposed: 1 Abstained: 0

Exhibit A

Recommendation #1: The legislation seeks to change section 656.361.5.4.A(3) as follows:

No more than 25 percent of the ground floor building façade fronting a ~~public street~~ road classified as Minor Arterial or higher may be ~~wrapped with~~ occupied by the rental and management office associated with the self-storage facility.

DDRB recommended, and DIA agrees, that the strike-thru/underline changes should be deleted and that this section remain as is currently within the Zoning Code.

DIA recommends that the following amendments recommended by DDRB be incorporated in the proposed bill:

Recommendation #2: In the Cathedral, LaVilla, Brooklyn/Riverside, Church, Central Core, Southbank and Sports & Entertainment Districts, require that the personal- or self-storage facilities be incorporated into a mixed-use building that includes ground-floor retail/restaurant uses unrelated to the personal- or self-storage facility.

Recommendation #3: In the Cathedral, LaVilla, Brooklyn/Riverside, Church, Central Core, Southbank Districts, require that:

- (a) at least 20% of the total building area in which the facility is part be dedicated to uses unrelated to the personal property- or self-storage facility; or
- (b) at least 10% of the total building area in which the facility is part be ground floor/street frontage retail or restaurant.

Recommendation #4: In the Cathedral, LaVilla, Brooklyn/Riverside, Church, Central Core, Southbank Districts, require that a granting of an exception is predicated on the facility meeting the private and public realm design standards in section 656.361.6.2 and 656.361.6.3, as well as 656.361.5.4.A.7 as it relates to façade appearance without the granting of a deviation or waiver.

Recommendation #5: Sec. 656.361.5.4.A.7, should be amended as follows to ensure compatibility with adjoining properties:

Building façades ~~visible from the public right-of-way~~ for the entire vertical height of the building and both street facing and facing adjacent parcels must have the appearance of an office, retail or residential building through the use of doors, windows, awnings, and other appropriate building elements. Personal property storage facilities are prohibited along any waterway.

In addition, DIA recommends the following additional amendment:

In all Downtown districts, self-storage facilities shall only be allowed by exception within 500 feet of the outer boundary of Downtown as defined by the Downtown Zoning Overlay.

1 Introduced by Council Member Gaffney:
2
3

4 **ORDINANCE 2021-821**

5 AN ORDINANCE AMENDING SECTION 656.361.5.2 (USES
6 REGULATED BY DISTRICT) AND SECTION 656.361.5.4
7 (DEVELOPMENT STANDARDS FOR USES REGULATED BY
8 DISTRICT), SUBPART H (DOWNTOWN OVERLAY ZONE AND
9 DOWNTOWN DISTRICT USE AND FORM REGULATIONS),
10 PART 3 (SCHEDULE OF DISTRICT REGULATIONS),
11 CHAPTER 656 (ZONING CODE), *ORDINANCE CODE*, TO
12 ADD PERSONAL PROPERTY STORAGE FACILITIES AS A
13 PERMISSIBLE USE BY EXCEPTION, MEETING CERTAIN
14 DEVELOPMENT STANDARDS, TO THE CATHEDRAL, CENTRAL
15 CORE, SPORTS AND ENTERTAINMENT, WORKING
16 WATERFRONT, AND SOUTHBANK DISTRICTS OF DOWNTOWN;
17 PROVIDING AN EFFECTIVE DATE.
18

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

20 **Section 1.** Section 656.361.5.2 (Uses Regulated by District)
21 and Section 656.361.5.4 (Development Standards for Uses Regulated by
22 District), Subpart H (Downtown Overlay Zone and Downtown District Use
23 and Form Regulations), Part 3 (Schedule of District Regulations),
24 Chapter 656 (Zoning Code), *Ordinance Code* is hereby amended to read
25 as follows:

26 **CHAPTER 656. ZONING CODE**

27 * * *

28 **PART 3. SCHEDULE OF DISTRICT REGULATIONS**

29 * * *

30 **SUBPART H. - DOWNTOWN OVERLAY ZONE AND DOWNTOWN DISTRICT USE AND**
31 **FORM REGULATIONS**

1 * * *

2 **Sec. 656.361.5.2. Uses Regulated by District.**

3 * * *

4 D. Cathedral District.

5 1. *Bonus Uses.*

6 (a) Detached Single-Family homes.

7 2. *Uses permissible by exception.*

8 (a) Drive-in or drive through facilities for any permitted
9 use (including but not limited to restaurants, dry
10 cleaners, and banks) are permissible only by exception
11 and provided the service window or device and all queuing
12 lines are located entirely within an enclosed structure
13 such as a parking garage.

14 (b) Commercial Surface Parking Lot meeting the exception
15 criteria contained in Section 656.361.5.3.

16 (c) Auto laundry.

17 (d) Thrift stores (retail outlets for the sale of used
18 goods).

19 (e) Day Labor pool provided all activities, including waiting
20 or queuing, are completely located within an enclosed
21 facility.

22 (f) Personal property/self-storage facilities meeting the
23 development standards contained in Sec. 656.361.5.4.

24 E. Central Core District.

25 1. *Bonus Uses:* None.

26 2. *Uses permissible by exception.*

27 (a) Drive-in or drive through facilities for any permitted
28 use including but not limited to restaurants, dry
29 cleaners, and banks) are permissible only by exception
30 and provided the service window or device and all queuing
31 lines are located entirely within an enclosed structure

1 such as a parking garage.

2 (b) Auto laundry.

3 (c) Thrift stores (retail outlets for the sale of used
4 goods).

5 (d) Day Labor pool provided all activities, including
6 waiting or queuing, are completely located within an
7 enclosed facility.

8 (e) Private Clubs.

9 (f) Personal property/self-storage facilities meeting the
10 development standards contained in Sec. 656.361.5.4.

11 F. Sports and Entertainment District.

12 1. *Bonus Uses.*

13 (a) Commercial recreational or entertainment facilities in
14 completely enclosed buildings or outdoors such as
15 billiard parlors, bowling alleys, swimming pools,
16 skating rinks, dance halls, carnivals or circuses,
17 theaters (including open-air theaters), indoor shooting
18 galleries, archery or blade throwing ranges, pony
19 rides, athletic complexes, arenas, auditoriums,
20 convention centers, go-cart tracks, driving ranges and
21 similar uses, but not adult entertainment or service or
22 adult arcades.

23 (b) Manufacturing uses in existence on March 1, 2019.

24 (c) Private Clubs.

25 2. *Uses permissible by exception.*

26 (a) Drive-in or drive through facilities for any permitted
27 use including but not limited to restaurants, dry
28 cleaners, and banks) are permissible only by exception
29 and provided the service window or device and all
30 queuing lines are located entirely within an enclosed
31 structure such as a parking garage.

1 (b) Auto laundry.

2 (c) Thrift stores (retail outlets for the sale of used
3 goods).

4 (d) Personal property/self-storage facilities meeting the
5 development standards contained in Sec. 656.361.5.4.

6 G. Working Waterfront District.

7 1. *Bonus uses:* All uses permitted within the IW Zoning District.

8 2. *Uses permissible by exception.*

9 (a) Drive-in or drive through facilities for any permitted
10 use (including but not limited to restaurants, dry
11 cleaners, and banks) are permissible by exception and
12 provided the service window or device and all queuing
13 lines are located entirely within an enclosed structure
14 such as a parking garage.

15 (b) Day Labor pool provided all activities, including
16 waiting and queuing, are completely located within an
17 enclosed facility.

18 (c) Service garage for minor repairs provided there is no
19 outdoor storage of vehicles and vehicle service bays do
20 not face the public right-of-way.

21 (d) Bulk storage yard.

22 (e) Bulk processing, including flammable liquids.

23 (f) Personal property/self-storage facilities meeting the
24 development standards contained in Sec. 656.361.5.4.

25 H. Southbank District.

26 1. *Bonus uses:* None.

27 2. *Uses permissible by exception.*

28 (a) Drive-in or drive through facilities for any permitted
29 use (including but not limited to restaurants, dry
30 cleaners, and banks) are permissible only by exception
31 and provided the service window or device and all

1 queuing lines are located entirely within an enclosed
2 structure such as a parking garage.

3 (b) Filling or Fueling Stations with fewer than eight
4 fueling stations.

5 (c) Commercial Surface Parking Lot meeting the exception
6 criteria contained in Section 656.361.5.3.

7 (d) Auto laundry.

8 (e) Thrift stores (retail outlets for the sale of used
9 goods).

10 (f) Service garage for minor repairs provided there is no
11 outdoor storage of vehicles and vehicle service bays do
12 not face the public right-of-way.

13 (g) Manufacturing of medical, dental or optical products in
14 conjunction with a retail point of sale or a clinic; or
15 as a standalone facility not to exceed 10,000 square
16 feet.

17 (h) Private clubs.

18 (i) Personal property/self-storage facilities meeting the
19 development standards contained in Sec. 656.361.5.4.

20 * * *

21 **Sec. 656.361.5.4. Development Standards for Uses Regulated**
22 **by District.**

23 The following additional development standards shall apply to
24 uses permitted and permissible in Downtown:

25 A. Personal property/self-storage. It is the intent that personal
26 property/self-storage facilities are part of a mixed-use
27 building with ground floor activation.

28 1. All storage shall be located within the building, and
29 outside storage of any type, including the outside
30 storage of moving vans, trailers, vehicles and boats,
31 shall not be permitted.

- 1 2. For ground floor building façades that front public
2 streets, at least 50 percent of street frontages shall
3 be devoted as functional space for at least one primary
4 use unrelated to, and not an accessory to, the self-
5 storage facility. For the purposes of meeting this
6 requirement, functional space does not include vehicle
7 use areas, open space, or other non-activation
8 activities, but does include uses such as professional
9 and medical offices, commercial retail sales and
10 services, eating and drinking establishments, and art
11 galleries.
- 12 3. No more than 25 percent of the ground floor building
13 façade fronting a ~~public street~~ road classified as Minor
14 Arterial or higher may be ~~wrapped with~~ occupied by the
15 rental and management office associated with the self-
16 storage facility.
- 17 4. Direct access to the individual self-storage units
18 located in the building shall not be provided from the
19 exterior of the building. Access to the individual self-
20 storage storage units shall be provided by internal
21 hallways.
- 22 5. The minimum height of a building containing a self-
23 storage facility shall be three stories.
- 24 6. The maximum height of a building containing a self-
25 storage facility shall be the maximum height permitted
26 in the Downtown Overlay District in which it is located.
- 27 7. Building façades visible from the public right-of-way
28 must have the appearance of an office, retail or
29 residential building through the use of doors, windows,
30 awnings, and other appropriate building elements.

31 Personal property storage facilities are prohibited along any

1 waterway.

2 **Section 2. Effective Date.** This ordinance shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

5

6 Form Approved:

7

8 /s/ Kealey West

9 Office of General Counsel

10 Legislation prepared by: Steve Diebenow

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