

# 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

July 21, 2022

The Honorable Terrance Freeman, President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report / Ordinance No. 2022-447/Accessory Dwelling Unit (ADU) Text Amendment to the Future Land Use Element of the 2030 Comprehensive Plan**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairman Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 650.405 *Planning Commission Advisory Recommendation and Public Hearing*, the Planning Commission **APPROVED** Ordinance 2022-447 on July 21, 2022.

P&DD Recommendation	APPROVE
PC Issues:	None
<b>PC Vote:</b>	<b>6-0 APPROVE</b>

David Hacker, Chair	Aye
Alexander Moldovan, Vice-Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Absent
Joshua Garrison	Aye
Jason Porter	Aye
Jordan Elsbury	Aye

Planning Commission Report  
July 21, 2022  
Page 2

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

Sincerely,

Kristen D. Reed

Kristen D. Reed, AICP  
Chief of Community Planning Division  
City of Jacksonville - Planning and Development Department  
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Jacksonville, FL 32202  
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**Staff Report on Proposed 2021B Series Text Amendment  
to the Future Land Use Element of the  
2030 Comprehensive Plan**

**ORDINANCE 2022-447**

Ordinance 2022-447 is an amendment to the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. This amendment adds FLUE Policy 3.1.29 which defines the term accessory dwelling unit (ADU) and permits ADUs in certain Future Land Use Categories regardless of the density limitations. One ADU is permitted on a conforming residential lot in the Agriculture, Rural Residential, Low Density Residential, Medium Density Residential and Residential-Professional-Institutional Future Land Use Categories.

This amendment was originally proposed and approved by the City Council for transmittal to the Florida Department of Economic Opportunity (DEO) in the form of a new definition for the term "Accessory Dwelling Unit" and the addition of ADUs as accessory uses only in the Low Density Residential Future Land Use Category. The revised amendment adds ADUs as a permitted use in several Future Land Use Categories pursuant to a new policy and incorporates the definition of ADUs into the new policy.

The Planning and Development Department recommends **APPROVAL** of the text amendment in the attached **EXHIBIT 1** submitted as **Ordinance 2022-447**.

1 Introduced by the Council President at the request of the Mayor:  
2  
3

4 **ORDINANCE 2022-447**

5 AN ORDINANCE ADOPTING THE 2021B SERIES TEXT  
6 AMENDMENT TO THE FUTURE LAND USE ELEMENT OF THE  
7 *2030 COMPREHENSIVE PLAN* OF THE CITY OF  
8 JACKSONVILLE, CREATING A NEW FUTURE LAND USE  
9 ELEMENT (FLUE) POLICY 3.1.29 TO ALLOW ONE  
10 ACCESSORY DWELLING UNIT AS AN ACCESSORY USE ON  
11 CONFORMING RESIDENTIAL LOTS IN THE AGRICULTURE,  
12 RURAL RESIDENTIAL, LOW DENSITY RESIDENTIAL,  
13 MEDIUM DENSITY RESIDENTIAL AND RESIDENTIAL-  
14 PROFESSIONAL-INSTITUTIONAL FUTURE LAND USE  
15 CATEGORIES; PROVIDING AN EFFECTIVE DATE.  
16

17 **WHEREAS**, the Planning and Development Department has initiated  
18 certain revisions and modifications to the text of the *2030*  
19 *Comprehensive Plan* in accordance with the procedures and requirements  
20 set forth in Chapter 650, Part 4, *Ordinance Code*, to facilitate the  
21 appropriate and timely implementation of the plan and has provided  
22 the necessary supporting data and analysis to support and justify the  
23 amendments determined to be required, and accordingly, has proposed  
24 certain revisions and modifications, which are more particularly set  
25 forth in **Exhibit 1**, dated June 8, 2022, attached hereto and  
26 incorporated herein by reference; and

27 **WHEREAS**, the revisions and modifications outlined in **Exhibit 1**  
28 are an expansion of the initial proposed amendment to the *2030*  
29 *Comprehensive Plan* approved for transmittal to the Florida Department  
30 of Economic Opportunity (DEO), as the State Land Planning Agency, and  
31 other required state agencies, for review and comment pursuant to

1 Ordinance 2021-40-E which proposed to amend the Future Land Use  
2 Element of the *2030 Comprehensive Plan* to allow Accessory Dwelling  
3 Units as an Accessory Use in the Low Density Residential land use  
4 category; and

5 **WHEREAS**, by various letters and e-mails, the DEO and other state  
6 reviewing agencies transmitted their comments, if any, regarding the  
7 initial proposed amendment to the *2030 Comprehensive Plan* transmitted  
8 pursuant to 2021-40-E; and

9 **WHEREAS**, the Planning and Development Department reviewed the  
10 proposed revisions, considered all comments received, prepared a  
11 written report and rendered an advisory recommendation to the Council  
12 with respect to the proposed amendment to the *2030 Comprehensive*  
13 *Plan*, which now provides for creation of a new Policy 3.1.29 in the  
14 Future Land Use Element as outlined in **Exhibit 1**; and

15 **WHEREAS**, the Planning Commission, as the Local Planning Agency,  
16 held a public hearing on this proposed amendment to the *2030*  
17 *Comprehensive Plan*, with due public notice having been provided, and  
18 reviewed and considered all comments received during the public  
19 hearing, and made a recommendation to the City Council; and

20 **WHEREAS**, pursuant to Section 650.408, *Ordinance Code*, the Land  
21 Use and Zoning Committee held a public hearing in accordance with the  
22 requirements of Chapter 650, Part 4, *Ordinance Code*, on this proposed  
23 amendment to the *2030 Comprehensive Plan*, and has made its  
24 recommendation to the City Council; and

25 **WHEREAS**, pursuant to Section 163.3184(3), *Florida Statutes*, and  
26 Chapter 650, Part 4, *Ordinance Code*, the City Council held a public  
27 hearing, with public notice having been provided, on this proposed  
28 amendment to the *2030 Comprehensive Plan*; and

29 **WHEREAS**, the City Council further considered all oral and  
30 written comments received during the public hearings, including the  
31 data collection and analysis portions of this proposed amendment to

1 the 2030 Comprehensive Plan, the recommendations of the Planning and  
2 Development Department and the Planning Commission, the final  
3 recommendations of the Land Use and Zoning Committee, and the  
4 comments, if any, of the DEO and the other state agencies; and

5 **WHEREAS**, in the exercise of its authority, the City Council has  
6 determined it necessary and desirable to adopt this proposed amendment  
7 to the 2030 Comprehensive Plan as outlined in **Exhibit 1** to preserve  
8 and enhance present advantages, encourage the most appropriate use  
9 of land, water and resources, consistent with public interest,  
10 overcome present deficiencies, and deal effectively with future  
11 problems that may result from the use and development of land within  
12 the City of Jacksonville; now, therefore

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

14 **Section 1. Purpose and Intent.** This Ordinance is adopted  
15 to carry out the purpose and intent of, and exercise the authority  
16 set out in, the Local Government Comprehensive Planning and Land  
17 Development Regulation Act, Sections 163.3161 through 163.3248,  
18 *Florida Statutes*, and Chapter 166, *Florida Statutes*, as amended. The  
19 amendment modifies the Future Land Use Element (FLUE) of the 2030  
20 *Comprehensive Plan* of the City of Jacksonville, to create a new FLUE  
21 Policy 3.1.29 to allow one accessory dwelling unit on conforming  
22 residential lots regardless of density limitations in the  
23 Agriculture, Rural Residential, Low Density Residential, Medium  
24 Density Residential and Residential-Professional-Institutional  
25 Future Land Use Categories.

26 **Section 2. Amendment to Comprehensive Plan.** The 2030  
27 *Comprehensive Plan* is hereby amended to include the revisions to the  
28 text of the Future Land Use Element from the 2021B Series, which has  
29 been initiated by the Planning and Development Department, as more  
30 particularly set forth in **Exhibit 1**, dated June 8, 2022, attached  
31 hereto and incorporated herein by reference.

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

4  
5 Form Approved:

6  
7                     /s/   Mary E. Staffopoulos          

8 Office of General Counsel

9 Legislation Prepared By: Kristen Reed

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**Ordinance 2022-447**

**2021B Series Text Amendment**  
**City of Jacksonville 2030 Comprehensive Plan**  
**Future Land Use Element**

**FLUE Policy 3.1.29**

**One accessory dwelling unit is permitted on a conforming residential lot regardless of the density limitations in the Agriculture, Rural Residential, Low Density Residential, Medium Density Residential and Residential-Professional-Institutional Future Land Use Categories. An accessory dwelling unit is an ancillary or secondary living unit, that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot as the primary dwelling unit.**