

City of Jacksonville, Florida

Lenny Curry, Mayor

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August 18, 2022

The Honorable Terrance Freeman, 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.: 2022-526**

Dear Honorable Council President Freeman, 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: Richard Clark, JTA, spoke in favor of the ordinance and there were no speakers in opposition. Two of the Commissioners had concerns that a government entity would be involved in private enterprise.

Planning Commission Vote: 6-2

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Nay

Daniel Blanchard Nay

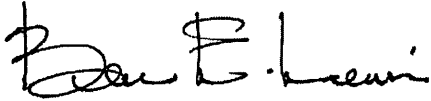
Jordan Elsbury Aye

Joshua Garrison Aye

Jason Porter Aye

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

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

The Planning and Development Department hereby forwards to the Planning Commission; Transportation, Energy and Utilities Committee; Land Use and Zoning Committee; and City Council its comments and recommendations on:

ORDINANCE 2022-526

AN ORDINANCE REPEALING AND REPLACING PART 14 (TRANSIT ORIENTED DEVELOPMENT), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, IN ITS ENTIRITY; CREATING A NEW PART 14 (TRANSIT ORIENTED DEVELOPMENT), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, TO ADDRESS TRANSIT-OREINTED DEVELOPMENT (TOD) MASTER PLANNING AND IMPLEMENTATION; PROVIDING FOR SEVERABILITY' PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The bill amends Chapter 656 (Zoning Code), Ordinance Code, by repealing Part 14 (Transit Oriented Development) and replacing it with a new Part 14 (Transit Oriented Development). The new Part 14 establishes the purpose of Part 14, provides numerous definitions, provides location-al criteria for TODs, provides general development standards, and describes a new two-phase TOD master plan and zoning overlay development process. It also provides for additional criteria for processing and approving zoning changes within TODs.

II. EVALUATION

A. The need and justification for the change

The existing Part 14 was adopted per Ordinance 2007-587-E but no development was ever implemented using Part 14. The goal of the new Part 14 is to bring the TOD standards in the Zoning Code into alignment with the TOD changes to the Comprehensive Plan found in companion Ordinance 2022-525. These changes are proposed after numerous cooperative meetings with the Jacksonville Transportation Authority.

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 a companion with Ordinance 2022-525 which updates the Comprehensive Plan regarding transit oriented development.

III. RECOMMENDATION

The Planning and Development Department recommends that **Ordinance 2022-526 be approved.**

PART 14. TRANSIT ORIENTED DEVELOPMENT¹

Sec. 656.1401. Purpose.

The purpose of Part 14 is to encourage new transit oriented development (TOD) and redevelopment outside of the Urban Core. TOD is designed to fulfill various goals, objectives and policies of the Comprehensive Plan. Meeting specific plan policies will allow increased residential density, reduced automobile parking, pedestrian oriented open space, mixed use, and reduced setbacks in areas designated for mass transit stations.

(Ord. 2007-587-E, § 1)

Sec. 656.1402. Approval procedure.

The following areas, as more explicitly depicted on Exhibit A, on file with the Office of Legislative Services, are deemed to be potentially suitable locations for a TOD Zoning Overlay District:

- 103rd Street
- Arlington Central
- Art Museum Drive
- Baymeadows Road
- Cedar Hills Boulevard
- Collins Road
- Emerson Street
- Morse Avenue
- San Juan Avenue
- Shipyards (formerly Maxwell House)
- Townsend Road
- University Boulevard (Town and Country)
- Wilson Boulevard

Upon a written recommendation for approval by JTA and Planning and Development Department, a TOD boundary application and site plan shall be submitted to the Council for review. Prior to the introduction of legislation approving the application and master site plan, the City in coordination with JTA shall schedule a public charette meeting. The charette shall be publicly noticed pursuant to Section 656.124 of the Zoning Code. After the charette, legislation may be introduced to City Council and City Planning staff may prepare a report and recommendation for consideration by the TOD Committee at a public meeting. This TOD Committee shall consist

¹Editor's note(s)—Ord. 2007-587-E, § 1, amended the Code by repealing former part 14, §§ 656.1401—656.1403, and adding a new part 14. Former part 4 pertained to density/intensity bonuses, and derived from Ord. 91-58-148.

of seven members and shall include a representative of Planning and Development, JTA, Traffic Engineering Division or MPO, and a developer, licensed architect, licensed landscape architect and professional civil engineer. The developer, licensed architect, licensed landscape architect and professional civil engineer members shall be appointed by the Mayor and approved by the Council. Upon approval of the site plan by the TOD Committee, the bill may proceed to the Land Use and Zoning Committee and City Council. The TOD Committee shall substitute for the Planning Commission. The TOD Committee advisory recommendation may include conditions of approval that shall be incorporated into the legislation presented to the Council for adoption of the TOD Overlay. Until a Transit Oriented Development designation is made by the Jacksonville City Council, the listing shall not presume appropriateness.

The TOD overlay and site plan should reflect form based zoning principles and be generally consistent with Jacksonville Design Guidelines and Best Practices Handbook.

In addition to minimum development standards provided herein the site plan shall be evaluated on the following criteria:

1. Does the plan provide for appropriate transitioning between uses and transition appropriately to single family residential through building height, use of buffers and setbacks?
2. Does the plan provide sufficient public open spaces such as pedestrian plazas, landscaped areas, and streetscape amenities?
3. Are building facade treatments pedestrian in scale and is the building mass mitigated through use of articulation of wall planes, material changes, roof types, transparency, lighting, and use of awnings?
4. Are commercial parking lots located away from the street frontage behind shops and offices?
5. Are driveway connections limited and designed to reduce conflicts with the pedestrian?
6. Are block lengths pedestrian in scale?
7. Are uses linked by sidewalks or alternative multi-modal paths?
8. Is there a streetscape and street tree landscaping plan?

The Department shall forward completed applications to the TOD Committee, together with its written recommendations on same. The TOD Committee shall hold a public hearing to consider an application for a TOD within not more than 63 days from the date of filing a complete application. The Council shall review all recommendations of the TOD Committee concerning applications for a Transit Oriented Development.

9. Are bus stops or bus lanes meeting JTA requirements?

(Ord. 2007-587-E, § 1; Ord. 2017-475-E, § 1)

Sec. 656.1403. Locational Criteria.

- (1) Areas up to and within $\frac{1}{4}$ of a mile of a TOD designated transit station shall be classified as TOD-1.
- (2) Areas up to and within between $\frac{1}{4}$ of a mile and $\frac{1}{2}$ of a mile from a TOD designated transit station shall be classified as TOD-2. No land area shall be zoned TOD-2 unless it adjoins an area zoned TOD-1.
- (3) Increases in multiple-family residential density beyond the maximum permitted in the Zoning District Regulations of Part 3 can be achieved, provided that the increased density does not exceed the maximum density allowed in the applicable residential land use category of the Comprehensive Plan;

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- (4) In a TOD-1 area, Multi-family residential density in the CGC (Community General Commercial) and HDR (High Density Residential) may allow residential densities up to 60 units per acre and no less than 20 units per acre; and
 - (5) In a TOD-2 area, Multi-family residential density in the CGC (Community General Commercial) may allow residential density up to 30 units per acre and no less than 15 units per acre.

(Ord. 2007-587-E, § 1)

Sec. 656.1404. TOD-1 Development Standards.

(1) Streetscape Design Standards.

Purpose and Intent. The streetscape design standards are established to provide design criteria which require a certain level of quality; enhance street level design to attract pedestrian use; develop a system of pedestrian-oriented streets and walkways; improve pedestrian and transit links among key activity centers and to promote continuity between public and private developments; provide for protection of air quality through the mitigating effects of trees and provide shade and enhance the appearance of the TOD Overlay District. All new buildings and structures and rehabilitation of existing buildings and structures shall meet the following criteria, or submit an alternative streetscape plan subject to review and approval by the TOD Committee:

- (a) A streetscape shall be constructed in accordance with the provisions of this subsection whenever any building or structure is erected in the TOD or whenever any building or structure undergoes major renovation. The streetscape shall include the following items:
 - (i) *Trees.* Trees shall be planted in the streetscape. The type of tree, number of trees, and spacing of trees shall comply with the following standards:
 - (A) Trees shall be a minimum of 16 feet in height, four-inch caliper, with seven feet of clear trunk. Liriope groundcover will be used as the tree planter cover.
 - (B) Irrigation systems shall be installed underground to service all trees and other landscape material, and the irrigation system shall be maintained in operable condition at all times. The type and size of irrigation system shall comply with City's Land Development Standards.
 - (C) Inspection of trees planted pursuant to this subsection shall occur six months after planting to ensure all trees are in healthy condition. Trees found to be in a declining condition shall be replaced within 30 days of notice thereof. If replacement is necessary, there shall be a reinspection six months after replacement and the provisions of this subsection shall apply to the reinspection.
 - (ii) *Streetlights.* The type, number, and spacing of streetlights shall comply with the standards set forth in the Downtown Jacksonville Streetscape Standards and as approved by the City's Highway Engineer.
 - (iii) *Paving.* Paving shall be installed in the streetscape. The type of paving, design and paving materials shall comply with the standards as set forth in the Downtown Jacksonville Streetscape Standards.
 - (iv) *Street Furniture.* Street furniture shall be installed where appropriate. The type, number and spacing of street furniture shall comply with the standards as set forth in the Downtown Jacksonville Streetscape Standards or meet JTA standards.
- (b) *Streetscape maintenance agreement.* At the time of issuance of a certificate of occupancy, all property owners constructing streetscapes shall be required to execute a maintenance agreement, in a form

acceptable to the City, in which the property owner agrees to maintain and repair all elements of the streetscape when needed.

(2) *Required Parking.*

- (a) There shall be no required parking within 500 feet of a TOD designated transit station. The maximum permitted parking within 500 feet of a TOD designated transit station shall be 50 percent of the required parking.
- (b) Between 500 feet and ¼ mile of a TOD designated transit station, a 50 percent reduction in required parking shall be permitted by right.
- (c) Between ¼ mile and ½ mile of a TOD designated transit station, a 25 percent reduction in required parking shall be permitted in addition to other available parking credits pursuant to Section 656.603(k) of the Zoning Code.
- (d) The maximum number of off-street parking spaces permitted for any use within the TOD Overlay District shall be the minimum number of off-street parking spaces required pursuant to Part 6.
- (e) Within a TOD Zoning Overlay District credit for shared parking and mixed use parking, and on-street parking may be granted administratively by the Department or as otherwise provided for in Part 6.

(3) *Parking lot location/design.* Commercial parking lots shall be located to the side or rear and behind shops and offices. Within a TOD-1 Overlay District, parking shall be prohibited between the front lot line and the building. All proposed parking lots shall provide cross access easements and shared access with adjoining properties. All other provisions for parking lot design shall apply to a TOD Overlay District.

(4) *Pedestrian Access.* New retail, office, and residential uses within a TOD District shall provide convenient pedestrian access to transit through the measures listed below.

- (a) Pedestrian connections to adjoining properties shall be provided;
- (b) Pedestrian connections shall connect on-site circulation to the existing proposed streets walkways and driveways that abut the property;
- (c) A direct pedestrian connection shall be provided between the transit stop and building entrances on the site;
- (d) Within 500 feet of a TOD Overlay designated transit station, the minimum required sidewalk width shall be ten feet; and
- (e) Provision of a bus shelter or other sheltered transit collection point in a nonresidential or residential development with the approval and coordination of the Jacksonville Transportation Authority (JTA).

(5) *Setbacks.*

- (a) The minimum front yard setback in a TOD-1 and TOD-2 shall be zero feet;
- (b) Where ground floor restaurant and cafe uses are present, front setbacks may be increased up to 12 feet to allow for outdoor seating;
- (c) Within a TOD-1, all nonresidential development within 500 feet of a TOD designated transit station shall have a maximum front yard setback of eight feet and a minimum front yard setback of zero feet;
- (d) Within a TOD-1, all nonresidential development between 500 feet and ¼ mile of a TOD designated transit station shall have a maximum front yard setback of eight feet; and
- (e) Within a TOD-1, residential uses within 500 feet of a TOD designated transit station shall have a maximum front yard setback of 12 feet.

(6) *Prohibited, permissible and existing uses.*

(a) The following uses, unless in existence as of the enactment date of this Part, are prohibited within the boundary of a TOD Zoning Overlay District:

- (i) Automotive sales, vehicle storage or repairs;
- (ii) Car wash;
- (iii) Recycling center;
- (iv) Drive-in or drive-through service;
- (v) Personal property storage;
- (vi) Light and heavy industrial uses.

(b) The following uses, unless in existence as of the enactment date of this Part, are permissible by exception:

- (i) Automotive rental;
- (ii) Minor automotive repair;
- (iii) Commercial off-street parking drive-through service (TOD -2 only).

Uses that were in existence on the enactment date of this Part shall be considered legally non-conforming uses, subject to the restrictions and limitations on such uses as provided for in this Chapter.

(Ord. 2007-587-E, § 1)

Editor's note(s)—Ordinance 2007-839-E, § 18, authorized updated department/division names pursuant to reorganization.

1 Introduced by Council Member Carrico:
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4 **ORDINANCE 2022-526**

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

15
16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

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

26 **CHAPTER 656 - ZONING CODE**

27 * * *

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

29 **Sec. 656.1401. - Purpose.**

30 The purpose of this Part 14 is to create hereby a two-phase
31 procedure for the establishment of Transit-Oriented Development (TOD)

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

19 **Sec. 656.1402. - Definitions.**

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

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

29 *Actual TOD area* means an area located within a 15 minute ped-
30 shed, the distance covered in 15 minutes at a normal walking pace
31 traveled using the existing or proposed pedestrian network, of a JTA

1 existing or planned premium transit station designated as such in the
2 applicable TOD master plan.

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

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

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

30 *TOD-1 area* means an area designated as such in the applicable
31 TOD master plan up to and within an absolute radius of $\frac{1}{4}$ of a mile

1 from a TOD-designated transit station used for planning purposes and
2 to support transitions from the TOD to surrounding uses.

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

8 **Sec. 656.1403. - Applicability.**

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

26 **Sec. 656.1404. - Locational criteria.**

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

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

31 (b) Not be located within the Rural Area as defined by the

1 Future Land Use Element of the Comprehensive Plan;

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

3 (d) Not negatively impact surrounding neighborhoods.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 uses, and mixed-use buildings.

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

30 (iv) *Type 4 - Suburban Neighborhood Typology.* The Suburban
31 Neighborhood Typology applies to lands located at

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

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

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

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

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

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

1 to steer development in a direction that supports the
2 community vision while promoting interconnecting
3 neighborhoods and communities.

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

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

1 level. The TOD master plan should recognize the different
2 needs of varying areas within the TOD area and include
3 specific regulations based on such needs.

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

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

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

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

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

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

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

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

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

31 (d) *Elements of the TOD zoning overlay.* The TOD zoning overlay

1 shall include and address, as appropriate, the following elements:

- 2 (1) A narrative describing zoning, land uses, densities, height
3 limitations, transitions to existing neighborhoods,
4 sidewalk widths, building frontages, entrance locations,
5 and other design aspects as addressed in the TOD master
6 plan;
- 7 (2) A site plan at suitable scale depicting and labeling the
8 zoning and land uses of all areas within the TOD zoning
9 overlay, as well as proposed street and sidewalk layouts,
10 building frontages, entrance locations, landscaping, open
11 spaces and any other design aspects as addressed in the
12 TOD master plan capable of graphic depiction;
- 13 (3) A description of all entitlement allocations within the
14 TOD zoning overlay;
- 15 (4) A description of all development standards; and
- 16 (5) Mechanisms and incentives promoting orderly development
17 within the TOD zoning overlay so that each designated use
18 may be realized within a reasonable time horizon in order
19 that the integrated, interconnected, pedestrian-friendly
20 and transit-oriented goals of the TOD master plan can be
21 achieved.

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

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

31 **Sec. 656.1407. - Procedure.**

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

1 proposed TOD.

2 (b) *Charette notices.*

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

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

1 656.1407(b)(1).

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

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

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

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

- 5 (1) The TOD master plan and zoning overlay as finalized during
6 the charette process;
- 7 (2) The executive summary or similar document required under
8 Section 656.1406(e);
- 9 (3) A description of the land within the proposed TOD
10 sufficiently detailed for physically locating the same;
- 11 (4) A map of suitable scale depicting and labeling each parcel
12 within the proposed TOD, together with a table identifying
13 the owner(s) of each parcel and the mailing address(es)
14 thereof on the latest ad valorem tax roll;
- 15 (5) A list of the dates, times and locations of each charette;
- 16 (6) The minutes or written summaries for each charette;
- 17 (7) A specimen copy of the notice of each charette and the
18 certificate of mailing thereof;
- 19 (8) Proof of the publication of the notice of each charette;
- 20 (9) All data and analysis used in the development of the TOD
21 master plan and zoning overlay; and
- 22 (10) Such other information or documentation as may reasonably
23 be approved or required by the Department.

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

27 **Sec. 656.1408. - Approved status.**

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

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

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

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

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

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

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

1 legally permissible.

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

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

12
13 Form Approved:

14
15 /s/ Mary E. Staffopoulos

16 Office of General Counsel

17 Legislation prepared by: Mary E. Staffopoulos

18 GC-#1510005-v5-2022-526_(TOD_Code_Revisions)