

**LAND USE AND ZONING COMMITTEE AMENDMENT**

The Land Use and Zoning Committee offers the following second amendment to File No. 2022-448:

(1) On **page 1, line 6**, after "ORDINANCE" insert "AMENDING SECTION 656.305 (LOW DENSITY RESIDENTIAL CATEGORY), SUBPART B (RESIDENTIAL USE CATEGORIES AND ZONING DISTRICTS), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER 656 (ZONING CODE), *ORDINANCE CODE*, TO DELETE THE LIMITATION THAT DETACHED ACCESSORY DWELLING UNITS BE ALLOWED ONLY IN THE RESIDENTIAL LOW DENSITY-TND (RLD-TND) DISTRICT AS A PERMITTED USE AND AS A PERMISSIBLE USE BY EXCEPTION;"

(2) On **page 1, line 16<sup>1/2</sup>**, insert a new Section 1 to read as follows:

**"Section 1. Amending Section 656.305 (Low Density Residential Category), Subpart B (Residential Use Categories and Zoning Districts), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code), Ordinance Code.** Section 656.305 (Low Density Residential Category), Subpart B (Residential Use Categories and Zoning Districts), Part 3 (Schedule of District Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby amended to read as follows:

**Chapter 656 - ZONING CODE**

\* \* \*

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

\* \* \*

SUBPART B. - RESIDENTIAL USE CATEGORIES AND ZONING

DISTRICTS

\* \* \*

Sec. 656.305. - Low Density Residential Category.

\* \* \*

A. *Primary zoning districts.* The primary zoning districts shall include the following:

\* \* \*

II. *Residential Low Density (RLD) Districts.*

(a) *Permitted uses and structures.*

\* \* \*

~~(12) Detached Accessory Dwelling Unit (RLD-TND only).~~

\* \* \*

(c) *Permissible uses by exception.*

\* \* \*

~~(11) Detached Accessory Dwelling Unit (RLD-TND only)."~~

- (3) Renumber remaining Sections accordingly;
- (4) On **page 2, lines 19-20** **strike** "The owner of the property with an accessory dwelling unit must reside in the principal structure." and **insert** "Accessory dwelling units constructed pursuant to this Section may only be located on property that is subject to an existing homestead exemption or on property that meets the requirements for a homestead exemption which the property owner has applied for through the Duval County Property Appraiser's Office with the expectation that the exemption will be granted.";

- (5) On **page 2, line 22** after "dwelling" **insert** "and may be attached to or detached from the principal structure. Accessory dwelling units attached to the principal structure shall be physically separated from said structure so as to prevent direct, internal access between the primary structure and the accessory dwelling unit.";
- (6) On **page 2, line 22½**, **insert** the following:  
"(8) The Department shall include a certification in the permit application for requests to construct an accessory dwelling unit that requires the applicant to certify whether their property is part of a deed restricted community or subject to a homeowner's, neighborhood or master association and, if answered in the affirmative, that the applicant has confirmed an accessory dwelling unit is allowed under the deed restrictions and/or rules of the homeowner's, neighborhood or master association, as applicable.";
- (7) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos