

1 Introduced by Council Members Diamond, Boylan, Dennis, Gaffney and
2 White and Co-Sponsored by Council Members Carrico and Clark-Murray
3 and amended by the Land Use and Zoning Committee:
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6 **ORDINANCE 2022-448-E**

7 AN ORDINANCE AMENDING SECTION 656.305 (LOW
8 DENSITY RESIDENTIAL CATEGORY), SUBPART B
9 (RESIDENTIAL USE CATEGORIES AND ZONING
10 DISTRICTS), PART 3 (SCHEDULE OF DISTRICT
11 REGULATIONS), CHAPTER 656 (ZONING CODE),
12 *ORDINANCE CODE*, TO DELETE THE LIMITATION THAT
13 DETACHED ACCESSORY DWELLING UNITS BE ALLOWED
14 ONLY IN THE RESIDENTIAL LOW DENSITY-TND (RLD-
15 TND) DISTRICT AS A PERMITTED USE AND AS A
16 PERMISSIBLE USE BY EXCEPTION; AMENDING SECTION
17 656.403 (ACCESSORY USES AND STRUCTURES), SUBPART
18 B (MISCELLANEOUS REGULATIONS), PART 4
19 (SUPPLEMENTARY REGULATIONS), CHAPTER 656
20 (ZONING CODE), *ORDINANCE CODE*, TO ALLOW
21 ACCESSORY DWELLING UNITS AS AN ACCESSORY USE IN
22 RESIDENTIAL LAND USE CATEGORIES SUBJECT TO
23 CERTAIN CRITERIA; PROVIDING FOR CODIFICATION
24 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.
25

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

27 **Section 1. Amending Section 656.305 (Low Density Residential**
28 **Category), Subpart B (Residential Use Categories and Zoning**
29 **Districts), Part 3 (Schedule of District Regulations), Chapter 656**
30 **(Zoning Code), Ordinance Code.** Section 656.305 (Low Density
31 Residential Category), Subpart B (Residential Use Categories and

1 Zoning Districts), Part 3 (Schedule of District Regulations), Chapter
2 656 (Zoning Code), Ordinance Code, is hereby amended to read as
3 follows:

4 **Chapter 656 - ZONING CODE**

5 * * *

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

7 * * *

8 **SUBPART B. - RESIDENTIAL USE CATEGORIES AND ZONING DISTRICTS**

9 * * *

10 **Sec. 656.305. - Low Density Residential Category.**

11 * * *

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

14 * * *

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

16 (a) *Permitted uses and structures.*

17 * * *

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

19 * * *

20 (c) *Permissible uses by exception.*

21 * * *

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

23 * * *

24 **Section 2. Amending Section 656.403 (Accessory uses and**
25 **structures), Subpart B (Miscellaneous Regulations), Part 4**
26 **(Supplementary Regulations), Chapter 656 (Zoning Code), Ordinance**
27 **Code.** Section 656.403 (Accessory uses and structures), Subpart B
28 (Miscellaneous Regulations), Part 4 (Supplementary Regulations),
29 Chapter 656 (Zoning Code), Ordinance Code, is hereby amended to read
30 as follows:

31 **Chapter 656 - ZONING CODE**

* * *

PART 4. - SUPPLEMENTARY REGULATIONS

* * *

SUBPART B. - MISCELLANEOUS REGULATIONS

* * *

Sec. 656.403. - Accessory uses and structures; accessory dwelling units.

* * *

(g) Accessory dwelling units. Accessory dwelling units shall be allowed subject to the following criteria:

(1) Accessory dwelling units must be located behind the primary structure.

(2) There should be a visual relationship to the main house. For new structures this shall be accomplished through similar roof shape, porches, paint color, and other physical characteristics. For existing structures this shall be accomplished through similar paint color and other physical characteristics.

(3) The building footprint shall be limited to 25 percent of the gross floor area of principal structure on the lot, or 750 square feet, whichever is less.

(4) Accessory dwelling units shall not be located in a required yard.

(5) The maximum height of an accessory dwelling unit shall be limited per Section 656.403, Ordinance Code.

(6) 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

1 County Property Appraiser's Office with the
2 expectation that the exemption will be granted.

3 (7) Accessory dwelling units shall be accessory to a
4 conforming single-family dwelling and may be attached
5 to or detached from the principal structure. Accessory
6 dwelling units attached to the principal structure
7 shall be physically separated from said structure so
8 as to prevent direct, internal access between the
9 primary structure and the accessory dwelling unit.

10 (8) The Department shall include a certification in the
11 permit application for requests to construct an
12 accessory dwelling unit that requires the applicant to
13 certify whether their property is part of a deed
14 restricted community or subject to a homeowner's,
15 neighborhood or master association and, if answered in
16 the affirmative, that the applicant has confirmed an
17 accessory dwelling unit is allowed under the deed
18 restrictions and/or rules of the homeowner's,
19 neighborhood or master association, as applicable.

20 **Section 3. Codification Instructions.** The Codifier and the
21 Office of General Counsel are authorized to make all chapter and
22 division "table of contents" consistent with the changes set forth
23 herein. Such editorial changes and any other necessary to make the
24 *Ordinance Code* consistent with the intent of this legislation are
25 approved and directed herein, and the changes to the *Ordinance Code*
26 shall be made forthwith and when inconsistencies are discovered.

27 **Section 4. Effective Date.** This Ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.

1 Form Approved:

2

3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Mary E. Staffopoulos

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