

1 Introduced by Council Member Diamond and amended on the Floor of
2 Council:

3
4
5 **ORDINANCE 2024-870**

6 AN ORDINANCE AMENDING SECTION 656.306 (MEDIUM
7 DENSITY RESIDENTIAL CATEGORY), SUBPART B
8 (RESIDENTIAL USE CATEGORIES AND ZONING
9 DISTRICTS), PART 3 (SCHEDULE OF DISTRICT
10 REGULATIONS), SECTION 656.403 (ACCESSORY USES
11 AND STRUCTURES; ACCESSORY DWELLING UNITS),
12 SUBPART B (MISCELLANEOUS REGULATIONS), SECTION
13 656.432 (APPLICABILITY), SUBPART C
14 (ARCHITECTURAL AND AESTHETIC REGULATIONS FOR
15 SINGLE-FAMILY DWELLINGS), PART 4 (SUPPLEMENTARY
16 REGULATIONS), AND SECTION 656.1601
17 (DEFINITIONS), PART 16 (DEFINITIONS), CHAPTER
18 656 (ZONING CODE), *ORDINANCE CODE*, TO REVISE
19 VARIOUS REGULATIONS RELATED TO COTTAGES AND
20 ACCESSORY DWELLING UNITS; WAIVING THE
21 REQUIREMENT OF SECTION 656.129 (ADVISORY
22 RECOMMENDATION ON AMENDMENT TO ZONING CODE OR
23 REZONING OF LAND), SUBPART C (PROCEDURES FOR
24 REZONING AND AMENDMENTS TO THE ZONING CODE),
25 PART 1 (GENERAL PROVISIONS), CHAPTER 656 (ZONING
26 CODE), *ORDINANCE CODE*, THAT THE PLANNING
27 COMMISSION REVIEW AND PROVIDE AN ADVISORY
28 RECOMMENDATION TO THE CITY COUNCIL REGARDING
29 THIS LEGISLATION; PROVIDING FOR CODIFICATION
30 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

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

2 **Section 1. Amending Section 656.306 (Medium Density**
3 **Residential Category), Subpart B (Residential Use Categories and**
4 **Zoning Districts), Part 3 (Schedule of District Regulations), Chapter**
5 **656 (Zoning Code), Ordinance Code.** Section 656.306 (Medium Density
6 Residential Category), Subpart B (Residential Use Categories and
7 Zoning Districts), Part 3 (Schedule of District Regulations), Chapter
8 656 (Zoning Code), *Ordinance Code*, is hereby amended to read as
9 follows:

10 **CHAPTER 656 - ZONING CODE**

11 * * *

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

13 * * *

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

15 * * *

16 **Sec. 656.306 - Medium Density Residential**

17 This category permits residential developments in a gross
18 density range as allowed in the Medium Density Residential Category
19 of the Comprehensive Plan ~~of up to 20 dwelling units per acre~~ when
20 full urban services are available to the site. Secondary and
21 supporting nonresidential uses described in this category may also
22 be permitted at appropriate locations subject to the performance
23 standards and development criteria set forth in this Section. Medium
24 density residential developments may be sited as transitional uses
25 between single-family and commercial or public/semi-public use areas.
26 Developments with higher densities should be sited in or adjacent to
27 mass transit corridors and stations.

28 The following primary and secondary zoning districts may be
29 considered in the Medium Density Residential Category depicted on the
30 Future Land Use Maps of the Comprehensive Plan.

31 A. *Primary zoning districts.* The primary zoning districts

1 shall include the following:

2 * * *

3 II. *Residential Medium Density-A (RMD-A), Residential*
4 *Medium Density-B (RMD-B), Residential Medium Density-*
5 *C (RMD-C), and Residential Medium Density-D (RMD-D).*

6 * * *

7 (d) *Minimum lot requirements (width and area).* For single-
8 family dwellings, cottages, mobile homes and multiple-
9 family dwellings, the minimum lot requirements (width and
10 area), except as otherwise required for certain other uses,
11 are as follows:

12 (1) Single-family dwellings (RMD-A through RMD-D):

13 (i) Width-40 feet.

14 (ii) Area-4,000 square feet.

15 (2) Cottages (RMD-A through RMD-D):

16 (i) Width - 25 feet.

17 (ii) Area - 1,500 square feet.

18 (3) All other uses:

19 (i) Width-60 feet.

20 (ii) Area as provided below, or as otherwise required
21 pursuant to the performance standards and development
22 criteria set forth in Part 4:

23 (A) RMD-B-6,000 square feet for the first two
24 family units and 2,900 ~~4,400~~ square feet
25 for each additional unit, not to exceed 15
26 ~~ten~~ units per acre.

27 (B) RMD-C-6,000 square feet for the first two
28 family units and 2,100 ~~2,900~~ square feet
29 for each additional unit, not to exceed 20
30 ~~15~~ units per acre.

31 (C) RMD-D-6,000 square feet for the first two

family units and 1,340 ~~2,100~~ square feet for each additional unit not to exceed 30 ~~20~~ units per acre.

* * *

Section 2. Amending Section 656.403 (Accessory uses and structures; accessory dwelling units), Subpart B (Miscellaneous Regulations), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code), Ordinance Code. Section 656.403 (Accessory uses and structures; accessory dwelling units), Subpart B (Miscellaneous Regulations), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 656 - ZONING CODE

* * *

PART 4. - SUPPLEMENTARY REGULATIONS

* * *

SUBPART B. - MISCELLANEOUS REGULATIONS

* * *

Sec. 656.403. - Accessory Uses and Structures; accessory dwelling units.

Accessory uses and structures are permitted in all districts, if those uses and structures are of a nature customarily incidental and clearly subordinate to a permitted or permissible principal use or structure and, unless otherwise provided, these uses and structures are located on the same lot (or a contiguous lot in the same ownership) as the principal use. Where a building or portion thereof is attached to a building or structure containing the principal use, the building or portion shall be considered as a part of the principal building, and not as an accessory building. Accessory uses shall not involve operations or structures not in keeping with character of the district where located and shall be subject to the following:

* * *

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

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

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

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

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

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

18 ~~(6) Accessory dwelling units constructed pursuant to this~~
19 ~~Section may only be located on property that is~~
20 ~~subject to an existing homestead exemption or on~~
21 ~~property that meets the requirements for a homestead~~
22 ~~exemption which the property owner has applied for~~
23 ~~through the Duval County Property Appraiser's Office~~
24 ~~with the expectation that the exemption will be~~
25 ~~granted.~~

26 (7) Accessory dwelling units shall be accessory to a
27 conforming single-family dwelling and may be attached
28 to or detached from the principal structure.
29 Accessory dwelling units attached to the principal
30 structure shall be physically separated from said
31 structure so as to prevent direct, internal access

1 between the primary structure and the accessory
2 dwelling unit.

3 (~~8~~7) The Department shall include a certification in the
4 permit application for requests to construct an
5 accessory dwelling unit that requires the applicant
6 to certify whether their property is part of a deed
7 restricted community or subject to a homeowner's,
8 neighborhood or master association and, if answered
9 in the affirmative, that the applicant has confirmed
10 an accessory dwelling unit is allowed under the deed
11 restrictions and/or rules of the homeowner's,
12 neighborhood or master association, as applicable.
13

14 **Section 3. Amending Section 656.432 (Applicability),**
15 **Subpart C (Architectural and Aesthetic Regulations for Single-Family**
16 **Dwellings), Part 4 (Supplementary Regulations), Chapter 656 (Zoning**
17 **Code), Ordinance Code.** Section 656.432 (Applicability), Subpart C
18 (Architectural and Aesthetic Regulations for Single-Family
19 Dwellings), Part 4 (Supplementary Regulations Regulations), Chapter
20 656 (Zoning Code), *Ordinance Code*, is hereby amended to read as
21 follows:

22 **CHAPTER 656 - ZONING CODE**

23 * * *

24 **PART 4. - SUPPLEMENTARY REGULATIONS**

25 * * *

26 **SUBPART C - ARCHITECTURAL AND AESTHETIC REGULATIONS FOR SINGLE-**
27 **FAMILY DWELLINGS**

28 * * *

29 **Sec. 656.432. - Applicability.**

30 In addition to other provisions of the Zoning Code, the following
31 supplementary architectural and aesthetic regulations shall apply to

1 all new and newly sited single-family dwellings in RLD, RMD-A and
2 RMD-B districts and PUD districts which permit single-family
3 development. The following supplementary architectural and aesthetic
4 regulations are also depicted in flow chart form in Figure "D."

5 (a) Unless exempt pursuant to Section 656.432(c) hereunder, all
6 new and newly sited single-family dwellings located in RLD,
7 RMD-A and RMD-B zoning districts and PUD zoning districts
8 which permit single-family residential development must be
9 similar in exterior appearance to other existing single-
10 family dwellings in the immediate neighborhood. A dwelling is
11 deemed to be similar in exterior appearance if it meets all
12 of the following requirements, to the extent applicable:

13 (1) Minimum square footage requirements for primary
14 structure. The minimum square footage of the living
15 area of the dwelling shall be ~~850~~ 650 square feet;
16 provided, however, that the minimum square footage of
17 the living area may be ~~800~~ 600 square feet if
18 dwellings in the immediate neighborhood are only ~~800~~
19 600 square feet.

20 * * *

21 **Section 4. Amending Section 656.1601 (Definitions), Part 16**
22 **(Definitions), Chapter 656 (Zoning Code), Ordinance Code.** Section
23 656.1601 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning
24 Code), *Ordinance Code*, is hereby amended to read as follows:

25 **CHAPTER 656 - ZONING CODE**

26 * * *

27 **PART 16. - DEFINITIONS**

28 **Sec. 656.1601. - Definitions.**

29 For the purposes of this Chapter, Zoning Code, the following
30 terms, phrases, words, and their derivations, as listed in
31 alphabetical order herein, shall have the meaning contained below,

1 or as referenced within specific Sections.

2 * * *

3 *Contributing structure* means a building or structure which is:

- 4 (1) At least 50 years old;
- 5 (2) Within the boundaries of a designated Historic District;
- 6 (3) Contributing to the historic or architectural character of
- 7 the district; and
- 8 (4) Identified by the City Council in its designation of the
- 9 Historic District.

10 *Cottage* means a type of dwelling unit authorized to be

11 constructed on any infill lot or on any lot within the RMD-A, RMD-B,

12 RMD-C, RMD-D and CRO Zoning Districts, up to the maximum number of

13 units allowed on the site by the underlying density and zoning

14 district requirements, subject to the provisions of Sections 656.306,

15 656.311, and 656.604. ~~Cottages are only allowed on any lot that is~~

16 ~~zoned RMD-A, RMD-B, RMD-C, RMD-D and CRO as of the effective date of~~

17 ~~this legislation.~~ No lot property located outside the Urban Priority

18 Area or urban area which is zoned AGR, RR or RLD, may be rezoned to

19 permit cottages.

20 * * *

21 **Section 5. Waiver of Section 656.129, Ordinance Code.** The

22 requirement of Section 656.129 (Advisory recommendation on amendment

23 to Zoning Code or rezoning of land), Subpart C (Procedures for

24 Rezoning and Amendments to the Zoning Code), Part 1 (General

25 Provisions), Chapter 656 (Zoning Code), *Ordinance Code*, that the

26 Planning Commission review and make an advisory recommendation to the

27 City Council on amendments to the Zoning Code is hereby waived for

28 the purposes of this legislation. This matter is hereby discharged

29 from further consideration by the Planning Commission as the Council

30 would like to implement the changes provided herein as soon as

31 possible.

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

8 **Section 7. Effective Date.** This Ordinance shall become
9 effective upon signature by the Mayor or upon becoming effective
10 without the Mayor's signature.

11
12 Form Approved:

13
14 /s/ Mary E. Staffopoulos

15 Office of General Counsel
16 Legislation Prepared By: Dylan Reingold