

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

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

ORDINANCE 2014-279

AN ORDINANCE AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), ORDINANCE CODE, REGARDING RESIDENTIAL ZONING DISTRICTS, TO INCLUDE A NEW RESIDENTIAL LOW DENSITY-40 (RLD-40) ZONING DISTRICT AND TO SET FORTH DEVELOPMENT STANDARDS FOR SAME; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The bill amends Chapter 656 (Zoning Code), Part 3 (Schedule of District Regulations), Ordinance Code regarding residential zoning districts to include a new Residential Low Density 40 (RLD-40) Zoning District and to set forth development standards. As proposed, the new RLD-40 district would allow 40-foot wide lots with a minimum lot size of 4,000 square feet. Maximum lot coverage would be 50%, and the setbacks would be 20 feet for the front yard, 3 feet for the side yards, and 10 feet for the rear yard. The RLD-40 district would be a primary zoning district in the Low Density Residential (LDR) and Medium Density Residential (MDR) functional land use categories of the 2030 Comprehensive Plan.

II. EVALUATION

A. The need and justification for the change.

The change to create the RLD-40 zoning district is unnecessary. The Residential Low Density – Traditional Neighborhood Design (RLD-TND) already exists and allows similar development on a 40-foot wide lot. The RLD-TND district has requirement to help offset the impact of smaller lots. Under RLD-TND, driveway access is required from a back alley or the placement of a detached garage located behind the home rather than having front driveway access with a garage incorporated into the home. Maximum lot coverage is 65%, and setbacks are between 5 and 20 feet for the front yard, 4 feet for the side yard, and 10 feet for the rear yard. The RLD-TND access regulation assures that there will not be the crowding of vehicles in the front yard or along the street.

As proposed, the RLD-40 district creates numerous issues. New single-family dwellings are required to have two parking spaces. The narrow lot width makes it difficult for a single-family dwelling to have a two-car garage. Site constraints make side entry garages unlikely. The result is front facing garages with limited driveway stacking area for additional vehicles. The 40 feet of frontage along the street, minus the area used for the driveway, provides very limited area for on-street parking.

The three-foot side setback could create a public health and safety issue. Per Section

656.406, chimneys and fireplaces may project up to two feet into a required yard, while roof overhands and bay windows may project up to three feet into a required yard. This allows minimal, if any, separation between houses. In the event of a fire, the neighboring houses could be in peril. Also, the permitted encroachments could make access to the rear of the property difficult for first responders.

B. Summary of Bill.

This bill creates a new RLD-40 zoning district as previously described.

C. Consistency with the Comprehensive Plan.

Future Land Use Element (FLUE) Policy 3.1.6 calls for the City to provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element. However, the RLD-TND zoning district already allows 40-foot lot widths with appropriate considerations to mitigate for smaller lot sizes. The LDR land use category generally permits up to seven residential units per acre. As an acre is 43,560 square feet and the proposed minimum lot size in RLD-40 is 4,000 square feet, allowing the smaller lot sizes creates the potential for development at a density that exceeds the allowable density in LDR.

III. RECOMMENDATIONS

The Planning and Development Department recommends that Ordinance 2014-279 be **DENIED.**

1 Introduced by Council Member Clark:
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3

4 **ORDINANCE 2014-279**

5 AN ORDINANCE AMENDING CHAPTER 656 (ZONING
6 CODE), PART 3 (SCHEDULE OF DISTRICT
7 REGULATIONS), ORDINANCE CODE, REGARDING
8 RESIDENTIAL ZONING DISTRICTS, TO INCLUDE A NEW
9 RESIDENTIAL LOW DENSITY-40 (RLD-40) ZONING
10 DISTRICT AND TO SET FORTH DEVELOPMENT
11 STANDARDS FOR SAME; PROVIDING AN EFFECTIVE
12 DATE.

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

15 **Section 1. Chapter 656 (Zoning Code), Part 3 (Schedule of**
16 **District Regulations), Ordinance Code Amended.** Chapter 656 (Zoning
17 Code), Part 3 (Schedule of District Regulations), Ordinance Code,
18 is hereby amended, in part, to read as follows:

19 **CHAPTER 656 ZONING CODE**

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

21 **SUBPART A. COMPREHENSIVE PLAN LAND USE CATEGORIES AND ZONING**

22 **DISTRICT NOMENCLATURE**

23 * * *

24 **Sec. 656.301. Zoning district titles.**

25 District titles and phrases pertinent to these titles are
26 included in this Part, with the titles of abbreviations as
27 indicated:

28

RR-Acre	Residential	Rural
RLD-120	Residential	Low Density
RLD-100A	Residential	Low Density

RLD-100B	Residential	Low Density
RLD-90	Residential	Low Density
RLD-80	Residential	Low Density
RLD-70	Residential	Low Density
RLD-60	Residential	Low Density
RLD-50	Residential	Low Density
<u>RLD-40</u>	<u>Residential</u>	<u>Low Density</u>
RLD-TND	Residential	Low Density
RLD-TNH	Residential	Low Density
RMD-A	Residential	Medium Density
RMD-B	Residential	Medium Density
RMD-C	Residential	Medium Density
RMD-D	Residential	Medium Density
RMD-MH	Residential	Medium Density
RHD-A	Residential	High Density
RHD-B	Residential	High Density
CO	Commercial	Office
CRO	Commercial	Residential Office
CN	Commercial	Neighborhood
CCG-1	Commercial	Community/General
CCG-2	Commercial	Community/General
CCBD	Commercial	Central Business District
IBP	Industrial	Business Park
IL	Industrial	Light
IH	Industrial	Heavy
IW	Industrial	Water Related
AGR	Agriculture	
PBF-1	Public Buildings and Facilities	Governmental Use
PBF-2	Public Buildings and Facilities	Public and Private
CSV	Conservation	
ROS	Recreation/Open Space	
PUD	Planned Unit Development	

1 (9) Residential Low Density-50 (RLD-50); Section
2 656.305.

3 (10) Residential Low Density-40 (RLD-40); Section
4 656.305.

5 (~~10~~11) Residential Low Density-TND (RLD-TND); Section
6 656.305.

7 (~~11~~12) Residential Low Density-TNH (RLD-TNH); Section
8 656.305 & Section 656.414.

9 The Residential Low Density (RLD) zoning districts allow for
10 single-family dwellings at minimum lot sizes permitted in each
11 district as specified below along with certain supporting open
12 space uses, community facilities and utilities described below. The
13 district requirements for the Residential Low Density (RLD-120,
14 RLD-100A, RLD-100B, RLD-90, RLD-80, RLD-70, and RLD-60, RLD-50,
15 RLD-40, RLD-TND, RLD-TNH) zoning districts are specified below.

16 * * *

17 II. Residential Low Density (RLD) Districts.

18 * * *

19 (d) Minimum lot requirements (width and area). For
20 single-family dwellings the minimum lot requirements (width
21 and area), except as otherwise required for certain other
22 uses, are as follows:

23 (1) Width:

- 24 (i) RLD-120 -- 120 feet.
25 (ii) RLD-100A -- 100 feet.
26 (iii) RLD-100B -- 100 feet.
27 (iv) RLD-90 -- 90 feet.
28 (v) RLD-80 -- 80 feet.
29 (vi) RLD-70 -- 70 feet.
30 (vii) RLD-60 -- 60 feet.
31 (viii) RLD-50 -- 50 feet.

1 street in the RLD-120, RLD-100A, RLD-100B, RLD-90, RLD-80,
2 RLD-70, RLD-60, and RLD-50, and RLD-40 Zoning Districts.

3 (1) RLD-120:

4 (i) Front--25 feet.

5 (ii) Side--7.5 feet.

6 (iii) Rear--10 feet.

7 (2) RLD-100A:

8 (i) Front--25 feet.

9 (ii) Side--7.5 feet.

10 (iii) Rear--10 feet.

11 (3) RLD-100B:

12 (i) Front -- 20 feet.

13 (ii) Side -- 7.5 feet.

14 (iii) Rear -- 10 feet.

15 (4) RLD-90:

16 (i) Front -- 20 feet.

17 (ii) Side -- 5 feet.

18 (iii) Rear -- 10 feet.

19 (5) RLD-80:

20 (i) Front -- 20 feet.

21 (ii) Side -- 5 feet.

22 (iii) Rear -- 10 feet.

23 (6) RLD-70:

24 (i) Front -- 20 feet.

25 (ii) Side -- 5 feet.

26 (iii) Rear -- 10 feet.

27 (7) RLD-60:

28 (i) Front -- 20 feet.

29 (ii) Side -- 5 feet.

30 (iii) Rear -- 10 feet.

31 (8) RLD-50:

1 (i) Front -- 20 feet.

2 (ii) Side -- 5 feet.

3 (iii) Rear -- 10 feet.

4 (9) RLD-40:

5 (i) Front -- 20 feet.

6 (ii) Side -- 3 feet.

7 (iii) Rear -- 10 feet.

8 (910) RLD-TND (requires access from an alley or
9 detached garage located behind the home):

10 (i) Front -- 5 to 20 feet.

11 (ii) Second Front Yard -- 10 feet.

12 (iii) Side -- 4 3 feet.

13 (iv) Rear -- 10 feet.

14 (1011) RLD-TNH: See Section 656.414.

15 (g) *Maximum height of structures.* 35 feet.

16 (h) *Minimum open space.* The gross density for an RLD
17 Zoning District may not exceed the Land Use Category density.
18 Where individual lot sizes may exceed the Land Use Category
19 density, open space or conservation shall be platted as a
20 separate tract and designated as "open space" on such plat.

21 * * *

22 **Sec. 656.306. Medium Density Residential Category.**

23 * * *

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

26 (1) Residential Low Density-60 (RLD-60); Section
27 656.305.

28 (2) Residential Low Density-50 (RLD-50); Section 656.305.

29 (3) Residential Low Density-40 (RLD-40); Section 656.305.

30 (34) Residential Low Density-TND (RLD-TND); Section
31 656.305.

1 (45) Residential Low Density-TNH (RLD-TNH); Section
2 656.305 & Section 656.414.

3 (56) Residential Medium Density-A (RMD-A); Section
4 656.306.

5 (67) Residential Medium Density-B (RMD-B); Section
6 656.306.

7 (78) Residential Medium Density-C (RMD-C); Section
8 656.306.

9 (89) Residential Medium Density-D (RMD-D); Section
10 656.306.

11 (910) Residential Medium Density-MH (RMD-MH); Section
12 656.306.

13 Generally, multiple-family dwellings such as apartments,
14 condominiums, townhomes and rowhouses will be the predominant land
15 use in the Residential Medium Density Districts, although other
16 multiple-family, mobile home parks, single-family and mobile home
17 subdivisions may also be developed in appropriate locations.
18 Certain supporting open space uses, community facilities and
19 utilities also may be permitted.

20 The district requirements for the Residential Low Density
21 (RLD-60, RLD-50, RLD-40, RLD-TND, RLD-TNH) and the Residential
22 Medium Density (RMD-A, RMD-B, RMD-C, RMD-D, and RMD-MH) zoning
23 districts are specified below.

24 I. *Residential Low Density-60 (RLD-60)*, Residential Low
25 Density-50 (RLD-50), Residential Low Density-40 (RLD-40),
26 Residential Low Density-TND (RLD-TND) and Residential Low
27 Density-TNH (RLD-TNH) *Districts*. The permitted uses and
28 structures, accessory uses and structures, permissible uses by
29 exception, minimum lot and yard requirements and maximum lot
30 coverage and height of building and structures shall be as
31 provided in Section 656.305.

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2014-0279

Introducer/Sponsor(s): Council Member Clark

Date of Introduction: April 22, 2014

Committee(s) of Reference: LUZ

Date of Analysis: April 18, 2014

Type of Action: Ordinance Amendment

Bill Summary: The bill amends Chapter 656 (Zoning Code), Part 3 (Schedule of District Regulations), Ordinance Code regarding residential zoning districts to include a new Residential Low Density 40 (RLD-40) Zoning District and to set forth development standards.

Background Information: Residential Low Density zoning districts allow for single-family dwelling at minimum lot sizes permitted in each district as specified along with certain supporting open space uses, community facilities and utilities. The minimum lot width requirement for RLD-40 is 40 feet, except as otherwise required for certain uses; and the area is 4,000 square feet. The maximum lot coverage is 50 percent. Minimum yard requirements are: front – 20 feet; side – 3 feet; and rear – 10 feet.

Policy Impact Area: Planning and Development, Real Estate

Fiscal Impact: Undetermined

Analyst: Mitchell