

# **REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**JUNE 4, 2015**

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 2015-338**

AN ORDINANCE AMENDING CHAPTER 656 (ZONING CODE), PARTS 3 (SCHEDULE OF DISTRICT REGULATIONS), 4 (SUPPLEMENTARY REGULATIONS), 7 (NONCONFORMING LOTS, USES AND STRUCTURES), 12 (LANDSCAPE AND TREE PROTECTION REGULATIONS), 13 (SIGN REGULATIONS), 15 (COMMUNICATION TOWER AND ANTENNA REGULATIONS), ORDINANCE CODE, TO INCLUDE A RESIDENTIAL OFFICE (RO) 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), Part 4 (Supplementary Regulations), Part 7 (Non-conforming Lots, Uses and Structures), Part 12 (Landscape and Tree Protection Regulations), Part 13 (Sign Regulations), Part 15 (Communication Tower and Antenna Regulations), Ordinance Code regarding residential zoning districts to include a new Residential Office (RO) Zoning District and to set forth development standards. As proposed, the new RO district would allow medical and dental offices and clinics, professional and business offices, single family, multiple family, parks, bed and breakfasts, essential services and community residential homes. Residential density will not exceed 20 dwelling units per acre. The RO district would be a primary zoning district in the Residential Professional Institutional (RPI) functional land use category of the 2030 Comprehensive Plan.

### **II. EVALUATION**

#### ***A. The need and justification for the change.***

The Residential Office (RO) is intended to offer an alternative between the Commercial Office (CO) and Residential Medium Density zoning districts. There are urban areas in the city where low intensity office uses, single and multiple family uses could co-exist without adverse impact to each other. The proposed RO Zoning District would encourage a mix of uses to support the internal capture of trips, promote a compact development pattern, and provide a gradation of uses and scale transitions.

B. Summary of Bill.

This bill creates a new RO Zoning District as previously described.

C. Consistency with the Comprehensive Plan.

Ordinance 2015-338 is consistent with the Comprehensive Plan in that it promotes the goals, objectives and policies of the 2010 Comprehensive Plan, including the following:

Future Land Use Element (FLUE) Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

Future Land Use Element (FLUE) Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

**III. RECOMMENDATIONS**

Based upon examination of the proposed ordinance with respect to the goals, objectives and policies of the 2030 Comprehensive Plan, and the intent of the Zoning Code, the Planning and Development Department finds that Ordinance 2015-338 is consistent with the Comprehensive Plan and furthers the spirit and intent of the Zoning Code. Therefore, it is the recommendation of the Planning and Development Department that Ordinance 2015-338 be **APPROVED**.

1 Introduced by Council Member Love:  
2  
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4 **ORDINANCE 2015-338**

5 AN ORDINANCE AMENDING CHAPTER 656 (ZONING  
6 CODE), PARTS 3 (SCHEDULE OF DISTRICT  
7 REGULATIONS), 4 (SUPPLEMENTARY REGULATIONS), 7  
8 (NONCONFORMING LOTS, USES AND STRUCTURES), 12  
9 (LANDSCAPE AND TREE PROTECTION REGULATIONS),  
10 13 (SIGN REGULATIONS), 15 (COMMUNICATION TOWER  
11 AND ANTENNA REGULATIONS), ORDINANCE CODE, TO  
12 INCLUDE A RESIDENTIAL OFFICE (RO) ZONING  
13 DISTRICT AND TO SET FORTH DEVELOPMENT  
14 STANDARDS FOR SAME; PROVIDING AN EFFECTIVE  
15 DATE.  
16

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

18 **Section 1. Amendment of Zoning Code to Include Residential**  
19 **Office Zoning District.** Parts 3 (Schedule of District  
20 Regulations), 4 (Supplementary Regulations), 7 (Nonconforming Lots,  
21 Uses and Structures), 12 (Landscape and Tree Protection  
22 Regulations), 13 (Sign Regulations), and 15 (Communication Tower  
23 and Antenna Regulations) of Chapter 656 (Zoning Code) of the  
24 *Ordinance Code* are hereby amended, in part, to read as follows:

25 \* \* \*

26 **CHAPTER 656 ZONING CODE**

27 \* \* \*

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

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

30 **DISTRICT NOMENCLATURE**

31 \* \* \*

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

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

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
RLD-40	Residential	Low Density
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
<u>RO</u>	<u>Residential Office</u>	
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	
PUD-SC	Planned Unit Development-Satellite Development	

1           **Sec. 656.302. General categorization of districts.**

2           (a) Where the phrases *all residential districts, residential*

1 district, zoned residentially or residentially zoned are used in  
2 this Zoning Code, these phrases shall be construed to include the  
3 following districts: RR-Acre, RLD-120, RLD-100A, RLD-100B, RLD-90,  
4 RLD-80, RLD-70, RLD-60, RLD-50, RLD-40, RLD-TND, RLD-TNH, RMD-A,  
5 RMD-B, RMD-C, RMD-D, RHD-A, RHD-B Districts and no others.

6 (b) Where the phrase *commercial district* is used in this  
7 Zoning Code, the phrase shall be construed to include the CO, CRO,  
8 CN, CCG-1, CCG-2, ~~and CCB~~D, and RO Districts and no others.

9 \* \* \*

10 **SUBPART C. COMMERCIAL USE CATEGORIES AND ZONING DISTRICTS**

11 \* \* \*

12 **Sec. 656.311. Residential-Professional-Institutional Category.**

13 This mixed use category primarily for office, institutional  
14 and medium density residential uses. Large scale institutional  
15 uses, which require supporting residential and office components,  
16 are permitted, as are office-professional uses, nursing homes, day  
17 care centers and related uses when sited in compliance with all  
18 applicable development regulations.

19 The category permits housing and mixed use developments in a  
20 gross density range of up to 20 dwelling units per acre when full  
21 urban services are available to the site. Generally, multi-family  
22 dwellings such as apartments, condominiums, townhomes and rowhouses  
23 will be the predominant land use in this category, although cluster  
24 and patio home developments, and supporting professional, office  
25 and institutional uses may also be developed in appropriate  
26 locations. Developments in this category are frequently appropriate  
27 transitional uses between residential and nonresidential areas.

28 The following primary and secondary zoning districts may be  
29 considered in the residential professional and institutional  
30 category depicted on the Future Land Use Maps of the Comprehensive

1 Plan.

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

4 (1) Residential, Medium Density-D (RMD-D); Section  
5 656.306.

6 (2) Commercial Office (CO); Section 656.311.

7 (3) Commercial Residential and Office (CRO); Section  
8 656.311.

9 (4) Residential Office (RO); Section 656.311.

10 The commercial office and residential mixed use districts  
11 allow for business and professional offices and medium density  
12 residential uses of a density of 20 dwelling units per acre.

13 \* \* \*

14 IV. Residential Office (RO) District.

15 (a) Permitted uses and structures.

16 (1) Medical and dental office or clinics (but not  
17 hospitals).

18 (2) Professional and business offices.

19 (3) Multiple-family dwellings.

20 (4) Single family dwellings.

21 (5) Parks, playgrounds and playfields or recreational or  
22 community structures meeting the performance  
23 standards and development criteria set forth in Part  
24 4.

25 (6) Bed and breakfast establishments meeting the  
26 performance standards and development criteria set  
27 forth in Part 4.

28 (7) Essential services, including water, sewer, gas,  
29 telephone, radio, television and electric, meeting  
30 the performance standards and development criteria

1                   set forth in Part 4.

2                   (8) Community residential homes of up to six residents  
3                   meeting the performance standards and development  
4                   criteria set forth in Part 4.

5                   (b) Limitations on permitted uses. All of the permitted uses  
6 in the RO District are limited by the following conditions unless  
7 otherwise provided:

8                   (1) Retail sales, display or storage of merchandise  
9                   shall be subordinate and clearly incidental to a  
10                   permitted use.

11                   (2) No vehicles, other than passenger automobiles or  
12                   trucks of not more than three-quarter-ton payload  
13                   capacity or 5,000 pounds actual scale weight shall  
14                   be used.

15                   (c) Permitted accessory uses and structures. See Section  
16 656.403

17                   (d) Permissible uses by exception.

18                   (1) Libraries and community centers.

19                   (2) Cemeteries and mausoleums but not funeral homes or  
20                   mortuaries.

21                   (e) Minimum lot requirements (width and area).

22                   (1) Width:

23                   (i) Single-family dwellings-50 feet.

24                   (ii) Multiple-family dwellings-50 feet.

25                   (iii) All other uses 70 feet (except as otherwise  
26                   required for certain uses).

27                   (2) Area:

28                   (i) Single-family dwellings-5,000 square feet.

29                   (ii) Multiple-family dwellings-6,000 square  
30                   feet for the first two family units and 2,100



1 square feet for each additional unit.

2 (iii) All other uses-7,000 square feet (except  
3 as otherwise required for certain uses).

4 (f) Maximum lot coverage by all buildings and structures. 50  
5 percent

6 (g) Minimum yard requirements.

7 (1) Single-family dwellings:

8 (i) Front-20 feet.

9 (ii) Side-5 feet.

10 (iii) Rear-10 feet.

11 (2) Multiple-family dwellings:

12 (i) Front-20 feet.

13 (ii) Side-10 feet.

14 (iii) Rear-20 feet.

15 (3) Multiple-family dwellings with more than one  
16 principal structure on the lot:

17 (i) Front-20 feet.

18 (ii) Side-20 feet.

19 (iii) Rear-20 feet.

20 (4) All other uses:

21 (i) Front-20 feet.

22 (ii) Side-10 feet.

23 (iii) Rear-20 feet.

24 (h) Accessory use structure used in conjunction with single-  
25 family or multi-family structure:

26 (1) Front-Accessory use structures shall not be  
27 permitted in front yards as they are established by  
28 the location of the principal structure.

29 (2) Side and rear - 1 foot.

30 (i) Maximum height of structures.



1 activity of any kind on these lots.

2 (iv) Vehicles parked on the lot shall be limited to  
3 automobiles for employee and customer parking.

4 (v) These parking lots shall be designed to meet  
5 the requirements of Part 12 of the Zoning  
6 Code, (Landscape and Tree Protection  
7 Regulations).

8 (vi) If the facilities are lighted, lighting shall  
9 be designed and installed so as to prevent  
10 glare or excessive light on adjacent property.  
11 No source of illumination shall be allowed in  
12 connection with a parking lot if such source  
13 of illumination would be visible from a  
14 residentially-zoned district to the extent  
15 that it interferes with the residential use of  
16 that area.

17 \* \* \*

18 **SUBPART B. MISCELLANEOUS REGULATIONS**

19 \* \* \*

20 **Sec. 656.411. Parking and placement of certain vehicles and**  
21 **equipment in certain residential and CO, CRO, RO, CCG-1 and CN**  
22 **Districts.**

23 (1) The following vehicles and equipment, subject to the  
24 license classifications set forth in F.S. § 320.08, shall not be  
25 parked or located in off-street parking lots, access to highways,  
26 on private property in a residential district(except Residential  
27 Rural-Acre (RR-Acre)) or in the CO, CRO, RO, CCG-1 or CN districts,  
28 or on any public right-of-way in a residential, CO, CRO, RO, CCG-1  
29 or CN district, except as may be required for normal loading or  
30 unloading of such vehicles and during the time normally required

1 for service at dwellings or at structures or activities permitted  
2 or permissible in these zoning districts by the terms of the Zoning  
3 Code:

4 (a) Heavy trucks and truck tractors as defined in  
5 subsection (2) below, or box trucks, step-vans, moving  
6 vans, delivery trucks, dump trucks, tow trucks, flat bed  
7 trucks, buses, cranes, or similar vehicles, or any  
8 vehicles used as a platform for a derrick, hoist, crane,  
9 compressor, tank(s), ladder racks, or similar equipment,  
10 or as a means of transporting or storing a commercial  
11 vehicle. The following vehicles are specifically  
12 excluded from this definition and shall not be deemed  
13 commercial vehicles:

14 (i) unaltered automobiles;

15 (ii) station wagons;

16 (iii) passenger vans; and

17 (iv) pickup trucks, including those with toppers  
18 campers, winches, ladder racks or other similar  
19 minor alterations on private property only.

20 (v) commercial vans with ladder racks or other  
21 similar minor alterations on private property only.

22 (b) Motor vehicles equipped with machinery and designed  
23 for the exclusive purpose of well drilling, excavation,  
24 construction, wood chipping, spraying or similar  
25 activity, or the machinery associated with such  
26 activity, including, but not limited to, bulldozers,  
27 bobcats, backhoes, ditch diggers concrete mixing trucks  
28 and wood chippers, except for so long as the work or  
29 construction is actively being performed;

30 (c) School buses, commercial wreckers, hearses and

1 ambulances;

2 (d) Passenger vehicles for ten persons or more;

3 (e) Trucks used for agricultural purposes;

4 (f) Semi-trailers drawn by a truck tractor by means of  
5 a fifth-wheel arrangement; and

6 (g) Trailers used for transporting landscaping and lawn  
7 care equipment, whether or not such trailer is attached  
8 to another vehicle.

9 (h) Temporary personal storage units; provided, however,  
10 that temporary personal storage units may be parked or  
11 located on private property in a residential district or  
12 in the CO, CRO, RO, CCG-1 or CN districts subject to the  
13 following limitations:

14 (i) The total size of the unit or units may not  
15 exceed 300 square feet in area (length multiplied  
16 by width) in a residential district; and

17 (ii) The duration of placement of the unit or  
18 units is limited to thirty days, the duration of an  
19 active building permit for the property the unit or  
20 units are located on, or a reasonable amount of  
21 time for emergency cleanup after a natural disaster  
22 as determined by local, state, or federal  
23 government emergency preparedness agencies; and

24 (iii) The unit or units may be located in  
25 driveways, front yards, side yards, or back yards  
26 and may be located in a required setback; and

27 (iv) The unit or units may not block the flow of  
28 pedestrian traffic; and

29 (v) The unit provider shall post the delivery date  
30 on the unit; and

1 (vi) These regulations do not supersede more  
2 restrictive limitations contained in any  
3 homeowner's association or subdivision covenants,  
4 deeds, or restrictions.

5 \* \* \*

6 **PART 7. NONCONFORMING LOTS, USES AND STRUCTURES**

7 \* \* \*

8 **Sec. 656.704. Nonconforming lots of record-Residential.**

9 Notwithstanding limitations imposed by the provisions of the  
10 Zoning Code as to lot, area, lot width and street frontage on a  
11 single lot of record or a combination of complete lots of record  
12 existing on September 5, 1969, where residential use is a permitted  
13 use or permissible use by exception in the district, except as  
14 otherwise provided:

15 (a) A single-family dwelling may be constructed on a single  
16 lot of record or a combination of complete lots of record in a  
17 RR, RLD, RMD, or AGR District or with a grant of exception in  
18 a RO and CRO District, and a mobile home may be placed on a  
19 single lot of record in an RLD-MH, RMD-MH or AGR District, or  
20 with a grant of exception in an RLD, RMD, or CRO District;  
21 provided, however, that a mobile home may be placed on a  
22 single lot of record without a grant of exception in an RLD,  
23 RMD, or CRO District where the lot was classified as an "RM  
24 District" (Residential, Mixed) or an "RHM District"  
25 (Residential, Mobile Home) immediately prior to the effective  
26 date of this Zoning Code.

27 (b) A two family multiple dwelling in a RMD, RHD, or CRO, or  
28 RO District may be constructed on a single lot of record or a  
29 combination of lots of record where the lot or combination of  
30 lots is not less than 50 feet in width and is not less than

1 5,000 square feet in area.

2 (c) A three family multiple dwelling in a RMD, RHD, or CRO, or  
3 RO District may be constructed on a single lot of record or a  
4 combination of lots of record where the lot or combination of  
5 lots is not less than 60 feet in width and is not less than  
6 6,000 square feet in area.

7 (d) A four family multiple dwelling in a RMD, RHD, or CRO, or  
8 RO District may be constructed on a single lot of record or a  
9 combination of lots of record where the lot or combination of  
10 lots of record is not less than 70 feet in width and is not  
11 less than 7,000 square feet in area.

12 \* \* \*

13 **PART 12. LANDSCAPE AND TREE PROTECTION REGULATIONS**

14 \* \* \*

15 **SUBPART C. LANDSCAPING REQUIREMENTS**

16 \* \* \*

17 **Sec. 656.1211. Florida-Friendly Landscape and Irrigation**  
18 **design standards.**

19 \* \* \*

20 (b) Trees shall not be placed where they interfere with site  
21 drainage or where they shall require frequent pruning in order  
22 to avoid interference with overhead power lines. Unless  
23 otherwise provided in this Section, a minimum number of trees  
24 shall be planted or preserved upon each site, pursuant to the  
25 following standards which are the minimum requirements for  
26 landscaping within the City of Jacksonville.

27 (1) Minimum tree planting requirements for all property  
28 upon which either a single-family dwelling or a mobile  
29 home on an individual lot is located or to be located: One  
30 four-inch caliper tree or multiple two-inch minimum

1 caliper trees totaling four caliper inches shall be  
2 planted and/or preserved for every 5,000 square feet of  
3 lot area, plus an additional two caliper inches for every  
4 2,500 square feet of lot area (but not a portion thereof)  
5 in excess of 5,000 square feet, excluding therefrom  
6 preserve areas and water bodies. Trees planted shall meet  
7 the general criteria specified in subsection (e)(3)  
8 hereunder.

9 (2) Minimum tree planting requirements for all property  
10 other than property upon which either a single-family  
11 dwelling or a mobile home on an individual lot is located:

12 (i) One tree shall be planted and/or preserved for  
13 every 5,000 square feet of lot area, or  
14 portion thereof, which is located in any  
15 residentially-zoned district, AGR  
16 (Agricultural) District, PBF-2 (Public  
17 Buildings and Facilities) District,  
18 excepting public facilities), CRO  
19 (Commercial Residential Office) District, RO  
20 (Residential Office) District, CN  
21 (Commercial Neighborhood) District, CCG-1  
22 (Commercial Community General) District,  
23 excluding therefrom preserve areas and water  
24 bodies.

25 (ii) One tree shall be planted and/or preserved for  
26 every 8,000 square feet of lot area or  
27 portion thereof, excluding therefrom  
28 preserve areas and water bodies in all  
29 commercial districts, except as otherwise  
30 provided herein.



1 (iii) One tree shall be planted and/or preserved for  
2 every 10,000 square feet of lot area or  
3 portion thereof, excluding therefrom  
4 preserve areas and water bodies in any  
5 industrial district or Public Facilities  
6 (PBF) District (except private facilities in  
7 each district).

8 \* \* \*

9 **PART 13. SIGN REGULATIONS**

10 **SUBPART A. GENERAL PROVISIONS**

11 \* \* \*

12 **Sec. 656.1303. Zoning limitations on signs.**

13 Signs shall comply with the requirements of Chapters 320 and  
14 326 and with the applicable provisions of F.S. Ch. 479. In  
15 addition, the following restrictions shall apply in the indicated  
16 zoning districts:

17 \* \* \*

18 (c) *Commercial zoning districts:*

19 (1) CO, RO, and CRO zoning districts—

20 (i) One nonilluminated or externally illuminated  
21 monument sign not exceeding a maximum of 24 square  
22 feet in area and 12 feet in height is permitted; and

23 (ii) One five square foot nonilluminated,  
24 externally illuminated or internally illuminated  
25 wall sign is permitted; or

26 (iii) In lieu of (i) and (ii), above, one  
27 nonilluminated, externally illuminated or internally  
28 illuminated wall sign not exceeding 32 square feet  
29 in area is permitted.

30 (iv) In lieu of the wall sign allowed under (ii) or

1 (iii) above, the following wall signs are allowed,  
2 provided the property has at least 200 feet of  
3 street frontage, is at least three acres in size and  
4 meets all other applicable requirements of this  
5 section regarding occupancy frontage:

6 (A) For buildings less than three stories in  
7 height:

8 (1) Two wall signs not exceeding,  
9 collectively, 100 square feet if located  
10 on the side of the building facing an  
11 arterial or higher roadway, and

12 (2) Two wall signs, per side of building,  
13 not exceeding, collectively, 75 square  
14 feet in area if located on the side of the  
15 building facing any other roadway.

16 (B) For buildings three stories or higher in  
17 height:

18 (1) Two wall signs not exceeding,  
19 collectively, 150 square feet in area if  
20 located on the side of the building  
21 facing an arterial or higher roadway, and

22 (2) Two wall signs, per side of  
23 building, not exceeding, collectively,  
24 one 100 square feet in area if located on  
25 the side of a building facing any other  
26 roadway.

27 (C) The wall signs allowed under this  
28 subsection (iv) shall be allowed only if  
29 the sign structure is not located within  
30 250 feet of any residential zoning

1 district.

2 (v) Assembly and institutional uses located in CO,  
3 RO, and CRO zoning districts, other than in  
4 historic districts designated under Chapter 307,  
5 Ordinance Code:

6 (A) One nonilluminated or externally  
7 illuminated monument sign not exceeding 12  
8 square feet in area is permitted; or

9 (B) One nonilluminated or externally  
10 illuminated monument sign not exceeding a  
11 maximum of 24 square feet in area may be  
12 allowed, provided it is specifically  
13 authorized in the grant of zoning exception,  
14 and further provided that the following  
15 performance standards and development criteria  
16 are met:

17 (1) The sign shall be located no closer  
18 than 50 feet from a residential use  
19 located in a residential zoning district  
20 and may not be located in a required  
21 front yard;

22 (2) The sign must not exceed 12 feet in  
23 height;

24 (3) Illumination associated with the  
25 sign must be external, provided that the  
26 source of such illumination shall be  
27 designed, installed and maintained in a  
28 manner which prevents any glare or light  
29 from shining onto residentially used  
30 property; or

1 (C) One externally illuminated sign not  
2 exceeding one square foot for each five  
3 linear feet of street frontage, per street,  
4 to a maximum of 50 square feet, provided the  
5 signs are located no closer than 200 feet  
6 apart, as measured by a straight line between  
7 such signs, and further provided that the  
8 sign(s) are located on a street classified as  
9 a collector street or higher, and the  
10 following performance standards and  
11 development criteria are met:

12 (1) The sign shall be located no closer  
13 than 100 feet from a principal  
14 residential structure located in a  
15 residential zoning district and may not  
16 be located in a required front yard;

17 (2) The sign must be a monument sign, not  
18 exceeding 12 feet in height;

19 (3) Illumination associated with the sign  
20 must be external, provided that the  
21 source of such illumination shall be  
22 designed, installed and maintained in a  
23 manner which prevents any glare or light  
24 from shining onto residentially used  
25 property.

26 (D) One nonilluminated or externally  
27 illuminated wall sign per building, not  
28 exceeding 24 square feet.

29 (E) For purposes of this part, assembly and  
30 institutional uses shall include, but are

1 not limited to, churches, schools, lodges.

2 (F) These provisions shall not apply to any  
3 assembly or institutional use located in a  
4 commercial zoning district located within a  
5 historic district designated under Chapter  
6 307, Ordinance Code. It is intended that  
7 signs within commercially zoned areas of  
8 historic districts shall be governed by  
9 specific provisions within the historic  
10 district zoning overlay regulations for the  
11 particular district or by section  
12 656.1303(c)(i-v) hereinabove, until such  
13 time as such regulations are adopted.

14 \* \* \*

15 (4) In CO, RO, and CRO Districts changing message  
16 devices and illuminated and indirect lighting signs  
17 are also prohibited.

18 \* \* \*

19 (k) *Special exemptions:*

20 \* \* \*

21 (3) Signs on transit shelters located on public  
22 rights-of way, publicly owned property, or privately  
23 owned property, subject to the following criteria and  
24 superseding any other provisions in Chapter 656,  
25 except as provided in Section 656.361.20 .

26 (i) Transit shelters with advertising and  
27 internal sign illumination are not  
28 permitted on or adjacent to AGR, CSV,  
29 ROS, or RR-Acre zoning districts, and are  
30 not permitted within PUD zoning districts

1 in AGR, CSV, ROS, or RR land use  
2 categories.

3 (ii) Transit shelters with advertising and  
4 internal sign illumination are permitted  
5 by sign waiver on or adjacent to all RLD  
6 zoning districts, RMD-A and RMD-B zoning  
7 districts, PUD zoning districts in an LDR  
8 land use category, and adjacent to  
9 schools and parks in a PBF land use  
10 category.

11 (iii) Transit shelters with advertising and  
12 internal sign illumination are permitted  
13 by right on or adjacent to RMD-C, RMD-D,  
14 CO, RO, and CRO zoning districts if the  
15 transit shelter location is on an  
16 identified corridor according to the JTA  
17 Corridor Route Map, and the transit  
18 shelter is at least 200 feet from a  
19 single family use. All others on or  
20 adjacent to RMD-C, RMD-D, CO, RO, and CRO  
21 zoning districts are permitted by sign  
22 waiver.

23 \* \* \*

24 **PART 15. COMMUNICATION TOWER AND ANTENNA REGULATIONS**

25 \* \* \*

26 **SUBPART A. WIRELESS COMMUNICATION FACILITIES**

27 \* \* \*

28 **Sec. 656.1506. Track II Towers.**

29 \* \* \*

30 (b) *Camouflaged towers; Siting and Design Requirements.*

1 Except as set forth in Section 656.1514, Ordinance Code, Track II  
2 camouflaged towers shall be permitted in all zoning districts,  
3 including Planned Unit Development Districts, and shall meet the  
4 compatibility requirements set forth in subsection (a) above and  
5 shall be subject to the following siting and design requirements:

6 (1) *Height.* Track II camouflaged towers shall not be  
7 subject to a maximum height requirement, so long as the  
8 proposed tower is architecturally and aesthetically  
9 compatible with the surrounding community.

10 (2) *Setbacks.* Regardless of the zoning district in  
11 which a camouflaged tower is proposed to be constructed,  
12 the tower shall be set back a distance of at least 100  
13 percent of the tower height from the nearest residential  
14 lot line of any single family residence or single family  
15 residentially-zoned property, including residential PUD  
16 districts and properties with a single-family residential  
17 component in a mixed-use PUD district, or AGR IV land use  
18 category; provided, however, that this setback shall not  
19 be required where legal title to the nearest residential  
20 parcel is held by the owner of the tower site. In the  
21 event that the proposed tower is to be located within a  
22 mixed use Planned Unit Development (PUD), the minimum  
23 distance set forth herein shall be measured from the  
24 nearest residential use. Camouflaged towers shall also be  
25 set back a minimum distance of 50 feet from any  
26 transportation view corridor or environmentally sensitive  
27 lands; provided, however, that the set back from the  
28 transportation view corridor shall not apply where the  
29 camouflaged tower is designed to resemble a utility or  
30 light pole.

1 (3) *Collocation.* Any camouflaged tower in excess of 100  
2 feet in height shall be designed to accommodate antennas  
3 for at least two separate wireless communication service  
4 providers.

5 (c) *Low impact/stealth towers; Siting and Design Requirements.*

6 Except as set forth in Section 656.1514, Ordinance Code, low  
7 impact/stealth towers shall be permitted in all zoning districts,  
8 including Planned Unit Development Districts, and shall meet the  
9 compatibility requirements set forth in subsection (a) above and  
10 shall be subject to the following siting and design requirements:

11 (1) *Height.* The maximum height of low impact/stealth  
12 towers in any residential zoning district is 110 feet. In  
13 all other districts, the maximum height of low  
14 impact/stealth towers is 130 feet; provided, however, that  
15 a variance may be sought from the Tower Review Committee  
16 in accordance with the provisions of this Subpart to  
17 increase the maximum height of a proposed low  
18 impact/stealth tower in a nonresidential zoning district  
19 up to an additional 30 feet. No variance shall be  
20 required, however, where close-mount antennas are proposed  
21 to be located on that portion of a low impact/stealth  
22 tower in excess of 130 feet, so long as the overall tower  
23 height of the tower does not exceed 160 feet and the tower  
24 is located in a nonresidential zoning district.

25 (2) *Setbacks.* Regardless of the zoning district in which a  
26 low impact/stealth tower is located; the tower shall be  
27 set back a distance of at least: (a) 250 feet or 200  
28 percent of the tower height, whichever distance is  
29 greater, from the nearest residential lot line of any  
30 single family residence or single family residentially-



1 zoned property, including residential PUD districts and  
2 properties with a single-family residential component in a  
3 mixed-use PUD district or AGR IV land use category;  
4 provided, however, that this setback shall not be required  
5 where legal title to the nearest residential parcel is  
6 held by the owner of the tower site; and (b) 150 feet or  
7 100 percent of the tower height, whichever distance is  
8 greater, from the nearest residential lot line of any  
9 Residential Medium Density (RMD), Residential Office (RO),  
10 Commercial/Residential/Office (CRO) or Residential High  
11 Density (RHD) zoning districts; provided, however, that  
12 this setback shall not be required where legal title to  
13 the nearest residential parcel is held by the owner of the  
14 tower site. In the event that the proposed tower is to be  
15 located within a mixed use Planned Unit Development (PUD),  
16 the minimum distances set forth herein shall be measured  
17 from the nearest residential use. Stealth towers shall  
18 also be set back a minimum distance of 250 feet or 200  
19 percent of the tower height, whichever distance is  
20 greater, from the nearest boundary of a public park,  
21 historic district, historic landmark, Neighborhood  
22 Conservation District or environmentally sensitive lands,  
23 and a minimum distance of 100 feet from any transportation  
24 view corridor.

25 \* \* \*

26 **Section 2. Effective Date.** This ordinance shall become  
27 effective upon signature by the Mayor or upon becoming effective  
28 without the Mayor's signature.

29  
30 Form Approved:

1  
2  
3  
4  
5

/s/ Reba A. Abraham

Office of General Counsel

Legislation Prepared By: Reba A. Abraham

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