

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

MAY 18, 2017

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 2017-318

AN ORDINANCE AMENDING CHAPTER 656, (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART A (BASIC PROVISIONS), SECTIONS 656.101, (DEFINITIONS) AND 656.102 (TITLE), ORDINANCE CODE, IN ORDER TO EXPAND TYPES OF REQUESTS AVAILABLE FOR ADMINISTRATIVE DEVIATIONS AND CORRECT ERRORS; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART B (ADMINISTRATION) SECTION 656.109 (ADMINISTRATION AND ENFORCEMENT; INTERPRETATION OF ZONING CODE; ADMINISTRATIVE DEVIATIONS), ORDINANCE CODE, TO ALLOW DELEGATION OF AUTHORITY OF ZONING ADMINISTRATOR AND ADD TWO TYPES OF REQUESTS FOR ADMINISTRATIVE DEVIATIONS; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART B (ADMINISTRATION) SECTION B (ADMINISTRATION) SECTION 656.111 (VIOLATIONS AND PENALTIES), ORDINANCE CODE, TO CORRECT A TYPOGRAPHICAL ERROR; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART C (PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE), SECTION 656.124 (NOTICE OF PUBLIC HEARING BY COUNCIL COMMITTEE AND PUBLIC MEETING OF PLANNING COMMISSION), ORDINANCE CODE, TO STRIKE REFERENCE TO "SPECIAL RELIEF" AND TO CROSS REFERENCE SECTION 656.133; AMENDING CHAPTER 656 (ZONING CODE), PART 1

(GENERAL PROVISIONS), SUBPART C (PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE), SECTION 656.126 (EXCEPTIONS TO MAILED-NOTICED AND POSTINGS-OF-SIGNS REQUIREMENTS), ORDINANCE CODE, TO CLARIFY THAT THE EXCEPTION TO MAILED NOTICE AND POSTING OF SIGNS IS LIMITED TO LARGE AREAS INVOLVING MANY PROPERTY OWNERS, AND REQUIRING ALTERNATIVE FORMS OF NOTICE; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART C (PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE), SECTION 656.129 (ADVISORY RECOMMENDATION ON AMENDMENT TO ZONING CODE OR REZONING OF LAND), ORDINANCE CODE, TO CLARIFY PROCEDURES FOR PLANNING COMMISSION; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART C (PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE), SECTION 656.130 (SPECIAL NOTICE TO NEIGHBORHOOD ORGANIZATIONS, CPACS, UMBRELLA NEIGHBORHOOD ORGANIZATIONS AND CIVIC ORGANIZATIONS; NEIGHBORHOOD ORGANIZATION PARTICIPATION IN PUBLIC HEARINGS), ORDINANCE CODE, TO CORRECT A TYPOGRAPHICAL ERROR; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART D (ZONING EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS TO FINAL ORDER, APPEALS OF WRITTEN INTERPRETATIONS OF THE DIRECTOR AND APPEALS OF FINAL ORDERS OF THE COMMISSION), SECTION 656.134 (AMENDMENT TO THE FINAL ORDER), ORDINANCE CODE, TO EXCLUDE FROM AMENDMENTS TO FINAL ORDER THE ABILITY TO CHANGE, CORRECT OR ADD A NAME IF THE BUSINESS REQUIRES LICENSURE BY THE STATE OR OTHER GOVERNMENT ENTITY; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL

PROVISIONS), SUBPART D (ZONING EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS TO FINAL ORDER, APPEALS OF WRITTEN INTERPRETATIONS OF THE DIRECTOR AND APPEALS OF FINAL ORDERS OF THE COMMISSION), SECTION 656.140 (APPEALS FROM THE DECISIONS OF THE COMMISSION OR DOWNTOWN DEVELOPMENT REVIEW BOARD), ORDINANCE CODE, TO ADD PUD ADMINISTRATIVE MODIFICATIONS AND PUD MINOR MODIFICATIONS AS MATTERS APPEALABLE TO THE CITY COUNCIL; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART D (ZONING EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS TO FINAL ORDER, APPEALS OF WRITTEN INTERPRETATIONS OF THE DIRECTOR AND APPEALS OF FINAL ORDERS OF THE COMMISSION), SECTION 656.147 (SCHEDULE OF FEES), ORDINANCE CODE, TO STRIKE LISTING OF FEES AND DIRECT READER TO CITY WEBSITE FOR ALL APPLICATION FEE INFORMATION; AMENDING CHAPTER 656 (ZONING CODE), PART 1 (GENERAL PROVISIONS), SUBPART E (CERTIFICATES OF USE), SECTION 656.152 (CERTIFICATE OF USE APPLICATION AND FEE), ORDINANCE CODE, TO DIRECT READER TO CITY WEBSITE FOR APPLICATION FEE INFORMATION; AMENDING CHAPTER 656 (ZONING CODE), PART 2 (ZONING ATLAS AND DISTRICT BOUNDARIES), SUBPART A (ESTABLISHMENT OF DISTRICTS, ZONING ATLAS), SECTION 656.202 (ZONING ATLAS), ORDINANCE CODE, TO CORRECT WHERE THE ZONING ATLAS IS DISPLAYED; AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART A (COMPREHENSIVE PLAN LAND USE CATEGORIES AND ZONING DISTRICT NOMENCLATURE), SECTION 656.301 (ZONING DISTRICT TYPES), ORDINANCE CODE, TO INCLUDE ALL ZONING DISTRICTS AND REFERENCE SECTIONS IN ZONING CODE; AMENDING

CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART A (COMPREHENSIVE PLAN LAND USE CATEGORIES AND ZONING DISTRICT NOMENCLATURE), SECTION 656.302 (GENERAL CATEGORIZATION OF DISTRICTS), ORDINANCE CODE, TO ADD MISSING ZONING DISTRICTS; AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART C (COMMERCIAL USE CATEGORIES AND ZONING DISTRICTS), SECTION 656.313 (COMMUNITY/GENERAL COMMERCIAL CATEGORY), ORDINANCE CODE, TO ADD INDOOR GUN RANGES AS A PERMISSIBLE USE; AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART D (INDUSTRIAL USE CATEGORIES AND ZONING DISTRICTS), SECTION 656.321 (BUSINESS PARK CATEGORY) AND SECTION 656.322 (LIGHT INDUSTRIAL CATEGORY) ORDINANCE CODE, TO ADD FITNESS CENTERS AS A PERMISSIBLE USE; AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART G (CRITERIA AND STANDARDS FOR SECONDARY ZONING DISTRICTS), SECTION 656.350 (SUPPLEMENTAL CRITERIA AND STANDARDS FOR SECONDARY ZONING DISTRICTS), ORDINANCE CODE, TO UPDATE REFERENCES TO ZONING DISTRICTS; AMENDING CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART L (MAYPORT ROAD ZONING OVERLAY AND MAYPORT VILLAGE WORKING WATERFRONT DISTRICT), SECTION 656.397 (MAYPORT VILLAGE WORKING WATERFRONT ZONING DISTRICTS), ORDINANCE CODE, TO UPDATE REFERENCES TO ZONING DISTRICTS; AMENDING CHAPTER 656 (ZONING CODE), PART 4 (SUPPLEMENTARY REGULATIONS), SUBPART A (PERFORMANCE STANDARDS AND DEVELOPMENT CRITERIA), SECTION 656.401 (PERFORMANCE STANDARDS AND DEVELOPMENT CRITERIA), ORDINANCE CODE, TO

ALLOW INCREASE IN SIZE OF DAY CARE BY EXCEPTION AND ADD INDOOR GUN RANGES WITH CRITERIA; AMENDING CHAPTER 656 (ZONING CODE), PART 6 (OFF-STREET PARKING AND LOADING REGULATIONS), SUBPART A (OFF-STREET PARKING AND LOADING FOR MOTOR VEHICLES), SECTION 656.604 (NUMBER OF OFF-STREET PARKING SPACES REQUIRED), ORDINANCE CODE, TO ADD FITNESS CENTERS; AMENDING CHAPTER 656 (ZONING CODE), PART 16 (DEFINITIONS), SECTION 656.1601 (DEFINITIONS), ORDINANCE CODE, TO AMEND DEFINITION OF: "ADMINISTRATIVE DEVIATIONS" TO INCLUDE NEW REQUESTS, "AIRPORT" TO UPDATE NAMES, "CHIEF" TO UPDATE NAME, "COMMERCIAL RETAIL SALES AND SERVICE ESTABLISHMENTS" TO DELETE "NEW OR USED AUTOMOBILES" AND ADD "FITNESS CENTERS", UPDATING STATUTORY REFERENCES AND CORRECTING TYPOGRAPHICAL ERRORS; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The Land Use and Zoning (LUZ) Committee reviewed Chapter 656, Ordinance Code, during several of the special committee meetings to address non-controversial issues within the Zoning Code. The LUZ committee unanimously approved the proposed amendments for introduction at the Special Committee meeting on April 4, 2017. The amendments correct typographical errors, provide language consistency with Florida Statutes and other portions of the Ordinance Code, and provide clarification regarding certain uses that are routinely determined administratively as permitted or permissible. The amendments allow for easier interpretation and execution of the Zoning Code.

II. EVALUATION

A. The need and justification for the change

The change is needed to correct typographical errors and outdated language, provide consistency with Florida Statutes and the City of Jacksonville Ordinance Code, and clarify uses and activities.

B. Summary of Bill

Page 7, Line 4: The definition of Administrative Deviation is amended to allow lot width reductions (currently done with a zoning variance) and allow increases in the maximum number of parking spaces provided there is no accompanying reduction in landscaping. Staff recommends that administrative deviations to reduce lot size and lot width for residential use be limited to a maximum of two dwellings and/or two contiguous lots in order to prevent the administrative deviation process from being used to circumvent the rezoning process.

Page 7, Line 15: The definition of Chief is updated by replacing the Chief of Comprehensive Planning (a non-existent division) with the Chief of Current Planning.

Page 7, Line 18: The definition of Commission is expanded to include the Downtown Design Review Board (DDRB) where applicable. Within the boundaries of its jurisdiction, the DDRB serves in lieu of the Planning Commission for zoning applications. This change clarifies that existing arrangement.

Page 8, Line 16: The Zoning Administrator is the hearing officer for Applications for Administrative Deviations. However, there is no provision for a stand-in should the Zoning Administrator be unavailable. This change allows the Director to designate a temporary replacement should the Zoning Administrator be unavailable to conduct the Administrative Deviation Hearings. The change also clarifies what types of Administrative Deviations can be granted.

Page 9, Line 17: Changes the reference from Section to Chapter. A Section is a portion of the Zoning Code (there are 16 Sections). Chapter refers to the Zoning Code as a whole.

Page 10, Line 3: The reference to special relief is stricken. Special relief bills were deemed unlawful many years ago, and the practice has ceased.

Page 10, Line 27: This language clarifies the circumstances when the standard mailing of public notices and posting of Notice of Public Hearing signs may be waived.

Page 11, Line 21: Restructures the order of events for the issuance of an advisory opinion on amendments to the Zoning Code or for rezoning legislation. In practice, the Planning Department issues a recommendation prior to the Commission issuing a recommendation. The new language reflects that order of events.

Page 12, Line 12: Clarifies the time limits for the issuance of reports and recommendations. The timelines are not changed.

Page 14, Line 6: Corrects a typographical error. Neighborhood organizations within 350 feet are to be notified, not those more than 350 feet from a subject property.

Page 15, Line 31: Clarifies that the Zoning Administrator may not change the name on the Final Order for an administrative deviation, exception, variance, or waiver if the Final Order was made personal to an individual or entity and the use requires licensure by the State. This will mostly apply to day care centers and liquor license locations.

Page 16, Line 23: Clarifies that PUD administrative modifications and minor modifications are appealable to City Council. PUD administrative modifications are decisions of the Planning Director and are appealed to the Planning Commission. Because the Planning Commission does not make the decision of PUD administrative modifications, staff recommends that the reference to administrative modifications be stricken.

Page 17, Line 11: The Schedule of Fees (list of application fees) is stricken from the Zoning Code. The fees change annually based on the Annual Review of Fees provision found in Section 106.112 of the Ordinance Code, so the fees currently in the Zoning Code are obsolete. The current schedule of fees, as amended from time to time, is posted on the City's website.

Page 20, Line 13: Strikes the Certificate of Use fee from the Zoning Code. The current fee is listed on the City's website.

Page 21, Line 6: Strikes the reference to the Property Safety and Zoning Inspection Division, a division that no longer exists. The Planning Department is responsible for maintaining copies of the Zoning Atlas.

Page 21, Line 23: The existing table of Zoning District Titles is replaced with a new table that clarifies where to find specific zoning districts in the Zoning Code.

Page 26, Line 6: Provides an exhaustive list clarifying zoning districts are designated residential and which are designated commercial. The current list is missing several zoning districts.

Page 27, Lines 10 and 26: Lists indoor gun ranges as uses specifically allowed in the CCG-1 and CCG-2 zoning districts. There are numerous indoor gun ranges within the City and they are zoned either CCG-1 or CCG-2.

Page 28, Line 17: Adds fitness centers as a permissible use by exception in the IBP zoning district.

Page 29, Line 7: Adds fitness centers as a permissible use by exception in the IL zoning district.

Page 30, Line 7: Replaces obsolete nomenclature with existing zoning districts. Because the RO zoning district is listed as commercial zoning district, staff recommends that it be

grouped with commercial zoning districts CO, CRO, and CN rather than with residential districts.

Page 30, Line 30: Allows the cap on the number of students in a day care center zoned CO, CRO, and CN to be expanded beyond 150 children through the grant of a zoning exception. This provides an alternative to rezoning the property to a more intense zoning district.

Page 31, Line 6: Replaces the reference to the former IBP-1 and IBP-2 zoning district with a reference to current IBP zoning district.

Page 31, Line 17: Provides performance standards for indoor gun ranges.

Page 32, Line 21: Creates a specific parking standard of 5.27 parking spaces for every 1,000 gross square feet for fitness centers. This is derived from the 4th Edition Parking Generation Manual by the Institute of Transportation Engineers. For ease of use, staff recommends that the standard be rounded down to 5 spaces per 1,000 square feet or 1 space per 200 square feet.

Page 33, Line 3: This specifies what type of relief may be granted through an Administrative Deviation. Staff recommends that administrative deviations to reduce lot size and lot width for residential use be limited to a maximum of two dwellings and/or two contiguous lots in order to prevent the administrative deviation process from being used to circumvent the rezoning process.

Page 33, Line 20: Replaces references to NAS Cecil Field, outlying landing field Whitehouse, and Naval Air Facility Mayport with references to Outlying Landing Field Whitehouse, Naval Station Mayport, and Cecil Airport.

Page 33, Line 25: The definition of Chief is updated by replacing the Chief of Comprehensive Planning (a non-existent division) with the Chief of Current Planning.

Page 34, Line 6: Strikes the sale of new and used automobiles from the definition of a commercial retail sales and service establishment. Automobile sales require a zoning exception in CCG-1.

Page 34, Line 8: Adds fitness centers to the definition of a commercial retail sales and service establishment.

Page 34, Line 22: Corrects the reference to Florida Statues for a community residential home. Currently the wrong statue is referenced.

Page 35, Line 7: Corrects the typographical error “l” with “Yard”, as the language goes on to define “yard” in the Zoning Code.

C. Consistency with the Comprehensive Plan.

If approved with the modifications recommended by the Planning and Development Department, Ordinance 2017-318 would be consistent with the 2030 Comprehensive Plan in that it promotes the following policy:

Future Land Use Element (FLUE) Policy 1.1.4 The Land Development Regulations shall include locational criteria and standards for all zoning or subdivision site plan requests for densities or intensities of use for each future land use category including appropriate criteria related to development areas, street classification, availability of public facilities and services, land use compatibility, development and redevelopment potential, site design factors, ownership patterns, environmental impacts, relevant adopted plans and studies, and principal and secondary uses as described in the Plan Category Descriptions of the Operative Provisions. In order to ensure the development of a variety of neighborhoods and living environments, the Land Development Regulations shall include several zoning districts with different minimum lot size and density of development requirements in each residential land use category.

III. RECOMMENDATIONS

The Planning and Development Department recommends that **Ordinance 2017-318** be **APPROVED** with the following comments and recommendations:

Page 7, Line 4: Staff recommends that administrative deviations to reduce lot size and lot width for residential use be limited to a maximum of two dwellings and/or two contiguous lots in order to prevent the administrative deviation process from being used to circumvent the rezoning process.

Page 16, Line 23: Strike the reference to PUD Administrative Modifications. The Director is authorized to grant PUD Administrative Modifications, and the decision is appealable to the Planning Commission. This section is referring to final decisions rendered by the Planning Commission which may be appealed to City Council.

Page 30, Line 9: This section refers to the criteria and standards for secondary zoning districts. The RO zoning district is classified as a commercial district, not a residential district. Therefore, it should be grouped with the CO, CRO, and CN zoning districts and not with the residential districts.

Page 32, Line 21: Creates a specific parking standard of 5.27 parking spaces for every 1,000 gross square feet for fitness centers. This is derived from the 4th Edition Parking Generation Manual by the Institute of Transportation Engineers. For ease of use, staff recommends that the standard be rounded down to 5 spaces per 1,000 square feet or 1 space per 200 square

feet.

Page 33, Line 3: This specifies what type of relief may be granted through an Administrative Deviation. Staff recommends that administrative deviations to reduce lot size and lot width for residential use be limited to a maximum of two dwellings and/or two contiguous lots in order to prevent the administrative deviation process from being used to circumvent the rezoning process.

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2017-318**

5 AN ORDINANCE AMENDING CHAPTER 656, (ZONING
6 CODE), PART 1 (GENERAL PROVISIONS), SUBPART A
7 (BASIC PROVISIONS), SECTIONS 656.101,
8 (DEFINITIONS) AND 656.102 (TITLE), ORDINANCE
9 CODE, IN ORDER TO EXPAND TYPES OF REQUESTS
10 AVAILABLE FOR ADMINISTRATIVE DEVIATIONS AND
11 CORRECT ERRORS; AMENDING CHAPTER 656 (ZONING
12 CODE), PART 1 (GENERAL PROVISIONS), SUBPART B
13 (ADMINISTRATION) SECTION 656.109
14 (ADMINISTRATION AND ENFORCEMENT;
15 INTERPRETATION OF ZONING CODE; ADMINISTRATIVE
16 DEVIATIONS), ORDINANCE CODE, TO ALLOW
17 DELEGATION OF AUTHORITY OF ZONING
18 ADMINISTRATOR AND ADD TWO TYPES OF REQUESTS
19 FOR ADMINISTRATIVE DEVIATIONS; AMENDING
20 CHAPTER 656 (ZONING CODE), PART 1 (GENERAL
21 PROVISIONS), SUBPART B (ADMINISTRATION)
22 SECTION B (ADMINISTRATION) SECTION 656.111
23 (VIOLATIONS AND PENALTIES), ORDINANCE CODE, TO
24 CORRECT A TYPOGRAPHICAL ERROR; AMENDING
25 CHAPTER 656 (ZONING CODE), PART 1 (GENERAL
26 PROVISIONS), SUBPART C (PROCEDURES FOR
27 REZONING AND AMENDMENTS TO THE ZONING CODE),
28 SECTION 656.124 (NOTICE OF PUBLIC HEARING BY
29 COUNCIL COMMITTEE AND PUBLIC MEETING OF
30 PLANNING COMMISSION), ORDINANCE CODE, TO
31 STRIKE REFERENCE TO "SPECIAL RELIEF" AND TO

1 CROSS REFERENCE SECTION 656.133; AMENDING
2 CHAPTER 656 (ZONING CODE), PART 1 (GENERAL
3 PROVISIONS), SUBPART C (PROCEDURES FOR
4 REZONING AND AMENDMENTS TO THE ZONING CODE),
5 SECTION 656.126 EXCEPTIONS TO MAILED-NOTICED
6 AND POSTINGS-OF-SIGNS REQUIREMENTS), ORDINANCE
7 CODE, TO CLARIFY THAT THE EXCEPTION TO MAILED
8 NOTICE AND POSTING OF SIGNS IS LIMITED TO
9 LARGE AREAS INVOLVING MANY PROPERTY OWNERS,
10 AND REQUIRING ALTERNATIVE FORMS OF NOTICE;
11 AMENDING CHAPTER 656 (ZONING CODE), PART 1
12 (GENERAL PROVISIONS), SUBPART C (PROCEDURES
13 FOR REZONING AND AMENDMENTS TO THE ZONING
14 CODE), SECTION 656.129 (ADVISORY
15 RECOMMENDATION ON AMENDMENT TO ZONING CODE OR
16 REZONING OF LAND), ORDINANCE CODE, TO CLARIFY
17 PROCEDURES FOR PLANNING COMMISSION; AMENDING
18 CHAPTER 656 (ZONING CODE), PART 1 (GENERAL
19 PROVISIONS), SUBPART C (PROCEDURES FOR
20 REZONING AND AMENDMENTS TO THE ZONING CODE),
21 SECTION 656.130 (SPECIAL NOTICE TO
22 NEIGHBORHOOD ORGANIZATIONS, CPACS, UMBRELLA
23 NEIGHBORHOOD ORGANIZATIONS AND CIVIC
24 ORGANIZATIONS; NEIGHBORHOOD ORGANIZATION
25 PARTICIPATION IN PUBLIC HEARINGS), ORDINANCE
26 CODE, TO CORRECT A TYPOGRAPHICAL ERROR;
27 AMENDING CHAPTER 656 (ZONING CODE), PART 1.
28 (GENERAL PROVISIONS), SUBPART D (ZONING
29 EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS
30 TO FINAL ORDER, APPEALS OF WRITTEN
31 INTERPRETATIONS OF THE DIRECTOR AND APPEALS OF

1 FINAL ORDERS OF THE COMMISSION), SECTION
2 656.134 (AMENDMENT TO THE FINAL ORDER),
3 ORDINANCE CODE, TO EXCLUDE FROM ADMENDMENTS TO
4 FINAL ORDER THE ABILITY TO CHANGE, CORRECT OR
5 ADD A NAME IF THE BUSINESS REQUIRES LICENSURE
6 BY THE STATE OR OTHER GOVERNMENT ENTITY;
7 AMENDING CHAPTER 656 (ZONING CODE), PART 1
8 (GENERAL PROVISIONS), SUBPART D (ZONING
9 EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS
10 TO FINAL ORDER, APPEALS OF WRITTEN
11 INTERPRETATIONS OF THE DIRECTOR AND APPEALS OF
12 FINAL ORDERS OF THE COMMISSION), SECTION
13 656.140 (APPEALS FROM THE DECISIONS OF THE
14 COMMISSION OR DOWNTOWN DEVELOPMENT REVIEW
15 BOARD), ORDINANCE CODE, TO ADD PUD
16 ADMINISTRATIVE MODIFICATIONS AND PUD MINOR
17 MODIFICATIONS AS MATTERS APPEALABLE TO THE
18 CITY COUNCIL; AMENDING CHAPTER 656 (ZONING
19 CODE), PART 1 (GENERAL PROVISIONS), SUBPART D
20 (ZONING EXCEPTIONS, VARIANCES AND WAIVERS,
21 AMENDMENTS TO FINAL ORDER, APPEALS OF WRITTEN
22 INTERPRETATIONS OF THE DIRECTOR AND APPEALS OF
23 FINAL ORDERS OF THE COMMISSION), SECTION
24 656.147 (SCHEDULE OF FEES), ORDINANCE CODE, TO
25 STRIKE LISTING OF FEES AND DIRECT READER TO
26 CITY WEBSITE FOR ALL APPLICATION FEE
27 INFORMATION; AMENDING CHAPTER 656 (ZONING
28 CODE), PART 1 (GENERAL PROVISIONS), SUBPART E
29 (CERTIFICATES OF USE), SECTION 656.152
30 (CERTIFICATE OF USE APPLICATION AND FEE),
31 ORDINANCE CODE, TO DIRECT READER TO CITY

1 WEBSITE FOR APPLICATION FEE INFORMATION;
2 AMENDING CHAPTER 656 (ZONING CODE), PART 2
3 (ZONING ATLAS AND DISTRICT BOUNDARIES),
4 SUBPART A (ESTABLISHMENT OF DISTRICTS, ZONING
5 ATLAS), SECTION 656.202 (ZONING ATLAS),
6 ORDINANCE CODE, TO CORRECT WHERE THE ZONING
7 ATLAS IS DISPLAYED; AMENDING CHAPTER 656
8 (ZONING CODE), PART 3 (SCHEDULE OF DISTRICT
9 REGULATIONS), SUBPART A (COMPREHENSIVE PLAN
10 LAND USE CATEGORIES AND ZONING DISTRICT
11 NOMENCLATURE), SECTION 656.301 (ZONING
12 DISTRICT TYPES), ORDINANCE CODE, TO INCLUDE
13 ALL ZONING DISTRICTS AND REFERENCE SECTIONS IN
14 ZONING CODE; AMENDING CHAPTER 656 (ZONING
15 CODE), PART 3 (SCHEDULE OF DISTRICT
16 REGULATIONS), SUBPART A (COMPREHENSIVE PLAN
17 LAND USE CATEGORIES AND ZONING DISTRICT
18 NOMENCLATURE), SECTION 656.302 (GENERAL
19 CATEGORIZATION OF DISTRICTS), ORDINANCE CODE,
20 TO ADD MISSING ZONING DISTRICTS; AMENDING
21 CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF
22 DISTRICT REGULATIONS), SUBPART C (COMMERCIAL
23 USE CATEGORIES AND ZONING DISTRICTS), SECTION
24 656.313 (COMMUNITY/GENERAL COMMERCIAL
25 CATEGORY), ORDINANCE CODE, TO ADD INDOOR GUN
26 RANGES AS A PERMISSIBLE USE; AMENDING CHAPTER
27 656 (ZONING CODE), PART 3 (SCHEDULE OF
28 DISTRICT REGULATIONS), SUBPART D (INDUSTRIAL
29 USE CATEGORIES AND ZONING DISTRICTS), SECTION
30 656.321 (BUSINESS PARK CATEGORY) AND SECTION
31 656.322 (LIGHT INDUSTRIAL CATEGORY) ORDINANCE

1 CODE, TO ADD FITNESS CENTERS AS A PERMISSIBLE
2 USE; AMENDING CHAPTER 656 (ZONING CODE), PART
3 3 (SCHEDULE OF DISTRICT REGULATIONS), SUBPART
4 G (CRITERIA AND STANDARDS FOR SECONDARY ZONING
5 DISTRICTS), SECTION 656.350 (SUPPLEMENTAL
6 CRITERIA AND STANDARDS FOR SECONDARY ZONING
7 DISTRICTS), ORDINANCE CODE, TO UPDATE
8 REFERENCES TO ZONING DISTRICTS; AMENDING
9 CHAPTER 656 (ZONING CODE), PART 3 (SCHEDULE OF
10 DISTRICT REGULATIONS), SUBPART L (MAYPORT ROAD
11 ZONING OVERLAY AND MAYPORT VILLAGE WORKING
12 WATERFRONT DISTRICT), SECTION 656.397 (MAYPORT
13 VILLAGE WORKING WATERFRONT ZONING DISTRICTS),
14 ORDINANCE CODE, TO UPDATE REFERENCES TO ZONING
15 DISTRICTS; AMENDING CHAPTER 656 (ZONING CODE),
16 PART 4 (SUPPLEMENTARY REGULATIONS), SUBPART A
17 (PERFORMANCE STANDARDS AND DEVELOPMENT
18 CRITERIA), SECTION 656.401 (PERFORMANCE
19 STANDARDS AND DEVELOPMENT CRITERIA),
20 ORDINANCE CODE, TO ALLOW INCREASE IN SIZE OF
21 DAY CARE BY EXCEPTION AND ADD INDOOR GUN
22 RANGES WITH CRITERIA; AMENDING CHAPTER 656
23 (ZONING CODE), PART 6 (OFF-STREET PARKING AND
24 LOADING REGULATIONS), SUBPART A (OFF-STREET
25 PARKING AND LOADING FOR MOTOR VEHICLES),
26 SECTION 656.604 (NUMBER OF OFF-STREET PARKING
27 SPACES REQUIRED), ORDINANCE CODE, TO ADD
28 FITNESS CENTERS; AMENDING CHAPTER 656 (ZONING
29 CODE), PART 16 (DEFINITIONS), SECTION 656.1601
30 (DEFINITIONS), ORDINANCE CODE, TO AMEND
31 DEFINITION OF: "ADMINISTRATIVE DEVIATIONS" TO

1 INCLUDE NEW REQUESTS, "AIRPORT" TO UPDATE
2 NAMES, "CHIEF" TO UPDATE NAME, "COMMERCIAL
3 RETAIL SALES AND SERVICE ESTABLISHMENTS" TO
4 DELETE "NEW OR USED AUTOMOBILES" AND ADD
5 "FITNESS CENTERS", UPDATING STATUTORY
6 REFERENCES AND CORRECTING TYPOGRAPHICAL
7 ERRORS; PROVIDING AN EFFECTIVE DATE.
8

9 WHEREAS, the Land Use and Zoning Committee ("LUZ"), through
10 its Special Committee meetings held prior to each LUZ meeting
11 throughout the 2016-2017 Council year, has been informed of certain
12 non-controversial issues contained in the Zoning Code that need to
13 be revised such as typographical errors, failure to amend all
14 provisions of the Code to maintain consistency with the Florida
15 Statutes as they changed, as well as sections of the Ordinance Code
16 when changes were made, and to add certain uses, or define uses
17 that are similar to uses listed in the Zoning Code that are
18 routinely determined administratively as permitted or permissible;
19 and

20 WHEREAS, LUZ has determined that the revisions to the Zoning
21 Code herein stated should be made; now therefore

22 BE IT ORDAINED by the Council of the City of Jacksonville:

23 Section 1. Amending Section 656.101 (Definitions),
24 Ordinance Code. Section 656.101. (Definitions), Subpart A (Basic
25 Provisions), Part 1. (General Provisions), Chapter 656 (Zoning
26 Code), Ordinance Code, is hereby amended to read as follows:

27 CHAPTER 656. ZONING CODE

28 PART 1. GENERAL PROVISIONS

29 SUBPART A BASIC PROVISIONS

30 Sec. 656.101. Definitions

31 For purposes of Part 1, certain terms and words are defined as

1 follows:

2 (a) *Administrative deviation* means a relaxation of the
3 following Zoning Code requirements: minimum lot area, required
4 yards, decrease in lot width, pursuant to criteria in Sec. 656.109,
5 increase the maximum number of parking spaces allowed so long as
6 the landscaping is not also reduced and a professional study is
7 performed and approved by the Department, minimum number of
8 required off-street parking spaces, minimum landscaping
9 requirements, maximum lot coverage and maximum height of
10 structures, including fences, that the Zoning Administrator is
11 authorized to grant pursuant to the procedures set forth in Section
12 656.109(e) through (j). Requests to modify lot requirements so as
13 to increase the permitted density of multiple-family dwellings are
14 specifically prohibited.

15 (c) *Chief* means the Chief of ~~Comprehensive~~ the Current
16 Planning Division.

17 * * *

18 (f) *Commission* means the Planning Commission or the Downtown
19 Design Review Board ("DDRB"), as the case may be.

20 * * *

21 **Section 2. Amending Section 656.102 (Title), Ordinance**
22 **Code.** Section 656.102 (Title), Subpart A (Basic Provisions), Part
23 1 (General Provisions), Chapter 656 (Zoning Code), *Ordinance Code,*
24 is hereby amended to read as follows:

25 **CHAPTER 656. ZONING CODE**

26 **PART 1. GENERAL PROVISIONS**

27 **SUBPART A BASIC PROVISIONS**

28 * * *

29 **Sec. 656.102. Title**

30 This Chapter, as amended from time to time, shall be known and
31 may be cited as the "Zoning Code."

1 Section 3. Amending Section 656.109 (Administration and
2 Enforcement; Interpretation of Zoning Code; Administrative
3 Deviations), Ordinance Code. Section 656.109 (Administration and
4 Enforcement; Interpretation of Zoning Code; Administrative
5 Deviations), Subpart B (Administration), Part 1 (General
6 Provisions), Chapter 656 (Zoning Code), Ordinance Code, is hereby
7 amended to read as follows:

8 CHAPTER 656. ZONING CODE

9 PART 1. GENERAL PROVISIONS

10 * * *

11 SUBPART B ADMINISTRATION

12 * * *

13 Sec. 656.109. Administration and Enforcement; Interpretation
14 of Zoning Code; Administrative Deviations

15 * * *

16 (d) The Zoning Administrator, or if absent, as designated by
17 the Director, is authorized to grant administrative deviations to
18 do the following:

- 19 (1) reduce minimum lot area and required yards,
20 (2) reduce the minimum number of required off-street
21 parking spaces,
22 (3) reduce the minimum landscaping requirements,
23 (4) increase the maximum lot coverage,
24 (5) adjust areas of situational compatibility buffer
25 requirements, set forth in Section 656.399.19,
26 (6) adjust required driveway aisle widths, ~~to~~
27 (7) increase the allowable maximum height of structures,
28 including fences, and ~~to~~
29 (8) increase the maximum number of off-street parking
30 spaces- so long as the landscaping is not also reduced and a
31 professional study indicating that more spaces are warranted

1 is performed and approved by the Department, and

2 (9) decrease lot width so long as at least 80% of the
3 existing context development pattern is similar.

4 * * *

5 Section 4. Amending Section 656.111 (Violations and
6 Penalties), Ordinance Code. Section 656.111 (Violations and
7 Penalties), Subpart B (Administration), Part 1 (General
8 Provisions), Chapter 656 (Zoning Code), Ordinance Code, is hereby
9 amended to read as follows:

10 CHAPTER 656. ZONING CODE

11 PART 1. GENERAL PROVISIONS

12 * * *

13 SUBPART B ADMINISTRATION

14 * * *

15 Sec. 656.111. Violations and Penalties

16 (a) It shall be a civil infraction for any person to commit
17 any violation set forth in this ~~Section~~Chapter.

18 * * *

19 Section 5. Amending Section 656.124 (Notice of Public
20 Hearing by Council Committee and Public Meeting of Planning
21 Commission), Ordinance Code. Section 656.124 (Notice of Public
22 Hearing by Council Committee and Public Meeting of Planning
23 Commission), Subpart C (Procedures For Rezoning And Amendments To
24 The Zoning Code), Part 1 (General Provisions), Chapter 656 (Zoning
25 Code), Ordinance Code, is hereby amended to read as follows:

26 CHAPTER 656. ZONING CODE

27 PART 1. GENERAL PROVISIONS

28 * * *

29 SUBPART C PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE

30 * * *

31 Sec. 656.124. Notice of Public Hearing by Council Committee

1 and Public Meeting of Planning Commission

2 * * *

3 (e) In the event an ordinance for ~~special relief from~~ or a
4 waiver of the provisions of the Zoning Code is introduced into
5 the Council and such ordinance has the effect of waiving a
6 provision of the Zoning Code as it affects a specific parcel
7 of property, then the public hearing requirements of Section
8 656.123 and the notice requirements of subsection (c) of this
9 Section shall apply to that ordinance. See also Section
10 656.133, Ordinance Code.

11 * * *

12 Section 6. Amending Section 656.126 (Exceptions to
13 mailed-notice and posting-of-signs Requirements), Ordinance Code.
14 Section 656.126 (Exceptions to mailed-notice and posting-of-signs
15 requirements), Subpart C (Procedures For Rezoning And Amendments To
16 The Zoning Code), Part 1 (General Provisions), Chapter 656 (Zoning
17 Code), Ordinance Code, is hereby amended to read as follows:

18 CHAPTER 656. ZONING CODE

19 * * *

20 PART 1. GENERAL PROVISIONS

21 * * *

22 SUBPART C PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE

23 * * *

24 Sec. 656.126. Exceptions to mailed-notice and postings-of-
25 signs Requirements

26 Except as otherwise provided by law, whenever a member of the
27 Council initiates the rezoning of a large area of land, which may
28 include a large number of property owners, by the introduction of
29 an ordinance for this purpose, the provisions of Section 656.124
30 relating to a mailed notice and the posting of signs may be waived
31 in whole or in part by the affirmative votes of two-thirds of the

1 entire council when the notification and posting is deemed to be
2 unnecessary or impracticable due to the large area to be rezoned
3 and the amount of properties involved. If such is the case, an
4 alternative form of notice, adequate to inform all property owners,
5 shall be instituted.

6 Section 7. Amending Section 656.129 (Advisory
7 recommendation on amendment to Zoning Code or rezoning of land),
8 Ordinance Code. Section 656.129 (Advisory recommendation on
9 amendment to Zoning Code or rezoning of land), Subpart C
10 (Procedures For Rezoning And Amendments To The Zoning Code), Part 1
11 (General Provisions), Chapter 656 (Zoning Code), Ordinance Code, is
12 hereby amended to read as follows:

13 CHAPTER 656. ZONING CODE

14 PART 1. GENERAL PROVISIONS

15 * * *

16 SUBPART C PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE

17 * * *

18 Sec. 656.129. Advisory recommendation on amendment to Zoning
19 Code or rezoning of land

20 * * *

21 (a) The Department shall be responsible for making an advisory
22 recommendation to the Commission and the Council with respect
23 to each proposal to amend the Zoning Code or to rezone land
24 for any purpose. The Commission shall be responsible for
25 reviewing and making an advisory recommendation to the Council
26 with respect to each proposal to amend the Zoning Code or
27 rezone land. ~~The Department shall be responsible for making an~~
28 ~~advisory recommendation to the Council with respect to each~~
29 ~~proposal to amend the Zoning Code or to rezone land for any~~
30 ~~purpose.~~ The recommendation shall be made to the appropriate
31 committee of the Council and shall become a part of the

1 official record of the proposal and the committee of reference
2 shall not render its recommendation to the Council unless and
3 until the recommendation of the Commission and the Department
4 have been received. The Commission is not required to hold a
5 public hearing in connection with the review of the proposal
6 or the preparation, review and transmission of a
7 recommendation under this Section. The Department shall
8 provide technical assistance to the committee during its
9 consideration of a proposal, as may be required by the
10 committee.

11 * * *

12 (c) Time for Recommendation

13 (1) Unless a longer time is mutually agreed upon by the
14 Council, the Commission and the Department in the particular
15 case, or the Commission does not submit a recommendation to
16 the appropriate committee of Council due to a delay described
17 in (b) above, the Commission and the Department shall submit
18 their respective reports and recommendations to the Council in
19 not more than 63 days from the date a proposed amendment to
20 the Zoning Code is introduced into City Council.

21 ~~(2) Unless the Commission does not submit a~~
22 ~~recommendation to the appropriate committee of Council due to~~
23 ~~a delay described in (b) above, if~~ If the Commission or the
24 Department fails to submit its report and recommendation to
25 the Council within the above prescribed time, such failure
26 shall be deemed to be a recommendation for denial of the
27 amendment to the Zoning Code or of the proposal to rezone land
28 and the Council may proceed to act on the amendment to the
29 Zoning Code or proposal to rezone land. The reports and
30 recommendations of the Commission and the Department shall be
31 advisory only and shall not be construed to be binding upon

1 the Council. If the Commission does not submit a
2 recommendation to the appropriate committee of Council due to
3 a delay caused by the applicant's failure to post and document
4 the posting of signs described in (b) above, the appropriate
5 committee of Council shall delay the hearing on the zoning
6 application until the applicant has submitted the pictures of
7 the posted or reposted signs, if necessary, and the
8 accompanying notarized affidavit and the Planning Commission
9 has submitted a recommendation.

10 * * *

11 Section 8. Amending Section 656.130 (Special notice to
12 neighborhood organizations, CPACs, umbrella neighborhood
13 organizations and civic organizations; neighborhood organization
14 participation in public hearings), Ordinance Code. Section 656.130
15 (Special notice to neighborhood organizations, CPACs, umbrella
16 neighborhood organizations and civic organizations; neighborhood
17 organization participation in public hearings), Subpart C
18 (Procedures For Rezoning And Amendments To The Zoning Code), Part 1
19 (General Provisions), Chapter 656 (Zoning Code), Ordinance Code, is
20 hereby amended to read as follows:

21 CHAPTER 656. ZONING CODE

22 PART 1. GENERAL PROVISIONS

23 * * *

24 SUBPART C PROCEDURES FOR REZONING AND AMENDMENTS TO THE ZONING CODE

25 * * *

26 Sec. 656.130. Special notice to neighborhood organizations,
27 CPACs, umbrella neighborhood organizations and civic organizations;
28 neighborhood organization participation in public hearings

29 * * *

30 (c) Notice of a time and place of a public hearing which is
31 required to be held by the Council, the appropriate committee

1 of the Council, the Planning Commission or the Downtown
2 Development Review Board, as the case may be, with respect to
3 any type of land use action specified above shall be provided
4 at least 14 days in advance to any registered neighborhood
5 organizations which serve a neighborhood area located ~~more~~
6 ~~than~~ within 350 feet ~~from~~ of the land which is the subject of
7 the application, the Citizens Planning Advisory Committees
8 ("CPACs") in the affected area and any "umbrella" neighborhood
9 organizations or civic organizations if those organizations
10 have filed a written request with the City for notification
11 concerning one or more of those types of applications within a
12 specific defined geographic area. Notice received pursuant to
13 this Section 656.130(c) shall not confer "affected party
14 status" upon the recipient of such notice, although any of
15 these organizations, except CPACs, may file a request for a
16 determination of affected party status under Council Rule
17 6.302 for those matters which are pending before the Council.
18 The failure of a neighborhood organization, CPAC or other
19 organization required to be notified under this Section shall
20 not invalidate or otherwise have any effect upon a public
21 hearing or action taken by the committee or the Council on the
22 application for rezoning.

23 * * *

24 **Section 9. Amending Section 656.134 (Amendments to Final**
25 **Order), Ordinance Code.** Section 656.134 (Amendments to Final
26 Order), Subpart D (Zoning Exceptions, Variances And Waivers,
27 Amendments To Final Order, Appeals Of Written Interpretations Of
28 The Director And Appeals Of Final Orders Of The Commission), Part 1
29 (General Provisions), Chapter 656 (Zoning Code), *Ordinance Code*, is
30 hereby amended to read as follows:

31 **CHAPTER 656. ZONING CODE**

1 licensure by the State or other government entity;

2 * * *

3 Section 10. Amending Section 656.140 (Appeals from the
4 decisions of the Commission or Downtown Development Review Board),
5 Ordinance Code. Section 656.140 (Appeals from the decisions of the
6 Commission or Downtown Development Review Board), Subpart D (Zoning
7 Exceptions, Variances And Waivers, Amendments To Final Order,
8 Appeals Of Written Interpretations Of The Director And Appeals Of
9 Final Orders Of The Commission), Part 1 (General Provisions),
10 Chapter 656 (Zoning Code), Ordinance Code, is hereby amended to
11 read as follows:

12 CHAPTER 656. ZONING CODE

13 PART 1. GENERAL PROVISIONS

14 * * *

15 SUBPART D ZONING EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS TO
16 FINAL ORDER, APPEALS OF WRITTEN INTERPRETATIONS OF THE DIRECTOR AND
17 APPEALS OF FINAL ORDERS OF THE COMMISSION

18 * * *

19 Sec. 656.140 Appeals from the decisions of the Commission or
20 Downtown Development Review Board

21 The following may appeal any final decision or order of the
22 Commission or Downtown Development Review Board with respect to an
23 application for zoning exception, variance, PUD administrative
24 modification, PUD minor modification, or waiver to the Council:

25 * * *

26 Section 11. Amending Section 656.147 (Schedule of Fees),
27 Ordinance Code. Section 656.147 (Schedule of Fees), Subpart D
28 (Zoning Exceptions, Variances And Waivers, Amendments To Final
29 Order, Appeals Of Written Interpretations Of The Director And
30 Appeals Of Final Orders Of The Commission), Part 1 (General
31 Provisions), Chapter 656 (Zoning Code), Ordinance Code, is hereby

1 amended to read as follows:

2 CHAPTER 656. ZONING CODE

3 PART 1. GENERAL PROVISIONS

4 * * *

5 SUBPART D ZONING EXCEPTIONS, VARIANCES AND WAIVERS, AMENDMENTS TO
6 FINAL ORDER, APPEALS OF WRITTEN INTERPRETATIONS OF THE DIRECTOR AND
7 APPEALS OF FINAL ORDERS OF THE COMMISSION

8 * * *

9 Sec. 656.147. Schedule of Fees

10 * * *

11 (a) The following schedule of fees shall ~~apply~~ is posted on
12 www.coj.net. A receipt from the Tax Collector showing payment
13 of the applicable fee shall accompany an application prior to
14 consideration thereof. The fees shall include neither the cost
15 of a required advertisement, which shall be placed and paid
16 for by the applicant, nor the cost of notification, which cost
17 shall be \$7 for each notification and shall be paid by the
18 applicant to the City. The fees ~~contained within this Section~~
19 are subject to the Annual Review of Fees provision found in
20 Section 106.112, Ordinance Code.

21 ~~(1) Application for rezoning \$2,000~~

22 ~~Plus \$10 per acre or part thereof up to a maximum of \$15,000 for~~
23 ~~the combined base and acreage filing fees.~~

24 ~~(2) Application for zoning exception relative to property~~
25 ~~which is commercially or industrially zoned 700~~

26 ~~(3) Application for zoning exception relative to property~~
27 ~~which is commercially or industrially zoned, which is filed~~
28 ~~subsequent to the issuance of a notice of violation and where~~
29 ~~the use has not been brought into compliance with the Zoning~~
30 ~~Code prior to filing such application 1,400~~

31 ~~(4) Application for zoning exception relative to property~~

1 ~~which is residentially zoned or within a miscellaneous zoning~~
2 ~~district 500~~

3 ~~(5) Application for zoning exception relative to property~~
4 ~~which is residentially or agriculturally zoned, which is filed~~
5 ~~subsequent to the issuance of a notice of violation and where~~
6 ~~the use has not been brought into compliance with the Zoning~~
7 ~~Code prior to filing such application 1,000~~

8 ~~(6) Planned Unit Development (PUD) Application for~~
9 ~~rezoning to planned unit development (PUD) \$2,000~~

10 ~~Plus \$10 per acre or part thereof up to a maximum of \$15,000 for~~
11 ~~the combined base and filing fees.~~

12 ~~(7) Application for zoning variance or waiver relative to~~
13 ~~property which is commercially or industrially zoned 700~~

14 ~~(8) Application for zoning variance or waiver relative to~~
15 ~~property which is commercially or industrially zoned, which is~~
16 ~~filed subsequent to the issuance of a notice of violation and~~
17 ~~where the use has not been brought into compliance with the~~
18 ~~Zoning Code prior to filing such application 1,400~~

19 ~~(9) Application for zoning variance or waiver relative to~~
20 ~~property which is residentially zoned or within a~~
21 ~~miscellaneous zoning district 500~~

22 ~~(10) Application for zoning variance or waiver relative~~
23 ~~to property which is residentially or agriculturally zoned,~~
24 ~~which is filed subsequent to the issuance of a notice of~~
25 ~~violation and where the use has not been brought into~~
26 ~~compliance with the Zoning Code prior to filing such~~
27 ~~application 1,000~~

28 ~~(11) An application for administrative~~
29 ~~deviation/residential 350~~

30 ~~Administrative deviation/commercial 550~~

31 ~~Appeal of administrative deviation 500~~

- 1 ~~(12) An application for written interpretation 400~~
- 2 ~~Appeal of written interpretation of Director 500~~
- 3 ~~(13) An application for amendment to final order of the~~
- 4 ~~Commission or Downtown Development Review Board 75~~
- 5 ~~(14) An application for a non-multi phase Downtown Design~~
- 6 ~~Review Board design review 750~~
- 7 ~~{Projects deemed "Staff Review Only" no charge}~~
- 8 ~~(15) An application for a multi phase Downtown Design~~
- 9 ~~Review Board design review 1,500~~
- 10 ~~(16) An application for density/intensity bonus credits~~
- 11 ~~..... 100~~
- 12 ~~(17) An application for minor modification to a planned~~
- 13 ~~unit development (PUD) 1,000~~
- 14 ~~(18) Filing fee for notice of appeal to City Council,~~
- 15 ~~plus \$7 for each required notification 550~~
- 16 ~~(19) Application for review of a new development of~~
- 17 ~~regional impact 15,000~~
- 18 ~~(20) Application for a new notice of proposed change to~~
- 19 ~~an existing development of regional impact 3,000~~
- 20 ~~(21) A review of preliminary site and engineering plans~~
- 21 ~~(A) Subdivision 300~~
- 22 ~~(B) Non Subdivision 250~~
- 23 ~~(22) Certification of applicable zoning letter 50~~
- 24 ~~(23) Public food service establishment outside patrons~~
- 25 ~~dog permit (Sec. 165.102(e)) 250~~

* * *

27 Section 12. Amending Section 656.152 (Certificate of Use
 28 Application and Fee), Ordinance Code. Section 656.152 (Certificate
 29 of Use Application and Fee), Subpart E (Certificates Of Use), Part
 30 1 (General Provisions), Chapter 656 (Zoning Code), Ordinance Code,
 31 is hereby amended to read as follows:

1 CHAPTER 656. ZONING CODE

2 PART 1. GENERAL PROVISIONS

3 * * *

4 SUBPART E CERTIFICATES OF USE

5 * * *

6 **Sec. 656.152. Certificate of Use Application and Fee**

7 * * *

8 (b) Except for those certificates of use issued solely for a
9 change in name and/or ownership, the fee for a certificate of
10 use is \$100. An applicant for a certificate of use shall pay
11 the fee to the Department upon receipt of the certificate of
12 use. The fee for certificates of use issued for a change in
13 name and/or ownership shall be ~~\$50. The fees contained within~~
14 ~~this Section~~ are is found on line at www.coj.net and subject
15 to the Annual Review of Fees provision found in Section
16 106.112, Ordinance Code.

17 * * *

18 **Section 13. Amending Section 656.202 (Zoning Atlas),**
19 **Ordinance Code. Section 656.202 (Zoning Atlas), Subpart A**
20 **(Establishment Of Districts, Zoning Atlas), Part 2 (Zoning Atlas**
21 **And District Boundaries), Chapter 656 (Zoning Code), Ordinance**
22 **Code, is hereby amended to read as follows:**

23 CHAPTER 656. ZONING CODE

24 * * *

25 PART 2. ZONING ATLAS AND DISTRICT BOUNDARIES

26 SUBPART A ESTABLISHMENT OF DISTRICTS, ZONING ATLAS

27 * * *

28 **Sec. 656.202. Zoning Atlas**

29 The Zoning Atlas of the City, together with all lawfully
30 adopted explanatory material shown thereon or therewith, is hereby
31 adopted by reference and made a part of the Zoning Code. A

1 reproducible copy of the Zoning Atlas shall be maintained in the
 2 Department by the Director, or his designee, who is authorized to
 3 determine the current zoning status of a parcel of land from this
 4 copy of the Zoning Atlas, as it may be amended from time to time
 5 pursuant to Section 656.203. Copies of the Zoning Atlas shall be
 6 kept on public display in the offices of ~~the Property Safety and~~
 7 ~~Zoning Inspection Division~~ and the Planning and Development
 8 Department and on line at www.coj.net.

9 * * *

10 Section 14. Amending Section 656.301 (Zoning District
 11 Titles), Ordinance Code. Section 656.301 (Zoning District Titles),
 12 Subpart A (Comprehensive Plan Land Use Categories And Zoning
 13 District Nomenclature), Part 3 (Schedule Of District Regulations),
 14 Chapter 656 (Zoning Code), Ordinance Code, is hereby amended to
 15 read as follows:

16 CHAPTER 656. ZONING CODE

17 * * *

18 PART 3. SCHEDULE OF DISTRICT REGULATIONS

19 SUBPART A COMPREHENSIVE PLAN LAND USE CATEGORIES AND ZONING

20 DISTRICT NOMENCLATURE

21 * * *

22 Sec. 656.301. Zoning District Titles

23 District titles and ~~phrases~~ sections in this Zoning Code where
 24 the information pertinent to these titles may be found are included
 25 in this Part, with the ~~titles~~ of abbreviations of the titles as
 26 indicated:

27

RR- Aere	Residential	Rural/Low Density
RLD- 120	Residential	Rural/Low Density

RLD-100A	Residential	Rural/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/ Medium Density
RLD-50	Residential	Low/ Medium Density
RLD-40	Residential	Low/ Medium Density
RLD-TND	Residential	Low/ Medium Density
RLD-TNH	Residential	Low/ Medium Density
RMD-A	Residential	Medium Density
RMD-B	Residential	Medium Density
RMD-C	Residential	Medium Density
RMD-D	Residential	Medium/ High Density; Residential Professional Institutional
RMD-MH	Residential	Medium Density
RHD-A	Residential	High Density
RHD-B	Residential	High Density
CO	Commercial	Residential Professional Institutional/Office Neighborhood Commercial
CRO	Commercial	Residential Office
CN	Commercial	Neighborhood
CCG-1	Commercial	Community/General
CCG-2	Commercial	Community/General
CCBD	Commercial	Central Business District

RO	Residential Office	Residential Office
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
PBF 3	Public Buildings and Facilities	Public and Private
CSV	Conservation	
ROS	Recreation/Open Space	
PUD	Planned Unit Development	
PUD-SC	Planned Unit Development Satellite	

1

Abbrev.	Zoning District	Section
RR-Acre	Rural Residential-Acre	Section 656.304
RLD-120	Residential Low Density-120	Section 656.305
RLD-100A	Residential Low Density-100A	Section 656.305
RLD-100B	Residential Low Density-100B	Section 656.305
RLD-90	Residential Low Density-90	Section 656.305
RLD-80	Residential Low Density-80	Section 656.305
RLD-70	Residential Low Density-70	Section 656.305
RLD-60	Residential Low Density-60	Section 656.305
RLD-50	Residential Low Density-50	Section 656.305
RLD-40	Residential Low Density-40	Section 656.305

RLD-TND	Residential Low Density-TND	Section 656.305
RLD-TNH	Residential Low Density-TNH	Section 656.305 & Section 656.414
RMD-A	Residential Medium Density-A	Section 656.306
RMD-B	Residential Medium Density-B	Section 656.306
RMD-C	Residential Medium Density-C	Section 656.306
RMD-D	Residential, Medium Density-D	Section 656.306
RMD-MH	Residential Medium Density-MH	Section 656.306
RHD-A	Residential High Density-A	Section 656.307
RHD-B	Residential High Density-B	Section 656.307
CO	Commercial Office	Section 656.311
CRO	Commercial Residential and Office	Section 656.311
CN	Commercial Neighborhood	Section 656.312
CCG-1	Commercial Community/General-1	Section 656.313
CCG-2	Commercial Community/General-2	Section 656.313
CCBD	Commercial Central Business District	Section 656.315
RO	Residential Office	Section 656.311
IBP	Industrial Business Park	Section 656.321
IL	Industrial Light	Section 656.322
IH	Industrial Heavy	Section 656.323
IW	Industrial Water	Section 656.324
AGR	Agriculture	Section 656.331
PBF-1	Public Buildings and Facilities-1	Section 656.332
PBF-2	Public Buildings and Facilities-2	Section 656.332
PBF-3	Public Buildings and Facilities-3	Section 656.332
CSV	Conservation	Section 656.333
ROS	Recreation and Open Space	Section 656.334
PUD	Planned Unit Development	Section 656.340
PUD-SC	Planned Unit Development-Satellite	Section 656.343

	<u>Community</u>	
RMD-S	Residential Medium Density-Springfield	Section 656.368
CRO-S	<u>Commercial, Residential and Office-Springfield</u>	<u>Section 656.368</u>
CN-S	Commercial Neighborhood Springfield	Section 656.368
CCG-S	<u>Commercial Community/General-Springfield</u>	Section 656.368
CCG-2-M	<u>Mayport Village Commercial</u>	<u>Section 656.397</u>
CCG-1-M	<u>Mayport Village Light Commercial</u>	<u>Section 656.397</u>
PBF-M	<u>Mayport Public Buildings and Facilities</u>	<u>Section 656.397</u>
ROS-M	<u>Mayport Public Parks and Open Space</u>	<u>Section 656.397</u>
RLD-M	<u>Mayport Village Residential</u>	<u>Section 656.397</u>

* * *

Section 15. Amending Section 656.302 (General Categorization of Districts), Ordinance Code. Section 656.302 (General Categorization of Districts), Subpart A (Comprehensive Plan Land Use Categories And Zoning District Nomenclature), 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 A COMPREHENSIVE PLAN LAND USE CATEGORIES AND ZONING

DISTRICT NOMENCLATURE

* * *

Sec. 656.302 General Categorization of Districts

* * *

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

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

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

11 * * *

12 Section 16. Amending Section 656.313 (Community/General
13 Commercial Category), Ordinance Code. Section 313
14 (Community/General Commercial Category), Subpart C (Commercial Use
15 Categories And Zoning Districts), Part 3 (Schedule Of District
16 Regulations), Chapter 656 (Zoning Code), Ordinance Code, is hereby
17 amended to read as follows:

18 CHAPTER 656. ZONING CODE

19 * * *

20 PART 3. SCHEDULE OF DISTRICT REGULATIONS

21 * * *

22 SUBPART C COMMERCIAL USE CATEGORIES AND ZONING DISTRICTS

23 * * *

24 Sec. 656.313. Community/General Commercial Category

25 * * *

26 A. Primary zoning districts.

27 * * *

28 IV. Commercial Community/General-1 (CCG-1) District.

29 * * *

30 (c) Permissible uses by exception.

31 (1) An establishment or facility which includes the

1 retail sale and service of all alcoholic beverages including
2 liquor, beer or wine for on-premises consumption or off-
3 premises consumption or both.

4 * * *

5 (17) Dancing entertainment establishments serving
6 alcohol. This provision shall not supersede any other
7 approvals or requirements for such use found elsewhere in this
8 Chapter or elsewhere in the Ordinance Code.

9 (18) Nightclubs.

10 (19) Indoor gun ranges meeting the performance standards
11 and development criteria set forth in Part 4.

12 * * *

13 V. Commercial Community/General-2 (CCG-2) District.

14 * * *

15 (c) Permissible uses by exception.

16 (1) Residential treatment facilities or emergency
17 shelter.

18 (2) Rescue missions.

19 (3) Day labor pools.

20 * * *

21 (13) An establishment or facility which includes the
22 retail sale of all alcoholic beverages, not in conjunction
23 with a restaurant, including liquor, beer or wine for on-
24 premises consumption.

25 (14) Manual car wash.

26 (15) Indoor gun ranges meeting the performance standards
27 and development criteria set forth in Part 4.

28 * * *

29 Section 17. Amending Section 656.321 (Business Park
30 Category), Section 656.321 (Business Park Category), Subpart D,
31 (Industrial Use Categories And Zoning Districts), Part 3 (Schedule

1 Of District Regulations), Chapter 656 (Zoning Code), Ordinance
2 Code, is hereby amended to read as follows:

3 CHAPTER 656. ZONING CODE

4 * * *

5 PART 3. SCHEDULE OF DISTRICT REGULATIONS

6 * * *

7 SUBPART D INDUSTRIAL USE CATEGORIES AND ZONING DISTRICTS

8 * * *

9 Sec. 656.321. Business Park Category

10 * * *

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

13 * * *

14 I. *Industrial Business Park (IBP) District.*

15 (c) *Permissible uses by exception.*

16 * * *

17 (16) Fitness centers.

18 * * *

19 Section 18. Amending Section 656.322 (Light Industrial
20 Category), Section 656.322 (Light Industrial Category), Subpart D,
21 (Industrial Use Categories And Zoning Districts), Part 3 (Schedule
22 Of District Regulations), Chapter 656 (Zoning Code), Ordinance
23 Code, is hereby amended to read as follows:

24 CHAPTER 656. ZONING CODE

25 * * *

26 PART 3. SCHEDULE OF DISTRICT REGULATIONS

27 * * *

28 SUBPART D INDUSTRIAL USE CATEGORIES AND ZONING DISTRICTS

29 * * *

30 Sec. 656.322. Light Industrial Category

31 * * *

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

3 * * *

4 II. Industrial Light (IL) District.

5 (c) *Permissible uses by exception.*

6 * * *

7 (25) Fitness centers.

8 * * *

9 Section 19. Amending Section 656.350, (Supplementation
10 Criteria and Standards for Secondary Zoning Districts), Ordinance
11 Code. Section 656.350 (Supplementation Criteria And Standards For
12 Secondary Zoning Districts), Subpart G (Criteria And Standards For
13 Secondary Zoning Districts), Part 3 (Schedule Of District
14 Regulations), Chapter 656 (Zoning Code), Ordinance Code, is hereby
15 amended to read as follows:

16 CHAPTER 656. ZONING CODE

17 * * *

18 PART 3. SCHEDULE OF DISTRICT REGULATIONS

19 * * *

20 SUBPART G CRITERIA AND STANDARDS FOR SECONDARY ZONING DISTRICTS

21 * * *

22 Sec. 656.350. Supplemental Criteria and Standards for
23 Secondary Zoning Districts

24 Designated secondary zoning districts may be permitted in the
25 land use categories as specified in this Part, provided that the
26 following supplemental criteria and standards are met for certain
27 designated secondary zoning districts, in addition to the zoning
28 district regulations for the same, to the extent that both the
29 permitted uses and permissible uses by exception found in the
30 above-referenced zoning districts are consistent with the ~~2010~~ 2030
31 Comprehensive Plan:

1 (a) AGR District:

2 (1) The minimum lot area shall be five acres.

3 (2) The site shall be located outside the urban area as
4 defined in the Comprehensive Plan.

5 (b) RR-Acre District: There are no additional criteria for
6 this district.

7 (c) ~~RLD A, RLD B, RLD C, RLD D, RLD E, RLD F, RLD G and RLD~~
8 MH RLD-120, RLD-100A, RLD-100B, RLD-90, RLD-80, RLD-70, RLD-60,
9 RLD-50, RLD-40, RLD-TND, RLD-TNH, RO Districts: There are no
10 additional criteria for these districts.

11 (d) RMD-A and RMD-B Districts: There are no additional
12 criteria for these districts.

13 * * *

14 Section 20. Amending Section 656.401 (Performance
15 Standards and Development), Ordinance Code. Section 656.401
16 (Performance Standards and Development Criteria), Part 4,
17 (Performance Standards and Development Criteria), Chapter 656
18 (Zoning Code), Ordinance Code, is hereby amended to read as
19 follows:

20 CHAPTER 656. ZONING CODE

21 * * *

22 PART 4. SUPPLEMENTARY REGULATIONS

23 SUBPART A PERFORMANCE STANDARDS AND DEVELOPMENT CRITERIA

24 Sec. 656.401. Performance Standards and Development Criteria

25 * * *

26 (e) Care centers/day care centers.

27 * * *

28 (3) Child or adult care centers/day care centers in the
29 CO, CRO and CN Zoning Districts shall be limited to a maximum
30 of 150 children or adults as a permitted use, but may be
31 increased through grant of a zoning exception.

1 * * *

2 (o) Off-street parking.

3 (1) Off-street parking lots in the CO, CRO, RO, and CN
4 zoning districts shall be limited to the following criteria:

5 * * *

6 (2) Off-street parking lots in the CCG-1, CCG-2, ~~IBP-~~
7 ~~IBP~~, ~~IBP-2~~, IL, IH and PBF-3 zoning districts shall be
8 limited to the following:

9 (i) The hours of use shall be limited to the hours
10 of 7:00 a.m. to 11:00 p.m.

11 (ii) There shall be no storage, sales or service
12 activity of any kind on these lots.

13 (iii) These parking lots shall be designed to meet
14 the requirements of Part 12 of the Zoning Code (Landscape
15 and Tree Protection Regulations).

16 * * *

17 (mm) Indoor gun ranges.

18 (1) Sound attenuation shall be provided within the
19 structure so that the sound of gunshots is not discernable outside
20 of the structure.

21 **Section 21. Amending Section 656.604 (Number of off-street**
22 **parking spaces required), Ordinance Code.** Section 656.604 (Number
23 of off-street parking spaces required, Subpart A (Off-Street
24 Parking And Loading For Motor Vehicles), Part 6 (Off-Street Parking
25 And Loading Regulations), Chapter 656 (Zoning Code), Ordinance Code
26 is amended to read as follows:

27 **CHAPTER 656. ZONING CODE**

28 * * *

29 **PART 6. OFF-STREET PARKING AND LOADING REGULATIONS**

30 **SUBPART A OFF-STREET PARKING AND LOADING FOR MOTOR VEHICLES**

31 * * *

1 (including camera repair), sporting goods, hobby shops and pet
2 shops, musical instruments, florist or gift shops, delicatessens,
3 bakeries, home furnishing and appliances (including repair
4 incidental to sales), office equipment or furniture antiques,
5 hardware, new automobile parts and accessories (including rebuilt
6 parts), ~~new or used automobiles~~. Service establishments such as
7 Barber or beauty salon, shoe repair, restaurants, interior
8 decorators, athletic clubs, fitness centers, laundromat or dry
9 cleaners, tailors or dressmakers, broadcasting offices and studios,
10 funeral homes, marinas, blueprinting, radio and television repair
11 shops, travel agencies, employment offices but not day labor pools,
12 home equipment rental and similar uses.

13 * * *

14 *Community residential home* means a dwelling unit licensed to
15 serve clients of CFS, which provides a living environment for up to
16 14 residents who operate as the functional equivalent of a family,
17 including such supervision and care by supportive staff as may be
18 necessary to meet the physical, emotional and social needs of the
19 residents. The residents of the community residential home are not
20 to be related to the owner/operator by law, blood, marriage or
21 adoption and shall be limited to those persons defined as
22 "residents" in F.S. § ~~419.001(1)(d)~~419.001(1).

23 * * *

24 *Rural area* means the predominantly undeveloped portions of the
25 City in areas that generally remain unplatted. Development in these
26 areas tends to be at very low densities and intensities, thus
27 creating little demand for community serving supporting uses.
28 Widely spaced roads typify the area, and result in a small number
29 of intersections per square mile. The area of the City not intended
30 to be developed with urban services or at urban densities and
31 intensities during the long range timeframe of the ~~2010~~2030

1 Comprehensive Plan. Most of these areas are shown as Agriculture
2 (A), Recreation (R), Conservation (C) or Public Buildings and
3 Facilities (PF) on the Future Land Use Map (FLUM) series.

4 * * *

5 *Wall sign* means a sign attached to and parallel with a wall,
6 including signs printed or painted on walls.

7 ~~4~~—*Yard* means a required open space, other than a court,
8 unoccupied and unobstructed by a structure or portion of a
9 structure from 30 inches above the general ground level of the
10 graded lot upward; provided, that fences, walls, poles, posts and
11 other customary yard accessories, ornaments and furniture may be
12 permitted in a yard, subject to height limitations and requirements
13 limiting obstruction of visibility. The measurement of the width of
14 a required yard shall be the minimum horizontal distance between
15 the applicable property line and a line parallel to the property
16 line.

17 * * *

18 **Section 23. Effective Date.** This Ordinance shall
19 become effective upon signature by the Mayor or upon becoming
20 effective without the Mayor's signature.

21
22 Form Approved:

23
24 /s/ Susan C. Grandin

25 Office of General Counsel

26 Legislation Prepared By: Susan C. Grandin

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