



Planning and Development Department

Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

MEMORANDUM

TO: Sam E. Mousa, Chairman
Mayors Budget Review Committee

FROM: Kristen D. Reed, Chief *KDR*
Community Planning Division

THRU: William B. Killingsworth, Director *W. Killingsworth*

RE: Ordinance Code Changes

DATE: October 31, 2017

APPROVED BY:
MAYOR'S BUDGET
REVIEW COMMITTEE

DATE NOV 13 2017

The Planning and Development Department, Community Planning Division, respectfully requests approval to amend Chapter 656, Part 3, Subpart P, Ordinance Code. The changes proposed provide consistency with Text Amendment changes to the Future Land Use Element of the 2030 Comprehensive Plan and approved for transmittal for review by the State through Ordinance 2017-349-E. The text amendment modifies Map L-23, the Industrial Preservation Map, to remove certain property from the Industrial Sanctuary. The Ordinance Code change removes the Industrial Overlay Zone maps and in their place references Map L-23, the Industrial Preservation Map of the 2030 Comprehensive Plan Future Land Use Element to identify the boundaries of the Industrial Preservation Overlay Zones.

Additional corrections and clarifications are proposed to Chapter 656, Part 3, Subpart P as described in the attached staff recommendation report and proposed changes to the Ordinance Code.

If you have questions, please contact Kristen D. Reed, Chief of Community Planning Division, at 255-7837.

Attachments: Legislative Fact Sheet
Staff Recommendation Report Dated, October 31, 2017
Proposed Changes-Exhibit 1, Dated October 31, 2017

LEGISLATIVE FACT SHEET

DATE: 10/27/17

BT or RC No: N/A
(Administration & City Council Bills)

SPONSOR: Planning and Development Department/Community Planning Division
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation: _____

Provide Name: Kristen D. Reed, Chief, Community Planning Division

Contact Number: 255-7837

Email Address: KReed@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

The Planning and Development Department, Transportation Planning Division, respectfully proposes Ordinance Code changes to Chapter 656, Part 3, Subpart P, Industrial Sanctuary and Areas of Situational Compatibility Overlay Zones. The changes proposed provide consistency with text amendment changes to the Future Land Use Element of the 2030 Comprehensive Plan that remove certain property from the Industrial Sanctuary. These changes are consistent with text amendment 2017-349-E. Specifically, the Ordinance Code change removes the Industrial Overlay Zone maps and in their place references Map L-23, the Industrial Preservation Map of the 2030 Comprehensive Plan Future Land Use Map. Upon review of the industrial overlay portions of the code, additional corrections and clarifications are proposed to Chapter 656, Part 3, Subpart P. The specific changes to the Ordinance Code are described in the attached staff report and Exhibit to this Legislative Fact Sheet.

APPROPRIATION: Total Amount Appropriated N/A as follows:
 List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____

Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name of City of Jacksonville Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

N/A as to funding. No adverse impact to the City of Jacksonville
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ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Justification of Emergency: If yes, explanation must include detailed nature of emergency.</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Note: If yes, note must include explanation of all-year subfund carryover language.</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.</p>
Contract / Agreement Approval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate RC/BT form(s).</p>
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Related Enacted Ordinances?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.</p>

Ordinance 2017-349-E- Text Amendment to the Future Land Use Element. The text amendment modifies Map L-23, the Industrial Preservation Map, to remove certain property from the Industrial Sanctuary.

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating

Division Chief: Kristen D. Reed
(signature)

Date: 10/30/17

Prepared By: _____
(signature)

Date: _____

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru: William B. Killingsworth, Director, Planning and Development Department
(Name, Job Title, Department)
Phone: 255-7811 E-mail: BillK@coj.net

From: Kristen D. Reed, Chief, Community Planning Division, Planning and Development Department
Initiating Department Representative (Name, Job Title, Department)
Phone: 255-7837 E-mail: KReed@coj.net

Primary Contact: Kristen D. Reed, Chief, Transportation Planning Division, Planning and Development Department
(Name, Job Title, Department)
Phone: 255-7837 E-mail: KReed@coj.net

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480
Phone: 904-630-4647 E-mail: psidman@coj.net

From: _____
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact: _____
(Name, Job Title, Department)
Phone: _____ E-mail: _____

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: Yes No
Boards Action / Resolution? Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

Staff Report on
Proposed City of Jacksonville Ordinance Code Changes
Chapter 656, Part 3, Subpart P

ORDINANCE 2017-???

The proposed revisions to Chapter 656, Part 3, Subpart P, Industrial Sanctuary and Areas of Situational Compatibility Overlay Zones, ordinance code are necessary to provide consistency with text amendment changes to the Future Land Use Element of the 2030 Comprehensive Plan that were approved for transmittal for review by the State through Ordinance 2017-349-E. The text amendment modifies Map L-23, the Industrial Preservation Map, to remove certain property from the Industrial Sanctuary. The ordinance code change removes the Industrial Overlay Zone maps from Chapter 656 and in their place references Map L-23, the Industrial Preservation Map of the 2030 Comprehensive Plan Future Land Use Element. Map L-23 identifies the boundaries of the Industrial Preservation Overlay Zones.

Upon review of the industrial overlay portions of the code, staff also suggests the following corrections and clarifications to Chapter 656, Part 3, Subpart P:

- Modify references to the Comprehensive Plan to be correctly identified as the 2030 Comprehensive Plan;
- Correct Zoning Code cross references within Subpart P to identify the appropriate cross referenced section;
- Clarify procedures for establishing or reducing an industrial overlay zone and the relationship of such changes to the 2030 Comprehensive Plan;
- Remove references to the Industrial Technical Advisory Committee (ITAC) consistent with Ordinances 2011-732-E and 2012-611-E that repealed ITAC; and
- Add titles to the Buffer Standard Matrix Tables 399-1 and 399-2 to clarify application of the buffer requirements.

The Planning and Development Department recommends **APPROVAL** of the ordinance code changes in the attached **EXHIBIT 1** and submitted as **Ordinance 2017-_____**.

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City of Jacksonville Ordinance Code Changes
Chapter 656, Part 3, Subpart P

CHAPTER 656 – ZONING CODE

* * *

PART 3 – SCHEDULE OF DISTRICT REGULATIONS

* * *

**SUBPART P – INDUSTRIAL SANCTUARY AND AREAS OF SITUATIONAL
COMPATIBILITY OVERLAY ZONES**

Section 1. Chapter 656, Part 3, Subpart P is amended as follows:

**SUBPART P. - INDUSTRIAL SANCTUARY AND AREAS OF SITUATIONAL
COMPATIBILITY OVERLAY ZONES**

Sec. 656.399.37. - Legislative findings and intent.

The Council finds and determines that:

- (a) The loss of industrial lands combined with residential intrusion into established industrial areas has created a need to protect existing strategically located industrial lands for future expansion and economic development. Several areas of the City have been identified as being crucial to the long term economic well-being of the City, including property surrounding the Cecil Commerce Center and port related properties along the St. Johns River.
- (b) The Future Land Use Element of the City of Jacksonville ~~2010~~2030 Comprehensive Plan states that "[i]n order to maximize the economic potential of industrial development, and to minimize the adverse impacts on other types of land uses, it is necessary to identify geographic areas suitable for various types of industry based on such factors as the labor force, accessibility to specific modes of transportation, need for expansion, and amenity factors for the labor force."
- (c) The Future Land Use Element of the City of Jacksonville ~~2010~~2030 Comprehensive Plan includes the following policies pertaining to industrial uses:

* * *

Sec. 656.399.38. - Declaration of policy.

Based on the findings made in Section ~~656.399.10~~656.399.37 above, the Council hereby declares it to be the policy of the City to protect and preserve existing industrial areas of the City from premature fragmentation by intrusive residential and commercial uses and promote

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City of Jacksonville Ordinance Code Changes
Chapter 656, Part 3, Subpart P

the expansion of industrial uses in those areas.

* * *

Sec. 656.399.41. - ~~Initial industrial~~Industrial sanctuary overlay zones and areas of situational compatibility overlay zones.

The legal boundaries of the Industrial Sanctuary Overlay Zones and Areas of Situational Compatibility Overlay Zones are as set forth and adopted in Map L-23 of the 2030 Comprehensive Plan Future Land Use Element. ~~the outlined map in Third Revised Exhibit A, [located after Section 656.399.49] attached to the ordinance and hereby adopted as the industrial sanctuary overlay zones and the areas of situational compatibility overlay zones by the Council.~~

Sec. 656.399.42. - Criteria for establishing an industrial sanctuary and area of situational compatibility overlay zone.

- (a) In order for an area to qualify for establishment as an industrial sanctuary overlay zone under this Subpart P, the area shall meet all of the following criteria:
- (1) The industrial sanctuary is located in the Future Land Use Map series of the ~~2010~~2030 Comprehensive Plan designated for industrial use;
 - (2) The industrial sanctuary is presently zoned for industrial use;
 - (3) The industrial sanctuary predominantly consists of industrial uses with only a few incidental supporting commercial uses;
 - (4) The industrial sanctuary may be described by a reasonably delineated boundary line.
 - (5) The industrial sanctuary is an area that is strategically located for future expansion and economic development.
- (b) In order for an area to qualify for establishment as an area of situational compatibility overlay zone under this Subpart P, the area shall meet all of the following criteria:
- (1) The area of situational compatibility is located in the Future Land Use Map series of the ~~2010~~2030 Comprehensive Plan designated for industrial use;
 - (2) The area of situational compatibility is presently zoned for industrial use;
 - (3) The area of situational compatibility consists of industrial uses;
 - (4) The area of situational compatibility may be described by a reasonably delineated boundary line.
 - (5) The area of situational compatibility is an area that may be suitable for industrial uses under certain circumstances.

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Sec. 656.399.43. - Establishment and expansion procedures.

The following procedures shall apply with respect to the establishment or expansion of an industrial sanctuary or area of situational compatibility overlay zone:

(a) *Planning and Development Department.* The Planning and Development Department shall be responsible for recommending or nominating eligible ~~industrial sanctuaries~~ Industrial Sanctuaries or Areas of Situational Compatibility to the Council. The Department shall make its recommendation to Council on each proposed designation in a report to be called Industrial Sanctuary or Area of Situational Compatibility Nomination Report.

The report shall include the following:

- (1) A map showing the proposed boundaries of the industrial sanctuary or area of situational compatibility;
- (2) A descriptive evaluation of how the criteria listed in Section ~~656.399.15~~ 656.399.42 above are met in the area proposed for establishment as an industrial sanctuary or area of situational compatibility;
- (3) A map showing the existing use of each lot in the area;
- (4) A zoning map showing the existing zoning of the proposed industrial sanctuary or area of situational compatibility and all lands within 300 feet of the area;
- (5) A statement describing the recommended boundaries for the industrial sanctuary or area of situational compatibility;
- (6) A list of the names and addresses of all owners and the real estate assessment file numbers of the properties within the boundaries of the proposed industrial sanctuary or area of situational compatibility, and a second similar list for all properties outside but within 300 feet of the industrial sanctuary or area of situational compatibility; and

(b) *City Council action.* Copies of the Industrial Sanctuary or Area of Situational Compatibility Nomination Report shall be forwarded by the Planning and Development Department to the City Council and the Office of General Counsel. The Office of General Counsel shall prepare an ordinance for the proposed establishment of the industrial sanctuary or area of situational compatibility overlay zone pursuant to Chapter 650, Part 4, Ordinance Code for amendments to the text of the Comprehensive Plan. ~~A public meeting shall be held by the Industrial Technical Advisory Committee and the Planning Commission and a public hearing shall be held by the Council to consider the establishment of the proposed industrial sanctuary or area of situational compatibility overlay zone, in the same manner as for a rezoning, pursuant to the notice requirements provided in Subpart C, Part 3, Chapter 656.~~ In addition, the following supplemental notice requirements shall also apply:

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(c) ~~The ordinance approving a proposed industrial sanctuary or area of situational compatibility overlay zone shall include an amendment to Chapter 656, Ordinance Code, incorporating the proposed overlay zoning district~~ *Reserved.*

(d) The Council Secretary shall notify each property owner within the industrial sanctuary or area of situational compatibility of the final action taken by the City Council within 14 days from ~~the effective date enactment~~ of any ordinance ~~approving~~ adopting same, and shall cause the ordinance ~~approving~~ adopting the establishment of the industrial sanctuary or area of situational compatibility overlay zone to be recorded in the official records of Duval County, Florida. The Council Secretary shall also notify the Property Appraiser's Office of the establishment of the overlay zone.

(e) ~~Following Council approval of the industrial sanctuary or area of situational compatibility overlay zone, the Director shall enter the overlay zone on the Zoning Atlas in accordance with Section 656.203.~~ *Reserved.*

Sec. 656.399.44. - Industrial sanctuary overlay zone permitted uses and permissible uses by exception.

(a) In addition to the uses already permitted or permissible in the underlying zoning district, the following uses are all permitted uses in the Industrial Sanctuary Overlay Zone, subject to consistency with the land use plan category.

* * *

(b) In addition to the uses already permissible by exception in the underlying zoning district, the following uses are permissible by exception in the Industrial Sanctuary Overlay Zone, subject to consistency with the land use plan category.

* * *

Sec. 656.399.45. - Industrial sanctuary overlay zone buffer requirements.

(a) Industrial sanctuary overlay zone buffer distance requirements are set forth in Table 399-1 below and are applicable to all properties which have been rezoned or have been the subject of land use changes since June 1, 2007 within an industrial sanctuary overlay zone. The buffer areas may consist of passive recreation, underground utilities, off-street parking spaces and parking garages, stormwater retention, landscaping, visual screening, wetlands and other conservation lands. Public rights-of-way are deemed to satisfy the buffer distance requirements.

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INDUSTRIAL SANCTUARY BUFFER STANDARD MATRIX
 Table 399-1
 Zoning District of property located within an Industrial Sanctuary overlay zone

Proposed LU/Zoning ↓ Change	IW	IH	IL	IBP	CO, CRO	Commercial	RR, RLD	RMD, RHD
IW	0	0	0	LDC	LDC	LDC	LDC	LDC
IH	0	0	0	LDC	LDC	LDC	LDC	LDC
IL	0	0	0	LDC	LDC	LDC	LDC	LDC
IBP	LDC	LDC	LDC	0	LDC	LDC	LDC	LDC
CO, CRO	100'	100'	50'	LDC	0	LDC	LDC	LDC
Commercial	50'	50'	LDC	LDC	LDC	0	LDC	LDC
RR, RLD	300'	300'	200'	50'	LDC	LDC	0	LDC
RMD, RHD	200'	200'	150'	LDC	LDC	LDC	LDC	0

LDC = Refers to existing buffer requirements set forth in Part 12, Chapter 656, Ordinance Code.

Commercial includes those zoning districts listed in Section 656.302(b), except for the CO, and CRO, and RO zoning districts.

RR and RLD includes all RLD zoning districts.

RMD and RHD includes all RMD and RHD zoning districts.

* * *

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Sec. 656.399.46. - Area of situational compatibility overlay zone buffer requirements.

(a) Areas of situational compatibility overlay zone buffer distance requirements are set forth in Table 399-2 below and are applicable to all properties which have been rezoned or have been the subject of land use changes since June 1, 2007 within an area of situational compatibility overlay zone. The buffer areas may consist of passive recreation, underground utilities, off-street parking spaces and parking garages, stormwater retention, landscaping, visual screening, wetlands and other conservation lands. Public rights-of-way are deemed to satisfy the buffer distance requirements.

AREA OF SITUATIONAL COMPATIBILITY BUFFER STANDARD MATRIX
 Table 399-2
 Zoning District of property located within an Area of Situational Compatibility overlay zone

Proposed LU/Zoning ↓ Change	IW	IH	IL	IBP	CO, CRO	Commercial	RR, RLD	RMD, RHD
IW	0	0	LDC	50'	50'	LDC	200'	150'
IH	0	0	LDC	50'	50'	LDC	200'	150'
IL	0	0	0	LDC	LDC	50'	150'	100'
IBP	LDC	LDC	0	0	0	LDC	50'	LDC
CO, CRO	LDC	LDC	0	0	0	LDC	50'	LDC
Commercial	LDC	LDC	LDC	LDC	LDC	0	50'	LDC
RR, RLD	100'	100'	75'	LDC	LDC	50'	0	LDC
RMD, RHD	50'	50'	50'	LDC	LDC	LDC	LDC	0

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LDC = Refers to existing buffer requirements set forth in Part 12, Chapter 656, Ordinance Code.

Commercial includes those zoning districts listed in Section 656.302(b), except for the CO, and CRO, and RO zoning districts.

RR and RLD includes all RLD zoning districts.

RMD and RHD includes all RMD and RHD zoning districts.

* * *

Sec. 656.399.49. - ~~Amendment or rescission of establishment~~Reduction or rescission of overlay zones.

~~The establishment of any industrial sanctuary overlay zone may be amended or rescinded pursuant to the procedure set forth in Section 656.399.16, Ordinance Code. The Planning and Development Department shall be responsible for recommending the reduction or rescission of Industrial Sanctuaries or Areas of Situational Compatibility to the Council. The Department shall make its recommendation to Council on each proposed reduction or rescission in a report to be called Industrial Sanctuary or Area of Situational Compatibility Report. The reduction or rescission of any overlay zone in this Subpart shall be pursuant to the procedures set out in Chapter 650, Part 4, Ordinance Code for amendments to the text of the Comprehensive Plan.~~

Section 2. Directive to Municode. Remove the maps labeled “Third Revised Exhibit A” located after Section 656.399.49.

Section 3. Effective Date.

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