

PLANNING AND DEVELOPMENT DEPARTMENT



March 27, 2014

The Honorable Bill Gulliford, President
and Members of City Council
City Hall
Jacksonville, Florida 32202

Dear Mr. Gulliford and Members of City Council:

**RE: Ordinance 2014-146 (Amends Chapter 656.1601, Adds a definition for through lots in
platted residential subdivisions)**

Pursuant to the provisions of Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning Commission in regular session on March 27, 2014 recommended **approval**.

If there are any questions regarding this matter, please contact the undersigned at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Glick", with a long horizontal flourish extending to the right.

Aaron Glick
City Planner II



REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

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

ORDINANCE 2014-146

AN ORDINANCE CONCERNING THE SUPPLEMENTARY AND MISCELLANEOUS REGULATIONS OF THE ZONING CODE; AMENDING SECTION 656.1601 (DEFINITIONS), PART 16 (DEFINITIONS), CHAPTER 656 (ZONING CODE), ORDINANCE CODE TO CLARIFY THE APPLICABILITY OF THE DEFINITION OF THROUGH LOTS IN THE CONTEXT OF SINGLE FAMILY DWELLING LOTS WHICH MEET CERTAIN CRITERIA; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The bill amends the Zoning Code in Part 16 – Definitions – to revise and clarify the definition of a “through lot” by providing that such a lot with a single family dwelling shall be classified as a corner or interior lot if it has no driveway access to a roadway classified as a collector road or higher and that the single family dwelling faces and has driveway access only on a local road.

II. EVALUATION

A. The need and justification for the change.

Along roadways classified as collector or higher, the common trend for newer residential subdivisions is to construct an entrance road and an internal local roadway network to serve the subdivision. Oftentimes, the subdivision abuts the collector roadway, but access to individual lots backing up to the collector roadway is exclusively from the internal local road. While the homeowners consider the property between the back of their homes and the collector roadway (usually bounded by a fence) to be their back yard, such lots are currently classified as through lots. As such, the front yard setback applies to both the front and the back of the residence. This creates issues when homeowners install improvements in their back yards (such as pools and sheds) which technically encroach into the required front yard setback. This legislation will remedy hundreds of encroachment situations where the homeowner has no intent to use their back yard abutting a collector roadway for anything other than a back yard.

B. Summary of Bill.

A “through lot” is a non-corner lot that has frontage on more than one street. The frontage on multiple streets creates multiple front yards and therefore problems with regulations of such features as fencing and accessory structures (pools, sheds, etc.) that are restricted as to where they can be located in relation to a front yard. This bill provides that if the house on the lot faces a local street and is not accessible from the side facing a non-local street (collector or arterial), then the lot shall be considered an interior lot or a corner lot for purposes of applying zoning regulations.

C. The relationship of the proposed amendment to the Comprehensive Plan and the work of the Department with appropriate consideration as to whether the proposed amendment will further the purposes of the Zoning Code and Comprehensive Plan.

This bill is consistent with Future Land Use Element Policy 1.1.4 which states that 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 described in the Plan Category Descriptions of the Operative Provisions.

D. Consistency with the Comprehensive Plan.

The Comprehensive Plan is essentially silent with regard to this topic, but as previously stated, this bill is consistent with FLUE Policy 1.1.4.

III. RECOMMENDATIONS

The Planning and Development Department recommends that Ordinance 2014-146 be **APPROVED with the following modification:**

A lot developed with a single family dwelling which would otherwise be classified as a through lot, and which meets the following criteria shall not be considered a through lot, but rather shall be classified as a corner or interior lot, as applicable: (i) the lot has **frontage but** no driveway access along the roadway classified as a collector or higher, and (ii) the single family dwelling faces and has driveway access to only the local road.

1 Introduced by the Land Use and Zoning Committee:

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4 **ORDINANCE 2014-146**

5 AN ORDINANCE CONCERNING THE SUPPLEMENTARY AND
6 MISCELLANEOUS REGULATIONS OF THE ZONING CODE;
7 AMENDING SECTION 656.1601 (DEFINITIONS), PART
8 16 (DEFINITIONS), CHAPTER 656 (ZONING CODE),
9 ORDINANCE CODE TO CLARIFY THE APPLICABILITY OF
10 THE DEFINITION OF THROUGH LOTS IN THE CONTEXT
11 OF SINGLE FAMILY DWELLING LOTS WHICH MEET
12 CERTAIN CRITERIA; PROVIDING AN EFFECTIVE DATE.
13

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

15 **Section 1. Section 656.1601 (Definitions), Ordinance Code**
16 **amended.** Section 656.1601 (Definitions), Part 4 (Definitions),
17 Chapter 656 (Zoning Code), Ordinance Code, is hereby amended as
18 follows:

19 **CHAPTER 656**

20 **ZONING CODE**

21 * * *

22 **PART 16**

23 **DEFINITIONS**

24 * * *

25 Sec. 656.1601. Definitions.

26 * * *

27 *Lot types mean:*

28 (1) *Corner lot:* A lot located at the intersection of two or
29 more streets. A lot abutting on a curved street or streets shall be
30 considered a corner lot if straight lines drawn from the foremost
31 points of the side lot lines to the foremost point of the lot meet

1 at an interior angle of less than 135 [degrees]. See lots marked
2 A(1) in Diagram 656-1.

3 (2) *Interior lot*: A lot other than a corner lot with only one
4 frontage on a street.

5 (3) *Through lot*: A lot other than a corner lot with frontage
6 on more than one street. Through lots abutting two streets may be
7 referred to as double frontage lots. A lot developed with a single
8 family dwelling which would otherwise be classified as a through
9 lot, and which meets the following criteria shall not be considered
10 a through lot, but rather shall be classified as a corner or
11 interior lot, as applicable: (i) the lot has no driveway access
12 along the roadway classified as a collector or higher, and (ii) the
13 single family dwelling faces and has driveway access to only the
14 local road.

15 (4) *Reversed frontage lot*: A lot on which the frontage is at
16 right angles or approximately right angles (interior angle of less
17 than 135 [degrees]) to the general pattern in the area. A reversed
18 frontage lot may also be a corner lot (A-D in Diagram 656-1), an
19 interior lot (B-D in Diagram 656-1) or a through lot (C-D in
20 Diagram 656-1).

21 * * *

22 **Section 2. Effective Date.** This ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

25 Form Approved:

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28 Jason R. Gabriel
29 Office of General Counsel

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31 Legislation prepared by: Jason R. Gabriel
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**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2014-146

Introducer/Sponsor(s): LUZ Committee

Date of Introduction: February 25, 2014

Committee(s) of Reference: LUZ

Date of Analysis: February 27, 2014

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends the Zoning Code in Part 16 – Definitions – to revise and clarify the definition of a “through lot” by providing that such a lot with a single family dwelling shall be classified as a corner or interior lot if it has no driveway access to a roadway classified as a collector road or higher and that the single family dwelling faces and has driveway access only on a local road.

Background Information: A “through lot” is a non-corner lot that has frontage on more than one street. The frontage on multiple streets creates multiple front yards and therefore problems with regulations of such features as fencing and accessory structures (pools, sheds, etc.) that are restricted as to where they can be located in relation to a front yard. This bill provides that if the house on the lot faces a local street and is not accessible from the side facing a non-local street (collector or arterial), then the lot shall be considered an interior lot or a corner lot for purposes of applying zoning regulations.

Policy Impact Area: Zoning code

Fiscal Impact: None

Analyst: Clements

