

Introduced by Council Member Morgan:

**ORDINANCE 2022-220-E**

AN ORDINANCE AMENDING SECTION 656.399.62 (CHARACTER AREAS) AND SECTION 656.399.64 (RA/CRA ZONING OVERLAY ADMINISTRATIVE DEVIATIONS), SUBPART S (RENEW ARLINGTON ZONING OVERLAY), PART 3 (SCHEDULE OF DISTRICT REGULATIONS), CHAPTER 656 (ZONING CODE), *ORDINANCE CODE*, TO PROVIDE AUTO SERVICE FACILITIES EXISTING AS OF JULY 1, 2019 THE ABILITY TO APPLY FOR AN ADMINISTRATIVE DEVIATION TO REDUCE LOT AREA; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Section 656.399.60, *Ordinance Code*, existing auto service facilities within the RA/CRA Zoning Overlay boundary are required to be located on one (1) acre lot if the facility is improved to the level of a Major Renovation; and

**WHEREAS**, many of the auto service facilities within the boundary are of a size less than one (1) acre; and

**WHEREAS**, pursuant to Section 656.399.64, *Ordinance Code*, Administrative Deviations to reduce lot size are not available to auto service facilities because they are listed as a High Intensity Use; and

**WHEREAS**, an auto service facility that is undergoing a Major Renovation and meets all the other requirements of the Zoning Overlay and Code should not be penalized if by doing such renovations are an improvement to the Zoning Overlay area; and

**WHEREAS**, it is in the spirit and intent of the Zoning Overlay to encourage Major Renovations of existing businesses, particularly

1 those that renovate to meet the new Zoning Overlay standards, so  
2 there should be a mechanism to apply for an Administrative Deviation  
3 for lot size of High Intensity Uses because the size of the lot may  
4 not be alterable, now, therefore

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

6 **Section 1.** Section 656.399.62 (Character Areas), Subpart S  
7 (Renew Arlington Zoning Overlay), Part 3 (Schedule of District  
8 Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby  
9 amended to read as follows:

10 **CHAPTER 656 - ZONING CODE**

11 \* \* \*

12 **PART 3. - SCHEDULE OF DISTRICT REGULATIONS**

13 \* \* \*

14 **SUBPART S. - RENEW ARLINGTON ZONING OVERLAY**

15 \* \* \*

16 **Sec. 656.399.62.- Character areas.**

17 Given the differing aesthetics within the Redevelopment Area, the  
18 Zoning Overlay consists of five Character Areas. Each has distinct  
19 design guidelines and performance standards. These areas are as  
20 follows:

- 21 A. University Village Character Area  
22 B. University Commercial Character Area  
23 C. Merrill Commercial Character Area  
24 D. Arlington Road Character Area  
25 E. Catalyst Character Areas

26 \* \* \*

27 A. *University Village Character Area Standards.*

28 \* \* \*

29 3. *Design Guidelines.*

30 \* \* \*

31 (f) Landscaping/Landscaped Buffers. Landscaping and tree

1 protection shall be provided in accordance with Part  
2 12 of the Zoning Code with the following additional  
3 and superseding provisions:

4 (1) Uncomplimentary adjacent use Vehicular Use Area  
5 Buffer.

6 (i) For a business existing as of July 1, 2019,  
7 where the Vehicular Use Area (VUA) of a non-  
8 residential property abuts a residential use, a  
9 minimum 85 percent opaque, six-foot high  
10 masonry wall, pre-cast panel, wood or vinyl  
11 fence, or similar, shall be provided on the  
12 side of the non-residential use.

13 (ii) For businesses existing on July 1, 2019, where  
14 a building is adjacent to a residential use, a  
15 minimum 85 percent opaque, six-foot high wood,  
16 stone, brick, vinyl, masonry, pre-cast panel,  
17 or similar fence or wall shall be provided on  
18 the side of the non-residential use.

19 (2) Right-of-way Vehicular Use Area Buffer.

20 (i) A minimum five-foot landscape buffer shall be  
21 provided along the boundary of all non-  
22 residential VUAs abutting public right-of-way.  
23 No more than 25 percent of the landscaped area  
24 may be grass or mulch; the balance shall be  
25 landscaped with trees, shrubs or ground  
26 covers.

27 (3) Lawfully existing landscaping as of July 1, 2019  
28 shall meet the requirements herein by April 28,  
29 2025.

30 (4) Geographically separated parking areas shall be  
31 considered separate for purposes of Vehicular Use  
32

Area buffers and landscaping in the application  
of the Parking Lot Matrix in Part 6 of the Zoning  
Code.

\* \* \*

B. *University Commercial Character Area Standards.*

\* \* \*

3. *Design Guidelines.*

\* \* \*

(e) Landscaping/Landscaped Buffers. Landscaping and tree protection shall be provided in accordance with Part 12 of the Zoning Code with the following additional and superseding provisions:

(1) Uncomplimentary adjacent use Vehicular Use Area Buffer.

(i) For a business existing as of July 1, 2019 where the Vehicular Use Area (VUA) of a non-residential property abuts a residential use, a minimum 85 percent opaque six-foot high masonry wall, pre-cast panel, wood or vinyl fence, or similar, shall be provided on the side of the non-residential use.

(ii) For businesses existing on July 1, 2019, where a building is adjacent to a residential use, a minimum 85 percent opaque, six-foot high wood, stone, brick, vinyl, masonry, pre-cast panel, or similar fence or wall shall be provided on the side of the non-residential use.

(2) Right-of-way Vehicular Use Area Buffer.

(i) Lots fronting any public right-of-way may replace the standard landscape buffer requirement with a minimum four foot landscape

1                   buffer along the boundary of all non-  
2                   residential vehicular use areas abutting public  
3                   right-of-way. No more than 25 percent of the  
4                   landscaped area may be grass or mulch, the  
5                   balance shall be landscaped with trees, shrubs  
6                   or ground covers.

7                   (3) Lawfully existing landscaping as of July 1, 2019  
8                   shall meet the requirements herein by April 28,  
9                   2025.

10                  (4) Geographically separated parking areas shall be  
11                  considered separate for purposes of Vehicular Use  
12                  Area buffers and landscaping in the application of  
13                  the Parking Lot Matrix in Part 6 of the Zoning  
14                  Code.

15                                   \* \* \*

16                  C. *Merrill Commercial Character Area Standards.*

17                                   \* \* \*

18                  3. *Design Guidelines.*

19                                   \* \* \*

20                  (e) Landscaping/Landscaped Buffers. Landscaping and tree  
21                  protection shall be provided in accordance with Part  
22                  12 of the Zoning Code with the following additional  
23                  and superseding provisions:

24                  (1) Uncomplimentary Adjacent Use Vehicular Use Area  
25                  Buffer.

26                  (i) For a business existing as of July 1, 2019,  
27                  where the Vehicular Use Area (VUA) of a non-  
28                  residential property abuts a residential use, a  
29                  minimum 85 percent opaque, six-foot high  
30                  masonry wall, pre-cast panel, wood or vinyl  
31                  fence, or similar, shall be provided on the

side of the non-residential use.

- (ii) For businesses existing on July 1, 2019, where a building is adjacent to a residential use, a minimum 85 percent opaque, six-foot high wood, stone, brick, vinyl, masonry, pre-cast panel, or similar fence or wall shall be provided on the side of the non-residential use.

(2) Right-of-way Vehicular Use Area Buffer.

- (i) Lots fronting Merrill Road may replace the standard landscape buffer requirement with a minimum four foot landscape buffer along the boundary of all non-residential VUAs abutting public right-of-way. No more than 25 percent of the landscaped area may be grass or mulch, the balance shall be landscaped with trees, shrubs or ground covers.

- (3) Lawfully existing landscaping as of July 1, 2019 shall meet the requirements herein by April 28, 2025.

- (4) Geographically separated parking areas shall be considered separate for purposes of Vehicular Use Area buffers and landscaping in the application of the Parking Lot Matrix in Part 6 of the Zoning Code.

\* \* \*

D. *Arlington Road Character Area Standards.*

\* \* \*

3. *Design Guidelines.*

\* \* \*

- (e) Landscaping/Landscaped Buffers. Landscaping and tree protection shall be provided in accordance with Part

12 of the Zoning Code with the following additional and superseding provisions:

(1) Uncomplimentary Adjacent Use Vehicular Use Area Buffer.

(i) For a business existing as of July 1, 2019, where the Vehicular Use Area (VUA) of a non-residential property abuts a residential use, a minimum 85 percent opaque, six-foot high masonry wall, pre-cast panel, wood or vinyl fence, or similar, shall be provided on the side of the non-residential use.

(ii) For businesses existing on July 1, 2019, where a building is adjacent to a residential use, a minimum 85 percent opaque, six-foot high wood, stone, brick, vinyl, masonry, pre-cast panel, or similar fence or wall shall be provided on the side of the non-residential use.

(2) Right-of-way Vehicular Use Area Buffer.

(i) Lots fronting Arlington Road may replace the standard landscape buffer requirement with a minimum four foot landscape buffer along the boundary of all non-residential VUAs abutting public right-of-way. No more than 25 percent of the landscaped area may be grass or mulch, the balance shall be landscaped with trees, shrubs or ground covers.

(3) Lawfully existing landscaping as of July 1, 2019, shall meet the requirements herein by April 28, 2025.

(4) Geographically separated parking areas shall be considered separate for purposes of Vehicular Use

Area buffers and landscaping in the application of  
the Parking Lot Matrix in Part 6 of the Zoning  
Code.

\* \* \*

E. *Catalyst Character Areas Standards.*

\* \* \*

3. *Design Guidelines.*

\* \* \*

(f) Landscaping/Landscaped Buffers. Landscaping and tree protection shall be provided in accordance with Part 12 of the Zoning Code with the following additional and superseding provisions:

(1) Uncomplimentary Adjacent Use Vehicular Use Area Buffer.

(i) For a business existing as of July 1, 2019, where the Vehicular Use Area (VUA) of a non-residential property abuts a residential use, a minimum 85 percent opaque, six-foot high masonry wall, pre-cast panel, wood or vinyl fence, or similar, shall be provided on the side of the non-residential use.

(ii) For businesses existing on July 1, 2019, where a building is adjacent to a residential use, a minimum 85 percent opaque, six-foot high wood, stone, brick, vinyl, masonry, pre-cast panel, or similar fence or wall shall be provided on the side of the non-residential use.

(2) Right-of-way Vehicular Use Area Buffer.

(i) A minimum five-foot landscape buffer shall be provided along the boundary of all non-residential VUAs abutting public right-of-way.

No more than 25 percent of the landscaped area may be grass or mulch; the balance shall be landscaped with trees, shrubs or ground covers.

(3) Lawfully existing landscaping as of July 1, 2019 shall meet the requirements herein by April 28, 2025.

(4) Geographically separated parking areas shall be considered separate for purposes of Vehicular Use Area buffers and landscaping in the application of the Parking Lot Matrix in Part 6 of the Zoning Code.

\* \* \*

**Section 2.** Section 656.399.64 (RA/CRA Zoning Overlay Administrative Deviations), Subpart S (Renew Arlington Zoning Overlay), 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 S. - RENEW ARLINGTON ZONING OVERLAY**

\* \* \*

#### **Sec. 656.399.64.- RA/CRA Zoning Overlay Administrative Deviations.**

A. *Administrative Deviation requests heard by Zoning Administrator.* Pursuant to Sec. 656.101, *Ordinance Code*, an Administrative Deviation may be granted by the Zoning Administrator, after due notice and hearing, for a relaxation of certain Zoning Code requirements. Notwithstanding items for which deviations may be allowed in other areas of Jacksonville, within the Renew Arlington Zoning Overlay, the Zoning Administrator may allow

deviations for the following:

1. Reduce minimum lot area, unless the property is a High Intensity Use as described in this Zoning Overlay; however, if the use is an auto service facility existing as of July 1, 2019, such facility may apply for an Administrative Deviation for lot area. In order to obtain said Deviation, the applicant must show that the facility is in compliance with the other provisions of the Zoning Overlay such as, but not limited to, fencing, landscaping, building placement and screening of stored vehicles;
2. Reduce required yards;
3. Reduce the minimum number of required off-street parking spaces, so long as the landscaping requirements of this Zoning Overlay are fully met;
4. Reduce the minimum landscaping requirements;
5. Increase the maximum lot coverage;
6. Adjust required driveway aisle widths, parking stall dimensions, and allow tandem parking;
7. Consider on-street parking to meet parking requirements;
8. Increase the allowable maximum height of structures, including fences, but not signs;
9. Increase the maximum number of off-street parking spaces so long as the landscaping is not also reduced, and either a professional study indicating that more spaces are warranted is performed and approved by the Department, or the request is consistent with the current edition of the ITE parking Generation Manual; and

\* \* \*

**Section 3. Effective Date.** This ordinance shall become effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.  
2

3 Form Approved:  
4

5           /s/ Susan C. Grandin            
6

7 Office of General Counsel

8 Legislation prepared by: Susan C. Grandin

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