

Introduced by Council Member Diamond and amended by the Land Use and Zoning Committee:

**ORDINANCE 2023-152-E**

AN ORDINANCE AMENDING SECTION 650.105 (DEFINITIONS), PART 1 (GENERAL PROVISIONS), CHAPTER 650 (COMPREHENSIVE PLANNING FOR FUTURE DEVELOPMENT), *ORDINANCE CODE*, SECTION 656.704 (NONCONFORMING LOTS OF RECORD - RESIDENTIAL), PART 7 (NONCONFORMING LOTS, USES AND STRUCTURES), AND SECTION 656.1601 (DEFINITIONS), PART 16 (DEFINITIONS), CHAPTER 656 (ZONING CODE), *ORDINANCE CODE*, TO CLARIFY THE DEFINITION OF A "LOT OF RECORD", TO DEFINE "INFILL LOT", AND TO ADDRESS DEVELOPMENT OF INFILL LOTS IN RESIDENTIAL ZONING DISTRICTS; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Section 656.704, *Ordinance Code*, allows a landowner to build on certain lots of record notwithstanding limitations imposed by the provisions of the Zoning Code as to lot area, lot width, and street frontage; and

**WHEREAS**. Sections 650.105 and 656.1601, *Ordinance Code*, provide the definition for "lot of record"; and

**WHEREAS**, the language in Sections 650.105, 656.704 and 656.1601, *Ordinance Code*, requires clarification because the definition of "lot of record" fails to account for many non-conforming residential lots; and

**WHEREAS**, allowing development of non-conforming lots in the Urban Priority Area and Urban Area promotes infill development; now therefore

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

Section 1. Amending Section 650.105 (Definitions), Part 1 (General Provisions), Chapter 650 (Comprehensive Planning for Future Development), Ordinance Code. Section 650.105 (Definitions), Part 1 (General Provisions) Chapter 650 (Comprehensive Planning for Future Development), Ordinance Code, is hereby amended to read as follows:

**CHAPTER 650 - COMPREHENSIVE PLANNING FOR FUTURE DEVELOPMENT**

**PART 1. GENERAL PROVISIONS**

\* \* \*

**Sec. 650.105. - Definitions.**

In this Chapter, unless the context otherwise requires:

\* \* \*

- (p) *Lot of record* means a lot, which is part of a subdivision, the plat of which has been recorded in the public records of Duval County, Florida, or any parcel of land described by metes and bounds, the description of which has been recorded in the public records of Duval County, Florida, provided such lot met the minimum lot requirements of the zoning district in which it was located at the time of recording and was recorded on or before September 21, 1990~~prior to the effective date of the adoption of the comprehensive plan, or amendment thereto.~~

\* \* \*

Section 2. Amending Section 656.704 (Nonconforming lots of record - Residential), Part 7 (Nonconforming Lots, Uses and Structures), and Section 656.1601 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code), Ordinance Code. Section 656.704 (Nonconforming lots of record - Residential), Part 7 (Nonconforming Lots, Uses and Structures), and Section 656.1601 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code), Ordinance Code, are hereby amended to read as follows:

## CHAPTER 656 - ZONING CODE

\* \* \*

## PART 7. - NONCONFORMING LOTS, USES AND STRUCTURES

\* \* \*

**Sec. 656.704. - Nonconforming lots of record and infill lots - Residential.**

Notwithstanding limitations imposed by the provisions of the Zoning Code as to lot, area, lot width and street frontage on a single lot of record, as defined in Section 656.1601, Ordinance Code, ~~or a combination of complete lots of record, an infill lot, or a combination of complete infill lots, existing on September 5, 1969,~~ where residential use is a permitted use or permissible use by exception in the district, except as otherwise provided:

- (a) ~~One~~A single-family dwelling may be constructed on a single lot of record, ~~or a combination of complete lots of record,~~ an infill lot, or a combination of complete infill lots in a RR, RLD, RMD, or AGR District or with a grant of exception in a RO and CRO District, and a mobile home may be placed on a single lot of record in an RLD-MH, RMD-MH or AGR District, or with a grant of exception in an RLD, RMD, or CRO District; provided, however, that a mobile home may be placed on a single lot of record without a grant of exception in an RLD, RMD, or CRO District where the lot was classified as an "RM District" (Residential, Mixed) or an "RHM District" (Residential, Mobile Home) immediately prior to the effective date of this Zoning Code. An infill lot or a combination of complete infill lots shall be equal to the average lot width and lot area of legally developed lots on the same block or 25 feet in width and 2,500 square feet in area, whichever is greater. Notwithstanding any requirements found in a zoning district as to required yards, an infill lot shall have yards

which are equal to the yards of the majority of single-family dwellings on the same block.

(b) A two family multiple dwelling in a RMD, RHD, ~~or~~ CRO, or RO District may be constructed on a single lot of record, ~~or~~ a combination of lots of record, an infill lot, or a combination of complete infill lots where the lot or combination of lots is not less than 50 feet in width and is not less than 5,000 square feet in area.

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

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

\* \* \*

#### **Sec. 656.1601. Definitions.**

For the purposes of this Chapter, Zoning Code, the following terms, phrases, words, and their derivations, as listed in alphabetical order herein, shall have the meaning contained below, or as referenced within specific Sections.

\* \* \*

Infill lot for the purposes of this Chapter 656 means a lot or parcel located in the Urban Priority Area development area or Urban Area development area which has access to centralized potable water and sanitary sewer and is: (i) part of a plat recorded on or

1 before September 21, 1990 in the office of the Clerk of the Circuit  
2 Court of Duval County; or (ii) described by metes and bounds and  
3 the description for which was recorded on or before September 21,  
4 1990 in the office of the Clerk of the Circuit Court of Duval  
5 County.

6 \* \* \*

7 Lot of record shall have the meaning ascribed to it in Section  
8 650.105(p), Ordinance Code.~~means a lot which is part of a~~  
9 ~~subdivision recorded on or before September 21, 1990, in the office~~  
10 ~~of the Clerk of the Circuit Court of Duval County or a lot or~~  
11 ~~parcel described by metes and bounds, which was lawfully created~~  
12 ~~and the description for which was recorded on or before September~~  
13 ~~21, 1990.~~

14 \* \* \*

15 **Section 3. Codification Instructions.** The Codifier and  
16 the Office of General Counsel are authorized to make all chapter and  
17 division "table of contents" consistent with the changes set forth  
18 herein. Such editorial changes and any other necessary changes to  
19 make the *Ordinance Code* consistent with the intent of this legislation  
20 are approved and directed herein, and the changes to the *Ordinance*  
21 *Code* shall be made forthwith and when inconsistencies are discovered.

22 **Section 4. 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:

26  
27  
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Mary E. Staffopoulos