

Introduced by Council Members Anderson, Crescimbeni, Gulliford,
Jones, Lee and Love and amended on the Floor of Council:



ATTACHFLOOREXH1.tif

ORDINANCE 2015-100-E

AN ORDINANCE REGULATING CAR WASH FACILITIES IN
CERTAIN COMMERCIAL AND INDUSTRIAL ZONING
DISTRICTS; AMENDING CHAPTER 656 (ZONING CODE),
PART 1 (GENERAL PROVISIONS), SUBPART B
(ADMINISTRATION), SECTION 656.110 (ENFORCEMENT)
TO ADD A NEW SUBSECTION H TO PROVIDE FOR
GRANDFATHERING; 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 AUTOMATED CAR
WASH FACILITIES AND MOBILE CAR DETAILING
SERVICES AS A PERMITTED USE AND MANUAL CAR
WASH FACILITIES AS A PERMISSIBLE USE BY
EXCEPTION TO THE LIST OF USES IN THE CCG-1
ZONING DISTRICT; TO DELETE CAR WASH BY
EXCEPTION FROM THE LIST OF USES IN THE CCG-1
ZONING DISTRICT; TO ADD AUTOMATED CAR WASH
FACILITIES, AUTO LAUNDRY FACILITIES AND MOBILE
CAR DETAILING SERVICES AS PERMITTED USES AND
MANUAL CAR WASH FACILITIES AS A PERMISSIBLE
USE BY EXCEPTION TO THE LIST OF USES IN THE
CCG-2 ZONING DISTRICT; TO DELETE CAR WASH FROM
THE LIST OF USES IN THE CCG-2 ZONING DISTRICT;
AMENDING SUBPART D (INDUSTRIAL USE CATEGORIES
AND ZONING DISTRICTS), SECTION 656.322 (LIGHT
INDUSTRIAL CATEGORY), *ORDINANCE* CODE TO ADD

1 AUTOMATED CAR WASH FACILITIES, AUTO LAUNDRY
2 FACILITIES AND MOBILE CAR DETAILING AS
3 PERMITTED USES AND MANUAL CAR WASH FACILITIES
4 AS A PERMISSIBLE USE BY EXCEPTION TO THE LIST
5 OF USES IN THE IL ZONING DISTRICT; TO DELETE
6 CAR WASH FROM THE LIST OF USES IN THE IL
7 ZONING DISTRICT; AMENDING SECTION 656.323
8 (HEAVY INDUSTRIAL CATEGORY), ORDINANCE CODE TO
9 ADD AUTOMATED CAR WASH FACILITIES, AUTO
10 LAUNDRY FACILITIES AND MOBILE CAR DETAILING AS
11 PERMITTED USES AND MANUAL CAR WASH FACILITIES
12 AS A PERMISSIBLE USE BY EXCEPTION TO THE LIST
13 OF USES IN THE IH ZONING DISTRICT; AND
14 AMENDING PART 16 (DEFINITIONS), SECTION
15 656.1601 (DEFINITIONS), *ORDINANCE CODE* TO ADD
16 NEW DEFINITIONS FOR AUTO LAUNDRY, AUTOMATED
17 CAR WASH, MANUAL CAR WASH AND MOBILE CAR
18 DETAILING; PROVIDING AN EFFECTIVE DATE.

19
20 **WHEREAS,** numerous unauthorized car wash activities are
21 operating in Jacksonville without connection to a permanent
22 structure or business operation; and

23 **WHEREAS,** such car wash activities are occurring where
24 individuals participate in certain activities having no direct
25 connection to the car wash activities, and may contribute to blight
26 conditions in Jacksonville; and

27 **WHEREAS,** car wash facilities require compliance with
28 environmental rules and regulations for the proper elimination of
29 wastewater in order to protect the groundwaters of Duval County;
30 and

1 **WHEREAS**, the Special Ad Hoc Committee on Jacksonville's
2 Neighborhood Blight seeks to eliminate such blight conditions which
3 stem from unauthorized car wash activities by regulating car wash
4 facilities in certain commercial and industrial zoning districts;
5 and

6 **WHEREAS**, on January 22, 2015, the members of the Ad Hoc
7 Committee on Blight approved this Ordinance for introduction to the
8 Jacksonville City Council (A copy of the minutes of the January 22,
9 2015 Committee meeting is attached hereto as **Exhibit 1**); now
10 therefore

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

12 **Section 1. Chapter 656 (Zoning Code), Part 1 (General**
13 **Provisions), Subpart B (Administration) Section 656.110**
14 **(Enforcement), Ordinance Code amended.**

15 Section 656.110 (Enforcement), *Ordinance Code*, is hereby
16 amended to read as follows:

17 **Sec. 656.110. Enforcement.**

18 The provisions of this Zoning Code shall be enforced as
19 follows:

20 (a) By the Director, through the Chief of the Current
21 Planning Division, or his designee, or by the Chief of
22 the Municipal Code Compliance Division; provided,
23 however, that Parts 12 and 13 of this Chapter shall be
24 enforced through the Chief of the Building Inspection
25 Division, or his designee.

26 (b) By the Municipal Code Enforcement Board or Special
27 Magistrate pursuant to the authority granted by F.S. Ch.
28 162, Part I, and Ch. 91, Ordinance Code;

- (c) By the City of Jacksonville through the prosecution of violations in the name of the State of Florida pursuant to F.S. § 166.0415.
- (d) By the Office of General Counsel, at the request of the Chief, the Director (or the Chief of the Building Inspection Division for Parts 12 and 13 of this Chapter), or by the Chief of the Municipal Code Compliance Division or the City Council.
- (e) Nothing contained herein shall be construed to abridge or alter rights of action or remedies in equity, or to estop any person affected by a zoning violation, in the exercise of their rights in equity or under the common law, from suppressing nuisances or abating zoning violations.
- (f) By citation for civil penalties pursuant to the authority granted by F.S. Ch. 162, Part II, and Ch. 609, Ordinance Code or utilizing the notice and citation procedures outlined in Subpart D to Chapter 518; and
- (g) By action for injunctive relief, for civil penalties, or both, through a court of competent jurisdiction.
- (h) **Certain Uses grandfathered.** Notwithstanding anything in this Chapter to the contrary, those persons holding approved zoning exceptions or any other form of written approval from any person or entity authorized to grant such approval, as determined by the Planning and Development Department on a case-by-case basis, shall be authorized to continue their permitted use in accordance with the terms of their zoning exception or other form of written approval.

Section 2. 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 amended.

Section 656.313 (Community/General Commercial Category), Ordinance Code, is hereby amended to read as follows:

Sec. 656.313. Community/General Commercial Category.

* * *

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

* * *

(a) Permitted uses and structures.

* * *

(24) Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.

* * *

(c) Permissible uses by exception.

* * *

(7) ~~Car wash or auto laundry~~ Auto laundry or manual car wash.

* * *

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

* * *

(a) Permitted uses and structures.

* * *

(3) Service stations, truck stops, ~~car wash,~~ automated car wash meeting the performance standards and development criteria set forth in Part 4, auto laundry, mobile car detailing services, major automotive repair, car or truck rental, restaurants,

laundromat or dry cleaners, veterinarians, animal boarding kennels meeting the performance standards and development criteria set forth in Part 4, pest control, carpenter or cabinet shops, home equipment rentals, job printing or newspapers, radio or television offices and studios, blood donor stations and similar uses.

* * *

(c) Permissible uses by exception.

* * *

(14) Manual car wash.

Section 3. Chapter 656 (Zoning Code), Part 3 (Schedule of District Regulations), Subpart D (Industrial Use Categories and Zoning Districts) Section 656.322 (Light Industrial Category), Ordinance Code amended.

Section 656.322 (Light Industrial Category), *Ordinance Code*, is hereby amended to read as follows:

Sec. 656.322. Light Industrial Category.

* * *

II. Industrial Light (IL) District.

* * *

(a) Permitted uses and structures.

* * *

(7) Automobile service stations, major repair garages, ~~car wash~~ mobile car detailing, auto laundry, and automated car wash meeting the performance standards and development criteria set forth in Part 4.

* * *

(c) Permissible uses by exception.

* * *

(9) Manual car wash.

Sec. 656.323. Heavy Industrial Category.

* * *

II. Industrial Heavy (IH) District.

* * *

(a) Permitted uses and structures.

* * *

(4) Automobile service stations, major repair or service garages, truck stops, mobile car detailing, auto laundry, and automated car washes meeting the performance standards and development criteria set forth in Part 4, and similar uses.

* * *

(d) Permissible uses by exception.

* * *

(6) Automobile service stations, major repair or service garages, truck stops, manual car wash, and similar uses.

* * *

Section 4. Chapter 656 (Zoning Code), Part 16 (Definitions), Ordinance Code amended.

Section 656.1601 (Definitions), *Ordinance Code*, is hereby amended to read as follows:

Sec. 656.1601. Definitions.

* * *

Attraction, major means an indoor or outdoor spectator event or event which includes the sale of tickets and which is held at one or more of the following facilities:

- (1) Jacksonville Municipal Stadium;
- (2) Greater Jacksonville Fairgrounds;
- (3) Jacksonville Veterans Memorial Coliseum;
- (4)Metropolitan Park;
- (5) Samuel W. Wolfson Baseball Park.

Auto Laundry means a full service or self-service automobile washing facility comprised of permanent structural improvements including a combination of wash bays, vacuums, engine cleaning, compressed air supply, window tinting, headliner replacement, upholstery cleaning and repair, and/or automobile related vending machines where all wastewater is managed through a 100% closed-loop recycle system, a Florida Department of Environmental Protection (FDEP) permitted partial recycle system, an approved discharge to a municipal sanitary sewer system with pretreatment if required by the utility or is collected and containerized for transport to an FDEP permitted treatment facility.

Automated Car Wash means a completely automated automobile washing facility that is designed and operated as an accessory use to a primary automobile related use or building where all wastewater is managed through a 100% closed loop recycle system for which the Florida Department of Environmental Protection (FDEP) permit has been approved, an approved discharge to a municipal sanitary sewer system with pretreatment if required by the utility, or is collected and containerized for transport to an FDEP permitted treatment facility.

* * *

Manual Car Wash means a commercial automobile wash facility, either temporary or permanent, where vehicles are primarily washed by hand by individual persons. This definition shall not apply to bona fide automobile dealerships, rental car facilities or to

temporary one-day fundraising events by civic, religious, or non-profit entities where volunteers wash vehicles by hand, and the number of fundraising events does not exceed six (6) events per year, and the monetary proceeds from which are used to support the activities or mission of the civic, religious or non-profit entity.

* * *

Mining means the process or business of extracting ore, minerals or materials from the earth.

Mobile Car Detailing Services means the performance of thorough cleaning, and restoration of the finish of an automobile, both inside and/or out, to produce a show-quality level of detail where the service provider travels to a location for the purpose of detailing a vehicle(s), and is temporary in nature, and shall not remain at the same location in excess of 48 hours. Such services are prohibited in all residential zoning districts.

Mobile home means a detached single-family dwelling unit with all the following characteristics:

- (a) Designed for long term occupancy, and containing sleeping accommodations, and plumbing and electrical connections provided for attachment to outside systems;
- (b) Designed for transportation after fabrication on streets or highways on its own wheels; and
- (c) Arriving at the site where it is to be occupied as a dwelling complete, including major appliances, and ready for occupancy except for minor and incidental unpacking and assembly operations, located on jacks or other temporary or permanent foundations, and connected to utilities and the like.

A travel trailer is not to be considered as a mobile home.

* * *

Section 5. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

/s/ Paige Hobbs Johnston

Office of General Counsel

Legislation Prepared by: Cherry A. Shaw

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