

1 Council Members Holland, Brown, Carlucci, Jenkins, Overton, Alvarez,
2 Carter, Chandler, Daniels, Fullwood, Hipps, Holzendorf, Locket-Felder,
3 Ray, Rustin, Self, Soud, Southwell and Yates offer the following
4 substitute to File No. 2003-627:

5
6 **ORDINANCE 2003-627-E**

7 AN ORDINANCE CONCERNING THE DOWNTOWN OVERLAY
8 ZONE; AMENDING THE DOWNTOWN MASTER PLAN APPROVED
9 PURSUANT TO ORDINANCE 2000-321-E TO EXPAND THE
10 RIVERFRONT AND LAVILLA DISTRICTS; AMENDING THE
11 ZONING CODE; REPEALING THE EXISTING SUBPART H,
12 PART 3, CHAPTER 656, ORDINANCE CODE, AND
13 CREATING A NEW SUBPART H, PART 3, CHAPTER 656,
14 ORDINANCE CODE (DOWNTOWN OVERLAY ZONE AND
15 DOWNTOWN DISTRICT REGULATIONS); ESTABLISHING
16 DISTRICT BOUNDARIES; ADOPTING A DOWNTOWN ZONING
17 OVERLAY; ESTABLISHING ZONING REGULATIONS FOR THE
18 DOWNTOWN DISTRICT; ESTABLISHING THE DOWNTOWN
19 DESIGN REVIEW COMMITTEE; PROVIDING AN EFFECTIVE
20 DATE.

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22
23 WHEREAS, the City Council of the City of Jacksonville finds that
24 historic preservation, revitalization, and reuse of Jacksonville's
25 historic buildings and structures is important to the City's overall
26 social and economic welfare; and

27 WHEREAS, former City Council President Matt Carlucci appointed
28 the Task Force on Historic Downtown Preservation and Revitalization
29 ("Task Force") in July 2001; and

30 WHEREAS, the Task Force was created to foster the preservation

1 and reuse of unoccupied, underutilized, and deteriorating historic
2 buildings located in downtown Jacksonville by identifying problems and
3 issues that have contributed to their current state; and

4 WHEREAS, the Task Force was also created to develop and actively
5 promote the adoption of programs, policies, and initiatives that will
6 enhance the preservation, rehabilitation, and reuse of historic
7 buildings in Jacksonville; and

8 WHEREAS, the Building Code, Fire Code, and Zoning Code Committee
9 of the Task Force ("Committee") was created to identify existing laws,
10 rules and regulations that could be modified, strengthened, or
11 enforced to further the goals of the Task Force; and

12 WHEREAS, the Committee recognized that the City's Planning and
13 Development Department is charged with the responsibility of ensuring
14 that the redevelopment of the City's historic buildings and structures
15 and other nonhistoric buildings and structures is done in such a
16 manner as to guarantee that the building or structure is consistent
17 with the Zoning Code; and

18 WHEREAS, the Committee recognized that the City's current Zoning
19 Code fails to take into account the unique development patterns of
20 many of Jacksonville's historic properties and other properties by
21 placing restrictions on the redevelopment of these properties which
22 results in significant project and site development costs and
23 logistics; and

24 WHEREAS, the Committee recognized that other cities have separate
25 zoning codes specific to their downtown areas that provide alternate
26 methods of compliance with zoning regulations for existing buildings,
27 including historic structures; and

28 WHEREAS, the Committee recognized that the City Council approved
29 Ordinance 2001-321-E which approved the Downtown Master Plan
30 consisting of "Celebrating the River: A Plan for Downtown

1 Jacksonville", requiring that all development and redevelopment within
2 the Downtown Master Plan area be compatible and consistent with the
3 Downtown Master Plan; and

4 WHEREAS, the Committee recommended a new Downtown Overlay Zone to
5 further the implementation of the Downtown Master Plan and to delegate
6 the authority to the Downtown Development Authority Design Review
7 Committee to oversee the administrative review and approval process
8 for development and redevelopment within the Downtown Overlay Zone and
9 to coordinate with the City's Planning and Development Department with
10 respect to enforcement responsibilities therein; and

11 WHEREAS, at its meeting of February 26, 2003, the DDA Board
12 approved a resolution requesting the JEDC and City Council approve and
13 adopt the new Downtown Overlay Zone; and

14 WHEREAS, at its meeting of March 13, 2003, the JEDC Board
15 approved a resolution requesting the City Council approve and adopt
16 the new Downtown Overlay Zone; now, therefore,

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

18 **Section 1.** The Downtown Master Plan enacted pursuant to
19 Ordinance 2000-321-E is hereby amended, in part, as follows: (a) The
20 LaVilla District boundaries are hereby expanded to incorporate the
21 State Regional Service Center property; and (b) the Riverfront
22 District boundaries are hereby expanded to include the Commodores
23 Point area. Pages 23 and 33 of the revised Downtown Master Plan which
24 reflect the revised district boundaries, attached hereto as **Composite**
25 **Exhibit A** and incorporated herein by this reference, are hereby
26 adopted as amendments to the Downtown Master Plan and shall be
27 inserted into the Downtown Master Plan at the appropriate locations to
28 reflect the amendments approved herein.

29 **Section 2.** Subpart H, Part 3, Chapter 656, Ordinance Code,
30 is hereby repealed and a new Subpart H, Part 3, Chapter 656, Ordinance

1 Code is hereby created to read as follows:

2 **SUBPART H. DOWNTOWN OVERLAY ZONE AND DOWNTOWN DISTRICT REGULATIONS**

3 **Sec. 656.361.1. Intent.**

4 It is the specific intent of this ordinance to create a Downtown
5 Overlay Zone which will promote and encourage the revitalization and
6 growth of downtown as a desirable high density mixed-use area by
7 maximizing the use of all available resources, insuring a high degree
8 of compatibility between new and existing uses, promoting mixed use
9 developments, streamlining the review and approval process for
10 projects, and ensuring quality development that is in keeping with the
11 traditional downtown urban fabric.

12 The Downtown Overlay Zone includes all of the area within the
13 jurisdiction of the Jacksonville Downtown Development Authority. The
14 Downtown Overlay Zone, including the Downtown Districts established
15 therein, is hereby established as the zoning district within the
16 downtown area and is consistent with the proposed land uses included
17 within the master development plans approved as part of the
18 Consolidated Downtown Developments of Regional Impact (DRI)
19 Development Order and with the design objectives of the Downtown
20 Master Plan (Celebrating the River: A Plan for Downtown Jacksonville).

21 In order to accomplish the general purpose of promoting
22 residential and mixed use development in the downtown area, it is
23 necessary to create a Downtown Overlay Zone which gives special
24 consideration to certain uses because of the unique characteristics of
25 downtown. This special consideration is necessary because certain
26 types of development may not be permitted in or meet all of the
27 requirements of a particular zone.

28 The Downtown Overlay Zone shall ensure the implementation of the
29 Downtown Master Plan based on the following principles:

30 (a) A diverse mix of land uses shall always be permitted in the

1 downtown area;

2 (b) Downtown shall be promoted as a viable and vital residential
3 area and residential uses are an acceptable land use anywhere in the
4 downtown area;

5 (c) The market place, not regulations, should be the primary
6 force driving the mix of land uses;

7 (d) Appropriate overlay zone standards and design review
8 criteria shall be the principal tools to ensure compatible, high
9 quality development;

10 (e) Quality public spaces such as streets, sidewalks, parks, and
11 squares where citizens come to know each other and watch over their
12 collective security shall be provided;

13 (f) Overlay zone standards may vary within Downtown Districts in
14 order to achieve long-term planning objectives;

15 (g) Development regulations shall promote the continued use
16 and/or redevelopment of historical and older structures;

17 (h) Building densities that support the use of mass transit
18 shall be established and strategically located and off-street parking
19 space requirements shall be eliminated in the core area and reduced in
20 other downtown areas, except for new residential uses;

21 (i) Parking garages shall incorporate active uses on the ground
22 floor in order to engage pedestrians and surface parking lots shall be
23 discouraged unless landscaping and architectural treatments are
24 incorporated to soften their appearance; and

25 (j) Parking minimums and maximums shall be established to
26 promote the use of peripheral parking associated with the ASE and
27 other forms of mass transit.

28 **Sec. 656.361.2. Downtown Overlay Zone Map and Boundaries.**

29 The boundaries of the Downtown Overlay Zone and districts are
30 shown on the Downtown Overlay Zone Map dated May 12, 2003 shown in

1 Figure 1. More specifically, the Downtown Overlay Zone includes all
2 land within the following boundaries:

3 Beginning at the intersection of the northerly right-of-way line
4 of State Street and the westerly right-of-way line of Interstate 95;
5 thence run southerly along the westerly right-of-way line of
6 Interstate 95 to the northerly right-of-way line of the westerly
7 approach to the Fuller Warren Bridge; thence southeasterly and
8 easterly along the northerly right-of-way line of the westerly
9 approach to the Fuller Warren Bridge and the easterly expressway
10 approach to the Fuller Warren Bridge to the easterly right-of-way line
11 of Alamo Street; thence northeasterly along the easterly right-of-way
12 line of Alamo Street and the northeasterly projection thereof to the
13 St. Johns River; thence northerly across the St. Johns River to the
14 mouth of Hogan's Creek; thence easterly and northerly along the St.
15 Johns River to the northerly right-of-way line of the Matthews Bridge
16 Expressway; thence westerly along the northerly right-of-way line of
17 the Matthews Bridge Expressway to its connection with the northerly
18 right-of-way line of State Street; thence westerly along the northerly
19 right-of-way line of State Street to the westerly right-of-way line to
20 Jefferson Street; thence northerly along said westerly right-of-way
21 line of Jefferson Street 1,726.25 feet to a point as defined in the
22 legal description prepared by Sunshine State Surveyors, Inc., dated
23 September 24, 1990 on the Blodgett Homes site proposed for the State
24 Regional Service Center; thence easterly along said line as referenced
25 in the above survey to the easterly right-of-way line of Davis Street;
26 thence southerly along said easterly right-of-way line of Davis Street
27 to the northerly right-of-way line of Kings Road; thence easterly
28 along said northerly right-of-way line of Kings Road to the northerly
29 right-of-way line of State Street; thence westerly along said
30 northerly right-of-way line of State Street to the point of beginning.

1 The Downtown Overlay Map is hereby adopted as the Zoning Overlay
2 for the boundaries hereinabove described. The Zoning Atlas shall
3 depict the Downtown Overlay Zone as described above, on the applicable
4 Zoning Atlas map. The boundaries of each Downtown District are
5 described as follows:

6 Brooklyn and Riverside Avenue District: Beginning at the
7 centerline of McCoy's Creek and the westerly right-of-way line of
8 Interstate 95; thence run thence run southerly along the westerly
9 right-of-way line of Interstate 95 to the northerly right-of-way line
10 of the westerly approach to the Fuller Warren Bridge; thence
11 southeasterly and easterly along the northerly right-of-way line of
12 the westerly approach to the Fuller Warren Bridge and the centerline
13 of the St. Johns River; thence northeasterly and northerly to the
14 centerline of the Acosta Bridge; thence northwesterly and westerly
15 along the centerline of the Acosta Bridge to the westerly right-of-way
16 line of the Florida East Coast Railroad; thence westerly and
17 northwesterly along the westerly right-of-way line of the Florida East
18 Coast Railroad to the southerly right-of way line of Park Street;
19 thence westerly along the southerly right-of-way line of Park Street
20 to the centerline of McCoy's Creek, thence northwesterly and westerly
21 along the centerline of McCoy's Creek to the point of beginning.

22 Lavilla District: Beginning at the westerly right-of-way line of
23 Jefferson Street and the northerly right-of-way line of State Street;
24 thence northerly along said westerly right-of-way line of Jefferson
25 Street 1,726.25 feet to a point as defined in the legal description
26 prepared by Sunshine State Surveyors, Inc., dated September 24, 1990
27 on the Blodgett Homes site proposed for the State Regional Service
28 Center; thence easterly along said line as referenced in the above
29 survey to the easterly right-of-way line of Davis Street; thence
30 southerly along said easterly right-of-way line of Davis Street to the

1 northerly right-of-way of Kings Road; thence easterly along said
2 northerly right-of-way line of Kings Road to the northerly right-of-
3 way line of State Street; thence westerly along said northerly right-
4 of-way line of State Street to the northerly right-of-way line of
5 Interstate 95; thence southerly along the westerly right-of way line
6 of Interstate 95 to the centerline of McCoy's Creek; thence southerly
7 along the centerline of McCoy's Creek to the centerline of Park
8 Street; thence northwesterly and westerly along the centerline of Park
9 Street to the centerline of the Florida East Coast Railroad; thence
10 southeasterly and easterly along the centerline of the Florida East
11 Coast Rail Road to the centerline of the Acosta Bridge and the
12 centerline of Jefferson Street; thence northerly along the centerline
13 of Jefferson Street to the point of beginning.

14 Church District: Beginning at the centerline Jefferson Street
15 and the northerly right-of-way line of State Street; thence easterly
16 along the northerly right-of-way line of State Street to the
17 centerline of Main Street; thence southerly along the centerline of
18 Main Street to the centerline of Church Street; thence easterly along
19 the centerline of Church Street to the centerline of Jefferson Street;
20 thence northerly along the centerline of Jefferson Street to the point
21 of beginning.

22 Central Civic Core District: Beginning at the centerline of the
23 St. Johns River and the centerline of the John T. Alsop (Main Street)
24 Bridge; thence run northerly along the centerline of Main Street to
25 the centerline of Church Street; thence westerly along the centerline
26 of Church Street to the centerline of Jefferson Street; thence
27 southerly along the centerline of Jefferson Street to the centerline
28 of the Acosta Bridge; thence southerly along the centerline of the
29 Acosta Bridge to the centerline of the St. Johns River; thence
30 easterly along the centerline of the St. Johns River to the point of

1 beginning.

2 Cathedral District: Beginning at the centerline of Main Street
3 and the northerly right-of-way line of State Street; thence run
4 easterly along the northerly right-of-way line of State Street to the
5 centerline of Hogan's Creek; thence southerly along the centerline of
6 Hogan's Creek to the centerline of the Hart Bridge Expressway; thence
7 westerly along the centerline of the Hart Bridge Expressway to the
8 centerline of Adams Street and the centerline of Catherine Street;
9 thence easterly along the centerline of Adam's Street to the
10 centerline of Main Street; thence northerly along the centerline of
11 Main Street to the point of beginning.

12 Riverfront District: This area consists of two areas described
13 as follows:

14 Area 1-Beginning at the centerline the St. Johns River and
15 the centerline of the John T. Alsop (Main Street) Bridge; thence run
16 northerly along the centerline of the John T. Alsop (Main Street)
17 Bridge to the centerline of Adams Street; thence easterly along the
18 centerline of Adams Street to the centerline of Liberty Street; thence
19 southerly along the centerline of Liberty Street to the centerline of
20 Bay Street; thence easterly along the centerline of Bay Street to the
21 centerline of Hogan's Creek; thence northerly along the centerline of
22 Hogan's Creek to the centerline of Adams Street; thence easterly along
23 the centerline of Adams Street the centerline of Phillip Randolph
24 Boulevard; thence southerly along the centerline of Phillip Randolph
25 Boulevard to the centerline of Bay Street; thence easterly along the
26 centerline of Bay Street to the centerline of Gator Bowl Road; thence
27 southerly along the centerline of Gator Bowl Road to a southerly
28 prolongation of the Gator Bowl Road centerline to the centerline of
29 the St. Johns River; thence westerly along the centerline of the St.
30 Johns River to the point of beginning.

1 Area 2-Beginning at the northerly right-of-way line of
2 Jacksonville Expressway and the centerline of Martin Luther King
3 Boulevard; thence run southerly along the centerline of Martin Luther
4 King Boulevard to the centerline of Gator Bowl Boulevard; thence
5 southerly along the centerline of Gator Bowl Boulevard to the
6 centerline of Church Street; thence easterly along the centerline of
7 Church Street to the centerline of the Hart Bridge ramps; thence
8 southerly along the centerline of the Hart Bridge ramps to the
9 centerline of Parker Street; thence southerly along the centerline of
10 Parker Street and a southerly prolongation thereof to the centerline
11 of the St. Johns River; thence northeasterly and northerly along the
12 centerline of the St. Johns River to the northerly right-of-way line
13 of the Mathews Bridge; thence westerly along the northerly right-of-
14 way line of the Mathews Bridge to the northerly right-of-way line of
15 the Jacksonville Expressway; thence westerly on the northerly right-
16 of-way line of the Jacksonville Expressway to the northerly to the
17 point of beginning.

18 Institutional District: Beginning at the centerline of Bay
19 Street and Liberty Street; thence run northerly along the centerline
20 of Liberty Street to the centerline of the Hart Bridge Expressway
21 ramps; thence easterly along the centerline of the Hart Bridge
22 Expressway ramps to the centerline of Hogan's Creek; thence southerly
23 along the centerline of Hogan's Creek to the centerline of Bay Street;
24 thence westerly along the centerline of Bay Street to the point of
25 beginning.

26 River Park District: Beginning at the at the centerline of Gator
27 Bowl Road and Gator Bowl Boulevard; thence run easterly along the
28 centerline of Gator Bowl Boulevard to the centerline of Parker Street;
29 thence southerly along the centerline of Parker Street and a southerly
30 prolongation thereof to the centerline of the St. Johns River; thence

1 westerly along the centerline of the St. Johns River to a southerly
2 prolongation of the centerline of Gator Bowl Road, thence northerly
3 along the prolonged centerline of Gator Bowl Road to the centerline
4 of Gator Bowl Road; thence northerly along the centerline of Gator
5 Bowl Road to the point of beginning.

6 Stadium District: Beginning at the centerline of Gator Bowl
7 Boulevard and the centerline of Phillip Randolph Boulevard; thence run
8 northerly along the centerline of Phillip Randolph Boulevard to the
9 centerline of Adams Street; thence westerly along the centerline of
10 Adams Street to the centerline of Hogan's Creek; thence northerly
11 along the centerline of Hogan's Creek to the northerly right-of-way
12 line of Jacksonville Expressway; thence easterly along the northerly
13 right-of-way line of the Jacksonville Expressway to the centerline of
14 Martin Luther King Boulevard; thence southerly along the centerline of
15 Martin Luther King Boulevard to the centerline of Church Street;
16 thence easterly along the centerline of Church Street to the
17 centerline of the Hart Bridge ramps; thence southerly along the
18 centerline of the Hart Bridge ramps to the centerline of Parker
19 Street; thence southerly along the centerline of Parker Street and the
20 centerline of Adams Street; thence westerly along the centerline of
21 Adams Street and the centerline of Gator Bowl Boulevard; thence
22 westerly along the centerline of Gator Bowl Boulevard to the point of
23 beginning.

24 Southbank District: Begin at the point of the centerline of the
25 St. Johns River on the North right-of-way line of the Fuller Warren
26 Bridge, Interstate 95; thence Easterly along said Northerly right-of-
27 way line to a point of intersection with the Southwesterly edge of the
28 Southbound roadway of South Main Street; Thence Northeasterly along a
29 line drawn straight from the last described point to the Northwesterly
30 corner of Lot 18, Block 1, Bostwick's Subdivision of Block 46 in South

1 Jacksonville, as shown on plat recorded in Plat Book 3, Page 68 of the
2 current public records of said County, said Northwest corner being
3 located in the Northeasterly right-of-way line of the Northbound
4 approach to said South Main Street from said Interstate 95; thence
5 Southeasterly and Easterly along said Northeasterly right-of-way line
6 and Northerly right-of-way line of Interstate 95 to an intersection
7 with the Southeasterly right-of-way line of Vine Street; thence
8 Northeasterly along said Southeasterly right-of-way line of Vine
9 Street to the Northeasterly line of that certain alley running through
10 Block 17, Reeds Fourth Subdivision of South Jacksonville, as shown on
11 plat recorded in Plat Book 1, Page 46 of the former public records of
12 said County; thence Southeasterly along said Northeasterly ally line
13 to an intersection with the Northwesterly right-of-way line of Alamo
14 Street; thence Northeasterly along said Northwesterly right-of-way
15 line of Alamo Street and a Northeasterly prolongation thereof to an
16 intersection with the center line of the St. Johns River; thence
17 Westerly and Southerly along said center line of the St. Johns River
18 to the point of beginning.

19 **Sec. 656.361.3. Definitions.**

20 The definitions contained in Part 16 of the Zoning Code shall
21 apply. Those terms which are specific to this Subpart are defined as
22 follows:

23 (a) *Accessory Parking* means a parking facility that provides
24 parking for a specific use or uses. The facility may be located on or
25 off the site of the use or uses to which it is accessory. A fee may
26 or may not be charged. An accessory parking facility need not be the
27 same ownership as the specific use or uses to which it is accessory.

28 (b) *ASE (Automated Skyway Express)* means the elevated mass
29 transit system existing in the downtown area as managed by the
30 Jacksonville Transportation Authority.

1 (c) *Differentiated Building Mass* means to mitigate the effect of
2 large looming buildings or structures by design strategies that
3 attempt to break up the visual appearance of buildings or structures
4 by use of offsets and other methods to articulate the horizontal and
5 vertical planes of buildings.

6 (d) *Ground-Floor* means the at grade, first floor of a building
7 or structure.

8 (e) *Major Renovation* means an expansion or renovation of
9 existing development equal to fifty percent of the assessed value of
10 the lot improvements according to the Property Appraiser or an
11 expansion of the total square footage of a structure by fifty percent
12 or more, including cumulative expansions totaling fifty percent.

13 (f) *On-Site Parking* means a surface or structured parking
14 facility which is used for the sole purpose of storing new or used
15 motorized vehicles located on the same property for which the parking
16 is required.

17 (g) *Pedestrian Entrance* means the primary point of pedestrian
18 access to the interior of a building or structure. Each side of the
19 building or structure fronting a street shall have at least one (1)
20 primary entrance.

21 (h) *Pedestrian Environment* means an atmosphere which is
22 designated with an emphasis primarily on the street sidewalk on
23 pedestrian access to the site and building or structure, rather than
24 on auto access parking areas. The building or structure is generally
25 placed close to the street and the main entrance is oriented to the
26 street sidewalk. There are generally windows and display cases along
27 the building or structure facade which face the street. Typically,
28 buildings or structures cover a large portion of the site. Although
29 parking areas may be provided, they are generally limited in size and
30 they are not emphasized by the design of the site.

1 (i) *Pedestrian Skywalk* means an elevated walkway connecting two
2 structures and located above existing grade.

3 (j) *Streetscape* means the visual character of a street as
4 determined by various elements such as structures, landscaping, open
5 space, natural vegetation and view.

6 (k) *Superblock* means a continuous area, either in single or
7 multiple ownership, which includes a vacated street and has a total
8 gross area of 75,000 square feet or more.

9 (l) *View Corridor* means a three-dimensional area extending out
10 from a viewpoint. The focus of the view is the St. Johns River.
11 Although the view corridor extends from the viewpoint to the focus of
12 the view, the mapped portion of the corridor extends from the
13 viewpoint and is based on the area where base zone heights are
14 encouraged to be limited to protect the view. The Public Access View
15 Corridor Map is shown at Figure 5.

16 **Sec. 656.361.4. General Standards.**

17 The land included within the Downtown Overlay Zone shall be
18 subject to the Downtown District Regulations contained in this Subpart
19 H. These regulations shall supersede the provisions of Chapter 656,
20 Ordinance Code, except as otherwise specifically provided herein. All
21 development and redevelopment in the Downtown Overlay Zone including,
22 but not limited to, all Public Works projects and streetscape
23 projects, partnerships with the City that require funding and all
24 projects that require permits of any type for the development or
25 redevelopment of a site, building or structure, shall be subject to
26 the following general standards:

27 (a) The use shall be consistent with the Downtown Master Plan,
28 Community Redevelopment Plans, and the Consolidated Downtown
29 Development of Regional Impact (DRI) Development Order.

30 (b) The use shall be in keeping with the general purpose and

1 intent of the Downtown Overlay Zone and Downtown Districts.

2 (c) The use and building shall be compatible with the character
3 of the area where it is proposed and with the size and location of the
4 buildings in the vicinity.

5 (d) The use will not negatively impact or injure the value of
6 adjacent properties by noise, lights, traffic or other factors or
7 otherwise detract from the immediate environment.

8 (e) All applications and plans submitted shall be considered
9 within the context of the Downtown Master Plan and the Downtown
10 District Regulations to assure a consistency and compatibility among
11 proposed and existing development, with respect to parking
12 requirements, access, setbacks, building height, mass and
13 transparency, etc.

14 **Sec. 656.361.5. Downtown Overlay Zone Permitted Uses.**

15 In addition to the uses already permitted or permissible in the
16 underlying zoning district, the following uses are all permitted uses
17 in the Downtown Overlay Zone, subject to consistency with the land use
18 plan and associated land use description in the Consolidated Downtown
19 Development of Regional Impact ("DRI") Development Order, although
20 these uses may not be permitted in all districts. Section 656.361.6
21 contains a listing of permitted uses within each district.

22 (a) Retail and wholesale sales of food and drugs, wearing
23 apparel, toys, sundries and notions, books and stationery and
24 newsstands, leather goods and luggage, jewelry stores, watch repairs
25 and pawnshops, art, camera and photographic supplies (including camera
26 repair), sporting goods, hobby shops, and pet shops (but not including
27 animal kennels or veterinarians), musical instruments, florist or gift
28 shops, delicatessens, bakeries, home furnishings and appliances
29 (including repair incidental to sale), office merchandise in
30 completely enclosed buildings, hardware, new automobile parts

1 (including rebuilt parts but not installation, repair or rebuilding of
2 parts) and accessories and similar uses.

3 (b) Service establishments such as barber or beauty shops, shoe
4 repair shops, interior decorators, reducing salons or gymnasiums,
5 tailors or dressmakers, radio and television broadcasting offices and
6 studios (but not antenna or transmitting facilities), funeral homes,
7 marinas, blueprinting, job printing, newspapers, radio and television
8 repair shops, travel agencies, employment offices (but not day labor
9 pools) and similar uses.

10 (c) Other Service establishments including, rental of automotive
11 vehicles, automated carwashes laundry or dry cleaning pick up or drop
12 off establishments with no cleaning to occur on premises,
13 veterinarians or animal boarding kennels, carpenter or cabinet shops
14 and similar uses.

15 (d) Restaurants including the outdoor sale and service of food
16 but not drive in or drive-thru facilities.

17 (e) Banks (but not drive-thru tellers), loan companies, mortgage
18 brokers, stockbrokers and similar financial institutions.

19 (f) All types of professional and business offices, union halls
20 and similar uses (excluding day labor pools).

21 (g) Commercial, recreational or entertainment facilities in
22 completely enclosed buildings or outdoors such as billiard parlors,
23 bowling alleys, swimming pools, skating rinks, dance halls, carnivals
24 or circuses, theaters (including open-air theaters), skating rinks,
25 pony rides, athletic complexes, arenas, auditoriums, convention
26 centers, go-cart tracks, driving ranges and similar uses.

27 (h) Schools, colleges, universities, business, trade or
28 vocational schools, art galleries, museums, community centers, dance,
29 art or music studios, and similar uses.

30 (i) Hotels and motels.

1 (j) Fruit, vegetable, poultry or fish markets.

2 (k) Establishments or facilities which include the retail sale
3 and service of all alcoholic beverages for either on-premises or off-
4 premises consumption, or both, subject to the provisions of Part 8
5 (Alcoholic Beverages) of this Chapter 656.

6 (l) Automobile parking garages.

7 (m) Commercial parking lots.

8 (n) Accessory parking lots.

9 (o) Multiple-family dwellings.

10 (p) Housing for the elderly.

11 (q) Private clubs.

12 (r) Day care or adult care centers.

13 (s) Churches, including a rectory and similar uses.

14 (t) Medical or dental clinics.

15 (u) Medical or dental laboratories and manufacture of associated
16 products.

17 (v) Filling or fueling stations.

18 (w) Warehousing, storage or distributorship businesses.

19 (x) Personal property storage establishments.

20 (y) Marinas.

21 (z) Public utilities such as lift stations, pump stations,
22 wells, electric substations and chilled water plants.

23 All permitted activities (sale, service and display, preparation
24 and storage) within the Downtown Overlay Zone shall be conducted
25 within a completely enclosed building, unless specifically provided
26 otherwise.

27 **Section 656.361.6. Downtown Overlay Districts.**

28 The permitted uses listed in section 656.361.5 are permitted in
29 the following districts, where listed:

30 (a) Brooklyn and Riverside Avenue District: The uses within

1 Brooklyn and Riverside Avenue District should encourage regeneration
2 as a vibrant mixed use neighborhood with links to the river via as
3 many routes as possible. Creative businesses such as graphic arts,
4 architects, sculptors and designers are encouraged, with mid-rise and
5 high-rise residential structures along a landscaped setback next to
6 the ASE alignment and corporate office buildings along the riverfront.

7 The following uses are permitted:

8 a, b, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, u, x,
9 y and z.

10 (b) LaVilla District: The uses within LaVilla District should
11 encourage a vibrant mixed use urban district where commercial,
12 cultural, entertainment, light industrial uses and urban housing such
13 as loft apartments and walk-ups co-exist side by side and create the
14 synergy necessary to sustain a neighborhood. The following uses are
15 permitted:

16 a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, q, t, u, v, w,
17 x and z.

18 (c) Church District: The Church District is dominated by the
19 presence of First Baptist Church. The uses within the Church District
20 should encourage a transition between the mixture of urban uses that
21 form the character of the LaVilla neighborhood (supported by the
22 School for the Performing Arts) the predominantly residential
23 character of the Cathedral and Hogan=s Creek District, the campus of
24 the Florida Community College to the north and the Central Civic Core
25 District to the south. Education, civic and religious uses are the
26 focal point of this district. Development should support the local
27 student population and religious uses. The following uses are
28 permitted:

29 a, b, d, e, f, h, j, l, m, n, o, p, r, s, t, u and z.

30 (d) Central Civic Core District: The Central Civic Core

1 District should encourage cultural and entertainment uses and
2 construction of additional parking garages with commercial and/or
3 office uses on the ground floor. The following uses are permitted:

4 a, b, c ,d ,e, f, g, h, i, j, k, l, o, p, q, r, u, y and z.

5 In addition to the above uses, outside sales and services in
6 connection with uses which are of a nature customarily incidental and
7 normally associated with a major attraction which is being held on the
8 same day in the Central Civic Core District.

9 (e) Cathedral District: The Cathedral District should encourage
10 residential development with in-fill housing with limited
11 neighborhood-serving commercial uses on Liberty Street and the east
12 side of Ocean Street. The following uses are permitted:

13 a, b, d, e, f, g, h, i, j, k, l, m, o, p, q, r, t, x and z.

14 (f) Riverfront District: The Riverfront District should
15 encourage high density development with a maritime influence such as
16 hotel, commercial office, specialty retail and high rise residential
17 development. The following uses are permitted:

18 a, b, d, e, f, g, h, i, j, k, l, o and z.

19 (g) Institutional District: The Institutional District, which
20 includes the correctional facility, courthouse, police headquarters
21 and the Maxwell House Coffee processing plant, should serve to protect
22 the residential character of the Cathedral District to the north. The
23 following uses are permitted:

24 a, b, d, e, f, g, h, i, j, k, l, m, n, o, q, r and z.

25 (h) River Park District: The River Park District, which
26 includes Metropolitan Park, the Riverwalk and Kids Campus, will be
27 developed to integrate with the Stadium Sports Complex, the Shipyards
28 and development to the east in the Riverfront District. Marina and
29 other water-related activities are encouraged in this District.

30 a, b, e, f, g, h, i, j, k, l, n, r, y and z.

1 In addition to the above uses, outside sales and services in
2 connection with uses which are of a nature customarily incidental and
3 normally associated with a major attraction which is being held on the
4 same day in the River Park District.

5 (i) Stadium Complex District: The Stadium District should
6 encourage redevelopment of existing industrial structures for
7 entertainment use. The following uses are permitted:

8 a, b, d, g, i, j, k, l, m, n, o, q, y and z.

9 In addition to the above uses, outside sales and services in
10 connection with uses which are of a nature customarily incidental and
11 normally associated with a major attraction which is being held on the
12 same day in the Stadium District.

13 (j) Southbank District: The Southbank District should encourage
14 a mixture of uses while maintaining an urban form that supports the
15 extension of river views throughout the district. Waterfront
16 entertainment and hotels are encouraged along the river, with a new
17 mixed use neighborhood on the JEA substation site and office use south
18 of Prudential Drive. Transit-related development, such as coffee
19 shops, cafes and newsstands, is encouraged adjacent to the ASE
20 station. The following uses are permitted:

21 a, b, c, d, e, f, g, h, i, j, k, l, o, q, r, u, y and z.

22 A use which is legally nonconforming or which is rendered legally
23 nonconforming by virtue of these regulations may be structurally
24 altered, reconstructed, replaced or expanded, subject to compliance
25 with the design regulations and guidelines herein.

26 **Sec. 656.361.7. Downtown Design Review Committee.**

27 There is hereby established within the Downtown Development
28 Authority, an agency of the Jacksonville Economic Development
29 Commission, a Downtown Design Review Committee ("DRC") to assist the
30 Downtown Development Authority in its review of development and

1 redevelopment within the Downtown Overlay Zone. The DRC shall have
2 the powers and duties set forth in Section 656.361.8 hereinafter.

3 (a) Membership: The DRC shall consist of nine voting
4 members, two of whom shall be voting *ex officio* members. The
5 remaining seven voting members shall be recommended by the Downtown
6 Development Authority, appointed by the Mayor and confirmed by the
7 City Council to serve staggered terms as hereinafter specified. In
8 addition, there shall be eight non-voting *ex officio* members who shall
9 serve in connection with matters which require their technical or
10 professional expertise. The DRC shall consist of the following:

11 (1) Ex officio voting members:

12 (i) Director, Downtown Development Authority, or
13 other Downtown Development Authority staff designee;

14 (ii) Vice Chairman, Downtown Development Authority, or
15 other Downtown Development Authority board member designee, who shall
16 serve as the chairman of the DRC.

17 Each *ex officio* voting member shall become a member of the DRC
18 immediately upon assuming their office or position and shall remain a
19 member for as long as they continue to hold that office or position or
20 until they designate in writing another individual.

21 (2) Appointed voting members:

22 (i) One (1) architect, for an initial term of two (2)
23 years;

24 (ii) One (1) landscape architect, for an initial term
25 of two (2) years;

26 (iii) One contractor, developer or realtor who does
27 work within the downtown area, for an initial term of one year;

28 (iv) Three (3) downtown property owners or owners of a
29 business or professional offices as defined in Part 16 of this Chapter
30 656, located within the downtown area, for an initial term of one year

1 each; and

2 (v) One (1) urban planner, for an initial term of one
3 year.

4 (3) Ex officio nonvoting members:

5 (i) Planning Commission Chairman, or designee;

6 (ii) Building Official, or designee;

7 (iii) Traffic Engineer, or designee;

8 (iv) Urban Forester, or designee;

9 (v) Director, Planning and Development Department, or
10 designee;

11 (vi) District Council Member, or designee;

12 (vii) Chairman, Downtown Vision, Inc., or designee;

13 (viii) Executive Director of the Jacksonville
14 Transportation Authority, or designee.

15 (b) The DRC shall adopt rules and procedures necessary for the
16 conduct of its affairs. Five (5) voting members shall constitute a
17 quorum. With a quorum, the majority vote of those members present
18 shall be necessary to take any action.

19 (c) There shall be no restriction on serving multiple terms and
20 no term limits. A vacancy shall be filled in the same manner as the
21 original appointment. All members shall serve without compensation.

22 (d) Members shall continue in office for the term of their
23 respective office, or until they are reappointed and confirmed, or
24 until their qualified successors have been appointed and confirmed.

25 (e) If any appointed member fails to attend three (3)
26 consecutive meetings without cause and prior approval of the chairman,
27 that member shall be subject to removal by the Mayor.

28 **Sec. 656.361.8. Powers and Duties.**

29 Pursuant to the enactment of Ordinance 2000-321-E, the City
30 Council delegated the responsibility and authority to interpret the

1 Downtown Master Plan and to approve development and redevelopment
2 projects as described therein to the Downtown Development Authority.
3 In order to assist the Downtown Development Authority in carrying out
4 this responsibility, the DRC shall have the following powers and
5 duties:

6 (a) to review and make decisions with respect to all
7 applications for development and redevelopment within the Downtown
8 Overlay Zone: (i) to ensure consistency and compatibility of all
9 proposed development and redevelopment with the Downtown Master Plan;
10 and (ii) to consider the design related issues of each application to
11 ensure compliance with these Downtown District Regulations and all
12 related approved design guidelines and standards, subject always to
13 the ultimate authority of the Downtown Development Authority to
14 interpret the Downtown Master Plan; and

15 (b) to periodically review and make recommendations as necessary
16 to the Downtown Development Authority with respect to these Downtown
17 Development Regulations and related development standards and
18 guidelines, including proposed amendments or revisions thereto. Any
19 supplemental design guidelines shall be adopted by the Downtown
20 Development Authority.

21 **Sec. 656.361.9. Application and Review Procedure.**

22 (a) All developers are encouraged, but not required, to submit
23 designs of the proposed project at a conceptual stage for staff review
24 and feedback.

25 (b) Required Submissions for Conceptual Approval:

26 The developer shall submit an application containing the
27 following information (with attachments no larger than 11 inches by 17
28 inches) to the DRC staff:

29 (1) A vicinity plan - showing the project in relation to
30 the surrounding blocks;

1 (2) A site plan - including vehicular access, parking,
2 landscaping, building footprint (minimum scale: 1/8"=1'-0");

3 (3) Building elevations (all sides) (minimum scale: 1/8"=
4 1'-0");

5 (4) Site and building section, including sidewalk (minimum
6 scale: 1/8"=1'-0");

7 (5) A written certification stating (i) zoning of subject
8 and adjacent properties, (ii) land use of adjacent properties and
9 (iii) percent of buildings designated for each type of use; and

10 (6) The developer shall submit one copy of photographs
11 (digital photos that can be e-mailed are preferred) of the site and
12 adjacent properties (for context).

13 (c) Required Submissions for Final Approval: In addition to the
14 items listed in (1) through (6) above, the following items must be
15 submitted with the application for final approval:

16 (1) A floor plan;

17 (2) A perspective drawing of the building;

18 (3) A landscape plan;

19 (4) A signage plan;

20 (5) A streetscape plan;

21 (6) Lighting plan; and

22 (7) Samples of exterior finishes.

23 All attachments shall be in color, fully rendered, and shall
24 incorporate conditions imposed by the DRC, if any, at conceptual
25 approval. Attachments shall not exceed 11 inches by 17 inches.

26 (d) Classification of Projects:

27 Upon receipt of the application and required information, DRC
28 staff will classify the proposed developments as follows:

29 (1) Staff Review Only:

30 (i) landscaping;

- (ii) streetscape elements;
- (iii) minor structural changes; and
- (iv) signage.

(2) DRC Review:

- (i) new construction;
- (ii) structural change to exterior façade of existing structures; and
- (iii) other projects deemed appropriate by staff for review by the DRC.

(e) Staff Review:

Projects classified as A Staff Review Only@ will be reviewed by DRC staff and approved, approved with conditions, or denied within ten (10) working days of submittal of a complete application. Staff will notify the applicant of an incomplete application within five (5) days of receipt of the application.

(f) Procedures to be followed by the DRC:

(1) Projects classified as ADRC Review Required@ will be considered by the DRC at a scheduled meeting within thirty (30) working days of submittal of a completed application at a scheduled monthly DRC meeting. The applicant may present the project at the meeting.

(2) The DRC will review projects using a two-step process. The first step is a AConceptual Approval@, whereby the applicant=s project will be reviewed and conceptually approved, conceptually approved with conditions or denied based upon the development guidelines which are approved herein or these regulations. The second step is a AFinal Approval@, whereby the applicant brings the project back to DRC at its next regularly scheduled meeting to be reviewed and approved, approved with conditions, or denied based upon the development guidelines approved herein or these regulations.

1 (3) Upon approval of a project with or without conditions
2 by the DRC, building permits shall be issued for development, subject
3 to compliance with all applicable Building Code requirements,
4 including any required conditions imposed by the DRC. DRC approvals
5 shall be valid for one year from the date of approval, but may be
6 extended upon written request to DRC staff for just cause. If a
7 project is denied, the Chief Building Official shall not take any
8 further action concerning the application.

9 (4) No Certificate of Occupancy shall be issued by the
10 Chief Building Official until all requirements approved by the DRC
11 have been completed. Any changes to the approved plan shall be
12 provided to the DRC for review and further consideration.

13 (g) Appeals:

14 (i) *Appeal to Downtown Development Authority.* Any
15 adversely affected person, or the Director of the Downtown Development
16 Authority, may appeal a final decision of the DRC to the Downtown
17 Development Authority within fourteen (14) days of the effective date
18 of the written decision. The DDA's review of the appeal shall be a *de*
19 *nov*o review of the record and applicable law. The DDA may affirm,
20 reverse or modify each written decision or it may remand the matter
21 back to the DRC with specific instructions for further action, by
22 adopting a written order.

23 (ii) *Appeal to City Council.* Any adversely affected person
24 may appeal a decision of the Downtown Development Authority to the
25 City Council within fourteen (14) days of the effective date of the
26 written decision. The Council's review of the appeal shall be limited
27 to a consideration of whether the design review criteria were properly
28 applied by the DRC and the DDA and whether procedural due process was
29 afforded. If the Council determines the criteria were properly
30 applied and procedural due process was afforded, it shall adopt a

1 resolution to that effect. If the Council determines that the
2 criteria were not properly applied or procedural due process was not
3 afforded, the Council shall enact a resolution remanding the matter
4 back to the Downtown Development Authority for further consideration.

5 The Council may suggest additional findings or give directions to the
6 Downtown Development Authority to assist it in effectively
7 reconsidering the matter. Within ten (10) working days of the
8 Council's remand to the Downtown Development Authority, the Downtown
9 Development Authority shall issue a written decision to the applicant,
10 with a copy to the Building Official, which shall be deemed to be the
11 final decision of the City.

12 **Sec. 656.361.10. Development Guidelines.**

13 The Urban Design Guidelines, Site Design and Building Form
14 Guidelines contained in the Downtown Master Plan and Downtown
15 Jacksonville Streetscape Standards referred to in Section 656.361.20,
16 provide a variety of design options for achieving compatibility within
17 the Downtown Overlay Zone and provide guidance and incentives for good
18 design and compatible development. All development, including
19 renovation and rehabilitation of existing buildings and structures,
20 shall comply and be consistent with these guidelines and standards.

21 **Sec 656.361.11. Setback or "Build To" Lines.**

22 *Purpose and Intent:* Buildings shall provide continuous frontage
23 along sidewalks and be pedestrian-oriented with pedestrian-scaled
24 elements along adjacent sidewalks. Building or structure locations in
25 relation to setback or "Build To" lines, as shown in Figure 2, shall
26 comply with the following:

27 (a) No portion of a building or structure shall be set back from
28 the right-of-way line of a public street, unless the DRC authorizes a
29 setback to accommodate site specific public open spaces such as:
30 plazas, courtyards, vistas, entry ways, or the like, or it is

1 determined that additional setback is required to meet the width
2 requirements of the applicable Downtown Jacksonville Streetscape
3 Standards.

4 (b) The setback of the rear of the building from the right-of-
5 way line or rear and side from any common property line shall be
6 flexible to accommodate vehicular parking area, subject to compliance
7 with the landscaping and screening requirements of section 656.361.17.

8 **Sec. 656.361.12. Encroachment.**

9 *Purpose and Intent:* Building facades shall involve the pedestrian
10 on the street by providing differentiated building walls, open and
11 inviting facades, human/pedestrian scale, and variety of detail and
12 form by addressing variation in wall planes, horizontal and vertical
13 articulation, glazing, materials, finishes, and colors. Portions of a
14 building or structure such as: awnings, balconies, structural
15 elements, marquees, overhangs and cantilevered shelters, may extend
16 under, over or into the public right-of-way, subject to the approval
17 of the Director of the Public Works Department and may be allowed, as
18 shown in Figure 3, subject to compliance with the following:

19 (a) The minimum vertical clearance between the established grade
20 of the public right-of-way and the underside of the encroaching
21 structure maintains the pedestrian streetscape.

22 (b) Supporting columns will be permitted within the sidewalk
23 area when the grade level floor of the structure is set back a
24 distance equal to or greater than the sidewalk area lost to the
25 supporting columns. This requirement shall not apply in the case of an
26 existing building where an addition or alteration may result in the
27 necessity to locate supporting columns within the sidewalk area.

28 (c) Structures built over the public right-of-way do not
29 interfere with any element of the streetscape including, but not
30 limited to, lighting, landscaping, and pedestrian circulation.

1 (d) The structure extension has been reviewed, with due
2 consideration to public right-of-way width, above ground and
3 underground utilities, pedestrian views or visibility, and adjacent
4 structures.

5 (e) Pedestrian skywalks (over street connections) between
6 buildings are prohibited unless they connect two properties under the
7 same ownership and use and are essential to such use. Examples of
8 essential uses would be public health uses such as hospitals or public
9 services such as mass transit stations. Any proposed skywalk shall be
10 shown on schematic site plans for evaluation. The DRC shall consider
11 the total impact of the skywalk and its appropriateness to the site
12 and surrounding area including, but not limited to, its effect on:
13 shadowing, lighting, transparency, view corridors, and other features
14 of public or private property. DRC review and approval of the
15 preliminary schematic site plans is required, prior to applying for
16 additional approval as required under section 656.361.9, Ordinance
17 Code. After all other required approvals are obtained, the final
18 schematic plans shall be submitted to DRC for review and approval
19 prior to construction.

20 **Sec. 656.361.13. Entrances.**

21 *Purpose and Intent:* Development that is designed to improve the
22 pedestrian's experience of Downtown Jacksonville by respecting
23 existing development patterns, providing frequent pedestrian entries
24 along the street, and providing balconies from the upper floors of
25 residential units shall be encouraged.

26 There shall be at least one pedestrian entrance door on each
27 building elevation facing a street, as shown in Figure 4.

28 **Sec. 656.361.14. River Views and Height of Buildings and**
29 **Structures.**

30 *Purpose and Intent:* It is the intent of this section to encourage

1 enticing views of the river from as many places in downtown as
2 possible, as well as to encourage building forms and massing that is
3 respectful of the context of their surroundings and the pedestrian
4 environment by stepping buildings up from the river and defining
5 height zones as delineated hereunder to break up building form to
6 allow views through the architecture, particularly down public rights-
7 of-way, to discourage large undifferentiated building masses and
8 encourage building breaks, respect the scale of the context in which
9 development occurs, and encourage a variety of roof forms, as provided
10 under section 656.361.15, bays, room modules, entry forms, and step-
11 backs.

12 (a) No existing public right-of-way or unopened right-of-way
13 which leads to or toward the riverfront as shown on the Public Access
14 View Corridor Map dated May 12, 2003, as shown in Figure 5, may be
15 closed or vacated, unless an equivalent alternate public access and/or
16 view corridor is provided. Where the distances between such rights-of-
17 way exceed three hundred (300) feet, an additional easement and/or
18 view corridor shall be provided, not more than one hundred fifty (150)
19 feet from an existing right-of-way, as a landscaped forty (40) foot
20 easement, open to the public as a walkway, or the building shall be
21 designed to allow public access to enjoy the view. Buildings shall be
22 oriented and designed so as to minimize impediments to water views
23 from principal public view points at ground level and from higher
24 portions of nearby buildings. Tall buildings shall be set back from
25 the riverfront as far as possible to avoid blocking riverfront views
26 from other buildings, as shown in Figure 5.1.

27 (b) The height of a building or structure shall be subject to
28 the maximum height requirements of the underlying zoning district,
29 provided that sufficient articulation of the building or structure has
30 occurred to respect the scale of adjacent buildings and structures and

1 further provided that all applicable design requirements of these
2 regulations and the design standards and guidelines adopted herein are
3 met.

4 **Sec. 656.361.15. Rooftop design.**

5 *Purpose and Intent.* All rooftop mechanical equipment shall be
6 screened from view through the use of architectural enclosures
7 designed as an integral part of the building architecture. To present
8 an attractive roofscape, special consideration shall be given to the
9 design treatment of all roof components, including terraces, and shall
10 take into consideration the architecture of adjacent buildings and
11 their rooftops. Rooftops and proposed structures on rooftops shall
12 comply with the following, as shown in Figure 6:

13 (a) Open railings, planters, clerestories, skylights, play
14 equipment, parapets, and firewalls may extend up to four (4) feet
15 above the maximum height limit with unlimited roof coverage.

16 (b) Solar collectors may extend up to seven (7) feet above the
17 maximum height limit with unlimited roof coverage.

18 (c) The following rooftop features may extend up to fifteen (15)
19 feet above the maximum height limit, as long as the combined coverage
20 of all features listed in this subsection does not exceed twenty
21 percent (20%) of the roof area, or twenty five percent (25%) if the
22 total includes stair or elevator penthouses or screened mechanical
23 equipment:

24 (1) Solar collectors;

25 (2) Stair and elevator penthouses;

26 (3) Mechanical equipment; and

27 (4) Play equipment and open-mesh fencing, as long as the
28 fencing is at least fifteen (15) feet from the roof edge.

29 (d) Radio and television receiving equipment; religious symbols
30 such as belfries or spires, together with that portion of the roof

1 that supports them; smokestacks, and flag poles may extend up to fifty
2 (50) feet above the roof of the structure on which they are located or
3 fifty (50) feet above the maximum height limit, whichever is less.

4 (e) The rooftop features listed hereinabove may exceed a height
5 of fifty (50) feet above the roof of the structure on which they are
6 located if authorized by the DRC. The request for additional height
7 shall be evaluated on the basis of the public benefits provided, the
8 possible impacts of the additional height, consistency with the City's
9 land use policies, and the following criteria:

10 (1) The feature shall be compatible with and shall not
11 adversely affect the downtown skyline.

12 (2) The feature shall not have a significant adverse
13 effect upon light, air, solar and visual access of properties within a
14 three (300) hundred foot radius.

15 (3) The feature, supporting structure and structure below
16 shall be compatible in design elements such as bulk, profile, color,
17 and materials.

18 (4) The feature shall not adversely affect the function of
19 existing transmission or receiving equipment within a five (5) mile
20 radius.

21 (5) The increased size is necessary for the successful
22 function of the feature.

23 **Sec. 656.361.16. Off-Street Parking Overlay.**

24 *Purpose and Intent:* The impact of parking and service areas in
25 downtown shall be minimized by locating parking lots and garages away
26 from sidewalks and pedestrian connections and within projects or off
27 service alleys; locating loading and service docks away from sidewalks
28 and pedestrian connections; ensuring that design of parking lots
29 minimally affect the pedestrian environment; providing active uses
30 such as shops and restaurants on the ground floor of garages to engage

1 pedestrians; requiring landscaping and architectural treatments to
2 soften the appearance of surface parking lots and parking garages;
3 promoting development of structured parking, particularly within the
4 Central Civic Core; discouraging surface parking lots throughout
5 downtown and the demolition of existing buildings or structures to
6 create surface parking lots. The design of individual sites will add
7 to the quality of downtown by providing clear and separate access for
8 vehicles and pedestrians, defining the street and sidewalk space,
9 providing outdoor space that will be used by the public or the
10 occupants of the building or structure, screening and buffering
11 service and docks from the public right-of-way, and by encouraging the
12 service function of alleys. All parking lots and parking garages
13 shall meet the criteria of section 656.361.17 and the following
14 criteria:

15 (a) Minimum off-street parking requirements for Central Civic
16 Core District and portion of Riverfront District. There shall be no
17 minimum off-street parking requirement for the Central Civic Core and
18 that portion of the Riverfront District described as follows:
19 Beginning at the intersection of Main Street and the northbank of the
20 St. Johns River, proceeding north on Main Street to Adams Street,
21 thence eastward along Adams Street to Liberty Street to Bay Street,
22 thence easterward along Bay Street to Gator Bowl Road, thence
23 southward to the northside of the St. Johns River, except for all
24 residential, Industrial Waterfront District uses and hotel uses, which
25 shall meet the requirements of Part 6 of the Zoning Code, unless
26 associated with the rehabilitation of an existing building. The
27 minimum off-street parking requirements contained in Part 6 shall be
28 fifty (50) percent of the requirement as applied to the remaining
29 Downtown Districts, except for all new residential uses and hotel
30 uses, which shall meet the parking requirements for said uses under

1 Part 6.

2 (b) Maximum off-street parking requirements. The maximum number
3 of off-street parking spaces permitted for any use within the downtown
4 district shall be the minimum number of off-street parking spaces
5 required pursuant to Part 6.

6 (c) Reduced minimum and maximum allowable parking spaces based
7 on proximity to the Automated Skyway Express (ASE). Where a use is
8 located within seven hundred (700) feet of an ASE station entrance,
9 the minimum and maximum allowable number of off-street parking spaces
10 shall be reduced by twenty-five (25) percent, except for new
11 residential and hotel uses.

12 (d) Carpool and vanpool bonus. For every off-street parking
13 space reserved only for use as a carpool or vanpool space, an
14 additional number of off-street parking spaces equal to the total of
15 such spaces may be provided up to a maximum increase of fifteen (15)
16 percent above the maximum allowable spaces. All carpool and vanpool
17 spaces shall be registered with the Downtown Development Authority.

18 (e) Exclusive short-term parking space credit. An increase in
19 the maximum allowable number of off-street spaces may be approved by
20 the provision of exclusive short-term parking spaces within a private
21 parking structure. The number of bonus spaces approved under this
22 provision may be equal to, but shall not exceed, the number of
23 exclusive short-term spaces. In order for this bonus provision to
24 apply, all of the following conditions must be met:

25 (1) The parking space must be a dedicated space within a
26 parking structure that:

27 (i) will not be leased on a long-term basis to
28 employees of the building or other entities;

29 (ii) is not included in the calculation of the base
30 parking requirements for the development;

1 (iii) is located on the ground level of the parking
2 structure, and is within close proximity to garage entry and/or exit
3 locations; and

4 (iv) will be open to the general public during non-
5 business hours (i.e., beyond 5:00 p.m. on weekdays and on Saturdays
6 and Sundays).

7 (2) The owners shall certify annually to the Downtown
8 Development Authority that the above requirements have been satisfied.
9 The Downtown Development Authority will inspect the parking facility
10 on a regular basis and will report compliance or noncompliance to DRC
11 staff for appropriate action.

12 (f) All off-street parking, trash, storage and loading areas
13 provided shall comply with the provisions of section 656.361.16
14 herein, Surface Parking Screening and Landscaping Requirements.

15 (g) Parking structures permitted. The facades of parking
16 structures shall be clad in a material architecturally compatible with
17 the other occupied floors of the building and/or compatible with the
18 material used to cover the exterior of the abutting building. Such
19 material shall effectively and attractively obscure the view to the
20 interior of all parking decks. Parking structures, including parking
21 structures integrated within a larger building that can be viewed from
22 the street, shall be clad in a material which is appropriate to the
23 surrounding area and required to have at least 50% of the street
24 frontage occupied by retail or similar ground floor uses, as shown in
25 Figure 7. Such material shall effectively and attractively conceal the
26 view to the interior of all parking decks. Parking structures shall be
27 designed such that sloping circulation bays are internal to the
28 structure and not expressed in the exterior treatment of the parking
29 structure. The design of the parking structure shall insure that
30 parked cars are not visible from the street level, except as may be

1 unavoidable at entrances and exits. Prior to final site plan approval
2 of the parking structure by DRC, the Traffic Engineer shall provide
3 written comment to DRC staff as to the acceptability of proposed
4 ingress and egress for the parking structure and potential impacts on
5 traffic. Parking structures are subject to the standards contained in
6 the Transparency Section.

7 (h) Accessory surface parking is permitted. Accessory surface
8 parking means automobile parking as a subordinate use, and of a nature
9 incidental to but supportive of the principal use (building). The
10 accessory surface parking spaces are subject to the Surface Parking,
11 Trash, Storage, and Loading Areas Screening and Landscaping
12 Requirements of Section 656.361.17.

13 (i) Design Standards for Parking Lots. It is the intent of this
14 subsection to promote flexibility in design while maintaining safe and
15 efficient parking areas. Therefore, all parking facilities shall be
16 designed and constructed (paved) in accordance with nationally
17 recognized standards and best practices such as Architectural Graphics
18 Standards published by the AIA, Dimensions of Parking, 4th edition,
19 published by the Urban Land Institute and National Parking Association
20 (NPA) and the Guidelines for Parking Geometrics by NPA, or other
21 similar standards approved by the DRC.

22 **Sec. 656.361.17. Surface Parking, Trash, Storage, and Loading**
23 **Area Screening and Landscaping Requirements.**

24 These requirements are applicable to all new accessory,
25 commercial, private, and temporary parking lots, trash, storage,
26 loading, and outdoor equipment areas.

27 (a) Screening. Surface parking, trash, storage, loading and
28 outdoor equipment areas shall be screened along each street lot line,
29 as shown in Figure 8, as follows:

30 (1) A three (3) foot maximum height masonry wall with a

1 five (5) foot (minimum) landscape section with three (3) foot high
2 shrubs, spaced at two and one half feet (2 1/2') on center between
3 the fence and the property line. Wrought iron metal picket style
4 fencing shall be placed on top of the masonry wall no taller than six
5 (3) feet in height with the total fence height not exceeding six (6)
6 foot; or

7 (2) Six (6) foot transparent wrought iron style metal
8 fence with three (3) foot high shrubs, spaced at two and one half feet
9 (2 1/2') on center, planted in a five (5) foot (minimum) landscape
10 strip between the fence and the property line; or

11 (3) A fifteen (15) foot wide landscape section where
12 vehicles, trash receptacles, equipment, etc are sufficiently screened.

13 (b) Chain link fences are prohibited in the Central Civic Core,
14 Riverfront District and River Park District. Chain link fences are
15 discouraged in the remaining subdistricts of downtown. Chain link
16 fences may be utilized in the remaining districts on a temporary basis
17 only, not to exceed two (2) years and shall be black vinyl coated
18 chain link with a top rail. Any property owner proposing a chain link
19 fence will be required to agree to install a permanent wrought iron
20 style metal fence or masonry wall/wrought iron style metal fence after
21 the two years has expired. If it is determined after two years that a
22 fence is no longer needed and would not be required under these
23 regulations, the property owner may elect to remove the fence from the
24 site.

25 (c) Landscaping. Surface parking areas shall be landscaped
26 according to the following requirements:

27 (1) 0-100 spaces: perimeter requirements only, pursuant
28 to Part 656.1215, as shown in Figure 9.

29 (2) 101 to 299 spaces: landscaped interior end islands
30 are required pursuant to sections 656.1215 and 656.1214(d), as shown

1 in Figure 9.

2 (3) 300 or more spaces: subject to existing Part 12
3 Landscaping Requirements. In addition, the Design Review Committee
4 shall require additional end islands, interior islands, increased size
5 of tree and plant material, pedestrian walkways, increased lighting
6 standards, as shown in Figure 10, and pedestrian sidewalks as follows:

7 (i) Minimum five (5) feet pedestrian sidewalk with
8 minimum three (3) feet landscape strip on either to include one tree
9 per twenty-five (25) feet.

10 (ii) Pedestrian sidewalk area shall be provided
11 between face-to-face parking aisles every second aisle.

12 (4) Tree types and sizes for all parking facilities.

13 (i) Date Palms - Fourteen (14) feet clear trunk
14 minimum.

15 (ii) Two Washingtonian Palms - Sixteen (16) feet clear
16 trunk minimum.

17 (iii) Live Oak - Sixteen (16) feet / Six (6) inch
18 caliper.

19 (iv) Southern Magnolia - Sixteen (16) feet / six (6) inch
20 caliper.

21 (v) American Holly - Eighteen (18) feet / six (6) inch
22 caliper.

23 (vi) East Palatka Holly - Eighteen (18) feet / six (6) inch
24 caliper.

25 **Sec. 656.361.18. Transparency.**

26 *Purpose and Intent:* To enhance the economic and urban environment
27 by minimizing the percentage of blank wall space on the ground-floor
28 level to encourage continuity of retail and pedestrian consumer
29 service uses and providing a pleasant, rich, and diverse experience
30 for pedestrians by visually connecting activities occurring within a

1 structure to adjacent sidewalk areas, prohibiting fortress-like
2 facades at the street level and avoiding a monotonous environment. All
3 buildings and structures with street frontage shall meet, as shown in
4 Figure 11, the following requirements:

5 (a) At least fifty (50) percent of each building facade, between
6 the height of two (2) feet and ten (10) feet above the sidewalk grade
7 shall be transparent.

8 (b) Uses which can be seen from the sidewalk inside the building
9 within the required transparency area shall be occupied space and
10 shall not be devoted to parking areas, truck loading areas, vehicular
11 access ways, or storage.

12 (c) The required transparency area shall not apply to sides of
13 buildings with residential units located adjacent to the sidewalk;
14 buildings of historic significance churches, synagogues or other
15 buildings of religious worship.

16 **Sec. 656.361.19. Grid Pattern.**

17 *Purpose and Intent:* To maintain traditional block patterns with a
18 grid of streets, eliminate vacant streets and minimize the creation of
19 superblocks, wherever practicable, by encouraging new large
20 development proposals to respect the existing downtown street pattern.
21 All buildings and structures shall meet the following criteria:

22 (a) All new construction of buildings and structures and
23 rehabilitation of existing buildings and structures shall respect the
24 existing downtown street pattern. No closures of right of way will be
25 allowed, unless it can be shown that the public benefits clearly
26 outweigh the negative impacts on the downtown traffic network. In
27 order to determine that the public benefits of the closure(s) clearly
28 outweigh the negative impacts, a positive finding, based on
29 substantial competent evidence, must be made on each of the following
30 criteria:

1 (1) The proposed closure(s) will not be detrimental to the
2 public health, safety and welfare;

3 (2) Pedestrian access is provided and maintained through
4 the proposed development;

5 (3) The proposed building (s) and structure (s) exceeding
6 the lot area will be consistent with the general character of the
7 adjacent and surrounding area;

8 (4) The vehicular circulation pattern will provide
9 improved corridors by enhanced streetscape improvements; and

10 (5) The proposed building(s) and structure(s) will face
11 the right-of-way with access from those rights-of-way to the general
12 public.

13 **Sec. 656.361.20. Streetscape Design Standards.**

14 *Purpose and Intent.* The streetscape design standards are
15 established to provide design criteria which require a certain level
16 of quality; enhance street level design to attract pedestrian use;
17 develop a system of pedestrian-oriented streets and walkways; improve
18 pedestrian and transit links among key activity centers and districts;
19 emphasize, protect and enhance entrances and edges of the central
20 business district subdistricts; promote continuity between public and
21 private developments; provide for protection of air quality through
22 the mitigating effects of trees and provide shade and enhance the
23 appearance of the central business district. All new buildings and
24 structures and rehabilitation of existing buildings and structures
25 shall meet the following criteria:

26 (a) A streetscape shall be constructed in accordance with the
27 provisions of this subsection and the design standards set forth in
28 the Downtown Jacksonville Streetscape Standards, including Downtown
29 Sidewalk Utility Design Standards, a copy of which is on file with the
30 Legislative Services Division, the City Engineer's Office and the DDA,

1 which are hereby adopted as the streetscape design standards for the
2 Downtown Overlay Zone, whenever any building or structure is erected
3 in the central business district or whenever any building or structure
4 undergoes major renovation. The streetscape shall include the
5 following items:

6 (1) Trees. Trees shall be planted in the streetscape. The
7 type of tree, number of trees, and spacing of trees shall comply with
8 the standards set forth in the Downtown Jacksonville Streetscape
9 Standards.

10 (i) Trees shall be a minimum of 16' in height, 4"
11 caliper, with 7' of clear trunk. Liriope groundcover will be used as
12 the tree planter cover.

13 (ii) Irrigation systems shall be installed underground
14 to service all trees and other landscape material, and the irrigation
15 system shall be maintained in operable condition at all times. The
16 type and size of irrigation system shall comply with City's Land
17 Development Standards.

18 (iii) Inspection of trees planted pursuant to this
19 subsection shall occur six (6) months after planting to ensure all
20 trees are in healthy condition. Trees found to be in a declining
21 condition shall be replaced within thirty (30) days of notice thereof.
22 If replacement is necessary, there shall be a reinspection six (6)
23 months after replacement and the provisions of this subsection shall
24 apply to the reinspection.

25 (2) Streetlights. The type, number, and spacing of
26 streetlights shall comply with the standards set forth in the Downtown
27 Jacksonville Streetscape Standards and as approved by the City's
28 Traffic Engineer.

29 (3) Paving. Paving shall be installed in the streetscape.
30 The type of paving, design and paving materials shall comply with the

1 standards as set forth in the Downtown Jacksonville Streetscape
2 Standards.

3 (4) Street Furniture. Street furniture shall be installed
4 where appropriate. The type, number and spacing of street furniture
5 shall comply with the standards as set forth in the Downtown
6 Jacksonville Streetscape Standards.

7 (b) Streetscape maintenance agreement. At the time of issuance of
8 a certificate of occupancy, all property owners constructing
9 streetscapes shall be required to execute a maintenance agreement, in
10 a form acceptable to the City, in which the property owner agrees to
11 maintain and repair all elements of the streetscape when needed.

12 **Sec. 656.361.21. Waterfront Design Regulations.**

13 *Purpose and Intent.* The purpose of the Waterfront Design
14 Regulations is to: 1) protect and promote the City's downtown
15 waterfront as a community resource, 2) provide for an orderly
16 development or redevelopment of the waterfront, 3) foster high quality
17 design of the riverfront development, 4) ensure increased public
18 access to and along the water's edge, and 5) create a pedestrian-
19 oriented environment along the waterfront. The following requirements
20 shall apply to all property located along the waterfront, as shown on
21 Figure 12.

22 (a) Waterfront building setback. Property owners/ developers
23 constructing a new building on a riverfront lot shall provide a fifty
24 (50) foot building setback from the water=s edge as measured from the
25 waterside face of the bulkhead or the rip-rap revetment at the Mean
26 High Water Line (MHWL) extending landward of the river, as established
27 at the time of request for a building permit and DRC review.

28 (b) Riverwalk. Within the waterfront building setback area, a
29 perpetual easement shall be negotiated with the City to be dedicated
30 prior to issuance of a building permit, for the purpose of

1 construction of a riverwalk along the riverfront by the City to be
2 part of a continuous riverwalk system. Construction of the riverwalk
3 shall comply with the provisions of this subsection and the design
4 standards set forth in the Riverfront Park Design Criteria dated July
5 2000, which standards are hereby adopted and on file in the
6 Legislative Services Division, the City Engineer's Office, and the
7 DDA.

8 (c) McCoy's and Hogan's Creek Linear Parks. Developers of
9 properties along McCoy's and Hogan's Creeks shall negotiate with the
10 City to dedicate an easement to the City for a pedestrian walkway,
11 bike path and associated landscaping.

12 **Sec. 656.361.22. Deviations from standards by Design Review**
13 **Committee.**

14 The Design Review Committee may authorize a deviation from any of
15 these Design Review Standards, if it makes a positive finding, based
16 on substantial competent evidence, on each of the following criteria:

17 (a) There are practical or economic difficulties in carrying out
18 the strict letter of the requirement;

19 (b) The request is not based exclusively upon a desire to reduce
20 the cost of developing the site, but would accomplish some result that
21 is in the public interest;

22 (c) The proposed reduction or deviation will not substantially
23 diminish property values in the area surrounding the site and will not
24 substantially interfere with or injure the rights of others whose
25 property would be affected by the deviation;

26 (d) The proposed reduction or deviation will not be detrimental
27 to the public health, safety or welfare, result in additional public
28 expense or the creation of nuisances; and

29 (e) The effect of the proposed reduction or deviation furthers
30 the objectives, policies, design and intentions of the Downtown Master

1 Plan.

2 **Section 3. Effective Date.** This Ordinance shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

5 Form Approved:

6

7

8 Office of General Counsel

9 Legislation Prepared By: Theresa M. Rooney

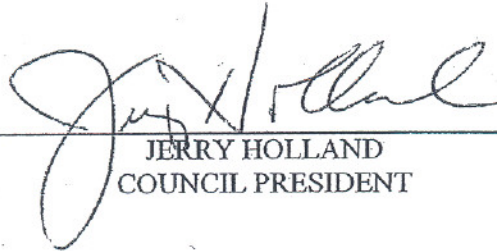
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ORDINANCE 2003-627-E

CERTIFICATE OF AUTHENTICATION


ENACTED BY THE COUNCIL

JUNE 24, 2003



JERRY HOLLAND
COUNCIL PRESIDENT

ATTEST:



CHERYL L. BROWN
COUNCIL SECRETARY

APPROVED: JUN 30 2003



JOHN A. DELANEY, MAYOR

