

1 Introduced by Council Member Diamond:
2

3 **ORDINANCE 2023-152**

4 AN ORDINANCE AMENDING SECTION 650.105
5 (DEFINITIONS), PART 1 (GENERAL PROVISIONS),
6 CHAPTER 650 (COMPREHENSIVE PLANNING FOR FUTURE
7 DEVELOPMENT), *ORDINANCE CODE*, SECTION 656.704
8 (NONCONFORMING LOTS OF RECORD - RESIDENTIAL),
9 PART 7 (NONCONFORMING LOTS, USES AND
10 STRUCTURES), AND SECTION 656.1601
11 (DEFINITIONS), PART 16 (DEFINITIONS), CHAPTER
12 656 (ZONING CODE), *ORDINANCE CODE*, TO CLARIFY
13 THE DEFINITION OF A "LOT OF RECORD", TO DEFINE
14 "INFILL LOT", AND TO ADDRESS DEVELOPMENT OF
15 INFILL LOTS IN RESIDENTIAL ZONING DISTRICTS;
16 PROVIDING AN EFFECTIVE DATE.
17

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

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

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

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

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

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

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

7 **PART 1. GENERAL PROVISIONS**

8 * * *

9 **Sec. 650.105. - Definitions.**

10 In this Chapter, unless the context otherwise requires:

11 * * *

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

22 * * *

23 **Section 2. Amending Section 656.704 (Nonconforming lots of**
24 **record - Residential), Part 7 (Nonconforming Lots, Uses and**
25 **Structures), and Section 656.1601 (Definitions), Part 16**
26 **(Definitions), Chapter 656 (Zoning Code), Ordinance Code.** Section
27 656.704 (Nonconforming lots of record - Residential), Part 7
28 (Nonconforming Lots, Uses and Structures), and Section 656.1601
29 (Definitions), Part 16 (Definitions), Chapter 656 (Zoning Code),
30 *Ordinance Code*, are hereby amended to read as follows:

31 **CHAPTER 656 - ZONING CODE**

1 * * *

2 PART 7. - NONCONFORMING LOTS, USES AND STRUCTURES

3 * * *

4 Sec. 656.704. - Nonconforming lots of record and infill lots -
5 Residential.

6 Notwithstanding limitations imposed by the provisions of the
7 Zoning Code as to lot~~r~~ area, lot width and street frontage on a single
8 Lot of Record, as defined in Sec. 656.1601, *Ordinance Code*, ~~or~~ a
9 combination of complete lots of record, an infill lot, or a
10 combination of complete infill lots, existing on September 5, 1969,
11 where residential use is a permitted use or permissible use by
12 exception in the district except as otherwise provided:

- 13 (a) One~~A~~ single-family dwelling may be constructed on a single
14 lot of record, ~~or~~ a combination of lots of record, an infill
15 lot, or a combination of complete infill lots in a RR, RLD,
16 RMD, or AGR District or with a grant of exception in a RO and
17 CRO District, and a mobile home may be placed on a single lot
18 of record in an RLD-MH, RMD-MH or AGR District, or with a
19 grant of exception in an RLD, RMD, or CRO District; provided,
20 however, that a mobile home may be placed on a single lot of
21 record without a grant of exception in an RLD, RMD, or CRO
22 District where the lot was classified as an "RM District"
23 (Residential, Mixed) or an "RHM District" (Residential,
24 Mobile Home) immediately prior to the effective date of this
25 Zoning Code. An infill lot or a combination of complete infill
26 lots shall be equal to the average lot width and lot area of
27 conforming lots on the same block or 40 feet in width and
28 4,000 square feet in area, whichever is greater.
29 Notwithstanding any requirements found in a zoning district
30 as to required yards, an infill lot shall have yards which
31 are equal to the yards of the majority of single-family

1 dwellings on the same block.

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

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

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

20 * * *

21 **Sec. 656.1601. Definitions.**

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

26 * * *

27 Infill lot for the purposes of this Chapter 656 means a lot or
28 parcel located in the Urban Priority Area development area or Urban
29 Area development area which has access to centralized potable water
30 and sanitary sewer and is: (i) part of a plat recorded on or before
31 September 21, 1990 in the office of the Clerk of the Circuit Court

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

4 * * *

5 Lot of record shall have the meaning ascribed to it in Section
6 650.150(p), Ordinance Code.~~means a lot which is part of a~~
7 ~~subdivision recorded on or before September 21, 1990, in the office~~
8 ~~of the Clerk of the Circuit Court of Duval County or a lot or~~
9 ~~parcel described by metes and bounds, which was lawfully created~~
10 ~~and the description for which was recorded on or before September~~
11 ~~21, 1990.~~

12 * * *

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

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

23
24 Form Approved:

25
26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation Prepared By: Mary E. Staffopoulos

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