Introduced by the Council President at the request of the Mayor and Co-Introduced by Council Member Johnson:

ORDINANCE 2026-

AN ORDINANCE CREATING A NEW SECTION 656.423 (AFFORDABLE HOUSING DENSITY INCREASES ON PROPERTY OWNED BY A RELIGIOUS INSTITUTION), SUBPART B (MISCELLANEOUS REGULATIONS), PART 4 (SUPPLEMENTARY REGULATIONS), CHAPTER 656 (ZONING CODE), *ORDINANCE CODE*, TO ENABLE AND INCENTIVIZE THE CREATION OF AFFORDABLE HOUSING ON UNDERUTILIZED RELIGIOUS INSTITUTION LAND WHILE ENSURING COMPATIBILITY WITH SURROUNDING NEIGHBORHOODS AND ADHERENCE TO LAND USE REGULATIONS; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Jacksonville continues to face the challenge of creating attainable housing for working families, seniors, young professionals, veterans, and others whose incomes increasingly struggle to keep pace with the cost of housing; and

WHEREAS, this legislation creates a pathway through which qualifying religious institutions can develop affordable or workforce housing on property they own, either independently or in partnership with qualified housing developers, nonprofit organizations, community development entities, and other partners; and

WHEREAS, Section 166.04151(6), Florida Statutes, authorizes municipalities to approve affordable housing development on property owned by a qualifying religious institution containing a house of public worship, including contiguous property, regardless of

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underlying zoning, provided the statutory affordability requirements are satisfied; now therefore,

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

Section 1. Creating new Section 656.423 (Affordable Housing density increases on property owned by a religious institution.), Subpart B (Miscellaneous Regulations), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code), *Ordinance Code*. Section 656.423 (Affordable Housing density increases on property owned by a religious institution.), Subpart B (Miscellaneous Regulations), Part 4 (Supplementary Regulations), Chapter 656 (Zoning Code), *Ordinance Code*, is hereby created to read as follows:

CHAPTER 656 – Zoning Code

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Part 4 – Supplementary Regulations

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Subpart B – Miscellaneous Regulations

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Sec. 656.423. – Affordable Housing density increases on property owned by a religious institution.

(1) Highest currently allowed density for an affordable housing development is authorized on property that is owned by a religious institution, as defined in Section 170.201(2), Florida Statutes, which contains a house of public worship for at least ten (10) years before the proposed development and three (3) acres or less. The religious institution must continue to operate on the property after the proposed development is constructed.

a. Zoning Districts. The subject property shall be situated within any of the following zoning districts:

i. Commercial Community General-1 (CCG-1)

ii. Commercial Community General-2 (CCG-2)

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iii. Commercial Community/General-Springfield (CCG-S)
iv. Commercial Residential Office (CRO)
v. Commercial Residential Office-Springfield (CRO-S)
vi. Commercial Neighborhood (CN)
vii. Commercial Neighborhood-Springfield (CN-S)
viii. Industrial Business Park (IBP)
ix. Residential Office (RO)
x. Residential Medium Density-A (RMD-A)
xi. Residential Medium Density-B (RMD-B)
xii. Residential Medium Density-C (RMD-C)
xiii. Residential Medium Density-D (RMD-D)
xiv. Residential Medium Density-Springfield (RMD-S)
xv. Residential High Density-A (RHD-A)
xvi. Residential High Density-B (RHD-B)

b. This provision shall not apply to any property in the LDR Future Land Use Category as defined by the Comprehensive Plan.

c. This provision shall not apply to any property within an established neighborhood, as defined by the Comprehensive Plan, that is developed with single-family residential.

d. Pursuant to Section 166.04151(7)(b), Florida Statutes, the residential density of a development is allowed at a maximum of sixty (60) units/acre, the highest currently allowed density under the Zoning Code.

e. "Highest allowed density" does not include the density of any building that has received any bonus, variance, or other special exception for density provided in the city's land development regulation as an incentive for development.

f. Development density is limited pursuant to the Land Use Category Description density provisions for portions of

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the site located within the Coastal High Hazard Area (CHHA). Density may be clustered outside the CHHA.

(2) The maximum height permitted for a proposed development under this subsection shall be as allowed pursuant to the underlying zoning district.

a. Development shall comply with airport height restrictions set forth in Section 656, Part 10, Ordinance Code.

b. Development located in local historic districts or local landmarks sites are subject to review for compliance with the district guidelines.

(3) Reduced parking requirements for a proposed development authorized under this subsection by at least fifteen percent (15%) can be considered if the development is located within one-quarter mile of a transit stop, as defined in the municipality's land development code, or is located within one-half mile of a major transportation hub.

(4) Required parking for the existing church and multi-family use shall be provided in accordance with the Part 6 regulations of the Zoning Code. However, the required parking for the affordable housing development may be satisfied through a shared parking agreement with the existing church, subject to the following provisions:

a. For shared parking arrangements between an existing church and an affordable housing development, the total parking requirement for the affordable housing use may be reduced to 90 percent of the amount otherwise required.

b. A shared parking agreement shall be recorded between the church and the affordable housing property owner as a deed restriction on both properties and cannot be modified without the consent of the Director.

(5) Affordable Housing. To qualify for the benefits enumerated

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under this subsection, the development must provide affordable housing that conforms to the definition of affordable housing set forth herein and meet the minimum thresholds detailed below.

a. Definition. *Affordable Housing* - Housing for which monthly rents or monthly mortgage payments, including taxes, insurance, and utilities, do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for households. The income-based limits that define "extremely low income," "very low income," "low income," and "moderate income," shall match those established by the State of Florida.

b. Minimum Threshold of Affordable Housing. The development shall provide an amount of affordable housing that meets the following:

i. A minimum of forty percent (40%) of the rental units shall be designated as affordable housing with rents at or below the Area Median Income (AMI) and for households earning no more than 80% of the Area Median Income (AMI) for a term of no less than thirty (30) years from the time the units are placed in service. Compliance shall be demonstrated by either:

a) Providing proof of participation in a City recognized local, state, or federal affordable housing program that meets or exceeds the affordability requirement above; or

b) Executing a City development agreement, for a term of no less than thirty (30) years, which shall be recorded with the property. This agreement shall stipulate the developer's provision of annual income certification documentation and other terms as determined by

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the City.

c. The property owner shall prepare and submit an annual report to the Housing and Community Development Division of the City of Jacksonville regarding the affordable housing authorized by this subsection. The annual report should clearly certify that a minimum of forty percent (40%) of the rental units are at eighty percent (80%) Area Median Income (AMI) or below and be prepared for income certification and verification requests.

(6) Qualifying developments are subject to all other land development regulations, including but not limited to environmental regulations, traffic engineering reviews, and concurrency.

(7) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

a. Applicable local laws and regulations include, but are not limited to the following:

i. Multi-family development must connect to JEA water and sewer.

ii. Development within a local historic district or on a locally designated landmark shall be subject to compliance with Chapter 307, Ordinance Code.

b. Additional zoning requirements that apply to development include, but are not limited to, the following:

i. Active recreation shall comply with Section 656.420, Ordinance Code.

ii. Buffering and landscape standards shall comply with Part 12, Ordinance Code.

iii. Chapter 307, Ordinance Code provisions for local historic districts and landmarks shall apply as

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applicable.

c. Development located within a flood zone shall comply with Chapter 652, Ordinance Code, including no development within the Floodway plus a twenty-five (25) foot buffer.

d. Development density is limited pursuant to the Land Use Category Description density provisions for portions of the site located within the Coastal High Hazard Area (CHHA). Density may be clustered outside the CHHA.

e. Development shall comply with the requirements of the Land Development Procedures Manual (LDPM).

f. Development within an airport environment shall comply with Chapter 656, Part 10, Ordinance Code.

(8) An Affordable Housing Application for development of multi-family housing on sites owned by a religious institution shall be submitted to the Planning Department for review and approval.

a. *Notice*. Notice of application under this section shall be given within five working days of receipt of a complete application by the Department by posting signs on the property at intervals of not more than two hundred (200) feet along street sides of property upon which the request is made. The signs shall indicate the request and information on how, and by when, participation is allowed. The signs shall be posted fourteen (14) days before final determination from the planning department.

b. The Department shall also mail notice to all neighborhood associations within three hundred fifty (350) feet of the property. No published advertisement shall be required.

c. Persons wishing to provide comments related to the application shall provide those comments in writing to the Planning Department within fourteen (14) days of the sign posting.

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d. The Planning Department will consider comments in writing regarding the application. The final determination of the Planning Department shall be made at least fourteen (14) days after notice is posted but within thirty (30) days after the application has been deemed complete.

(9) Civil plans can be submitted after the application is approved by the Planning Department, subject to any conditions of approval of the application. A copy of the approved Affordable Housing Application must be uploaded with the civil plan submittal.

(10) This section shall sunset five years from the date of approval, unless, prior to that date, the City Council determines that the subsection has demonstrated measurable effectiveness in fulfilling its intended objectives and enacts legislation authorizing its extension.

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Section 2. Codification Instructions. The Codifier and the Office of General Counsel are authorized to make all chapter and division "table of contents" consistent with the changes set forth herein. Such editorial changes and any other changes necessary to make the *Ordinance Code* consistent with the intent of this legislation are approved and directed herein, and the changes to the *Ordinance Code* shall be made forthwith and when inconsistencies are discovered.

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

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Form Approved:

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Office of General Counsel

Legislation Prepared By: Terrence L. Harvey

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