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# Findings and Recommendations of the Metropolitan Planning and Zoning Committee of the Jacksonville Chapter of the American Institute of Architects


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FINDINGS AND RECOMMENDATIONS OF THE METROPOLITAN PLANNING AND ZONING COMMITTEE OF  
THE JACKSONVILLE CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS

Since July of 1956 a special committee of the Jacksonville Chapter of The American Institute of Architects, known as The Metropolitan Planning and Zoning Committee, has been studying the most rational procedure through which the City of Jacksonville may, to a great extent, resolve its many problems of growth, especially growth which has spread beyond the corporate city limits to the very corners of Duval County. It has been the consistent goal of this committee to waste neither time nor effort on piecemeal or patchwork procedures or solutions, but rather to come to a rather comprehensive conclusion which it hopes and believes will tend to focus a myriad of metropolitan problems in their proper light and perspective. This conclusion has been reached with the belief that it affords an orderly, sane and economical solution to not the symptoms, but the causes of these problems of growth which have, through neglect, become an interwoven entity....no one problem can be attacked without encountering the multitude of related frustrating situations crying for solution.

Every alert citizen of Jacksonville and Duval County is aware of the problems of traffic and congestion within the metropolitan area. As the uncontrolled growth reaches ever farther into the county, spotted traffic generators build up in the form of shopping centers and small business developments....without overall planning in relation to the Jacksonville urban core and its traffic facilities, these traffic generators choke the feeder systems into the downtown business district to such an extent that automobiles designed to travel at 80 mph are forced through traffic pockets varying down to 15 mph. Much worse than the spotted developments are the continuous strip developments which have been nick-named "Road-town, U.S.A." by critics. Proper zoning backed up by forceful penalties would eliminate the spread of this cancerous sort of expansion and make possible a sound, sensible, orderly use of the lands within the city and county, and would insure an investor that the thought and capital he puts into land and structures will be safe from the devastating effects of hap-hazard land use. The judicious use of the lands within Jacksonville and Duval County can be realized only through comprehensive research and serious, unbiased study.

In relation to the above, and as food for thought regarding the conclusion this committee has reached, the following information is quite timely. National estimates anticipate that by 1975, 18 years from now, the U. S. population will have increased by 35% or fifty-six million persons. At the same time, automobile registration will have increased by fifty million or, one car for each new person. Florida is the fastest-growing state in the nation, of major importance. Jacksonville and Duval County will account for a great percentage of this state growth, so the local rate will be far in excess of the national rate which already has planners extremely worried. It remains only for the imagination to picture what our streets and highways will be like in 1975 unless we plan for it. The handwriting is on the wall, and on the street. If our city and the area it serves is to survive, much less grow into the great business, industrial, and cultural center that it has all of the potentialities of becoming, something positive and of tremendous scope must be done before it is too late

We cannot afford to deal with the symptoms of disorder, we must of necessity deal with the roots, the causes of it. Jacksonville and Duval County need planning; sensible, logical, rational planning with the best possible minds trained for the job, working with the best tools we can possibly afford them. If we see this <sup>AND</sup> fact, the children of today who are the leaders of tomorrow will grow up in a community which has both plan and purpose, so organized as to be flexible enough to take advantage of the good and reject the impure. Beauty and sensible order must become the basic amenities of life in this region or it will become one continuous, despicable, flat and eroded monotony.

Jacksonville's corporate boundaries are but imaginative lines whose useful reality is limited to matters of legal containment. Her citizens are spread over the county and their needs are as varied as the many different locales in which they reside. When capital improvements are needed in Jacksonville, the lack is felt throughout the county and beyond. Studies by other interested civic groups in Jacksonville have already presented conclusive evidence of this. If healthy growth is to be insured, the entire county must be considered. The time may well come sooner than we realize when our thinking will have to become broad enough to encompass an entire region, including many counties and possibly portions of a neighboring state.

It is the belief of the Jacksonville Chapter of the American Institute of Architects and of this Special Committee in particular, that the ultimate solution to the multitude of city-county growth problems is the formation and whole-hearted support of a joint city-county Metropolitan Planning and Zoning Commission composed of responsible private citizens and public officials. This commission would be financially supported by both city and county and could accept private donations. It would employ a full-time city planning director with adequate staff to study the many problems, make surveys, gather all pertinent data, prepare a comprehensive development plan for the area involved, and provide for adherence to such a plan. In addition, this commission would study the needs for certain capital improvements within the metropolitan area. It would effect the best possible zoning practices for the orderly development and protection of property values for all concerned.

Enabling legislation is needed for the city and county to be empowered to create such a commission and for it to function legally. The Jacksonville Chapter of the American Institute of Architects hereby presents for your information the preliminary draft of the following local Bill which it recommends to be introduced in the 1957 Florida Legislature.

Respectfully submitted,

Robert C. Broward, Chairman  
Franklin S. Bunch  
Thomas E. Ewart  
**TAYLOR HARDWICK**

Metropolitan Planning and Zoning Committee  
February 15, 1957

P R E L I M I N A R Y D R A F T

A B I L L

T O B E E N T I T L E D

AN ACT AUTHORIZING THE CITY OF JACKSONVILLE, FLORIDA AND THE COUNTY OF DUVAL, FLORIDA TO JOINTLY CREATE A METROPOLITAN PLANNING AND ZONING COMMISSION FOR THE PURPOSE OF CONTROLLING AND GUIDING THE METROPOLITAN GROWTH AND DEVELOPMENT OF JACKSONVILLE AND DUVAL COUNTY WITHIN A PLANNING DISTRICT: THROUGH PLANNING, ZONING SUBDIVISION REGULATION, THE RESERVATION OF MAPPED STREET LOCATIONS FOR FUTURE PUBLIC ACQUISITION, AND THE REGULATION OF BUILDING IN THE LAND RESERVED FOR SUCH MAPPED STREETS: PROVIDING FOR THE ESTABLISHMENT, GOVERNMENT, AND MAINTAINENCE OF THE METROPOLITAN PLANNING AND ZONING COMMISSION AND ITS STAFF, AND A BOARD OF ZONING APPEALS, TO ESTABLISH AND COLLECT REASONABLE FEES FOR PERMITS, INSPECTIONS, AND PUBLIC HEARINGS IN CONNECTION WITH THEIR OPERATION: PROVIDING FOR PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ACT AND REGULATIONS ADOPTED PURSUANT THERETO: AND FOR CERTAIN APPEALS AND FOR APPLICATIONS TO COURTS FOR RELIEF.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. Statement of intent:

It is the intent of this act to enable the City of Jacksonville and the County of Duval jointly to plan, to zone, to regulate subdivisions, to reserve streets for future public acquisition, and to regulate building in the land reserved for such streets, in order to preserve and enhance their present advantages, overcome present handicaps, and prevent or minimize such future problems as may be foreseen. The provisions of this act are designed to promote, promote, protect and improve the public health, safety, comfort, order, convenience, prosperity, morals and general welfare.

Section 2. Definitions:

As used in this Act, the following words or phrases have the meanings indicated below:

Governing Body: The Jacksonville City Council and the Duval County Board of Commissioners and the responsible elected officials of other incorporated communities in Duval County, however designated, where applicable.

Metropolitan Planning District: The Metropolitan Planning district, hereinafter referred to as "The District" shall be and include all of the territorial and water area of the City of Jacksonville and the County of Duval, with the exception of the areas contained within the legal boundaries of all incorporated municipalities other than Jacksonville.

Subdivision: The division of a parcel of land, whether improved or unimproved, into three or more lots or parcels of land, for the purpose, whether immediate or future, of transfer of ownership, or, if the establishment of a new street is involved, any division of such parcel; provided that the division of land into parcels of more than five acres not involving any change in street lines or public easements shall not be deemed to be a subdivision within the meaning of this Act. The term includes a resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Due Public Notice: As used in the phrase "Public hearing or hearings with due public notice" involves the following action; at least fifteen (15) days notice of the time and place of such hearings shall be published one time all newspapers of general circulation in the district, in addition, notices shall be publicly displayed in at least three conspicuous places within the district, including the City Hall of Jacksonville and the Duval County Court House. The notices shall state the time and place of the hearing, or the times and places of the hearings, the nature of the matter to be discussed, that written comments filed with an appropriate designated official will be heard, and may state that the hearings will be continued from time to time as may be found necessary.

Ordinance: Shall mean such appropriate official action as is customarily taken by the governing body involved, regardless of how such official action is regularly called.

Metropolitan Planning & Zoning Commission: A single body to be known as "The Greater Jacksonville Metropolitan Planning and Zoning Commission" hereinafter referred to as "The Commission".

The singular usage includes the plural and the plural the singular. The word "shall" is mandatory and not directory.

Section 3. Other areas and jurisdictions which may qualify under the provisions of this Act.

Other incorporated areas in Duval County may become part of the District and exercise any of the powers granted under its provisions within its corporate limits upon passage of an ordinance to that effect by the governing body. At such time appropriate representation on the Commission and appropriate financial support of the Commission by the area or areas shall be effected.

Section 4. Metropolitan Planning & Zoning Commission: Establishment and composition; Terms of office, Vacancies, Officers; Rules of Procedure; Planning director & staff; Expenses; Appropriations, Fees and other income.

(A) Establishment and composition. The Jacksonville City Commission and the Duval County Board of Commissioners are hereby empowered, jointly, to establish a Greater Jacksonville Metropolitan Planning and Zoning Commission, and to appoint members thereto. The Commission shall be composed of no less than \_\_\_\_\_ and no more than \_\_\_\_\_ members except that one additional member may be added from each other incorporated area within the County as representation on the commission pursuant to action under Section 3 of this Act. \_\_\_\_\_ members shall be appointed by the Governing body of the City of Jacksonville, said members to be residents within the corporate limits of the city. Of this number no more than a minority may be paid or elected city officials. \_\_\_\_\_ members shall be appointed by the governing body of the County of Duval, said members to be residents of Duval County but of no incorporated area located therein. Of the number no more than a minority may be paid or elected county officials.

(B) Terms of office, removal from office, vacancies. Members of the commission who are paid or elected office holders shall serve at the pleasure of the governing body making the appointment. Terms of office of other commission members shall be for not less than two nor more than four years and not more than a minority of the terms of such members shall expire in any one year.

Any member of the commission may be removed from office for just cause by a two-thirds vote of the appointing body, but such member shall be entitled to a public hearing before such vote is taken.

Any vacancy occurring during the unexpired term of office of any member shall be filled by the governing body concerned for the remainder of the term, within thirty (30) days after the vacancy occurs.

(C) Officers, rules of procedure, salaries and expenses. The commission shall elect a chairman and a secretary from among the members of the commission who are not paid or elected public officeholders of the governing body involved. The commission may create and fill such other offices as it may determine. Terms of all offices shall be for one year, with eligibility for reelection.

The commission shall adopt rules for the transaction of its business, and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

Members of the commission shall receive no salaries for their services thereon but may receive necessary travel, per diem and other expenses while on official business for the commission if funds are available for this purpose.

(D) Planning director and staff employees. The commission shall, upon organization, appoint and have the power to remove a planning director who shall be a trained, professional person with at least 5 years of such experience in a responsible city planning post as to qualify him for the duties of his office or in lieu of such experience he shall be the graduate of a recognized school of city planning with a graduate degree or both. The planning director shall be the administrative and design head of the planning department which shall function as the commission's planning staff.

The Planning director's staff shall be a flexible organization dependent upon the commission's budget limitations. If agreeable to the governing bodies of both city and county, existing employees within existing engineering staffs may be combined to function under the planning director as his planning department staff or a portion thereof. The Commission may, in addition to paying the salaries of the planning director and his staff, employ additional consultants, technicians, draftsmen or other staff that may be deemed proper, within the limitations of the budget.

(E) Appropriations, fees and other income. The governing bodies for the district under the jurisdiction of the commission are hereby authorized and empowered to make such appropriations as they may see fit for salaries, fees and expenses necessary in the conduct of the work of the commission, and also to establish a schedule of fees to be charged by the commission. The commission shall have the authority to expend all sums so appropriated and other sums made available for its use from fees, gifts, state or federal grants, state or federal loans when acceptance of such loans is approved by the governing bodies, and other sources, for the purposes and activities authorized by this Act.

Section 5. Functions, Powers and duties of the Metropolitan Planning and Zoning Commission.

The functions, powers and duties of the commission shall be, in general:

(A) To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions and forces at work to cause changes in these conditions. Such basic information and materials may include maps and photographs of man-made and natural physical features of the area concerned, statistics on past trends and present conditions with respect to population, property values, economic base, land use and such other information as is important or likely to be important in determining the amount, direction and kind of development to be expected in the area and its various parts.

- (B) To prepare and from time to time amend and revise a comprehensive and coordinated general plan for meeting present requirements and such future requirements as may be foreseen.
- (C) To establish principles and policies for guiding action in the development of the area.
- (D) To prepare and recommend to the governing body ordinances promoting orderly development along the lines indicated in the comprehensive plan.
- (E) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the district.
- (F) To keep the governing body and the general public informed and advised as to these matters.
- (G) To conduct such public hearings as may be required to gather information necessary for the drafting, establishment and maintenance of the comprehensive plan, and such additional public hearings as are specified under the provisions of this Act.
- (H) To perform any other duties which may be lawfully assigned to it.

In addition, the commission may make, cause to be made, or obtain special studies on the location, condition and adequacy of specific facilities of the area. These may include, but are not limited to, studies on housing, commercial and industrial conditions and facilities, parks, playgrounds and other recreational facilities, public and private utilities, and traffic, transportation and parking.

All public officials serving the governing body of the district under the jurisdiction of the commission shall, upon request, furnish to the commission, its employees or agents, within a reasonable time such available records or information as it may require in its work. The commission, or its employees or agents, in the performance of official functions, may enter upon lands and make examinations or surveys and maintain necessary monuments thereon, and shall have such other powers as are required for the performance of official functions in carrying out the purposes of this Act.

#### Section 6. The Comprehensive Plan.

(A) Comprehensive plan. When basic information for the area has been brought together, the commission shall make a comprehensive general plan for the physical development of the area, based on existing and anticipated needs, showing existing and proposed improvements in the area, and stating the principles according to which future development should proceed and the manner in which such development should be controlled. The comprehensive plan may also include a long range financial program for public improvements. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the area which will, in accordance with existing and future needs, best promote public health, safety, comfort, order, convenience, prosperity, morals and the general welfare, as well as efficiency and economy in the process of development.



(B) Adoption of Comprehensive Plan by the Commission. The comprehensive plan shall be adopted by the commission either as a whole or as substantial portions, corresponding generally with functional or geographic subdivisions, are completed.

Before adoption of the plan or a portion or portions thereof, a public hearing or hearings shall be held with due public notice.

The adoption of the plan or a portion or portions thereof, or of any amendment or addition thereto, shall be by resolution carried by the affirmative vote of not less than three-fifths of the members of the commission. The resolution shall refer expressly to the maps, descriptive material, and other matters intended by the commission to form the whole or part of the plan, the action taken shall be recorded on the adopted plan or parts thereof by the identifying signature of the secretary of the commission, together with the date of such action, and a copy of the plan or part thereof shall be certified to the governing bodies.

(C) Approval of Comprehensive plan by the governing body. The governing body may by appropriate official action formally approve the comprehensive plan either as a whole or as substantial portions, corresponding generally with functional or geographic subdivisions, as completed.

#### Section 7. Legal status of comprehensive plan.

Whenever a comprehensive plan for the district, or a portion of such plan corresponding generally with a functional subdivision of the subject matter or a geographic subdivision of the area has been adopted by the commission and approved by the governing body, then and thenceforth no street, park or other public way, ground, place or space and no public building or structure shall be constructed, altered or authorized in the area until and unless the location and extent thereof shall have been submitted to the commission for a report on its approval or disapproval, including the reasons therefor. Within thirty (30) days after the request for such report has been received by the commission, or within such other time limit as shall be agreed upon, either such report shall be made or failure of the commission to act shall be deemed approval.

The commission's report may be overruled by a majority vote of the entire membership of the governing body.

#### Section 8. Reviews and amendment of comprehensive plan.

So often as is desirable, but at least once each year, the comprehensive plan or the completed parts thereof shall be reviewed by the commission to determine whether changes in the amount, kind or direction of development of the area or other reasons make it beneficial to make additions or amendments.

If the governing body desire an amendment or addition to the comprehensive plan it may, on its own motion, direct the commission to prepare such amendment and if such amendment is in accordance with the purposes of the comprehensive plan, the commission shall do within a reasonable time as established by the governing body.

The procedure adding to or amending the comprehensive plan shall be the same as the procedure for its original adoption approval.

Section 9. Zoning: Purposes, districts, what may be regulated.

For the purposes of guiding and accomplishing coordinated, adjusted and harmonious development in accordance with existing and future needs, and in order to protect, promote and improve public health, safety, comfort, order, convenience, morals, prosperity and general welfare, the governing bodies of the district, in accordance with the conditions and procedures specified in this Act, may enact or amend a zoning ordinance. In such ordinance the governing bodies shall divide the entire district into areas of such number, shape and size as may be deemed best suited to carry out the purposes of this Act, and within these areas such governing bodies may regulate and determine:

(A) Height, number of stories, size, location, erection, construction, reconstruction, alterations, and use of buildings and other structures, for trade, industry, residence and other purposes.

(B) Use of land and water for trade, industry, residence and other purposes.

(C) Size of yards, courts and other open spaces.

(D) Percentage of lot that may be occupied.

(E) Density of population.

All such regulations shall be uniform for each class or kind of building throughout each area but the regulations in one area may differ from those in other areas. For each area designated for the location of trades, callings, industries, commercial enterprises, residences or buildings designed for specific uses, regulations may specify uses that shall be excluded or subjected to reasonable requirements of a special nature.

Regulations and area boundaries shall be drawn in accordance with the comprehensive plan, shall protect, promote and improve public health, safety, comfort, order, convenience, prosperity, morals, and general welfare, and shall be made with reasonable consideration among other things, to the character of the districts and their special suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the district.

Section 10. Procedure for establishing area boundaries; adoption of regulations and restrictions.

(A) Tentative report by the commission. Tentative recommendations as to the boundaries of areas and the regulations and restrictions to be enforced therein may be prepared by the commission on its own initiative, or at the request of the governing body. The commission may hold public preliminary hearings and conferences at such times and places and upon such notice as it may determine to be necessary to inform itself in the preparation of the tentative report. The tentative report, which shall include the proposed zoning ordinance with maps and other explanatory material, shall be made to the governing body by the commission.

(B) Action by governing body. Within thirty days, or such reasonable time as shall be agreed upon by the governing body involved, the governing body of the district shall consider the tentative report of the commission and shall return it, with any suggestions and recommendations to the commission so that the commission may prepare a final report.

No ordinance under the authority of this Act shall be passed until after the final report of the commission has been received by the governing body.

(C) Final report and action. The final report on zoning regulations shall be made to the governing body after the commission has considered the suggestions and recommendations of that body, and after such additional preliminary public hearings as the commission may consider desirable.

After the final report has been submitted by the commission, the governing body shall afford all interested persons and opportunity to be heard with reference to it at a public hearing or hearings, with due public notice, and shall act upon the proposed zoning regulations.

### Section 11. Supplementing and Amending the Zoning Ordinance.

The governing body may from time to time amend or supplement the regulations and areas fixed by any zoning ordinance adopted pursuant to this Act. Proposed changes may be suggested by the governing body, by the commission, or by petition of the owners of fifty per cent or more of the area involved in the proposed change. In the latter case, the petitioner or petitioners may be required to assume the cost of public notice and other costs incidental to hearings.

The commission, regardless of the source of the proposal for change, shall hold a public hearing or hearings thereon, with due public notice, and submit its recommendations on the proposed change to the governing body for official action. The governing body shall hold a public hearing or hearings thereon, and shall act on the recommendation.

If the recommendation of the commission is adverse to the proposed change, such change shall not become effective except by an affirmative vote of at least seventy-five (75) per cent of the governing body.

### Section 12. Board of Zoning Appeals: Establishment and Composition: Terms of Office, Removal From Office, Vacancies; Officers, Rules of Procedure, Employees, Salaries and Expenses; Appropriations, Fees and Other Income.

(A) Establishment and Composition. As part of the zoning ordinance, the governing body shall create a board of zoning appeals. The board of zoning appeals shall have not less than five nor more than ten Members. Members of the board of zoning appeals shall be appointed by the governing body. No member of the board of zoning appeals shall be a paid or elected official of the governing body involved. At least one, but not more than two members of the board of zoning appeals shall be members of the Metropolitan Planning and Zoning Commission.

(B) Terms of Office, Removal From Office, Vacancies. Terms of office of members of the board of zoning appeals shall be for not less than two nor more than four years, and not more than a minority of the terms of such members shall expire in any one year.

Any member of the board of zoning appeals may be removed from office for just cause by a two-thirds vote of the appointing governing body but such member shall be entitled to a public hearing before such vote is taken.

Any vacancy occurring during the unexpired term of office of any member shall be filled by the governing body concerned for the remainder of the term, within thirty (30) days after the vacancy occurs.

(C) Officers, Rules of Procedure, Employees, Salaries and Expenses. The board of zoning appeals shall elect a chairman and secretary from among its members, and may create and fill such other offices as it may determine. Terms of all offices shall be for one year, with eligibility for reelection.

The board of zoning appeals shall adopt rules for the transaction of its business, and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. Rules of procedure shall provide that meetings shall be held at the call of the chairman and at such times as the board may determine.

The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

The board of zoning appeals may, subject to the approval of the governing body concerned, and within the financial limitations set by appropriations made or other funds available, employ such staff as may be deemed proper, and pay their salaries and such other expenses as are necessary to conduct the work of the board of zoning appeals.

Members of the board of zoning appeals shall receive no salaries for their services thereon, but may receive necessary travel, per diem and other expenses while on official business for the board of zoning appeals if funds are available for such purpose.

(D) Appropriations, Fees and other income. The governing body for the district under the jurisdiction of the board of zoning appeals is hereby authorized and empowered to make such appropriations as it may see fit for salaries, fees and expenses necessary in the conduct of the work of the board of zoning appeals, and also to establish a schedule of fees to be charged by the board of zoning appeals. The board shall have the authority to expend all sums so appropriated and other sums made available for its use from fees and other sources for the purposes and activities authorized by this Act.

Section 13. Board of zoning appeals: powers and duties.

The board of zoning appeals shall have the following powers and duties:

(A) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance or regulation adopted pursuant to this Act.

(B) In classes of cases or in particular situations as specified in any zoning ordinance or regulation adopted pursuant to this Act, and only in such classes of cases or particular situations, to permit and authorize exceptions to the district regulations subject to appropriate conditions and safeguards. The zoning ordinance may require that the board of zoning appeals shall confer with the planning and zoning commission on cases in this classification.

(C) To authorize upon appeal such variance from the terms of the ordinance as will not be contrary to the public interest, where, in specific cases, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary and undue hardship. Such variances authorized by the board of zoning appeals shall observe the spirit of the ordinance.

The board of zoning appeals shall not be empowered or authorized to issue variances or exceptions to permit a use in a zone or district in which such use is forbidden by the zoning ordinance.

#### Section 14. Exercise of Powers.

In exercising its powers, the board of zoning appeal may, in conformity with the provisions of this Act, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination made by an administrative official in the enforcement of any zoning ordinance or regulation adopted pursuant to this Act, and appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four-fifths of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance.

#### Section 15. Appeal from Decision of Administrative Official.

An appeal taken from the requirement, decision or determination made by an administrative official charged with the enforcement of any zoning ordinance or regulation adopted pursuant to this Act shall be filed with the board of zoning appeals. The appeal shall specify the grounds thereof and shall be filed within such time and in such form as may be prescribed by the board by general rule.

The administrative official from whom the appeal is taken shall, upon notification of the filing of the appeal, forthwith transmit to the board of zoning appeals all documents, plans and papers constituting the record of the action from which an appeal was taken.

#### Section 16. Staying of work on premises.

When an appeal from the decision of any administrative official has been taken and filed with the board of zoning appeals, all proceedings and work on the premises concerning which the decision was made shall be stayed unless the official from whom the appeal was taken shall certify to the board of zoning appeals that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the board of zoning appeals or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

Section 17. Hearing of Appeal: Notice Required.

The board of zoning appeals shall fix a reasonable time for the hearing of an appeal. Due public notice shall be given of the hearing and due notice shall be given additionally to interested parties.

The board of zoning appeals may require the appellant to assume the cost of public notice and due notice to interested parties.

Upon the hearing, any party may appear in person, by agent, or by attorney.

Section 18. Review of Board of Zoning Appeal's Decisions: Precedence: Costs of Action.

Any person or persons, firm or corporation, or any officer, department, board or bureau of the governing bodies of the district, aggrieved by any decision of the board of zoning appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the board.

No change of venue from the district in which the promises affected is located shall be had in any cause arising under the provisions of this section.

All issues in any proceedings under this section shall have precedence over all other civil actions and proceedings.

Costs shall not be allowed against the board of zoning appeals unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

Section 19. Enforcement of Zoning Ordinance or Regulations Under this Act.

The governing body shall provide in the zoning ordinance for the enforcement of any regulations made therein pursuant to this Act. A violation of this Act or of such zoning ordinance or regulation is declared to be a misdemeanor, and the governing body shall provide for the punishment thereof by fine or imprisonment or both. The governing body is also empowered to provide civil penalties for such violation.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, or maintained, or any building, structure, land or water is used in violation of this Act or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the governing bodies of such district, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, and/or to restrain, correct or abate such violation, and/or to prevent the occupancy of said building, structure, land or water, and/or to prevent any illegal act, conduct, business, or use in or about such premises.

Section 20. Statement of Intent Regarding Subdivision Regulation.

The public health, safety, comfort, order, convenience, prosperity, morals and welfare of Jacksonville and Duval County require the harmonious, orderly, and progressive development of land within the district. In furtherance of this purpose, this Act permits regulation of the subdivision of land by the City of Jacksonville and Duval County through the Metropolitan Planning and Zoning Commission. It is the further intent of this Act to secure:

- (A) The establishment of standards of subdivisions design which will encourage the development of sound and economically stable communities, and the creation of healthful living environments.
- (B) The efficient, adequate and economic supply of utilities and services to new land developments.
- (C) The prevention of traffic hazards and the provisions of safe and convenient traffic circulation, both vehicular and pedestrian, in new land developments.
- (D) The provision of public open spaces in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.

Such regulation is intended to aid in the coordination of land development in the City of Jacksonville and County of Duval in accordance with orderly physical patterns, to discourage premature, or scattered land development, and to implement such comprehensive plans, or parts thereof, and such zoning ordinance and other measures in furtherance of comprehensive planning as may have been or may hereafter be adopted.

Section 21. Plat approval by the commission.

In the district in which the Metropolitan planning and zoning commission has been established in accordance with the provisions of the Act and in which a comprehensive plan, or such portion of a comprehensive plan as relates to the major street plan shall have been adopted, the governing body may designate the Metropolitan planning and zoning commission as their accredited representative for the purpose of approving plats as provided in Chapter 177, Florida Statutes. When so designated by ordinance the planning and zoning commission shall be the agency which shall perform all or any designated portion of the functions prescribed in this Act or Chapter 177, Florida Statutes with respect to approval of plats, action on improvements and performance bonds relating thereto and findings precedent to the reversion of subdivided land to acreage.

If so authorized and accredited by the governing body the Metropolitan planning and zoning commission shall adopt subdivision regulations in accordance with the provisions of Section 22 of this Act and no plat of a subdivision of land lying within the district shall be filed or recorded until it shall have been submitted to and approved by the commission and such approval entered in writing on the plat by the secretary of the commission.

Where the commission is accredited as representative of the governing body for the approval of plats, no county clerk or other recording officer

shall receive or record the plat without the approval of the commission as required by this Act; provided, however, that the plat of any subdivision surveyed prior to the effective date on which the commission was so credited may be recorded within a period of ninety (90) days after such date if such plat conforms in all particulars to applicable provisions of law in effect prior to such date.

Where the commission has been accredited by the governing body for the approval of plats it shall approve or disprove plats after a reasonable time after the submission thereof. If a plat is disapproved, the grounds for disapproval shall be stated on the records of the commission, and a statement of such grounds of disapproval shall be furnished to the subdivider or his agent or agents.

If it is desired to hold a hearing upon any plat submitted to the commission for consideration, parties in interest shall be notified. In addition, the commission may issue such public notice as seems appropriate to the circumstances.

Plat approval by the commission shall not constitute or effect an acceptance of dedication of any street or other ground shown upon the plat. The authority to accept offered dedications shall be exercised exclusively by the governing body to which the dedication is deemed to be made.

#### Section 22. Subdivision regulations.

The commission, when accredited by the governing body for the approval of plats under the provisions of this Act and Chapter 177, Florida Statutes, shall prepare and adopt regulations governing the subdivision of land within the district.

Such regulations may provide that streets in the subdivision, including streets bordering the subdivision, shall be of such widths and grades and in such locations that they will accommodate prospective traffic, serve the sub-divisions adequately, afford adequate light and air, facilitate fire protection and provide access of fire fighting equipment to buildings, and that streets shall be coordinated so as to compose a convenient system; that adequate easements or rights-of-way shall be provided for drainage and utilities; that the layout of the subdivision shall conform to the comprehensive plan for the district and to measure adopted in furtherance thereof; that such parks, playgrounds, school sites, or other areas as may be designed for public use shall be suitable size and location for their designated uses; and that sufficient and suitable monuments shall be placed to enable the survey of the subdivision or any part thereof to be retraced.

Regulations may further provide that the commission shall not approve any subdivision plat unless it finds that the subdivision can be adequately and economically served with such normal public facilities and services as are suitable in the circumstances of the particular case.

Subdivision regulations shall provide that the commission shall not approve any subdivision plat unless the land included within the subdivision is suitable or shall be made suitable for the various purposes for which it is intended to be used, and, in particular, unless all land intended as building sites can be used safely for building purposes without danger from flood or other inundation or from any other menaced to health, safety, or public welfare.



Such regulations may include requirements of the extent to which and the manner in which streets shall be graded and improved, water, sewer and other utility mains, piping, connections or other facilities shall be installed as a condition precedent to final approval of the plat.

The regulations or practices of the commission may provide for the tentative approval of the plat previous to such improvements and installations but any such tentative approval shall not be entered on the plat. If completion of any improvements is required as a condition precedent to final approval of the plat, such regulations may provide that in lieu of the completion of such work and installation previous to the final approval of a subdivision plat, the governing body may accept a bond in form and amount and with conditions and surety satisfactory to it, providing for and securing to the public the actual construction and installation of such improvements and utilities within a period recommended by the commission and expressed in the bond, and the governing body is hereby granted the power to enforce such bonds by appropriate legal and equitable remedies. Such regulations may also provide, in lieu of the completion of such work previous to the final approval of a plat, for an assessment or other method whereby the governing body or its agent is put in an assured position to do said work and make said installations at the expense of the subdivider.

Before adoption of its subdivision regulations or any amendment thereof, the commission shall hold a public hearing thereon with due public notice.

### Section 23. Penalties for Transferring Lots in Unrecorded Subdivision.

In cases where the commission has been designated the accredited representative of the governing body in subdivision regulation matters it shall be unlawful for anyone being the owner or agent of the owner of any land to transfer, sell, agree to sell, or negotiate to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the commission and obtained its approval as required by this Act and recorded it as required by other laws relating thereto. If such unlawful use is made of a plat before it is properly approved and recorded, the owner or agent of the owner of such land shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law, and the description by notes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The governing body through its legal representative may enjoin such transfer or sale or agreement by action or injunction.

Any contract to sell land in violation of this section shall be voidable at the option of the purchaser and the purchaser may recover from such owner or agent of such owner any damages he may have suffered by reason of the violation of any of the provisions of this Act or of subdivision regulations adopted hereunder.

Suit for such damages may be tried in any court of competent jurisdiction.

Section 24. Reversion of subdivided land to acreage.

The owner of any land subdivided into lots may file for record a plat for the purpose of showing such land as acreage. Such plat and the procedure in connection therewith shall conform to the requirements of this Act, regulations adopted pursuant thereto, and Chapter 177, Florida Statutes, except that:

(A) No survey or certificate of any surveyor or engineer shall be required; provided, however, that the governing body may require a survey of the exterior boundaries of the land that the placing of suitable and adequate monuments along such boundaries if it finds that the last preceding survey of record of such boundaries is faulty or inadequate or that insufficient monuments are in position along such boundaries.

(B) No improvements shall be required, except such as may be necessary to provide equivalent access, as hereinafter in this section provided.

(C) No findings need be made as to the suitability of the land or as to the provision of public facilities and services therefor.

The governing body may, on its own motion, order the vacation and reversion to acreage of all or any part of a subdivision within its jurisdiction including the vacation of streets or other parcels, the plat of which subdivision was recorded as provided by law not less than five (5) years before the date of such action, and in which subdivision or part thereof not more than ten (10) per cent of the total subdivided area has been sold as lots by the original subdivider or his successor in title. Such action shall be based on a finding by the governing body, or by its accredited representative for the approval of subdivision plats, that the proposed vacation and reversion to acreage of subdivided land conforms to the comprehensive plan of the district, and that the public health, safety, comfort, convenience and welfare will be promoted thereby.

Before acting on a proposal for vacation and reversion of subdivided land to acreage, the governing body, or its accredited representative, shall hold a public hearing thereon, with due public notice.

If land in a subdivision or part thereof is proposed for a reversion to acreage, either at the instance of the governing body or by filing of a plat by the owner, and such land is subject to existing zoning regulations, the governing body shall, upon recommendation of the commission or other board or commission dealing with recommendations as to zoning, where such agency exists, and concurrently with the proceedings for vacation and reversion to acreage, or for consideration of an action on such plat, conduct proceedings for such amendment of such zoning regulations as may be deemed advisable in view of the conditions that will exist subsequent to such reversion to acreage.

No owner or any parcel of land in a subdivision shall be deprived by the reversion to acreage of any part of the subdivision, by whatever procedure, of reasonable access to such parcel nor of reasonable access therefrom to existing facilities to which such parcel has theretofore had access; provided, that such access remaining or provided after such vacation need not to be the same as that theretofore existing, but shall be reasonable equivalent thereto.

Section 25. Erection of Building Adjacent to Unapproved Streets.

Whenever the commission is made the accredited representative of the governing body or bodies within the district for the purpose of plat approval and a comprehensive plan or such portion of comprehensive plan as relates to the major street plan, has been adopted, the following limitations shall apply concerning erection of buildings adjacent to unapproved streets.

No building shall be erected on a lot or parcel of land within the area, nor shall any building permit be issued therefor, unless:

(A) The street giving access to the lot or parcel on which such building is proposed to be placed has been accepted and opened as a public street or has otherwise received the legal status of a public street, or

(B) Such street is shown on a recorded subdivision plat.

(C) Such street has been improved to an extent which in the opinion of the commission is adequate in the circumstances of the particular situation to serve the needs of such building and to protect the public health, safety, convenience and general welfare, provided that if so authorized by subdivision regulations adopted under the provisions of this Act, a building permit may be issued for construction of a building concurrently with the installation of required street improvements, but no such permit shall express or imply any right of occupancy and use of such building, and the commission may require that no such building shall be occupied or used until the installation of such street improvements has been satisfactorily completed.

Section 26. Other agencies of governing body may participate in procedure prior to filing of plat.

Nothing contained in this Act shall prevent the governing body from assigning part or all of the powers and duties described in Sections 19 to 24 above in connection with the commission to agencies other than the commission, and governing bodies are hereby empowered to make such assignation or part or all of such powers and duties for the purpose of carrying out and enforcing the provisions of Sections 19 to 24 in relation to approval of plats and other matters contained herein.

Section 27. Reservation of locations of mapped streets for future public acquisition.

After adoption of that portion of the comprehensive plan involving a major street plan for the district, the governing bodies may direct the commission to make or cause to be made surveys for the exact location of the lines of a street or streets in any portion of the district and to make a plat of the territory thus surveyed, showing the land which it recommends be reserved for future acquisition for public streets.

The commission, before adopting any such plat, shall hold a public hearing thereon with due public notice.

After such hearings the commission may transmit the plat as originally made or modified as may be determined by the commission, to the governing body, together with the commission's estimate of the time or times within which the lands shown on the plat as street locations shall be acquired by the governing body. Thereupon by ordinance the governing body may approve and adopt or may reject such plat, or may modify it with the approval of the commission, or, in the event of the commission's disapproval of the modification, the governing body may, by a favorable vote of not less than two-thirds of its entire membership, modify such plat and adopt the modified plat.

In the ordinance adopting such plat, the governing body shall fix the period of time for which the street locations shown on the plat shall be deemed reserved for future taking or acquisition for public use. Upon such adoption, the clerk of the governing body shall transmit one approved copy of the plat to the county clerk or other recording official of the county in which the platted land is located and retain one copy for the purpose of public examination.

Such approval and adoption of a plat shall not be deemed the opening or establishment of any street, nor the taking of any land for street purposes, nor for public use, nor as a public improvement, but solely as a reservation of the street locations shown thereon, for the period specified in the ordinance of the governing body for future taking or acquisition for public use. The commission or any other official or agency of the governing body may, at the direction of the governing body, negotiate for or secure from the owner or owners of any such lands releases of claims for damages or compensation for such reservations or agreements indemnifying the governing body from such claims by others, which releases or agreements shall be binding upon the owner or owners executing the same and their successors in title.

At any time after the filing of a plat with the county clerk or other recording official and during the period specified for the reservation, the commission acting upon the instructions of the governing body, and the owner of land containing a reserved street location may agree upon a modification of the location of the lines of the proposed street, such agreement to include a release by said owner of any claim for compensation or damages by reason of such modification; and thereupon the commission may make a plat corresponding to the said modification and transmit the same to the governing body; and if such modified plat be approved by the governing body, the clerk of such body shall transmit an approved copy thereof to the county clerk or other recording official, and said modified plat shall take the place of the original plat.

After obtaining recommendations from the commission and holding public hearings with due notice, the governing body may, by resolution, abandon or amend any reservation and shall certify such abandonment or amendment to the county clerk or other recording official.

Section 28. Building in reserved street locations.

After street locations have been reserved, as indicated in Section 18 of this Act, no building permit shall thereafter be issued for construction or alteration of any building in the bed of any such street, nor shall any building be built therein, provided, however, that if the land within such mapped street is not yielding a fair return on its value to the owner, the commission shall have power in a specific case by the vote of a majority of its members to recommend to the governing body that a special permit be issued for a building in such street which will as little as practical be increase the cost of opening such street or tend to cause a change in the comprehensive plan, and such commission may recommend reasonable requirements as a condition of granting such special permit. Before taking any action authorized in this section, the commission shall hold a public hearing, with due public notice, at which parties in interest and others shall have opportunity to be heard, and thereafter the recommendations of the commission shall be submitted to the governing body.

Section 29. Enforcement of Ordinances or Regulations Passed under this Act; Legal Proceedings.

The governing body of any district shall provide by ordinance for the enforcement of any ordinance or regulation made under the provisions of this Act, and the proper authorities of the governing body of such district may institute any appropriate action or proceedings to prevent or penalize any violation of such ordinance or regulation.

Section 30. Saving Clause.

If any section, part of section, paragraph or clause of this Act shall be held to be unconstitutional or void, the remaining provisions of this Act shall nevertheless remain in full force and effect.

Section 31. Powers granted in this Act Supplemental And Cumulative.

This Act shall not be construed to have the effect of repealing, impairing or modifying any general or special law concerning the subject matter of this Act or any part thereof, but the powers herein granted shall be supplemental to and cumulative of such other general or special law.

Section 32. Effective Date.

This Act shall take effect immediately upon its becoming a law.

THE NEED FOR COMPREHENSIVE PLANNING AND ZONING  
IN METROPOLITAN JACKSONVILLE

by: Robert C. Broward

An address delivered to the City, County and State Affairs Committee and the Zoning and Sites Subcommittee of the COMMITTEE OF ONE HUNDRED, Jacksonville Area Chamber of Commerce, at a joint meeting, October 18, 1957.

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Thirty years ago Frank Lloyd Wright predicted that the production of automobiles in America would create the first mobile civilization in the history of the world. He further stated that this mobility would destroy the usefulness of the city and create a sprawling, scattered suburban society which, if uncontrolled, would eventually destroy the mobility which created it. As a result, the beauty of America would be wantonly laid waste, and the lives of her people would be lived in a constant state of frustration and discontent. Thus the creative genius of a technological society unleashed without planning for its proper use would, in the end, supply the people with shackles in the place of hoped-for freedom.

In 1932 Mr. Wright made studies of this predicted "suburbia", and in time presented to the Architectural and planning world his designs for a model community called Broadacre City. Few people paid serious attention to his model city at the time, for it was conceived at the height of the depression when ideals were not foremost in the minds of the American public. Broadacre City was an answer to the new society on wheels. It created a new landscape and cityscape through intelligent land use in order to preserve basic human values, in an age when such values were fast becoming of secondary importance.

In Broadacre City, each family owned its own home and resided on an absolute minimum of one acre of land. Business and commercial buildings were located in a specific area best suited for their functions in the community. In every instance, residential areas were located to take advantage of the land best suited for living and relaxation. Civic centers and seats of learning were situated near the center of the population so as to be within the reach of all residential areas. Green belts of forests and permanent farms separated the residential sections from those of business and commerce. Buildings housing government were integrated architecturally into the parks and green areas to eliminate the feeling of monumental authority held over from the age of monarchs and to emphasize the fact that in America, the individual is the government, taken singly or collectively.

No man lived more than a few minutes drive from his place of business, yet had no parking problems, and could enjoy all of the advantages of both city and country, for through proper planning, city and country had been sensitively combined. Power and utilities ran in special conduits beneath street right-of-ways thereby eliminating unsightly power poles and other utility eyesores. Traffic was zoned and the majority of main streets never crossed on the same level. Broadacre city was not a city of small

homes and business entirely. In special contained areas, screened again by forests and parks, were the varied industries which formed the core of the community's economy...these means to an end were not allowed to destroy human values thru mixed land use, they were separated as the servants of the city. There were skyscrapers...not crowded together so that each one destroyed the view from the other, but rather they were set in parks, individually, so that each became an entity unto itself. Instead of meaningless monuments, the tall building became a thing of beauty...a creative construction of a technically rich people. From the offices high in the air, views of the surrounding countryside were to be had, in the place of rooftops covered with ventilators and watertanks.

Broadacre City was a dream of this man richly endowed with the ability to perceive and fully comprehend the undercurrents of America's future growth. It would, of course, involve a complete redistribution of land and resources, unimaginable in a society of free enterprise. But the value of this ideal, and this was obviously Mr. Wright's intent, was to awaken the people to the fact that intelligent, creative planning would be needed to solve their problems of growth.

In his scheme for the ideal decentralized city, he envisioned many such communities, varying in size, according to function. A city predominately concerned with farming and produce marketing would not necessarily be anything like a city concerned with the construction of nuclear rockets, for instance, though the basic idea of a good, harmonious life for its citizens would be the same. These cities would be served by a series of interconnecting super highways designed for the pleasure of driving as well as practical efficiency. All cities would be miles apart with farmlands, forest preserves, and national parks between. Certain specific land areas would be set aside for future growth in the form of planned satellite cities.

Today, the prophecy of suburbia has already taken place and is rapidly gaining momentum. But the growth is uncontrolled as a trip through and around any city will prove. Our cities today are cancerous things, growing for the most part, according to the whims and fancies of speculators and developers without regard to planning. The automobile has spilled the contents of the old city indiscriminately over the countryside with little, if any, regard for human values and human dignity. The land speculator has taken advantage of a ripe plum of an opportunity to make a quick buck at the expense of the unsuspecting public. As soon as a new highway is completed, the rush to rezone for business, for pleasure, and for greed is begun. Without adequate zoning based on comprehensive studies of the best possible use of the land, this avalanche of unrelated development becomes a terrifying monster to those concerns and residents in the area. Stores, churches, liquor stores, schools, gas stations, motels, office buildings, and residences become incompatible adjoining neighbors overnight. Though it may take years to become apparent mixed land use breeds blight, and blight is the first symptom of inner decay.

When the community is finally aroused from its lethargic apathy, the usual legislation that is passed is so watered down by extremely interested parties, that it becomes mere regulation without imagination...simply an expedient, stop-gap measure with no eye to the real causes of the trouble. Meanwhile, the stumbling, blind, and extremely wasteful use of land, resources, and people goes on slightly abated but practically undiminished...the community settles back, comfortably assured that a hastily-passed zoning ordinance protects them.

Where do we stand in Jacksonville concerning this Frankenstein of sudden growth? Are we happy with it because it means more money in the community and more prestige because of size? Are we truly concerned over the pattern our city is following...or need we be concerned....and feel that it will work its own solution out? Are we better off than other cities of comparable size, or is it the other way around without our knowing it? Mere size and increase in size does not necessarily constitute a good community. Unhealthy growth be it ever so dynamic, can be a signal of eventual deterioration of basic values. When we think of Jacksonville, we must think of it in terms of the entire metropolitan area, for what is happening on the outskirts will in due time, directly affect the core of the city.

Jacksonville is one of many Southern cities whose growth was retarded for years, unless we count the flurry of activity following the fire of 1901. With industry moving South, with the constant increase in population, city planning is an absolute must. A city is a growing organism and its growth must be guided if the people are to live in a decent environment. No one in control of his faculties would entertain the idea of starting the foundations for a multi-story skyscraper without the professional counsel of an architect, an engineer, or the first scrap of plans. This city at present has no adequate means of charting its path in this respect. The existing city planning advisory board has no legal status, there is no planning director. Recent events concerning the search for an adequate site for a high school, and past events concerning sites for a courthouse, and auditorium, point to the need for advance planning and site acquisition for projected capital improvements. Citizens must become aware of the fact that good planning costs less in tax dollars than bad planning or no planning at all...and adds immeasurably to living a good life. We must be willing to express ourselves forcibly on this subject at the political level. Jacksonville needs comprehensive planning and zoning more than any city in the Southeastern United States and this is, in substance, a measure of the city's great potentialities as a commercial, industrial, residential, and cultural center. Smaller cities in Georgia and Florida are taking growth in stride while we let time grow short. We boast of our wonderful locations for industry and have nothing that even approaches a comprehensive development plan which could guide the proper zoning for this industry. Progressive zoning is absolutely impossible without prior planning and land use studies on a continuing basis. As it stands, financial forces and social and political taboos locate our residences and industries and harden our traffic arteries much to the chagrin of those who comprehend what has happened and what may happen.

A few figures will reveal what the future holds whether we plan for it or not. Since 1946, the United States has added 24 million human beings and 26 million automobile registrations. In twenty more years, conservative figures of the American Automobile Association show that 56 million more people will be added and 50 million more passenger cars will be in use. At the present time, each person in the United States commands twelve acres of land. Seven of these acres raise food for him, while the other five are for all other purposes, including asphalt highways and parking lots. Since food cannot be grown in asphalt, the increase in paving demanded by double the number of cars will have to come out of the precious other five.

Once upon a time, planners figured population density by so many persons per square mile. In our mobile society the crucial figures is now the density of automobiles, for not only does the auto devour land because of its speed and consequent need for better engineered highways but it defeats the function of the highways by overloading them with suburbanites. The growing



suburbanization creates the need for more asphalt in a never ending vicious circle. Urbanization has spread into the countryside and is gaining momentum.

In place of Frank Lloyd Wright's planned utopia with its ingenious organization, we have only aimless scatteration, conjection, and tragic waste. If we consider the above figures based on a national estimate, think how far more serious the problems of growth will become in Florida, one of the fastest-growing states in the union. Jacksonville and Duval County will gain their share of this increase. Roughly prorated on the national figures the metropolitan population here by 1975 could be close to 800,000 persons or practically double the present figure. Every function of city and county government will become overburdened with the increase unless judicious planning is initiated. With this growth where shall primary and secondary roads be built? How many and what types of public buildings will be needed and where should they be located to best serve the people? Should sites be acquired as soon as possible, and if so, how shall this be decided? Will it be the result of sensible serious study, or will it be the result of snap judgement?

More residential development, more shopping centers, schools, parks, playgrounds, firehouses, adequate library facilities, and extended utilities will be needed...the list is practically endless as the population grows. How do we plan and coordinate all of this? Every time a building is built one more piece of land is no longer available. As land becomes more valuable, judicious planning becomes a necessity if waste of the tax dollar is to be eliminated. The sprawl of suburbia will continue to aggravate the city within the county situation, people living outside of the corporate bounds of the city but working within it and partaking of its facilities without returning the tax dollars needed for its proper administration and services. Here in Metropolitan Jacksonville the problem is definitely a combined city-county one where nothing truly progressive can be accomplished by individual competition. Only sincere cooperation and coordination can produce the results which will make this community a better place in which to live.

The need for a metropolitan planning and zoning commission is evident but what is it and how can it be brought about? The first step toward the ultimate goal of a highly efficient planning body is of necessity, legislation. Before any legislation can be termed democratic the people should understand it and know why it is needed and how it will affect their lives within the community. The idea of a metropolitan planning and zoning commission for Jacksonville and Duval County must first be sold to the people on its own merits frankly expressed. Governmental officials and civic leaders should initiate legislation which is not a stop-gap measure but which is realistic enough to face up to cold, hard facts. We no longer live in the age of day to day development with every facet of society of equal terms. A man-made moon is already circling the earth and before many years pass, space travel will be a reality in one form or another. Technology has outstripped the other developments in our society and planning and land use is one of those which has fallen prey to it through lack of comprehension.

To create a planning body legislation will have to be enacted at the state level in Tallahassee. The passage of an enabling act would provide the initial machinery with which to organize the planning and zoning group and the important step is how it is organized and how well it will be able to function under the particular governmental setup. It should be added here

that this spring in Tallahassee the urgency of planning needs in Florida was made evident when the Florida Development Commission initiated a bill with the Florida Planning and Zoning Association to enable any Florida city, county or groups of cities and counties together to plan, organized planning and zoning commissions for the preservation of their general welfare. The bill died in committee but had it been a local bill for this area alone, it probably would have passed. A local bill would seem to be the only answer at the present time.

Many cities have had legally-constituted planning commissions since the end of World War One. In general, a planning and zoning board would be constituted of from eight to twelve members appointed by the governing officials but with private citizens in the majority. The membership would be appointed on a staggered basis with several members who have worked together always currently on the commission to accomplish continuity. There should be a paid city planning director to guide the actions of this organization. A city planning director is not merely another engineer. His profession is one that has only recently been recognized as requiring not only undergraduate degrees in such fields as engineering, architecture, sociology, law, and the humanities, but two to three years of graduate work in Urban community planning, Urban transportation facilities, Land use planning, Social and psychological aspects of city pattern, and Housing and urban redevelopment, to mention only a few major fields which must be mastered. He is a competent, skilled technician, but he is also a human being for he is dealing directly with human lives by setting the basic pattern of their environment. The planning director with the help of a staff which could well be the existing engineering section of the community government, makes comprehensive studies of the area and determines how land has been used where certain income groups live, which sections of the area are blighted and cannot as a result carry their tax load, and various other studies too numerous to mention here. As a result of these studies, a concise picture of where the city has been and where it is can be realized. Graphs, maps, and reports show the condition of the city at the present time from every angle. Sometimes this is most revealing. From this data, a new approach to land use, economic base, and population density can begin. Finally, a comprehensive master development plan for the entire metropolitan area is developed and through a series of public hearings is adopted by the governmental officials as the guide for all future development. This does not mean that this document or series of documents is a static, confined thing. On the contrary, one of the functions of the planning director is to keep the map a living graph of where, how, and when the city should develop. It is, in a sense, a continual pulse-taking of the living organism called a city. Tragic happenings can be nipped in the bud before they happen since a nerve center of information is continually available.

Once the basic comprehensive plan is adopted, even though it may and should have minor alterations from time to time, then and then only is it possible to pass the best possible zoning laws for the community. Zoning should be a tool which serves the best interests of the community and as a force to back up the comprehensive plan it does just that.

I have not appeared before this group as one of authority with all of the answers. I have no idea as to what the answers must be, I only know that steps must be taken to protect the future of Jacksonville and Duval County before it is too late. We are in a most unique position to profit by the mistakes of other older cities.

Our city can become a beautiful, harmonious place in which to live and work. Everything we touch should be approached with a critical eye bent on bettering the lot of humanity. The problems of creating a better environment should be attacked by every individual and every group that has any civic pride and any belief in the future. I hope that the organization mentioned in this talk will be fostered by the Jacksonville Area Chamber of Commerce as a deposit in the bank of the unlimited future of our city.