

1 Introduced by the Council President at the Request of the Mayor and
2 substituted by the Land Use and Zoning Committee:

3
4 **ORDINANCE 2006-1225-E**

5 AN ORDINANCE REPEALING PART 10, CHAPTER 656,
6 ORDINANCE CODE (REGULATIONS RELATED TO
7 AIRPORTS AND LANDS ADJACENT THERETO);
8 ESTABLISHING A NEW PART 10, CHAPTER 656,
9 ORDINANCE CODE (REGULATIONS RELATED TO
10 AIRPORTS AND LANDS ADJACENT THERETO)
11 REGULATING LAND USES AND OTHER ACTIVITIES
12 OCCURRING NEAR AIRPORTS, ESTABLISHING NOISE
13 LIMIT AREAS AND PROVIDING AN AIRPORT
14 ACKNOWLEDGEMENT REQUIREMENT FOR NEW
15 DEVELOPMENT NEAR AIRPORTS; PROVIDING AN
16 EFFECTIVE DATE.

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

19 **Section 1.** Part 10, Chapter 656 (Regulations Related to
20 Airports and Lands Adjacent Thereto), Ordinance Code, is repealed
21 in its entirety, and a new Part 10, Chapter 656 (Regulations
22 Related to Airports and Lands Adjacent Thereto), Ordinance Code, is
23 established as follows:

24 **CHAPTER 656**

25 **ZONING CODE**

26 * * *

27 **PART 10. REGULATIONS RELATED TO AIRPORTS AND LANDS ADJACENT THERETO**

28 **SUBPART A. GENERAL REGULATIONS**

29 **Sec. 656.1001. Findings.**

30 The Council finds and determines as follows:

1 (a) It is necessary and proper for the city, in the exercise
2 of its police power of land use regulation, to require controls
3 within certain noise zones, airspace height and hazard zones, clear
4 zones and accident potential zones so as to minimize potential
5 detrimental effects on its citizens.

6 (b) The combined noise zones, airspace height and hazard
7 zones, clear zones, runway safety areas, runway protection zones
8 and accident potential zones described in this part constitute a
9 significant portion of the land area of the City.

10 (c) The Planning Commission considered this part and rendered
11 an advisory opinion.

12 (d) The Land Use and Zoning Committee, after due notice and
13 public hearing, has made its recommendation to the Council.

14 (e) Taking into consideration the above recommendations, the
15 Council finds that this part is consistent with the Comprehensive
16 Plan.

17 **Sec. 656.1002. Intent.**

18 It is the intent of this Part 10 to promote the health, safety
19 and general welfare of the inhabitants and visitors of the city by
20 preventing the creation, establishment or maintenance of hazards to
21 aircraft, preventing the destruction or impairment of the utility
22 of the airports in the city and the public investment therein and
23 protecting the lives and properties of owners or occupants of lands
24 in the vicinity of airports as well as the users of airports and to
25 aid and implement the overriding federal interest in safe operation
26 of airports and the security of land surrounding airports.

27 **Sec. 656.1003. Applicability.**

28 The regulations set forth herein are applicable to all lands
29 lying within delineated airport environs adopted as a part of the
30 Zoning Atlas as provided in Section 656.202 and to all lands

1 defined in Section 656.1005 herein. Notwithstanding the zoning
2 district regulations set out in Part 3, the provisions of this part
3 as they apply to a parcel of land shall override and supersede
4 other regulations set forth in the Zoning Code to the extent set
5 forth herein based upon the airport environ(s) in which the parcel
6 is located. The provisions of this part shall not override or
7 supersede notification requirements previously established pursuant
8 to the Zoning Code, or by action of a property owner.

9 The boundaries of all airport environ zone delineations shall
10 be determined as follows:

11 (a) Unless Section 656.214 applies, for recorded lots less
12 than one acre in size, where an airport environ zone enters or
13 crosses the parcel, the land use restriction and noise level
14 reduction standards of the more stringent airport environ zone
15 shall apply to the entire lot.

16 (b) For platted and unplatted properties greater than one
17 acre in size, where an airport environ zone enters or crosses the
18 parcel, the regulations associated with more than one zone may
19 apply. The Planning and Development Department shall use the
20 Zoning Atlas, including the applicable airport environ zone, over-
21 layed onto a parcel map to determine the applicable zone. The
22 Planning and Development Department, in consultation with the
23 United States Navy or the Jacksonville Aviation Authority, as
24 appropriate, shall determine the line of demarcation.

25 Planned Unit Developments and site plans reviewed pursuant to
26 Section 656.404 requirements for preliminary site development
27 review that were approved prior to the effective date of this
28 ordinance () may proceed as approved in regards to density
29 and uses, however all other requirements shall apply.

30 Nothing in this section shall prevent a Civilian or Military
31 Airport from negotiating with a property owner to establish

1 aviation easements or notification requirements.

2 **Sec. 656.1004. Definitions.**

3 For the purposes of this part:

4 (A) Accident Potential Zone I (APZ I) applies only to
5 military airfields. This is defined as the area 500 feet either
6 side of the runway centerline and 2500 feet from the end of the
7 Clear Zone for Class A runways. For Class B runways it is 3000 feet
8 wide beginning at the end of the clear zone and 5000 feet long.
9 The APZ may be curved and enlarged to conform to the shape of the
10 predominate flight track.

11 (B) Accident Potential Zone II (APZ II) applies only to
12 military airfields. For Class A runways this is defined as the area
13 1000 feet wide and 2500 feet long beginning at the end of APZ I.
14 Accident Potential Zone II (APZ II) for Class B runways is 3000
15 feet wide and 7000 feet long beginning at the end of APZ I. The
16 APZ may be curved and enlarged to conform to the shape of the
17 predominate flight track.

18 (C) Air installation compatible use zones (AICUZ) program is
19 a Department of Defense (DoD) program and only applies to military
20 airbases. The purpose of the program is to protect the public's
21 safety, health and welfare while safeguarding the operational
22 capabilities of military airports. The main intent of the AICUZ
23 Program is to insure that development of surrounding lands will be
24 compatible with noise levels and accident potential associated with
25 military airport operations.

26 (D) Airport (Civilian) includes all of the following:

- 27 (1) Jacksonville International Airport.
- 28 (2) Craig Airport.
- 29 (3) Herlong Airport.
- 30 (4) Cecil Field.

31 (E) Airport (Military) includes all of the following:

1 (1) Naval Air Station, Jacksonville, Florida.

2 (2) Outlying Field Whitehouse, Jacksonville, Florida.

3 (3) Naval Station Mayport, Jacksonville, Florida.

4 (F) Airport elevation means the highest point of an airport's
5 usable landing area measured in feet above mean sea level.

6 (G) Airport environ zone (civilian airports) means those
7 areas which are included in a height and hazard zone; noise zone;
8 notice zone, school regulation zone, miscellaneous use zone, runway
9 safety area, and runway protection zone. These zones are determined
10 by the Jacksonville Aviation Authority. If consistent with the
11 Comprehensive Plan, maps associated with zones may be added to the
12 Zoning Atlas in the form of an Airport Environ Zone map and the
13 requirements of Part 10 enforced within them by action of the City
14 Council, after recommendation by the Planning and Development
15 Department and the Planning Commission.

16 (H) Airport environ zone (military airports) means those
17 areas which are included in an height and hazard zone; noise zone,
18 notice zone, school regulation zone, accident potential zone and/or
19 clear zone, miscellaneous use zone, and the lighting regulation
20 zone at Outlying Field Whitehouse. These zones are determined by
21 the Navy. If consistent with the Comprehensive Plan, maps
22 associated with zones may be added to the Zoning Atlas in the form
23 of an Airport Environ Zone map and the requirements of Part 10
24 enforced within them by action of the City Council, after
25 recommendation by the Planning and Development Department and the
26 Planning Commission.

27 (I) Airport Notice Zones are those zones requiring execution
28 of an Airport Notice Zone Acknowledgement, as required in Section
29 656.1010. All parcels partially or completely within the Notice
30 Zone shall be denoted with the suffix of P10. The Airport Notice
31 zones are areas for which the limits are represented by the 60 DNL

1 to 64.99 DNL noise contour range. This zone is determined by the
2 Navy and Jacksonville Aviation Authority. Maps associated with the
3 Airport Notice Zone may be added to the Zoning Atlas and the
4 requirements of Part 10 enforced within it only by action of the
5 City Council, after recommendation by the Planning and Development
6 Department and the Planning Commission. For military airports
7 only, the Airport Notice Zone also shall encompass all lands within
8 accident potential zones, lighting regulation zone (for OLF
9 Whitehouse only) or the one hundred fifty (150) foot Height and
10 Hazard Zone which is also known as inner horizontal and conical
11 surface zone as shown on the Airport Notice Zone Map and as adopted
12 into the Zoning Atlas (only as it applies to NASJax, NSMayport and
13 OLF Whitehouse).

14 (J) Airport Notice Zone Acknowledgement is a notice filed
15 pursuant to 656.1005, Subsections A and B, and 656.1010. The
16 Acknowledgement form is found at 656.1014.

17 (K) Airport obstruction is defined as a structure or object
18 of natural growth or use of land which would exceed the federal
19 obstruction standards as contained in Title 14, Code of Federal
20 Regulations (CFR), Part 77 or NAVFAC P-80.3 01/82 which obstructs
21 the airspace required for flight of aircraft in landing and takeoff
22 at an airport or which is otherwise hazardous to the landing or
23 taking off of aircraft. Examples include an object constructed,
24 controlled, or installed by man, including but not limited to
25 buildings, antennae, towers, smokestacks, utility poles, cranes,
26 trees, vegetative plants and overhead transmission lines.

27 (L) Clear Zone (military airports) is the trapezoidal
28 government owned area abutting the end of each airport runway. The
29 limits of the clear zones vary based on the type of runway and
30 within the clear zone land should be cleared and graded and free of
31 above ground objects except for U.S. Navy approved structures.

1 (M) Cluster means to group uses close together rather than
2 distributing them evenly throughout a site while remaining below
3 the applicable gross density or intensity ceiling of the land use
4 plan category.

5 (N) Day/Night Noise Level (DNL) is a cumulative measurement
6 of community noise exposure established by the Federal government.
7 The sound exposure levels from aircraft events are accumulated to
8 determine the sound pressure present in a 24-hour period and a 10
9 decibel penalty is applied to each aircraft event that occurs
10 between 10:00 p.m. and 7:00 a.m. DNL values are typically shown as
11 a series of noise contours surrounding the airport.

12 (O) dB Decibel is the measurement of sound by its pressure
13 or energy level. The decibel scale is logarithmic. Noise energy
14 doubles with each increase of 3 decibels.

15 (P) dBA is the measurement of sound pressure using an A-
16 weighted scale to best represent the range of human hearing.

17 (Q) Fully shielded shall mean an outdoor light fixture
18 shielded in such a manner that all light emitted by the fixture,
19 either directly from the lamp or indirectly from the fixture, is
20 projected below a horizontal plane extending from the bottom of the
21 light fixture.

22 (R) Height and Hazard Zone includes lands located within the
23 surface limits of the airport height zone for which there is a
24 potential for such hazards as electronic interference, light glare,
25 bird strike hazard and other potential hazards to safe navigation
26 of aircraft. Height zone means the obstruction height limits as
27 defined in Title 14, Code of Federal Regulations (CFR), Part 77 and
28 Navy NAVFAC P-80.3 set forth in this part. They include all the
29 land lying beneath the approach, transitional, horizontal and
30 conical surfaces as they apply to a particular airport. The area
31 located in more than one of the described zones is considered to be

1 only in the zone with the more restrictive height limitation. The
2 City has defined 0', 35', 50', 150', 300', and 500' Height and
3 Hazard Zones and structures exceeding these heights must be
4 referred to the Jacksonville Aviation Authority or the US Navy as
5 required by Section 656.1005. These zones are shown on the Zoning
6 Atlas and included in the Airport Environs Maps.

7 (S) Lighting Regulation Zone means an area that includes all
8 lands beneath the primary zone, clear zone, both approach and
9 departure clearance zones (sloped and horizontal), inner horizontal
10 conical surface zone and transitional zone (see NAVFAC P-80.3) in
11 conjunction with Outlying Field Whitehouse only.

12 (T) Minimum vectoring altitude means the lowest mean sea
13 level altitude at which an aircraft on instrument flight rules will
14 be vectored by a radar controller, except when otherwise authorized
15 for radar approaches, departures and missed approaches.

16 (U) Miscellaneous Use Zone means an area within the Height
17 and Hazard Zone as defined in R above, of airports where JAA or US
18 Navy approval is required for the uses listed in 656.1005
19 Subsection A (d) and Subsection B (d).

20 (V) Noise Level Reduction (NLR) is a measurement standard for
21 the reduction in sound level transmission between two designated
22 locations for a stated sound frequency band. NLR standards are used
23 to evaluate the effectiveness or establish the requirements of
24 techniques to limit sound level transmission in order to prevent or
25 mitigate adverse noise impacts.

26 (W) Noise Zones are areas for which the boundaries are
27 represented by DNL noise contour ranges. All parcels partially or
28 completely within the Noise Zone shall be denoted with the suffix
29 of P10. The noise zones are Noise Zone A (DNL values 70 and
30 greater); and Noise Zone B (65 DNL to 69.99 DNL range). These
31 zones are determined by the Navy and the Jacksonville Aviation

1 Authority. Maps associated with Noise Zones may be added to the
2 Zoning Atlas and the requirements of Part 10 enforced within them
3 only by action of the City Council, after recommendation by the
4 Planning and Development Department and the Planning Commission.

5 (X) Runway Protection Zone (RPZ) is a trapezoidal area
6 starting 200 feet from the existing or future runway ends at a
7 civilian airport and extending 1,000 to 2,500 feet beyond the
8 starting point depending on the type of aircraft and the approach
9 visibility minimums for the runway that is intended to enhance the
10 protection of people and property on the ground. The Federal
11 Aviation Administration (FAA) requires the clearing of all
12 incompatible objects and activities from this area and encourages
13 the airport to acquire a sufficient property interest in the RPZ to
14 control the land uses on the property to prohibit residences and
15 places of public assembly, churches, schools, hospitals, office
16 buildings, shopping centers and fuel storage facilities.

17 (Y) Runway Safety Area is an area surrounding the runways at
18 civilian airports that is prepared or suitable for reducing the
19 risk of damage to airplanes in the event of a problem on landing or
20 take-off by clearing all obstructions from the area. This surface
21 extends 600 to 1,000 feet from the end of an existing or future
22 runway depending on the type of aircraft operating from the runway.

23 (Z) School Regulation Zones are areas defined in FS 333.03.
24 School sites are regulated based on their relationship with
25 existing or planned runways shown in the AICUZ, in the case of a
26 military facility or Master Plan, in the case of a civilian
27 facility. School regulation zones are shown on the Zoning Atlas
28 and will be included in the Airport Environs map.

29 **Sec. 656.1005. Airport Environs.**

30 There are hereby created two subsections: SUBSECTION A
31 applicable to civilian airport environs and SUBSECTION B applicable

1 to military airport environs.

2 **Sec. 656.10051. Subsection A. Regulations Applicable to**
 3 **Designated Civilian Airport Environs.**

4 (a) Civilian airport environ zones are designated in
 5 accordance with Table 656-1, below.

6 **Table 656-1**

7

Civilian Airport Environ Area	DNL Range/Comment
Noise Zone A	70 or Greater
Noise Zone B	65- 69.99
Airport Notice Zone	60-64.99
Runway Safety Area	As defined in 656.1004 (Y)
Runway Protection Zones (RPZ)	As defined in 656.1004 (X)
Height and Hazard Zones (HH)	As defined in 656.1004 (R)

8 (b) Allowable land uses in noise zones.

9 Notwithstanding the zoning district regulations contained
 10 elsewhere in this chapter, the allowable land use for a parcel of
 11 land lying within a noise zone shall be modified as set forth by
 12 the regulations in this section.

13 (1) The land use requirements shown in Table 656-2,
 14 below, shall determine, subject to the zoning classification
 15 of the parcel, allowable land uses for the noise zones within
 16 which a given parcel of land lies.

17 (2) Land use requirements are delineated in three
 18 categories:

19 (i) Unacceptable development (X), which means that,
 20 even though otherwise permitted in the zoning
 21 classification of the parcel, the land use is
 22 prohibited as delineated by Table 656-2, below.

23 (ii) Conditional new development (C), which means

that, even though otherwise permitted in the zoning classification of the parcel, prior to commencement of the land use indicated, the use shall meet the guidelines set forth in the footnotes to Table 656-2, below.

(3) Acceptable development (A), which means that the provisions of the appropriate zoning classification of the parcel shall apply as well as Airport Noise Zone Acknowledgement requirements.

TABLE 656-2

Land Use Category	Noise Zone A >70DNL	Noise Zone B 65-69.99 DNL	Airport Noise Zone 60-64.99 DNL
<i>Residential:</i>			
Single-family dwelling	X, 11	C, 1, 2	C, 1
Multifamily dwelling	X, 11	C, 1, 2	C, 1
Mobile home park	X	X	C, 1
Foster care/family care home	X, 11	C, 1, 2	C, 1
Group care home and similar uses	X, 11	C, 1, 2	C, 1
Rooming house/boarding house	X, 11	C, 1, 2	C, 1
<i>Commercial:</i>			
Retail outlets for the sale of general	C, 1, 2	C, 1	C, 1

merchandise (including sale of food), wearing apparel and similar uses			
Retail sales of building materials, hardware, farm equipment, new or used automobiles, mobile homes, boats and similar uses	C, 1, 2	C, 1	C, 1
Commercial parking lot	C, 1	C, 1	C, 1
Retail sale of furniture, home furnishings and similar uses	C, 1, 2	C, 1	C, 1
Service establishments such as restaurants (including drive-in restaurants), service of alcoholic beverages and similar uses	C, 1, 2	C, 1, 3	C, 1
All types of professional and business offices, personal services, professional or business including building trades contractors and similar uses	C, 1, 2	C, 1, 3	C, 1
Commercial indoor recreational or entertainment facilities	C, 1, 2	C, 1, 3	C, 1
Repair services and	C, 1	C, 1	C, 1

services garages including automobile repair, radio and television repair and similar uses			
Automobile service station	C, 1	C, 1	C, 1
Motel or hotel	C, 1, 2	C, 1, 2	C, 1
Radio and television broadcasting offices and studios, telephone exchange and similar uses	C, 1, 2	C, 1, 2	C, 1
Medical and other health services such as hospitals, clinics and similar uses	X, 11	C, 1, 2	C, 1
<i>Industrial:</i>			
Wholesaling, warehousing storage or distribution establishments, assembling of components and similar uses	C, 1, 10	C, 1, 10	C, 1
Freight, bus, traveling, shipping or other transportation terminals	C, 1, 10	C, 1, 10	C, 1
Manufacturing of food and kindred products, apparel, textile mill products and similar uses	C, 1, 10	C, 1, 10	C, 1
Manufacturing of	C, 1, 10	C, 1, 10	C, 1

chemicals and allied products, petroleum refining and related activities, rubber and miscellaneous plastic products and similar uses			
Manufacturing of lumber and wood products, furniture and fixtures, paper and allied products, stone, clay and glass products, primary metal including fabrication of metal products and similar uses	C, 1, 10	C, 1, 10	C, 1
Printing, lithography, publishing or similar establishments	C, 1, 10	C, 1, 10	C, 1
Manufacturing of professional, scientific and control instruments, prosthetic appliances, dentures, eyeglasses, hearing and similar products	C, 1, 10	C, 1, 10	C, 1
<i>Public and Quasi-public Services:</i>			
Cemeteries	C, 1, 5	C, 1, 5	C, 1
Churches	X, 11	C, 1, 2	C, 1
Governmental services,	C, 1, 2	C, 1, 2	C, 1

such as offices, fire stations, postal services and prisons			
Schools	X, 11	X, 11	C, 1, 7
Cultural activities such as libraries, museums, art galleries and similar uses	X, 11	X, 11	C, 1
Private clubs and similar uses which provide for public assembly	X, 11	C, 1, 2	C, 1
<i>Outdoor Recreation:</i>			
Playgrounds, neighborhood parks	X, 11	X, 11	C, 1
Community and regional parks	X, 11	X, 11	C, 1
Nature exhibits	X, 11	X, 11	C, 1
Spectator sports, including arenas	X, 11	X, 11	C, 1
Golf courses, riding stables and similar uses	C, 1, 6	C, 1, 6	C, 1
Private camps (including day camps)	X, 11	X, 11	C, 1
Entertainment assembly, amphitheater, music shell and similar uses	X, 11	X, 11	X, 11
<i>Resource Production, Extraction and Open Land</i>			
Agriculture, including	C, 1, 8	C, 1, 8	C, 1,

livestock grazing			
Livestock farms, animal breeding	C, 1, 8	C, 1, 8	C, 1
Agriculture-related activities	C, 1, 8	C, 1, 8	C, 1
Forestry	C, 1, 4, 8	C, 1, 4, 8	C, 1

- 1 A--Acceptable development
- 2 X--Unacceptable development
- 3 C--Conditional development, with conditions as noted:
- 4 1 Recorded Airport Notice Zone Acknowledgement applied to the
- 5 parcel
- 6 2 Compatible development is conditioned on design and construction
- 7 providing for an average minimum NLR of average minimum 30 dBA
- 8 throughout the facility or dwelling.
- 9 3 Compatible development is conditioned on design and construction
- 10 providing for an average minimum NLR of average minimum 25 dBA
- 11 throughout the facility or dwelling.
- 12 4 Permitted only within height constraints.
- 13 5 Rooms / buildings for funeral services, prayer and meditation are
- 14 not permitted
- 15 6 Compatible development is conditioned on design and construction
- 16 providing for an average minimum NLR of average minimum 30 dBA in
- 17 the clubhouse or other interior meeting structure
- 18 7 Schools are further limited by FS 333, See Sec. 656.1009
- 19 8 Operations which attract a large concentration of birds should be
- 20 excluded
- 21 9. Compatible development is conditioned on design and construction
- 22 providing for a noise level reduction of average minimum 30 dBA in
- 23 reception, office and employee lounge areas.

1 10. Compatible development is conditioned on design and
2 construction providing for a noise level reduction of average
3 minimum 25 dBA in reception, office and employee lounge areas.

4 11. Development permitted in Planned Unit Developments
5 approved prior to the enactment date of this ordinance or pursuant
6 to preliminary site development reviews in accordance with Section
7 656.1003 and uses or structures permitted pursuant to Section
8 656.1008 shall also be subject to footnote 1 and footnote 2 of this
9 table.

10 (c) Allowable development in Airport Height and Hazard zones
11 (HH).

12 Notwithstanding the zoning district regulations contained
13 elsewhere in this chapter, the allowable development on a parcel of
14 land lying within an Airport Height and Hazard Zone shall be
15 modified as set forth by the regulations in this section. Airport
16 Height and Hazard zones exist around all civilian airports within
17 the city limits of Jacksonville as defined in section 656.1004 (R).
18 The horizontal limits of the zones and limitations on heights of
19 obstructions within these zones are defined for each airport by
20 Title 14, Code of Federal Regulations (CFR), Part 77 guidelines.
21 The City of Jacksonville Planning and Development Department has
22 GIS maps provided by the Jacksonville Aviation Authority showing
23 the boundaries of the Airport Height and Hazard Zones around each
24 airport. In order to assure that Part 77 guidelines are not
25 exceeded and that no structure or obstruction is permitted that
26 would raise a minimal obstruction clearance altitude, a minimum
27 vectoring descent altitude or a decision height, all cell towers
28 and any structure or obstruction in excess of the height limit
29 above ground as depicted on the Zoning Atlas and the Airport
30 Environs Maps shall receive, in writing, FAA or Aviation Authority
31 comment if they are within an Airport Height or Hazard Zone. Any

1 construction above 200 feet or that penetrates a Part 77 surface
2 must provide notice to the FAA Administrator prior to beginning
3 construction. Although written documentation from the Aviation
4 Authority or acceptable evidence that a parcel is not in a Height
5 or Hazard Zone is not required for proposed structure heights below
6 the listed heights, Part 77 still applies.

7 (d) Miscellaneous Use Regulations apply to the development
8 within Miscellaneous Use Zones that may be a hazard to aircraft in
9 flight. It shall be unlawful and a violation of the Zoning Code to
10 establish, maintain or continue a use within the surface limits of
11 the height and hazard zone in a manner as to interfere with the
12 operation of airborne aircraft. Development proposals for
13 miscellaneous uses as listed below shall be forwarded to the JAA.
14 The following special requirements shall apply to each use lawfully
15 established in the zones:

16 (1) Lights or illumination used in conjunction with
17 street, parking, signs or use of land and structures shall be
18 arranged and operated in such a manner that it is not
19 misleading or dangerous to aircraft operating from an airport
20 or in the vicinity thereof as determined by the airport
21 operator.

22 (2) No operations of any type shall produce smoke, glare
23 or other visual hazards within the limits of the zone that
24 would adversely affect the safe flight of aircraft.

25 (3) No operations of any type shall produce electronic
26 interference with navigation signals or radio communication
27 between the airport and aircraft within the limits of the
28 zone.

29 (4) In addition to the height limitations imposed by the
30 height and hazard zone, no structure or obstruction will be
31 permitted within the City that would cause a minimum vectoring

1 altitude to be raised.

2 (5) No use of land, including those resource
3 production/extraction/open land uses addressed in Section
4 656.1005, as well as ponds, borrow pits, waste disposal and
5 other facilities which store, handle or process organic or any
6 other material that fosters or harbors the growth of insects,
7 rodents, amphibians or other organisms as they result in
8 significant bird population increases above the normal
9 background should be permitted which encourages or attracts
10 large concentrations of birds or waterfowl within the vicinity
11 of an airport.

12 (e) Allowable development in Runway Protection Zones (RPZ).

13 Notwithstanding the zoning district regulations contained
14 elsewhere in this chapter, the allowable development on a parcel of
15 land lying within a runway protection zone shall be modified as set
16 forth by the regulations in this section. A runway protection
17 zone exists adjacent to the end of all civilian airport runways
18 within the City limits of Jacksonville. The horizontal limits of
19 the zones have been defined based on FAA criteria for each runway.
20 The City of Jacksonville Planning and Development Department has
21 GIS maps provided by the Jacksonville Aviation Authority showing
22 the boundaries of the runway protection zones adjacent to each
23 airport runway. Prior to modifying the use of a parcel of land,
24 the owner or developer must review the GIS maps to determine if the
25 parcel is located in whole or in part in the runway protection
26 zone. If the parcel is found to be in one of the runway protection
27 zones, the Aviation Authority office of Planning and Development
28 must be notified in writing of the proposed changes to the use of
29 the parcel. The Aviation Authority will then notify the City in
30 writing of the compatibility of the use with the runway protection
31 zone requirements.

zoning classification of the parcel, the land use is prohibited as delineated by Table 656-4, below.

(ii) Conditional new development (C), which means that, even though otherwise permitted in the zoning classification of the parcel, prior to commencement of the land use indicated, the use shall meet the guidelines set forth in the footnotes to Table 656-4, below.

(3) Acceptable development (A), which means that the provisions of the appropriate zoning classification of the parcel shall apply as well as Airport Notice Zone Acknowledgement requirements.

Table 656-4

Land Use Category	APZ1	APZ2	Noise Zone A >70 DNL	Noise Zone B 65-69.99 DNL	Airport Notice-Zone 60-64.99 DNL
Residential:					
Single-family dwelling	X	C, 1, 7	X, 15	C, 1, 2	C, 1
Multifamily dwelling	X	X	X, 15	C, 1, 2	C, 1
Mobile home park	X	X	X	X	C, 1
Foster care/family care home	X	X	X, 15	C, 1, 2	C, 1
Group care home and similar uses	X	X	X, 15	C, 1, 2	C, 1

Rooming house/boarding house	X	X	X, 15	C, 1, 2	C, 1
Commercial:					
Retail outlets for the sale of general merchandise (including sale of food), wearing apparel and similar uses	X	C, 1, 10	C, 1, 2	C, 1, 3	C, 1
Retail sales of building materials, hardware, farm equipment, new or used automobiles, mobile homes, boats and similar uses	A	A	C, 1, 2	C, 1, 3	C, 1
Commercial parking lot	A	A	C, 1	C, 1	C, 1
Retail sale of furniture, home furnishings and similar uses	X	C, 1, 10	C, 1, 2	C, 1, 3	C, 1
Service establishments such as restaurants (including drive-in restaurants), service of alcoholic beverages and similar uses	X	A,1	C, 1, 2	C, 1, 3	C, 1
All types of professional and business offices, personal services, professional or business	X	C, 1, 9	C 1, 2	C, 1, 3	C, 1

including building trades contractors and similar uses					
Commercial indoor recreational or entertainment facilities	X	X	C, 1, 2	C, 1, 3	C, 1
Repair services and services garages including automobile repair, radio and television repair and similar uses	A,1	A, 1	C, 1, 13	C, 1, 13	C, 1
Automobile service station	X	A, 1	C, 1, 13	C, 1, 13	C, 1
Motel or hotel	X	X	C, 1, 2	C, 1, 2	C, 1
Radio and television broadcasting offices and studios, telephone exchange and similar uses	X	C, 1, 9	C, 1, 2	C, 1, 2	C, 1
Medical and other health services such as hospitals, clinics and similar uses	X	X	X, 15	C, 1, 2	C, 1
Industrial:					
Wholesaling, warehousing storage or distribution establishments, assembling of components and similar uses	A	A, 1	C, 1, 14	C, 1, 14	C, 1

Freight, bus, traveling, shipping or other transportation terminals	C, 1, 8	A, 1	C, 1, 14	C, 1, 14	C, 1
Manufacturing of food and kindred products, apparel, textile mill products and similar uses	X	A, 1	C, 1, 14	C, 1, 14	C, 1
Manufacturing of chemicals and allied products, petroleum refining and related activities, rubber and miscellaneous plastic products and similar uses	X	X	C, 1, 14	C, 1, 14	C, 1
Manufacturing of lumber and wood products, furniture and fixtures, paper and allied products, stone, clay and glass products, primary metal including fabrication of metal products and similar uses	X	A, 1	C, 1, 14	C, 1, 14	C, 1
Printing, lithography, publishing or similar establishments	X	A, 1	C, 1, 14	C, 1, 14	C, 1
Manufacturing of	X	A, 1	C, 1,	C, 1,	C, 1

professional, scientific and control instruments, prosthetic appliances, dentures, eyeglasses, hearing and similar products			14	14	
<i>Public and Quasi-public Services:</i>					
Cemeteries	C, 1, 5	C, 1, 5	C, 1, 5	C, 1, 5	C, 1
Churches	X	X	X, 15	C, 1, 2	C, 1
Governmental services, such as offices, fire stations, postal services and prisons	X	C, 1, 9	C 1, 2	C, 1, 2	C, 1
Schools	X	X	X, 15	X, 15	C, 1, 11
Cultural activities such as libraries, museums, art galleries and similar uses	X	X	X, 15	X, 15	C, 1
Private clubs and similar uses which provide for public assembly	X	X	X, 15	C, 1, 2	C, 1
<i>Outdoor Recreation:</i>					
Playgrounds, neighborhood parks	X	X	X, 15	X, 15	C, 1
Community and regional parks	C, 1, 9	C, 1, 9	X, 15	X, 15	C, 1
Nature exhibits	C, 1, 9	C, 1, 9	X, 15	X, 15	C, 1

Spectator sports, including arenas	X	X	X, 15	X, 15	C, 1
Golf courses, riding stables and similar uses	C, 1, 9	C, 1, 9	C, 1, 6	C, 1, 6	C, 1
Private camps (including day camps)	X	X	X, 15	X, 15	C, 1
Entertainment assembly, amphitheater, music shell and similar uses	X	X	X, 15	X, 15	X
Resource Production, Extraction and Open Land					
Agriculture, including livestock grazing	C, 1, 12	C, 1, 12	C, 1, 12	C, 1, 12	C, 1
Livestock farms, animal breeding	C, 1, 12	C, 1, 12	C, 1, 12	C, 1, 12	C, 1
Agriculture-related activities	C, 1, 12	C, 1, 12	C, 1, 12	C, 1, 12	C, 1
Forestry	C, 1, 4, 12	C, 1, 4, 12	C, 1, 12	C, 1, 4, 12	C, 1

1 A--Acceptable development

2 X--Unacceptable development

3 C--Conditional development, with conditions as noted:

4 1 Recorded Airport Notice Zone Acknowledgement applied to the
5 parcel

6 2 Compatible development is conditioned on design and construction
7 providing for an average minimum NLR of average minimum 30 dBA
8 throughout the facility or dwelling.

9 3 Compatible development is conditioned on design and construction
10 providing for an average minimum NLR of average minimum 25 dBA
11 throughout the facility or dwelling.

- 1 4 Permitted only within height constraints.
- 2 5 Rooms / buildings for funeral services, prayer and meditation are
- 3 not permitted
- 4 6 Compatible development is conditioned on design and construction
- 5 providing for an average minimum NLR of average minimum 30 dBA in
- 6 the clubhouse or other interior meeting structure
- 7 7 Maximum density 2 dwelling units per acre
- 8 8 No passenger terminals and no major above ground transmission
- 9 lines
- 10 9 Structures shall be limited to 5,000 square feet of gross floor
- 11 area and development is subject to the condition that meeting
- 12 places, auditoriums and so forth for a gathering of more than fifty
- 13 people are not permitted or built.
- 14 10 Small neighborhood retail stores are compatible but strip malls
- 15 and shopping malls are not
- 16 11 Schools are further limited by FS 333, See Sec. 656.1009
- 17 12. Operations which attract a large concentration of birds should
- 18 be excluded.
- 19 13. Compatible development is conditioned on design and
- 20 construction providing for a noise level reduction of average
- 21 minimum 30 dBA in reception, office and employee lounge areas.
- 22 14. Compatible development is conditioned on design and
- 23 construction providing for a noise level reduction of average
- 24 minimum 25 dBA in reception, office and employee lounge areas.
- 25 15. Development permitted in Planned Unit Developments approved
- 26 prior to the enactment date of this ordinance or pursuant to
- 27 preliminary site development reviews in accordance with Section
- 28 656.1003 and uses or structures permitted pursuant to Section
- 29 656.1008 shall also be subject to footnote 1 and footnote 2 of this
- 30 table.

31 (c) Allowable development in Airport Height and Hazard zones

1 (HH).

2 Notwithstanding the zoning district regulations contained
3 elsewhere in this chapter, the allowable development on a parcel of
4 land lying within an Airport Height and Hazard zone shall be
5 modified as set forth by the regulations in this section. Airport
6 Height and Hazard zones exist around all military airports within
7 the city limits of Jacksonville as defined in section 656.1004 (R).
8 The horizontal limits of the zones and limitations on heights of
9 obstructions within these zones are defined for each airport in
10 NAVFAC P-80.3 01/82. The City of Jacksonville Planning and
11 Development Department has GIS maps provided by the United States
12 Navy showing the boundaries of the Airport Height and Hazard zones
13 around each airport. In order to assure that NAVFAC P-80.3 01/82
14 guidelines are not exceeded and that no structure or obstruction is
15 permitted that would raise a minimal obstruction clearance
16 altitude, a minimum vectoring descent altitude or a decision
17 height, all cell towers and any structure or obstruction in excess
18 of the height limit above ground as depicted on the Zoning Atlas
19 and the Airport Environs Maps, the City shall receive, in writing
20 from the U.S. Navy, comment if the project is within an Airport
21 Height or Hazard Zone. Although written documentation from the
22 U.S. Navy or acceptable evidence that a parcel is not in a Height
23 or Hazard Zone is not required for proposed structure heights below
24 the listed height, Part 77 still applies.

25 (d) Miscellaneous Use Regulations apply to the development
26 within Miscellaneous Use Zones that may be a hazard to aircraft in
27 flight. It shall be unlawful and a violation of the Zoning Code
28 to establish, maintain or continue a use within the surface limits
29 of the height and hazard zone in a manner as to interfere with the
30 operation of airborne aircraft. By City action, development
31 proposals for miscellaneous uses as listed below shall be forwarded

1 to the US Military. The following special requirements shall
2 apply to each use lawfully established in the zones:

3 (1) Lights or illumination used in conjunction with
4 street, parking, signs or use of land and structures shall be
5 arranged and operated in such a manner that it is not
6 misleading or dangerous to aircraft operating from an airport
7 or in the vicinity thereof as determined by the airport
8 operator.

9 (2) No operations of any type shall produce smoke, glare
10 or other visual hazards within the limits of the zone that
11 would adversely affect the safe flight of aircraft.

12 (3) No operations of any type shall produce electronic
13 interference with navigation signals or radio communication
14 between the airport and aircraft within the limits of the
15 zone.

16 (4) In addition to the height limitations imposed by the
17 height and hazard zone, no structure or obstruction will be
18 permitted within the city that would cause a minimum vectoring
19 altitude to be raised.

20 (5) No use of land, including those resource
21 production/extraction/open land uses addressed in Section
22 656.1005 as well as ponds, borrow pits, waste disposal and
23 other facilities which store, handle or process organic or any
24 other material that fosters or harbors the growth of insects,
25 rodents, amphibians or other organisms as they result in
26 significant bird population increases above the normal
27 background should be permitted which encourages or attracts
28 large concentrations of birds or waterfowl within the vicinity
29 of an airport.

30 (6) Within the Lighting Regulation Zone at Outlying
31 Field Whitehouse, all artificial lighting equipment, including

1 but not limited to flood lights and searchlights, whether
2 temporary or permanent installations, shall have positive
3 optical control so that no light is emitted above the
4 horizontal plane. No building permit shall be granted in this
5 zone unless this requirement is met. Development within the
6 Lighting Regulation Zone at Outlying Field Whitehouse is
7 subject to Airport Notice Zone Acknowledgements as required in
8 Section 656.1010.

9 (e) Allowable development in clear zones (CLZ).

10 Notwithstanding the zoning district regulations contained
11 elsewhere in this chapter, the allowable development on a parcel of
12 land lying within a clear zone shall be modified as set forth by
13 the regulations in this section. A clear zone exists adjacent to
14 the end of all military airport runways within the city limits of
15 Jacksonville. The horizontal limits of the zones for each runway
16 have been defined based on United States Navy criteria (NAVFAC P-
17 80.3 01/82). For aviation safety, the clear zone should be
18 cleared, graded and free of above ground objects (except for
19 airfield lighting). The City of Jacksonville Planning and
20 Development Department has GIS maps provided by the United State
21 Navy showing the boundaries of the clear zones adjacent to each
22 airport runway. Prior to modifying the use of a parcel of land,
23 the owner or developer must review the GIS maps to determine if the
24 parcel is located in whole or in part in the clear zone. If the
25 parcel is found to be in one of the clear zones, the City will
26 notify the United States Navy office of Commanding Officer, Naval
27 Air Station, Jacksonville must be notified in writing of the
28 proposed changes to the use of the parcel. The U.S. Navy will then
29 notify the City in writing of the compatibility of the use with the
30 clear zone requirements.

31 **SUBPART B. (Requirements for both Civilian and Military**

Airports)**Sec. 656.1006. Hazard marking and lighting.**

Notwithstanding the provisions of section 656.1005, the owner of a structure over 200 (two hundred) feet above ground level shall install lighting on the structure in accordance with Federal Aviation Administration Advisory Circular 70-7460-1 Series and Amendments thereto. Additionally, high-intensity white obstruction lights shall be installed on a high structure that exceeds five hundred feet above ground level. The high-intensity white obstruction lights must be in accordance with the Federal Aviation Administration Advisory Circular 70-7460-1E and amendments.

A permit or variance granted shall require the owner to mark and light the structure in accordance with Federal Aviation Administration Advisory Circular 70-7460-1 Series. The permit may be conditioned to permit the Jacksonville Aviation Authority, United States Navy or the city, at its own expense, to install, operate and maintain markers and lights necessary to indicate to pilots the presence of an airspace hazard if special conditions so warrant.

Sec. 656.1007. Noise Level Reduction Requirements.

As outlined in Table 656-2 and 656-3, design and construction providing minimum noise level reduction of average minimum 25 or 30 dBA is required in some zones for some uses. The applicant shall provide a testing certificate from an accredited noise testing lab that a structure built pursuant to the proposed engineering plans will achieve a average minimum dBA reduction equal to or greater than the reduction required. In lieu of the required test, an applicant may submit an engineering judgment signed and sealed by an engineer licensed in the state of Florida, that in his/her opinion a structure built according to the submitted plans will meet the required noise reduction, or may use standards contained

1 within Section 4, Appendix D or the computer program referenced in
2 Section 1.4 representing an average minimum 30 dBA reduction within
3 "Guidelines for Sound Insulation of Residences Exposed to Aircraft
4 Operations", prepared for the Department of the Navy, by Wyle
5 Research and Consulting, Arlington Virginia, April 2005, on file
6 with the Office of Legislative Services. Notwithstanding the
7 requirements contained in the Guidelines pertaining to doors and
8 windows, the maximum required STC shall be 28.

9 **Sec. 656.1008. Nonconforming uses and structures.**

10 To the extent set forth herein, the restrictions on
11 nonconforming uses and structures contained in Part 7 are modified
12 or supplemented as follows:

13 (a) The owner of a nonconforming structure shall allow
14 the installation, operation and maintenance during hours of
15 darkness of the markers and lights deemed necessary by the
16 Aviation Authority office of Planning and Development or the
17 United States Navy as appropriate to indicate to the operators
18 of aircraft in the vicinity of the airport the presence of the
19 structures or aircraft hazards. The markers and lights shall
20 be installed, operated and maintained at the expense of the
21 owners of the airport concerned.

22 (b) The owner of a tree or other natural growth which
23 exceeds the limitations on height as provided in the Zoning
24 Code shall allow the Aviation Authority or United States Navy
25 at its expense to make lower, remove or take other action
26 necessary to bring the tree or growth into conformity with the
27 Zoning Code.

28 (c) A structure which is nonconforming by virtue of the
29 regulations contained in this part may be structurally
30 altered, reconstructed or replaced, provided there is no
31 increase in the floor area of the structure. However, the

1 floor area of single-family dwellings may be increased, if the
2 structural alteration, reconstruction or addition provides for
3 the sound attenuation required by the airport noise zone
4 within which the parcel is located (the sound attenuation
5 requirement only applies to the new construction/addition).

6 (d) Notwithstanding other provisions of this part, a
7 manufactured home park existing on March 18, 1985 may place a
8 manufactured home not meeting the requirements of this part
9 within the park on each manufactured home space established as
10 existing on March 18, 1985 by the Florida Department of
11 Health, the City of Jacksonville Environmental Resource
12 Management Department or the Planning and Development
13 Department. The requirements contained in section 656.1010
14 for execution of an Airport Notice Zone Acknowledgement shall
15 also be met.

16 (e) If a nonconforming use, by virtue of the regulations
17 contained in this part, ceases for any reason for a period of
18 twelve consecutive months, the subsequent use shall conform to
19 the regulations of this part.

20 **Sec. 656.1009. Educational Facilities.**

21 No new educational facility of a public or private school,
22 with the exception of aviation school facilities, shall be
23 permitted within an area extending along the centerline of any
24 runway and measured from the end of the runway and extending for a
25 distance of five miles and having a width equal to one half the
26 runway length. Exceptions approving construction of an educational
27 facility within the delineated area shall only be granted when the
28 Planning Commission and/or City Council make specific findings
29 detailing how the public policy reasons for allowing construction
30 outweigh health and safety concerns prohibiting such a location.

31 **Sec. 656.1010. Airport Notice Zone Acknowledgement; Recording**

1 **of Plats of lands located all or partially in Noise Zones A and B**
2 **and/or Airport Notice Zone.**

3 Within Noise Zones A and B and the Airport Notice Zone, the
4 following requirements apply:

5 (a) For any proposed subdivision (as defined in Chapter 654,
6 Ordinance Code) located all or partially within Noise Zones A and B
7 and/or the Airport Notice Zone as defined in this Chapter, which
8 proposed subdivision is required to meet the platting requirements
9 set forth in Chapter 654, Ordinance Code, the plat for such
10 subdivision shall include in a prominent place the following
11 statement: "NOTICE: Individual lots may be located in an Airport
12 Environ Zone and/or Air Installation Compatible Use Zone (AICUZ)
13 and may be subject to increased noise or hazard levels associated
14 with air traffic operations." Additionally, a separate note shall
15 indicate which lots are located within Noise Zone A, B and/or the
16 Airport Notice Zone, and such lots shall be annotated with a
17 reference to the paragraph of the note which indicates in which
18 noise zone such lot falls. Additionally, the covenants and
19 restrictions for any subdivision subject to the provisions hereof
20 shall contain the aforementioned statement and shall identify which
21 lots within said subdivision are in Noise Zone A, B, and/or the
22 Airport Notice Zone.

23 (b) For any new proposed residential use within Noise Zones A
24 and B and the Airport Notice Zone, an Airport Notice Zone
25 Acknowledgement shall be executed by the owner of the property upon
26 which a such proposed residential use is being constructed and
27 shall be recorded in the public records of Duval County, Florida
28 prior to issuance of building permits for multi-family uses or
29 residential uses that are not subject to a final plat or
30 subdivision.

31 (c) For any non-residential, existing residential or newly

1 constructed residential properties or structures as of the
2 effective date of this ordinance, no person shall sell, or
3 otherwise transfer, lease or offer to lease or offer to sell, or
4 otherwise transfer a structure or land within Noise Zones A and B
5 and/or an Airport Notice Zone as defined in this chapter, unless
6 the prospective transferee or lessee has been given an Airport
7 Notice Zone Acknowledgement in writing, at the time of contract of
8 sale, transfer, or lease, which Airport Notice Zone Acknowledgement
9 shall be included in the contract of sale, transfer, or lease
10 agreement for leases greater than three months. For conveyances
11 evidenced by a recorded instrument, the Airport Notice Zone
12 Acknowledgement shall be recorded simultaneously with the
13 instrument that conveys the real property interest in the lands
14 lying within the aforereferenced Noise and Airport Notice Zones. It
15 shall be the responsibility of the buyer or lessee to perform all
16 reasonable due diligence prior to entering into any contract to
17 purchase or lease property within a Noise or Airport Notice Zone.
18 Any person who knowingly violates the provisions of this section
19 shall be subject to an enforcement action by the City. Nothing in
20 this section shall affect the validity or enforceability of any
21 sale, transfer, or lease or contract for the sale, transfer, or
22 lease of any interest in real property, nor shall anything in this
23 section create a defect in the sale, transfer, or lease agreement.
24 Lease transactions shall require an Airport Notice Zone
25 Acknowledgement signed by two witnesses. Sales transactions shall
26 require a fully executed and recorded Airport Notice Zone
27 Acknowledgement. This subsection shall not apply to developers and
28 sellers required to comply with the provisions contained in
29 subsection 656.1010(a) of this Part.

30 (d) No building permit subject to Planning Department review
31 and approval will be issued within Noise Zones A and B and the

1 Airport Notice Zone, as defined in this chapter, unless the
2 applicant provides a copy of a fully executed Airport Notice Zone
3 Acknowledgement, to the Planning and Development Department. This
4 subsection shall not apply to those parties required to comply with
5 the provisions contained in subsections 656.1010(a), (b) or (c) of
6 this Part.

7 Within Noise Zones A and B and the Airport Noise Zone, the
8 following requirements apply:

9 (a) For any new proposed residential use within Noise Zones A
10 and B and the Airport Noise Zone, an Airport Notice Zone
11 Acknowledgement shall be recorded in the public records of Duval
12 County, Florida prior to recording of the final plat by the
13 applicant (for single family and town home residential uses) or
14 when building permits are issued (for multi-family uses or uses
15 that are not subject to a final plat or subdivision). A copy of
16 the recorded Acknowledgement shall accompany the final plat or
17 subdivision recording package. Furthermore, the plat shall contain
18 a statement identifying the location of the recorded
19 acknowledgement in the public records.

20 (b) For any non-residential or existing residential properties
21 or structures as of the effective date of this ordinance, no person
22 shall sell, or otherwise transfer, lease or offer to lease or offer
23 to sell, or otherwise transfer a structure or land within Noise
24 Zones A and B and/or an Airport Notice Zone as defined in this
25 chapter, unless the prospective transferee or lessee has been given
26 an Airport Notice Zone Acknowledgement in writing, at the time of
27 contract of sale, transfer, or lease, which Acknowledgement shall
28 be included in the contract of sale, transfer, or lease agreement
29 for leases greater than three months, as a part of the legal
30 instrument that conveys the real property interest in the lands
31 lying within the aforereferenced Noise and Airport Notice Zones. It

1 shall be the responsibility of the buyer or lessee to perform all
2 reasonable due diligence prior to entering into any contract to
3 purchase or lease property within a Noise or Airport Notice Zone.
4 Any person who knowingly violates the provisions of this section
5 shall be subject to enforcement by the City. Nothing in this
6 section shall affect the validity or enforceability of any sale,
7 transfer, or lease or contract for the sale, transfer, or lease of
8 any interest in real property, nor shall anything in this section
9 create a defect in the sale, transfer, or lease agreement. Lease
10 transactions shall require an Airport Notice Zone Acknowledgement
11 signed by two witnesses. Sales transactions shall require a fully
12 executed and recorded Airport Notice Zone Acknowledgement.

13 (c) No building permit subject to Planning Department review
14 and approval will be issued within Noise Zones A and B and the
15 Airport Notice Zone, as defined in this chapter, unless the
16 applicant provides a copy of a fully executed and recorded Airport
17 Notice Zone Acknowledgement, to the Planning and Development
18 Department.

19 **Sec. 656.1011. Rezoning within the Noise Zones A and B.**

20 Within the Noise Zones A and B, all rezonings shall be
21 proposed as Planned Unit Developments unless the Planning and
22 Development Department makes findings that a rezoning to a
23 conventional zoning will not negatively impact current or future
24 operations of military or civilian airports. No use shall be
25 allowed in Noise Zones A and B that is not consistent with the
26 Comprehensive Plan and Section 656.1005, and the density and
27 intensity policies and regulations contained therein shall be
28 reflected without variance in any Planned Unit Development.
29 Further, the Planning and Development Department must make findings
30 that the site plan and written description associated with a
31 proposed Planned Unit Development meet all requirements of Part 10

1 and that they cluster development away from height and hazard
2 zones, runway safety areas, runway protection zones, accident
3 potential zones and clear zones.

4 **Sec. 656.1012. Planned Unit Developments (PUDs), Rezoning, Waivers,**
5 **Exceptions and Variances involving a change of use or**
6 **intensification of residential use.**

7 Planned Unit Developments (PUDs), Rezoning, Waivers,
8 Exceptions and Variances located all or partially in Noise Zones A
9 and B shall be referred to the JAA or the United States Navy for
10 review. All PUDs, Waivers, Exceptions and Variances involving a
11 change of use or intensification of residential use of land in
12 Noise Zones A and B, shall show the boundaries of airport environs
13 as they occur within Noise Zones A and B as of the current date on
14 any required site plan, and the ordinance or final order approving
15 such PUD, Waiver, Exception or Variance shall include the following
16 condition: "All or a portion of this property may be located in an
17 Airport Environ Zone and/or Air Installation Compatible Use Zone
18 (AICUZ) and development in accordance with this ordinance or final
19 order (as applicable) shall meet the requirements set forth in Part
20 10, Zoning Code."

21 **Sec. 656.1013. Airport Zoning Committee.**

22 The Planning and Development Department, the US Navy and the
23 Jacksonville Aviation Authority shall be members of the Airport
24 Zoning Committee, which shall meet to discuss proposals for
25 rezonings and land use map amendments within Airport Notice Zones
26 as necessary. The Committee shall be chaired and staffed by the
27 Director or his or her designee. Each member shall be requested by
28 the Director to designate a representative to attend each Committee
29 meeting. Meetings can be requested by any member of the Committee
30 or its designee, and each member agrees to make such request and
31 provide a representative in a timeframe sufficient for the

1 Committee to meet and make an advisory recommendation prior to
2 consideration of the rezoning or land use map amendment by the
3 Local Planning Agency/Planning Commission.

4 **Sec. 656 1014. Airport Noise Advisory Council.**

5 There shall be created the Airport Noise Advisory Council,
6 which shall be comprised of two residents of the City of
7 Jacksonville appointed by the Mayor, two residents of the City of
8 Jacksonville appointed by the Council President, and one
9 representative from both the United States Department of the Navy
10 and the Jacksonville Aviation Authority. The Council shall meet
11 monthly or as determined by the Chair (which shall be elected by
12 the members of the Council) to review airport noise issues and make
13 recommendations to address them. The Council shall make
14 recommendations to the JAA, the City or the Navy.

15 **Sec. 656 1015. Public Awareness.**

16 Citizens and property owners located within the Airport Noise
17 and Airport Notice Zones shall be made aware of the potential for
18 objectionable noise impacts via the following methods:(a) Public
19 notice of the existence of Airport Noise and Airport Notice maps
20 shall be published by the Jacksonville Planning and Development
21 Department at least three times a year in a newspaper of general
22 circulation as provided in the Laws of Florida, Ch. 96-193; and(b)

23 Airport Environ, Airport Noise and Airport Notice maps shall
24 be made available for inspection on the City's Website.

25 **Sec. 656.1016. Airport Notice Zone Acknowledgement.**

26 An Airport Notice Zone Acknowledgement shall be created for
27 use as described in this Part in substantially the form attached
28 hereto and incorporated herein as Exhibit 1. The original Airport
29 Notice Zone Acknowledgment for conveyances will be recorded in the
30 official public records of Duval County, Florida, and copies shall
31 be provided to the Jacksonville Planning and Development

1 Department, JAA or the US Navy, as appropriate.

2 **Exhibit 1. AIRPORT NOTICE ZONE ACKNOWLEDGMENT**

3 **Return to: Chief, Regulatory Planning**

4 **Jacksonville Planning and Development Department**

5 **220 East Bay Street, Room 100**

6 **Jacksonville, Florida, 32202**

7
8 **AIRPORT NOTICE ZONE ACKNOWLEDGMENT**

9
10 The City of Jacksonville has determined that persons on the
11 premises may be exposed to significant noise level and/or accident
12 potentials or may be subject to special lighting regulations as a
13 result of the airport operations. The city has established that,
14 within its boundaries, there exist certain Airport Notice Zones as
15 defined in Section 656.1004 (J). The city has also placed certain
16 restrictions on the development, construction methods and use of
17 property within airport environ areas. The property at

18 _____
19 _____ (Real Estate Parcel # and address), which is
20 more particularly described in the legal description (Exhibit A)
21 attached hereto and made a part hereof, is located within the
22 Airport Notice Zone of _____ (airport).

23
24 **CERTIFICATION (AS APPLICABLE)**

25
26 As the owner/sellor/lessor (circle one) of the subject property, I
27 hereby certify that I am aware that the property is located in an
28 Airport Notice Zone. I have been advised to consult Part 10 of
29 Chapter 656, Ordinance Code, concerning the restrictions that have
30 been placed on the subject property. I further acknowledge that I

1 am aware that, as a result of the proximity of the subject property
2 to the airport noted above, airport operations may affect the quiet
3 enjoyment and use of the subject property. Additionally, I
4 acknowledge that airport operations may change due to changes in
5 type of aircraft operating, changes in flight paths and general
6 operations of the airport, and changes resulting from expansion,
7 reconfiguration or additional runways.

8
9

10 Dated this ____ day of _____ 20__.

11
12

Print Witness Name: _____

By: _____

Name: _____

Title: _____

Print Witness Name: _____

13
14

15 **STATE OF FLORIDA**

16 **COUNTY OF DUVAL**

17

18 The foregoing instrument was acknowledged before me this
19 _____ day of _____, 200_, by _____ and.

20 _____Such person(s): *(notary must check applicable box)*

21

22 is (are) personally known to me; or

1 is (are) personally known to me; or
2 produced a current _____ driver's license as
3 identification; or
4 produced _____ as identification.

5
6
7 _____
8 _____

9 [print or type name]
10 Notary Public, State of Florida
11 at Large
12

13 Copies will be recorded at the Duval County Clerk of Court, and
14 filed with the Jacksonville Planning and Development Department,
15 and will be provided to JAA or the US Navy, as appropriate.

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

19 Form Approved:

20
21 _____ /s/ Jason R. Teal _____

22 Office of General Counsel
23 Legislation Prepared By: Jason R. Teal

24 G:\shared\LEGIS.CC\2007\sub\Chapter 656 Part 10 Redline 030207 1st Enrolled.doc