

## **APPENDIX L**

# **KEY SECTIONS OF CITY OF JACKSONVILLE ZONING AND FLORIDA PUBLIC LAW**

Select Year:  

## The 2007 Florida Statutes

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[Title XXV](#)  
AVIATION

[Chapter 333](#)  
AIRPORT ZONING

[View Entire Chapter](#)

### **333.03 Power to adopt airport zoning regulations.--**

(1)(a) In order to prevent the creation or establishment of airport hazards, every political subdivision having an airport hazard area within its territorial limits shall, by October 1, 1977, adopt, administer, and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed, airport zoning regulations for such airport hazard area.

(b) Where an airport is owned or controlled by a political subdivision and any airport hazard area appertaining to such airport is located wholly or partly outside the territorial limits of said political subdivision, the political subdivision owning or controlling the airport and the political subdivision within which the airport hazard area is located, shall either:

1. By interlocal agreement, in accordance with the provisions of chapter 163, adopt, administer, and enforce airport zoning regulations applicable to the airport hazard area in question; or
2. By ordinance or resolution duly adopted, create a joint airport zoning board, which board shall have the same power to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard area in question as that vested in paragraph (a) in the political subdivision within which such area is located. Each such joint board shall have as members two representatives appointed by each political subdivision participating in its creation and in addition a chair elected by a majority of the members so appointed. However, the airport manager or managers of the affected political subdivisions shall serve on the board in a nonvoting capacity.

(c) Airport zoning regulations adopted under paragraph (a) shall, as a minimum, require:

1. A variance for the erection, alteration, or modification of any structure which would cause the structure to exceed the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29;
2. Obstruction marking and lighting for structures as specified in s. [333.07\(3\)](#);
3. Documentation showing compliance with the federal requirement for notification of proposed construction and a valid aeronautical evaluation submitted by each person applying for a variance;
4. Consideration of the criteria in s. [333.025\(6\)](#), when determining whether to issue or deny a variance;

and

5. That no variance shall be approved solely on the basis that such proposed structure will not exceed federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29, or any other federal aviation regulation.

(d) The department shall issue copies of the federal obstruction standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29 to each political subdivision having airport hazard areas and, in cooperation with political subdivisions, shall issue appropriate airport zoning maps depicting within each county the maximum allowable height of any structure or tree. Material distributed pursuant to this subsection shall be at no cost to authorized recipients.

(2) In the manner provided in subsection (1), interim airport land use compatibility zoning regulations shall be adopted. When political subdivisions have adopted land development regulations in accordance with the provisions of chapter 163 which address the use of land in the manner consistent with the provisions herein, adoption of airport land use compatibility regulations pursuant to this subsection shall not be required. Interim airport land use compatibility zoning regulations shall consider the following:

(a) Whether sanitary landfills are located within the following areas:

1. Within 10,000 feet from the nearest point of any runway used or planned to be used by turbojet or turboprop aircraft.
2. Within 5,000 feet from the nearest point of any runway used only by piston-type aircraft.
3. Outside the perimeters defined in subparagraphs 1. and 2., but still within the lateral limits of the civil airport imaginary surfaces defined in 14 C.F.R. part 77.25. Case-by-case review of such landfills is advised.

(b) Whether any landfill is located and constructed so that it attracts or sustains hazardous bird movements from feeding, water, or roosting areas into, or across, the runways or approach and departure patterns of aircraft. The political subdivision shall request from the airport authority or other governing body operating the airport a report on such bird feeding or roosting areas that at the time of the request are known to the airport. In preparing its report, the authority, or other governing body, shall consider whether the landfill will incorporate bird management techniques or other practices to minimize bird hazards to airborne aircraft. The airport authority or other governing body shall respond to the political subdivision no later than 30 days after receipt of such request.

(c) Where an airport authority or other governing body operating a publicly owned, public-use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150, neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within the area contiguous to the airport defined by an outer noise contour that is considered incompatible with that type of construction by 14 C.F.R. part 150, Appendix A or an equivalent noise level as established by other types of noise studies.

(d) Where an airport authority or other governing body operating a publicly owned, public-use airport has not conducted a noise study, neither residential construction nor any educational facility as defined in chapter 1013, with the exception of aviation school facilities, shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline.

(3) In the manner provided in subsection (1), airport zoning regulations shall be adopted which restrict new incompatible uses, activities, or construction within runway clear zones, including uses, activities, or construction in runway clear zones which are incompatible with normal airport operations or endanger public health, safety, and welfare by resulting in congregations of people, emissions of light or smoke, or attraction of birds. Such regulations shall prohibit the construction of an educational facility of a public or private school at either end of a runway of a publicly owned, public-use airport within an area which extends 5 miles in a direct line along the centerline of the runway, and which has a width measuring one-half the length of the runway. Exceptions approving construction of an educational facility within the delineated area shall only be granted when the political subdivision administering the zoning regulations makes specific findings detailing how the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a location.

(4) The procedures outlined in subsections (1), (2), and (3) for the adoption of such regulations are supplemental to any existing procedures utilized by political subdivisions in the adoption of such regulations.

(5) The Department of Transportation shall provide technical assistance to any political subdivision requesting assistance in the preparation of an airport zoning code. A copy of all local airport zoning codes, rules, and regulations, and amendments and proposed and granted variances thereto, shall be filed with the department.

(6) Nothing in subsection (2) or subsection (3) shall be construed to require the removal, alteration, sound conditioning, or other change, or to interfere with the continued use or adjacent expansion of any educational structure or site in existence on July 1, 1993, or be construed to prohibit the construction of any new structure for which a site has been determined as provided in former s. [235.19](#), as of July 1, 1993.

**History.**--s. 3, ch. 23079, 1945; s. 4, ch. 75-16; s. 4, ch. 88-356; s. 72, ch. 90-136; s. 8, ch. 92-152; s. 10, ch. 93-164; s. 1, ch. 94-201; s. 958, ch. 95-148; s. 971, ch. 2002-387.

1 The Land Use and Zoning Committee offers its first substitute to  
2 File No. 2006-1225:

3  
4 Introduced by the Council President at the Request of the Mayor and  
5 substituted by the Land Use and Zoning Committee:

6  
7 **ORDINANCE 2006-1225**

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

20  
21 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

27 **CHAPTER 656**

28 **ZONING CODE**

29 \* \* \*

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

31 **SUBPART A. GENERAL REGULATIONS**

1           **Sec. 656.1001. Findings.**

2           The Council finds and determines as follows:

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

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

12           (c) The Planning Commission considered this part and rendered  
13 an advisory opinion.

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

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

19           **Sec. 656.1002. Intent.**

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

29           **Sec. 656.1003. Applicability.**

30           The regulations set forth herein are applicable to all lands

1 lying within delineated airport environs adopted as a part of the  
2 Zoning Atlas as provided in Section 656.202 and to all lands  
3 defined in Section 656.1005 herein. Notwithstanding the zoning  
4 district regulations set out in Part 3, the provisions of this part  
5 as they apply to a parcel of land shall override and supersede  
6 other regulations set forth in the Zoning Code to the extent set  
7 forth herein based upon the airport environ(s) in which the parcel  
8 is located. The provisions of this part shall not override or  
9 supersede notification requirements previously established pursuant  
10 to the Zoning Code, or by action of a property owner.

11 The boundaries of all airport environ zone delineations shall  
12 be determined as follows:

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

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

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

1 Nothing in this section shall prevent a Civilian or Military  
2 Airport from negotiating with a property owner to establish  
3 aviation easements or notification requirements.

4 **Sec. 656.1004. Definitions.**

5 For the purposes of this part:

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

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

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

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

- 29 (1) Jacksonville International Airport.
- 30 (2) Craig Airport.
- 31 (3) Herlong Airport.

1 (4) Cecil Field.

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

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

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

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

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

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

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

29 (I) Airport Notice Zones are those zones requiring execution  
30 of an Airport Notice Zone Acknowledgement, as required in Section  
31 656.1010. All parcels partially or completely within the Notice

1 Zone shall be denoted with the suffix of P10. The Airport Notice  
2 zones are areas for which the limits are represented by the 60 DNL  
3 to 64.99 DNL noise contour range. This zone is determined by the  
4 Navy and Jacksonville Aviation Authority. Maps associated with the  
5 Airport Notice Zone may be added to the Zoning Atlas and the  
6 requirements of Part 10 enforced within it only by action of the  
7 City Council, after recommendation by the Planning and Development  
8 Department and the Planning Commission. For military airports  
9 only, the Airport Notice Zone also shall encompass all lands within  
10 accident potential zones, lighting regulation zone (for OLF  
11 Whitehouse only) or the one hundred fifty (150) foot Height and  
12 Hazard Zone which is also known as inner horizontal and conical  
13 surface zone as shown on the Airport Notice Zone Map and as adopted  
14 into the Zoning Atlas (only as it applies to NASJax, NSMayport and  
15 OLF Whitehouse).

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

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

29 (L) Clear Zone (military airports) is the trapezoidal  
30 government owned area abutting the end of each airport runway. The  
31 limits of the clear zones vary based on the type of runway and

1 within the clear zone land should be cleared and graded and free of  
2 above ground objects except for U.S. Navy approved structures.

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

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

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

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

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

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

1 conical surfaces as they apply to a particular airport. The area  
2 located in more than one of the described zones is considered to be  
3 only in the zone with the more restrictive height limitation. The  
4 City has defined 0', 35', 50', 150', 300', and 500' Height and  
5 Hazard Zones and structures exceeding these heights must be  
6 referred to the Jacksonville Aviation Authority or the US Navy as  
7 required by Section 656.1005. These zones are shown on the Zoning  
8 Atlas and included in the Airport Environs Maps.

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

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

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

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

28 (W) Noise Zones are areas for which the boundaries are  
29 represented by DNL noise contour ranges. All parcels partially or  
30 completely within the Noise Zone shall be denoted with the suffix  
31 of P10. The noise zones are Noise Zone A (DNL values 70 and

1 greater); and Noise Zone B (65 DNL to 69.99 DNL range). These  
2 zones are determined by the Navy and the Jacksonville Aviation  
3 Authority. Maps associated with Noise Zones may be added to the  
4 Zoning Atlas and the requirements of Part 10 enforced within them  
5 only by action of the City Council, after recommendation by the  
6 Planning and Development Department and the Planning Commission.

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

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

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

31 **Sec. 656.1005. Airport Environs.**

1           There are hereby created two subsections: SUBSECTION A  
2 applicable to civilian airport environs and SUBSECTION B applicable  
3 to military airport environs.

4           **Sec. 656.10051.           Subsection A. Regulations Applicable to**  
5   **Designated Civilian Airport Environs.**

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

8   **Table 656-1**

9

<b>Civilian Airport Environ Area</b>	<b>DNL Range/Comment</b>
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)

10           (b) Allowable land uses in noise zones.

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

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

19           (2) Land use requirements are delineated in three  
20 categories:

21                           (i) Unacceptable development (X), which means that,  
22                           even though otherwise permitted in the zoning  
23                           classification of the parcel, the land use is

1 prohibited as delineated by Table 656-2, below.

2 (ii) Conditional new development (C), which means  
3 that, even though otherwise permitted in the  
4 zoning classification of the parcel, prior to  
5 commencement of the land use indicated, the use  
6 shall meet the guidelines set forth in the  
7 footnotes to Table 656-2, below.

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

12 **TABLE 656-2**

13

Land Use Category	Noise Zone A  >70DNL	Noise Zone B  65-69.99 DNL	Airport Notice Zone  60-64.99 DNL
<b><i>Residential:</i></b>			
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
<b><i>Commercial:</i></b>			

Retail outlets for the sale of general merchandise (including sale of food), wearing apparel and similar uses	C, 1, 2	C, 1	C, 1
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	C, 1, 2	C, 1, 3	C, 1

entertainment facilities			
Repair services and services garages including automobile repair, radio and television repair and similar uses	C, 1	C, 1	C, 1
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
<b>Industrial:</b>			
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	C, 1, 10	C, 1, 10	C, 1

products and similar uses			
Manufacturing of chemicals and allied products, petroleum refining and related activities, rubber and miscellaneous plastic products and similar uses	C, 1, 10	C, 1, 10	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	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
<b>Public and Quasi-public Services:</b>			
Cemeteries	C, 1, 5	C, 1, 5	C, 1

Churches	X, 11	C, 1, 2	C, 1
Governmental services, such as offices, fire stations, postal services and prisons	C, 1, 2	C, 1, 2	C, 1
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
<b>Outdoor Recreation:</b>			
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
<b>Resource Production,</b>			

<b>Extraction and Open Land</b>			
Agriculture, including livestock grazing	C, 1, 8	C, 1, 8	C, 1,
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

1 providing for a noise level reduction of average minimum 30 dBA in  
2 reception, office and employee lounge areas.

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

6 11. Development permitted in Planned Unit Developments  
7 approved prior to the enactment date of this ordinance or pursuant  
8 to preliminary site development reviews in accordance with Section  
9 656.1003 and uses or structures permitted pursuant to Section  
10 656.1008 shall also be subject to footnote 1 and footnote 2 of this  
11 table.

12 (c) Allowable development in Airport Height and Hazard zones  
13 (HH).

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

1 Environs Maps shall receive, in writing, FAA or Aviation Authority  
2 comment if they are within an Airport Height or Hazard Zone. Any  
3 construction above 200 feet or that penetrates a Part 77 surface  
4 must provide notice to the FAA Administrator prior to beginning  
5 construction. Although written documentation from the Aviation  
6 Authority or acceptable evidence that a parcel is not in a Height  
7 or Hazard Zone is not required for proposed structure heights below  
8 the listed heights, Part 77 still applies.

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

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

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

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

31 (4) In addition to the height limitations imposed by the

1 height and hazard zone, no structure or obstruction will be  
2 permitted within the City that would cause a minimum vectoring  
3 altitude to be raised.

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

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

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

1 writing of the compatibility of the use with the runway protection  
2 zone requirements.

3 **656.10052. Subsection B. Regulations Applicable to**  
4 **Designated Military Airport Environs.**

5 (a) Military airport environ zones are designated in  
6 accordance with Table 656-3, below.

7 **Table 656-3**  
8

<b>Military Airport Environ Area</b>	<b>DNL Range/Comment</b>
Noise Zone A	70 or Greater
Noise Zone B	65- 69.99
Airport Notice Zone	60-64.99
Height and Hazard Zones (HH)	As defined in 656.1004 (R)
Accident Potential Zone 1 (APZ1)	As defined in 656.1004 (A)
Accident Potential Zone 2 (APZ2)	As defined in 656.1004 (B)
Lighting Regulation Zone	As defined in 656.1004 (S)
Clear Zone (CLZ)	No development except as in 656.1004 (L)

9 (b) Allowable land uses in noise zones and accident potential  
10 zones.

11 Notwithstanding the zoning district regulations contained  
12 elsewhere in this chapter, the allowable land use for a parcel of  
13 land lying within a noise zone and/or an accident potential zone  
14 shall be modified as set forth by the regulations in this section.

15 (1) The land use objectives shown in Table 656-4, below,  
16 shall determine, subject to the zoning classification of the  
17 parcel, allowable land uses for the airport environs area  
18 within which a given parcel of land lies.

19 (2) Land use objectives are delineated in three  
20 categories:

(i) Unacceptable development (X), which means that, even though otherwise permitted in the 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
<b><i>Residential:</i></b>					
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
<b>Commercial:</b>					
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,	X	C, 1, 9	C 1, 2	C, 1, 3	C, 1

personal services, professional or business 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
<b>Industrial:</b>					
Wholesaling, warehousing storage or distribution establishments,	A	A, 1	C, 1, 14	C, 1, 14	C, 1

assembling of components and similar uses					
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	X	A, 1	C, 1, 14	C, 1, 14	C, 1

establishments					
Manufacturing of professional, scientific and control instruments, prosthetic appliances, dentures, eyeglasses, hearing and similar products	X	A, 1	C, 1, 14	C, 1, 14	C, 1
<b>Public and Quasi-public Services:</b>					
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
<b>Outdoor Recreation:</b>					
Playgrounds, neighborhood parks	X	X	X, 15	X, 15	C, 1
Community and regional	C, 1, 9	C, 1, 9	X, 15	X, 15	C, 1

parks					
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
<b>Resource Production, Extraction and Open Land</b>					
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

1 providing for an average minimum NLR of average minimum 25 dBA  
2 throughout the facility or dwelling.

3 4 Permitted only within height constraints.

4 5 Rooms / buildings for funeral services, prayer and meditation are  
5 not permitted

6 6 Compatible development is conditioned on design and construction  
7 providing for an average minimum NLR of average minimum 30 dBA in  
8 the clubhouse or other interior meeting structure

9 7 Maximum density 2 dwelling units per acre

10 8 No passenger terminals and no major above ground transmission  
11 lines

12 9 Structures shall be limited to 5,000 square feet of gross floor  
13 area and development is subject to the condition that meeting  
14 places, auditoriums and so forth for a gathering of more than fifty  
15 people are not permitted or built.

16 10 Small neighborhood retail stores are compatible but strip malls  
17 and shopping malls are not

18 11 Schools are further limited by FS 333, See Sec. 656.1009

19 12. Operations which attract a large concentration of birds should  
20 be excluded.

21 13. Compatible development is conditioned on design and  
22 construction providing for a noise level reduction of average  
23 minimum 30 dBA in reception, office and employee lounge areas.

24 14. Compatible development is conditioned on design and  
25 construction providing for a noise level reduction of average  
26 minimum 25 dBA in reception, office and employee lounge areas.

27 15. Development permitted in Planned Unit Developments approved  
28 prior to the enactment date of this ordinance or pursuant to  
29 preliminary site development reviews in accordance with Section  
30 656.1003 and uses or structures permitted pursuant to Section  
31 656.1008 shall also be subject to footnote 1 and footnote 2 of this

1 table.

2 (c) Allowable development in Airport Height and Hazard zones  
3 (HH).

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

27 (d) Miscellaneous Use Regulations apply to the development  
28 within Miscellaneous Use Zones that may be a hazard to aircraft in  
29 flight. It shall be unlawful and a violation of the Zoning Code  
30 to establish, maintain or continue a use within the surface limits  
31 of the height and hazard zone in a manner as to interfere with the

1 operation of airborne aircraft. By City action, development  
2 proposals for miscellaneous uses as listed below shall be forwarded  
3 to the US Military. The following special requirements shall  
4 apply to each use lawfully established in the zones:

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

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

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

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

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

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

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

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

1 clear zone requirements.

2                   **SUBPART B. (Requirements for both Civilian and Military**  
3   **Airports)**

4           **Sec. 656.1006. Hazard marking and lighting.**

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

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

22           **Sec. 656.1007. Noise Level Reduction Requirements.**

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

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

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

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

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

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

30 (c) A structure which is nonconforming by virtue of the  
31 regulations contained in this part may be structurally

1 altered, reconstructed or replaced, provided there is no  
2 increase in the floor area of the structure. However, the  
3 floor area of single-family dwellings may be increased, if the  
4 structural alteration, reconstruction or addition provides for  
5 the sound attenuation required by the airport noise zone  
6 within which the parcel is located (the sound attenuation  
7 requirement only applies to the new construction/addition).

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

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

22 **Sec. 656.1009. Educational Facilities.**

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

1 outweigh health and safety concerns prohibiting such a location.

2       **Sec. 656.1010. Airport Notice Zone Acknowledgement; Recording**  
3 **of Plats of lands located all or partially in Noise Zones A and B**  
4 **and/or Airport Notice Zone.**

5       Within Noise Zones A and B and the Airport Notice Zone, the  
6 following requirements apply:

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

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

1 subdivision.

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

1 (d) No building permit subject to Planning Department review  
2 and approval will be issued within Noise Zones A and B and the  
3 Airport Notice Zone, as defined in this chapter, unless the  
4 applicant provides a copy of a fully executed Airport Notice Zone  
5 Acknowledgement, to the Planning and Development Department. This  
6 subsection shall not apply to those parties required to comply with  
7 the provisions contained in subsections 656.1010(a), (b) or (c) of  
8 this Part.

9 Within Noise Zones A and B and the Airport Noise Zone, the  
10 following requirements apply:

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

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

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

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

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

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

1 that the site plan and written description associated with a  
2 proposed Planned Unit Development meet all requirements of Part 10  
3 and that they cluster development away from height and hazard  
4 zones, runway safety areas, runway protection zones, accident  
5 potential zones and clear zones.

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

9 Planned Unit Developments (PUDs), Rezoning, Waivers,  
10 Exceptions and Variances located all or partially in Noise Zones A  
11 and B shall be referred to the JAA or the United States Navy for  
12 review. All PUDs, Waivers, Exceptions and Variances involving a  
13 change of use or intensification of residential use of land in  
14 Noise Zones A and B, shall show the boundaries of airport environs  
15 as they occur within Noise Zones A and B as of the current date on  
16 any required site plan, and the ordinance or final order approving  
17 such PUD, Waiver, Exception or Variance shall include the following  
18 condition: "All or a portion of this property may be located in an  
19 Airport Environ Zone and/or Air Installation Compatible Use Zone  
20 (AICUZ) and development in accordance with this ordinance or final  
21 order (as applicable) shall meet the requirements set forth in Part  
22 10, Zoning Code."

23 **Sec. 656.1013. Airport Zoning Committee.**

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

1 or its designee, and each member agrees to make such request and  
2 provide a representative in a timeframe sufficient for the  
3 Committee to meet and make an advisory recommendation prior to  
4 consideration of the rezoning or land use map amendment by the  
5 Local Planning Agency/Planning Commission.

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

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

17 **Sec. 656 1015. Public Awareness.**

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

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

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

28 An Airport Notice Zone Acknowledgement shall be created for  
29 use as described in this Part in substantially the form attached  
30 hereto and incorporated herein as Exhibit 1. The original Airport  
31 Notice Zone Acknowledgment for conveyances will be recorded in the

1 official public records of Duval County, Florida, and copies shall  
2 be provided to the Jacksonville Planning and Development  
3 Department, JAA or the US Navy, as appropriate.

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

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

6 **Jacksonville Planning and Development Department**

7 **220 East Bay Street, Room 100**

8 **Jacksonville, Florida, 32202**

9  
10 **AIRPORT NOTICE ZONE ACKNOWLEDGMENT**

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

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

25  
26 **CERTIFICATION (AS APPLICABLE)**

27  
28 As the owner/seller/lessor (circle one) of the subject property, I  
29 hereby certify that I am aware that the property is located in an  
30 Airport Notice Zone. I have been advised to consult Part 10 of

1 Chapter 656, Ordinance Code, concerning the restrictions that have  
2 been placed on the subject property. I further acknowledge that I  
3 am aware that, as a result of the proximity of the subject property  
4 to the airport noted above, airport operations may affect the quiet  
5 enjoyment and use of the subject property. Additionally, I  
6 acknowledge that airport operations may change due to changes in  
7 type of aircraft operating, changes in flight paths and general  
8 operations of the airport, and changes resulting from expansion,  
9 reconfiguration or additional runways.

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Dated this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Print Witness Name: \_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Print Witness Name: \_\_\_\_\_

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**STATE OF FLORIDA**  
**COUNTY OF DUVAL**

20 The foregoing instrument was acknowledged before me this  
21 \_\_\_\_ day of \_\_\_\_\_, 200\_, by \_\_\_\_\_ and.  
22 \_\_\_\_\_Such person(s): (notary must check applicable box)

23

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 [print or type name]  
8 Notary Public, State of Florida at Large

9  
10 As the purchaser/lessor of the subject property, I hereby certify  
11 that I am aware that the property is located in an Airport Notice  
12 Zone. I have been advised to consult Part 10 of Chapter 656,  
13 Ordinance Code, concerning the restrictions that have been placed  
14 on the subject property.

15  
16  
17 Dated this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

18  
19  
\_\_\_\_\_  
Print Witness Name: \_\_\_\_\_ By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Print Witness Name: \_\_\_\_\_

20  
21 The foregoing instrument was acknowledged before me this  
22 \_\_\_\_\_ day of \_\_\_\_\_, 200\_, by \_\_\_\_\_ and  
23 \_\_\_\_\_ Such person(s): *(notary must check applicable box)*

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is (are) personally known to me; or

produced a current \_\_\_\_\_ driver's license as identification; or

produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
\_\_\_\_\_

[print or type name]  
Notary Public, State of Florida  
at Large

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

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

Form Approved:

          /s/ Jason R. Teal          

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

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