



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Planning Commission

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Monday, September 24, 2018

7:00 PM

Council Chambers

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#### MEMORANDUM TO:

Members of the Planning Commission  
City of Jacksonville Beach, Florida

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Planning Commission.

1. **Call to Order**
2. **Roll Call:** Greg Sutton (Chair), Dave Dahl (Vice-Chair), Georgette Dumont, Britton Sanders  
Alternates: Margo Moehring, Jason Lee
3. **Approval of Minutes:** None
4. **Correspondence:** None
5. **Old Business:** *Approval Clarification*  
  
(A) PC#20-18 11 North 3<sup>rd</sup> Street  
Land Development Code Text Amendment amending the text in Article II, Article IV, Article V, Article VI, Article VII, and Article VIII of Chapter 34, *Land Development Code*, of the Code of Ordinances for the City of Jacksonville Beach. (*Continuation of application*)
6. **Planning Department Report:**  
  
(A) The next meeting is tentatively scheduled for Monday, October 2, 2018.

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#### NOTICE

*In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, extension 10, no later than one business day before the meeting.*

# MEMORANDUM



TO: Planning Commission Members  
FROM: Bill Mann, Planning Director  
DATE: September 17, 2018  
RE: Monday, September 24, 2018, Planning Commission Staff Report

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The following information is provided for your consideration regarding the following single agenda item for the upcoming Monday, September 24, 2018 Planning Commission meeting.

## **OLD BUSINESS:**

### **PC#20-18 Land Development Code Text Amendment**

Applicant: Planning and Development Department  
11 North 3<sup>rd</sup> Street  
Jacksonville Beach, FL 32250

Request: **Land Development Code Text Amendment Approval** to amend the text in Article II, Article IV, Article V, Article VI, Article VII, and Article VIII of Chapter 34, *Land Development Code*.

Comments: Immediately following the Planning Commission's August 27, 2018 "Approval with conditions" recommendation to the City Council regarding the adoption of the staff initiated Land Development Code text amendment package (Application PC#20-18), it was pointed out to the chairman by several people in audience that it was not clear what had actually been approved. For this reason, staff felt it appropriate for the Planning Commission to reconvene and properly and clearly confirm their recommendation to City Council of approval with conditions of Application PC#20-18.

In reviewing the audio tape of the August 27<sup>th</sup> meeting, it seems that a commissioner amended the original motion of approval of the LDC amendments before any vote was taken on the original motion to approve.

Procedurally, the Commission needs to always initially act on the original motion to approve, if seconded. If the vote then is to deny, or if the original motion fails to get seconded, then a new amended motion should have been put forth, containing the four additional amendments offered at the August 27<sup>th</sup> meeting by the motioner.

A representative from the City Attorney's office and I will be present at the September 24<sup>th</sup> meeting to answers any questions you may have.

As a reminder, the result of the Planning Commission's 3 to 2 vote on PC#20-18 on August 27, 2018 was to recommend approval by City Council of the LDC amendment package, with the following four additional amendments:

**Planning Commission's 8-27-18 recommended additional amendments for PC#20-18**

1. **Section 34-207** – Add language to clarify that a copy of the staff report for zoning atlas and code amendments is due to the applicant no more than five working days after the report is completed.
2. **Section 34-222** – Strengthen the language to read “consideration of the report from”, instead of simply “report from.”
3. **Section 34-339(e)(4)g.** – Following the change to townhouses standards in *RM-1* zoning districts allowing no more than four townhouse units to be constructed in a row, add language to state that “existing townhouse developments containing more than four contiguous units in existence or with approved construction permits on or before the effective date of this ordinance, may be completed, repaired, or rebuilt within the same building footprint, subject to any other applicable state, federal or local laws.”.
4. **Section 34-373(d)** – Add language to the subsection on parking area setbacks to state that interior lot lines of two-family dwellings or townhouse dwellings are exempt from the parking area/driveway setback of five feet.



# REZONING/TEXT AMENDMENT APPLICATION

PC No. 20-18

AS/400# 18-100134

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

### APPLICANT INFORMATION

Land Owner's Name: N/A

Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Applicant Name: Planning and Development Dept.

Telephone: (904) 247-6231

Mailing Address: 11 N. 3rd Street

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Jacksonville Beach, FL 32250

*NOTE: Written authorization from the land owner is required if the applicant is not the owner.*

Agent Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

### REZONING DATA

Street address of property and/or Real Estate Number: N/A

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): N/A

Current Zoning Classification: \_\_\_\_\_ Future Land Use Map Designation: \_\_\_\_\_

### TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: \_\_\_\_\_ See Attached \_\_\_\_\_

### REQUESTED INFORMATION

	Attached?	
	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;		✓
2. An 8½" x 11" vicinity map identifying the property proposed for amendment;		✓
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;		✓
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.		✓
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	✓	

Applicant Signature: [Signature]

Date: 6/22/18

Introduced by: \_\_\_\_\_  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_

**ORDINANCE NO. 2018-8112**

**AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE, AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE:**

**WHEREAS**, the City of Jacksonville Beach has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 & 166, Florida Statutes; and Section 381.986, Florida Statutes; and

**WHEREAS**, the City of Jacksonville Beach Land Development Code exists to establish comprehensive and consistent standards, regulations, and procedures for the review and approval of all proposed development of land in the City, and

**WHEREAS**, the City of Jacksonville Beach finds it necessary to periodically review and make amendments to the Land Development Code to make improvements; and

**WHEREAS**, the Jacksonville Beach Planning Commission, after notice and public hearing, has considered the ordinance and has presented its recommendation to the City Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JACKSONVILLE BEACH, FLORIDA:**

**SECTION 1.** That Article II, Section 34-21 of the Land Development Code is hereby amended as follows<sup>1</sup>:

Section 34-21. Interpretations.

(e) Appeal

(1) Within thirty (30) days after issuance of a written interpretation by the planning and development director, ~~the~~ an applicant with standing may

<sup>1</sup> (~~strikethrough~~ text indicates deletions, underline text indicates additions).  
Ordinance No. 2018-8112

appeal the interpretation to the ~~board of adjustment~~ Circuit Court of Duval County, Florida.

**SECTION 2.** That Article IV. Definitions of the Land Development Code is hereby amended as follows<sup>2</sup>:

Section 34-41. General

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in an art form but does not convey the name of the business or a commercial message. ~~If displayed as a two-dimensional representation on a flat surface, the same shall not exceed one-quarter (1/4) of the total surface area; however, if displayed on a flat surface oriented to a federal aid primary highway, the same shall not exceed one-half (1/2) of the total surface area.~~ All outdoor artwork shall conform to the maximum height restrictions in any particular zone in which it is located. All outdoor artwork shall also conform to any applicable building code and safety standards.

Carport means a roofed structure providing space for parking or storage of motor vehicles enclosed on not more than ~~three (3)~~ two (2) sides.

Driveway means a short private road that leads to a house or garage and maintained by an individual or group.

Lot of record means a lot that is part of a subdivision, the map or plat of which has been recorded in the office of the Duval County Clerk of Circuit Court, or a lot or parcel of land, the deed of which has been recorded in the office of the Duval County Clerk of Circuit Court.

Shopping Center means a group of three or more retail stores, service establishments or any other business not necessarily owned by one (1) person nor by a single land ownership ~~which that~~ is adjacent to and utilizing a common off-street parking area.

Standing means the ability of a party to demonstrate to the court or other decision-making body sufficient connection to and harm from the law, regulation, or action challenged to support that party's participation in a case or other legal process.

Walkway means any hard surfaced passage for walking and providing pedestrian access, often to a building or dwelling unit entrance, public sidewalk or driveway.

**SECTION 3.** That Article V. Decision Making and Administrative Bodies, Division 4 of the Land Development Code is hereby amended as follows<sup>2</sup>:

Section 34-93.

(b) Appointment. The board of adjustment shall be composed of five (5) members appointed by the city council. The city council shall also appoint two (2) alternate members, a first alternate and a second alternate. The alternates shall serve a ~~two~~ (2) four (4) year term. The alternate members shall vote only in the absence of regular members. The first alternate shall have priority to replace the first regular member who is absent.

**SECTION 4.** That Article VI. Development Review Procedures, of the Land Development Code is hereby amended as follows<sup>2</sup>:

**DIVISION 1. – GENERAL APPLICABILITY**

Section 34-155. Hearing procedures for applications for development permit

(c) Conduct of hearing

(2) Due order of proceedings. The body conducting the hearings may exclude testimony or evidence that it finds to be irrelevant, immaterial or unduly repetitious. The order of the proceedings shall be as follows:

a. The planning and development director shall present a narrative and graphic description of the application for development permit.

b. The planning and development director shall present a written and oral recommendation report, including the report of the planning and development director, if relevant information concerning consistency with the Land Development Code and Comprehensive Plan, as applicable. This ~~recommendation report~~ shall address each factor required to be considered by the LDC prior to consideration of the application for development permit. The ~~recommendation report~~ report of the planning and development director, ~~if relevant,~~ shall be made available to the applicant at least three (3) working days prior to the public hearing.

c. The applicant shall present any information the applicant deems appropriate.

d. Public testimony shall be heard, first in favor of the proposal, then in opposition to it.

e. The planning and development director and city attorney may respond to any statement made by the applicant or any public comment.

f. The applicant may respond to any testimony or evidence presented by the city staff or public.

## **DIVISION 2. SITE SPECIFIC COMPREHENSIVE PLAN AMENDMENTS**

Sec. 34-177. - Determination of sufficiency.

By the first Monday in April, the planning and development director shall determine if the application is sufficient. For a small scale development amendment accepted pursuant to section 34-176~~(b)~~(2), a sufficiency determination will be made within ten (10) working days of its submittal.

Sec. 34-179. Public hearings.

Amendments to the future land use map related to small scale developments adopted pursuant to section 34-176~~(b)~~(2) require only one public hearing before the local planning agency, followed one public hearing before the Jacksonville Beach city council, which shall be an adoption hearing as described in F.S. § 163.3184(7), and are not subject to the requirements of F.S. § 163.3184(3)-(6), unless the city council elects to have them subject to those requirements.

## **DIVISION 3. ZONING ATLAS AND CODE AMENDMENTS**

Sec. 34-207. Review; and report. ~~and recommendation.~~

Within ten (10) working days after the application is determined to be sufficient, the planning and development director shall review the application, and prepare a staff report ~~recommending approval, approval with conditions, or disapproval~~ based on the standards in Section 34-211(c). The report may also contain staff suggestions for conditions of approval, as may be applicable. The planning and development director shall mail a copy of the staff report ~~and recommendation~~ to the applicant ~~on the day the staff report is completed,~~ along with written notification of the time and place the application will be considered by the planning commission. The public hearing on the application shall be scheduled for the first available regularly scheduled planning commission meeting by which time the public notice requirements can be satisfied, or such time as is mutually agreed upon between the applicant and the planning and development director.

Sec. 34-222. Authority.

The planning commission, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use after ~~recommendation by~~ consideration of the report from the planning and development director.

Section 34-283. Authorized variances.

Variances shall only be granted from the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance shall not be permitted in any zoning district. Variances shall not be granted to permit a use not generally allowed in the zoning district in which it is located. Variances may not be requested for relief from maximum building height, residential density or minimum lot area requirements.

SECTION 5. That Article VII. Zoning Districts, of the Land Development Code is hereby amended as follows<sup>3</sup>:

**DIVISION 2. - ZONING DISTRICTS, PERMITTED USES, ACCESSORY USES, CONDITIONAL USES, DIMENSIONAL STANDARDS, OFF-STREET PARKING AND LOADING STANDARDS, SUPPLEMENTAL STANDARDS, LANDSCAPING STANDARDS, SIGN STANDARDS, AND ENVIRONMENTAL STANDARDS**

Section 34-336. Residential, single-family: RS-1

(b) Permitted uses.

(3) Essential public services.

(d) Conditional uses.

~~(4) Essential public services.~~

~~(5) (4) Cemeteries~~

~~(6) (5) Government uses, excluding correctional institutions.~~

~~(7) (6) Golf courses. (Regulation golf courses only).~~

~~(8) (7) Public and private parks, playgrounds and recreational facilities. Private parks, playgrounds and recreational facilities shall be for the sole use of residents living in the area where such facilities are located, and shall not be used for commercial purposes.~~

Section 34-337. Residential, single-family: RS-2

(b) Permitted uses.

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<sup>3</sup> (~~strike through~~ text indicates deletions, underline text indicates additions).  
Ordinance No. 2018-8112

(3) Essential public services.

(d) Conditional uses.

~~(5) Essential public services.~~

~~(6) (5) Cemeteries.~~

~~(7) (6) Government uses, excluding correctional institutions.~~

~~(8) (7) Golf courses. (Regulation golf courses only).~~

~~(9) (8) Child day care services, including kindergartens when operated on the same site as and in conjunction with a religious organization.~~

~~(10) (9) Public and private parks, playgrounds and recreational facilities. Private parks, playgrounds and recreational facilities shall be for the sole use of residents living in the area where such facilities are located, and shall not be used for commercial purposes.~~

Section 34-338. Residential, single-family: RS-3

(b) Permitted uses.

(5) Essential public services.

(d) Conditional uses.

~~(5) Essential public services.~~

~~(6) (5) Cemeteries.~~

~~(7) (6) Government uses, excluding correctional institutions.~~

~~(8) (7) Golf courses. (Regulation golf courses only).~~

~~(9) (8) Child day care services, including kindergartens when operated on the same site as and in conjunction with a religious organization.~~

~~(10) (9) Elderly-oriented group homes, group homes for the developmentally- or physically-disabled, or foster homes with more than six (6) and less than thirteen (13) residents.~~

~~(11) (10) Hospitals.~~

~~(12) (11) Nursing and personal care facilities.~~

~~(13)~~ (12) Civic, social and fraternal organizations.

~~(14)~~ (13) Public and private parks, playgrounds, and recreational facilities.

Sec. 34-339. - Residential, multiple-family: RM-1.

(b) Permitted uses.

(7) Essential public services.

(8) Single-family dwellings constructed in accordance with requirements set forth in section 34-338, residential, single family: RS-3.

(d) Conditional uses.

~~(10) Essential public services.~~

~~(11)~~ (10) Governmental uses, excluding correctional institutions.

~~(12) Single-family dwellings constructed in accordance with requirements set forth in section 34-338, residential, single family: RS-3.~~

~~(13)~~ (11) Hospitals.

(14) (12) Business and professional offices as follows: Landscape architects, doctors, dentists, miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services. Uses listed herein shall not exceed fifty thousand (50,000) square feet in gross floor area. Listed uses exceeding fifty thousand (50,000) square feet in gross area shall only be approved pursuant to section 34-348 planned unit development: PUD district standards and procedures.

~~(15)~~ (13) Financial institutions, insurance and real estate offices.

~~(16)~~ (14) Rooming and boarding houses.

~~(17)~~ (15) Nursing and personal care facilities.

~~(18)~~ (16) Child day care services.

~~(19)~~ (17) Adult day care services.

~~(20)~~ (18) Civic, social and fraternal organizations

~~(21)~~ (19) Community centers.

~~(22)~~ (20) Public parks, playgrounds and recreational facilities.

(e) Dimensional standards.

(4) Townhouse dwellings.

g. Separation: No more than ~~six (6)~~ four (4) townhouse units shall be constructed contiguous to each other without an open space separation of at least twenty (20) feet between structures.

Sec. 34-340. Residential, multiple-family: RM-2.

(b) Permitted uses.

(7) Essential public services.

(8) Single-family dwellings constructed in accordance with requirements set forth in section 34-338, residential, single family: RS-3.

(d) Conditional uses.

~~(10) Essential public services.~~

(11) (10) Governmental uses, excluding correctional institutions.

~~(12) Single-family dwellings constructed in accordance with requirements set forth in section 34-338, residential, single family: RS-3.~~

~~(13)~~ (11) Hospitals.

(14) (12) Business and professional offices as follows: Landscape architects, doctors, dentists, miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services. Uses listed herein shall not exceed fifty thousand (50,000) square feet in gross floor area. Listed uses exceeding fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to section 34-348 planned unit development: PUD district standards and procedures.

~~(15)~~ (13) Financial institutions, insurance and real estate offices.

~~(16)~~ (14) Rooming and boarding houses.

- ~~(17)~~ (15) Nursing and personal care facilities.
- ~~(18)~~ (16) Child day care services.
- ~~(19)~~ (17) Adult day care services.
- ~~(20)~~ (18) Hotels and motels.
- ~~(21)~~ (19) Restaurants, excluding drive-ins.
- ~~(22)~~ (20) Private membership sports clubs and recreational facilities.
- ~~(23)~~ (21) Civic, social and fraternal organizations.
- ~~(24)~~ (22) Outdoor restaurants.
- ~~(25)~~ (23) Community centers.
- ~~(26)~~ (24) Public and private parks, playgrounds and recreational facilities.

Sec. 34-345. Central business district: CBD.

(b) Permitted uses.

(19) Multiple family dwellings, subject to Section 34-345(e) Site Design and Lot Layout Standards and also subject to the maximum density limitations of Section 34-340 residential multi-family, RM-2.

Sec. 34-346. Industrial district: I-1.

(d) Conditional uses.

(3) Processing and wholesale trade of scrap and waste materials, including junkyards, subject to section 34-4-425(d).

**SECTION 6.** That Article VIII. Site Development Standards, of the Land Development Code is hereby amended as follows<sup>4</sup>:

**DIVISION 1. - PARKING AND LOADING STANDARDS**

Sec. 34-373. Design standards.

(a) Spaces.

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<sup>4</sup> (~~strikethrough~~ text indicates deletions, underline text indicates additions).  
Ordinance No. 2018-8112

(5) Wheel Strips: Seven (7) foot overall width, as measured from outside edge to outside edge of each strip, with each strip measuring at least eighteen (18) inches wide.

(6) Bicycle Parking: For off-street parking lots containing 10 or more spaces, one parking space may be converted to a bicycle parking area.

- (d) *Parking area setbacks.* Off-street parking areas including driveways shall be located at least ten (10) feet from any corner and five (5) feet from any established right-of-way or property line, except as required to allow for vehicular access to and from a paved street, or unless otherwise stated in the LDC. Below ground parking garages on oceanfront lots are exempt from setback requirements, provided that they shall be constructed no closer than three (3) feet from any property line, shall be completely roofed and covered, and such roof or cover shall not be elevated more than six (6) inches above the crown of the abutting street.
- (f) *Construction standards.* Off-street parking and loading areas and the vehicular access way thereto shall be paved, and as applicable, be striped, and landscaped. All landscaping shall be in accordance with section 34-425.

## **DIVISION 2. - SUPPLEMENTAL STANDARDS**

### **Section 34-392, Accessory uses and structures**

- (a) *Setbacks.* Detached accessory structures shall observe the following setback requirements from adjacent property lines:
- (1) *Generally.* Detached accessory structures excluding temporary structures may be located in a required rear yard but shall be no closer than five (5) feet from any interior lot line. Street side and front yard setbacks shall be maintained on corner lots for the full length and width of the lot. Air conditioning compressors or other equipment designed to serve the main structure may be located in any required side yard of 7.5 feet width or more, or in any rear yard, but shall not project more than three (3) feet into any required yard in a residential district. Walkways may connect to primary and/or detached accessory structures, driveways and public sidewalks, may be located in a required front, side or rear yard area, but shall be setback a minimum of three (3) feet yard from any side property line.
- (d) *Pools.* Private swimming pools, as regulated herein, shall be any pool, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for swimming or bathing purposes.

1. General. A private swimming pool shall be allowed in any residential zoning district as an accessory use only if it fully complies with the following standards:

- d. The pool shall be constructed and enclosed in compliance with the requirements set forth in the ~~Standard Swimming Pool~~ Florida Building Code as adopted or amended by the City.

Sec. 34-395. Corner visibility.

On a corner lot in all zoning districts, no fence, wall, hedge, planting, or structure shall be erected, placed, planted, or allowed to grow in such a manner as to obstruct vision between a height of two and one-half (2 1/2) feet and eight (8) feet above the centerline grades of the intersecting streets in the area bounded by the ~~street~~ right-of-way lines of such corner lots and a line joining points along said ~~street~~ right-of-way lines twenty (20) feet from the point of intersection. In addition to these requirements, landscaping within sight visibility triangles shall be governed by the standards of section 34-425(h).

Sec. 34-399. Home occupations.

(e) *Standards*

- (5) *Advertising.* All newspaper, radio, TV, websites, social media, or telephone directory advertising of the home occupation cannot include the specific address of the home occupation use. Post office boxes are acceptable.

**SECTION 7.** That Article VIII. Division 4. – Sign Standards, of the Land Development Code is hereby amended as follows<sup>5</sup>:

Section 34-444. Prohibited signs.

- (25) Signs nailed, fastened, affixed to, or painted on any fence or perimeter property wall, or on any tree or part thereof (living or dead), or other vegetation.

Sec 34-452 Penalties for violation of this division ~~Division IV~~ shall be as provided in Section 34-640; however, notwithstanding anything in the LDC or in the Jacksonville ~~Beach Ordinance~~ Code of Ordinances to the contrary, a penalty for a violation of this division ~~Division IV~~ shall be limited to civil penalties only and shall not extend to any criminal penalty including but not limited to incarceration.

**SECTION 8.** That Article IX. Subdivision Standards, of the Land Development Code is hereby amended as follows<sup>5</sup>:

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<sup>5</sup> (~~strikethrough~~ text indicates deletions, underline text indicates additions).  
Ordinance No. 2018-8112

Section 34-503. Concept plan for plat.

(e) *Decision by planning commission.* After receipt of the staff report on the application for concept plan for plat, the application shall be considered at the next available public hearing. At the public hearing the planning commission shall consider the application, staff report, and public testimony. After the close of the public hearing the planning commission shall approve, approve with conditions, or deny the concept plan for plat based on the standards in section ~~34-403(f)~~ 34-503(f).

Sec. 34-504. - Development plan for plat.

Within one (1) year of receipt of a concept plan for plat, ~~a development order for a development plan~~ an application for development plan for plat shall be submitted pursuant to the procedures and standards of section 34-251 et seq., or the concept plan for plat shall become null and void.

Sec. 34-505. - Final plat.

(b) *Contents of application.* ~~Ten (10)~~ Five (5) copies of the application shall be submitted in a form established by the planning and development director and made available to the public that contains the following information:

**SECTION 9.** That this ordinance shall take effect upon its adoption by the City Council.

**SECTION 10.** That if any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 11.** All ordinances, resolutions, official determinations or parts thereof previously adopted or entered into by the City or any of its officials and that are in conflict with this ordinance are repealed to the extent inconsistent herewith.

AUTHENTICATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2018.

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William C. Latham, Mayor

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Laurie Scott, City Clerk