

Introduced by: Council Member Christine Hoffman
1st Reading: January 21, 2020
2nd Reading: February 3, 2020

ORDINANCE NO. 2020-8131

AN ORDINANCE AMENDING CHAPTER 34, ARTICLE IV, SECTION 34-41 AND ARTICLE VIII, DIVISION 2, SECTION 34-392 OF THE LAND DEVELOPMENT CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING THE DEFINITION OF HOUSEHOLD PETS TO INCLUDE FEMALE CHICKENS, AND AMENDING THE SITE DEVELOPMENT STANDARDS ACCESSORY USES AND STRUCTURES TO PERMIT FEMALE CHICKENS IN RESIDENTIAL ZONING DISTRICTS, ADDING CATS, DOGS, HAMSTERS AND BIRDS AS EXAMPLE HOUSEHOLD PETS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES AND OFFICAL ACTS IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR 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; and Chapters 163 & 166, Florida Statutes; and

WHEREAS, many communities in Florida and throughout the United States have implemented regulations regarding the permitting and keeping of backyard female chickens (hens) in urban settings; and

WHEREAS, residents of the City of Jacksonville Beach living in residentially zoned areas that are not currently permitted to keep hens have indicated a desire to do so; and

WHEREAS, the City Council has considered the application, all relevant support materials, the staff report, the recommendation of the Planning Commission, and public testimony given at the public hearings concerning the keeping of hens as household pets where permitted upon lands in the City.

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

SECTION 1. RECITALS. The above recitals are ratified and confirmed as being true and correct and are made a part of this Ordinance and adopted as legislative findings.

SECTION 2. AMENDMENT TO THE CITY LDC¹. That Article IV. Section 34-41. Definitions of the Land Development Code is hereby amended as follows:

¹ (~~strikethrough~~ text indicates deletions, underline text indicates additions).

Pets, household means any domestic animal such as cats, dogs, hamsters, ~~and~~ birds, and hens other than poultry that are customarily kept for personal use including collection of eggs and/or enjoyment within the home or residential lot. Other Poultry, hoofed animals of any type, predatory animals, or any animal which is normally raised to provide food for slaughter or commercial sale for people shall not be considered as household pets.

SECTION 3. AMENDMENT TO THE CITY LDC. That Article VIII. Site Development Standards. Division 2. Supplemental Standards. Section 34-392. Accessory uses and structures of the Land Development Code is hereby amended as follows:

- (2) *Household pets.* Household pets, like cats, dogs, hamsters, or birds, along with related doghouses and pens, are a permitted accessory use to residential uses in all zoning districts, provided the number of such pets over six (6) months in age shall not exceed three (3), and the keeping of four (4) or more dogs, six (6) months of age or older, shall be considered a kennel. Hens as household pets are limited to five (5) where permitted upon lands in the City.

SECTION 4. SEVERABILITY. That if any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

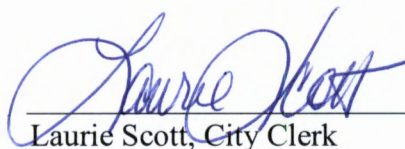
SECTION 5. CONFLICTING ORDINANCES AND ACTS. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered into by the City or any of its officials and that are in conflict with this ordinance are repealed to the extent inconsistent herewith.

SECTION 6. EFFECTIVE DATE. That this ordinance shall take effect upon its adoption by the City Council.

AUTHENTICATED THIS 3rd DAY OF February, A.D., 2020.



William C. Latham, Mayor



Laurie Scott, City Clerk