

1 Introduced by the Council President at the request of the Mayor and  
2 Co-Sponsored by Council Member Carrico:

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5 **ORDINANCE 2022-731-E**

6 AN ORDINANCE AMENDING SECTION 654.139  
7 (ENFORCEMENT), CHAPTER 654 (CODE OF SUBDIVISION  
8 REGULATIONS), *ORDINANCE CODE*, AUTHORIZING  
9 DEVELOPMENT OF UP TO FIFTY PERCENT OF LOTS WITHIN  
10 A SUBDIVISION PRIOR TO FINAL PLAT APPROVAL  
11 SUBJECT TO CERTAIN CONDITIONS; PROVIDING FOR  
12 CODIFICATION INSTRUCTIONS; PROVIDING AN  
13 EFFECTIVE DATE.

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15 **BE IT ORDAINED** by the Council of the City of Jacksonville:

16 **Section 1. Amending Section 654.139 (Enforcement), Chapter 654**  
17 **(Code of Subdivision Regulations), *Ordinance Code*.** Section 654.139  
18 (Enforcement), Chapter 654 (Code of Subdivision Regulations),  
19 *Ordinance Code*, is hereby amended as follows:

20  
21 **CHAPTER 654 - CODE OF SUBDIVISION REGULATIONS**

22 \* \* \*

23 **Sec. 654.139. - Enforcement; procedures for development prior to**  
24 **approval of final plat.**

- 25 (a) No plat or plan of a subdivision of land shall be recorded by  
26 the Clerk of the Circuit Court until the plat has received final  
27 approval in accordance with this Chapter.
- 28 (b) No person or his agent owning land within a proposed subdivision  
29 shall transfer or sell or agree to sell a lot or parcel of land  
30 located within a subdivision by reference to, by exhibition or  
31 by any other use of a plat of the subdivision before the plat

1 has been approved ~~by ordinance~~ and has been recorded, unless  
2 exempted by this Chapter. Notwithstanding the provisions of this  
3 subsection, nothing in this Chapter shall prohibit a developer  
4 from agreeing to sell land located within a proposed subdivision  
5 to a builder or co-developer who desires to develop and build  
6 upon the land for resale purposes. The developer shall be  
7 permitted to refer to, exhibit or otherwise use a plat of the  
8 proposed subdivision in connection with an agreement to sell  
9 before the plat has been approved ~~by ordinance~~ and recorded;  
10 provided, however, that no document shall be recorded in the  
11 public records of Duval County, Florida, referring to or  
12 attaching a copy of a plat of a subdivision before the plat has  
13 been approved ~~by ordinance~~ and recorded, unless the plat is  
14 exempted from this Chapter by other provisions thereof or by the  
15 Council.

16 (c) No street number and no building permit shall be issued for the  
17 erection of a building in the City on a lot, tract or parcel of  
18 land which violates the provisions of this Chapter.

19 (d) Upon a request by the developer at Civil Plans submittal, the  
20 Department may allow up to 50% of the lots within a proposed  
21 subdivision to be developed, but not occupied, so long as the  
22 developer or owner meets the following conditions:

23 (1) Prior to Civil Plans submittal to the Department, the  
24 developer shall submit the development proposal to JEA for  
25 review. The submittal to JEA must, at a minimum, include  
26 a sheet identifying the lots being requested for home  
27 construction prior to platting. JEA may require from the  
28 developer any information necessary to understand the  
29 entire proposal.

30 (2) Once JEA has granted preliminary approval, consistent with  
31 Section 654.108, the Department will review the preliminary

1 site plan, the preliminary and final engineering plans for  
2 the required improvements, and the sheet identifying the  
3 lots being requested for home construction prior to  
4 platting as approved by JEA. The Department reserves the  
5 right to deny authorization for development on a specific  
6 lot or lots to protect City interests.

7 (3) The project must have received preliminary plat approval  
8 consistent with Section 654.109. The preliminary plat  
9 approval is valid for twelve months from the date the  
10 Department grants the approval.

11 (4) The Developer or owner shall provide a Guarantee consistent  
12 with Section 654.110(d) as if they were seeking Plat  
13 approval prior to the required improvements being  
14 constructed. However, the release of any guarantee based  
15 on construction of the required improvements is limited to  
16 50% of the amount of the guarantee until the project is  
17 platted.

18 (5) The developer or owner shall provide a Warranty consistent  
19 with Section 654.110(e).

20 (6) A Certificate of Occupancy shall not be issued until the  
21 plat is approved by JEA and the Department and recorded in  
22 the current public records of Duval County, Florida.

23 **Section 2. Codification Instructions.** The Codifier and the  
24 Office of General Counsel are authorized to make all chapter and  
25 division "tables of contents" consistent with the changes set forth  
26 herein. Such editorial changes and any others necessary to make the  
27 *Ordinance Code* consistent with the intent of this legislation are  
28 approved and directed herein, and changes to the *Ordinance Code* shall  
29 be made forthwith and when inconsistencies are discovered.

30 **Section 3. Effective Date.** This Ordinance shall become effective  
31 upon signature by the Mayor or upon becoming effective without the

1 Mayor's signature.

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3 Form Approved:

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5       /s/ Mary E. Staffopoulos      

6 Office of General Counsel

7 Legislation Prepared by: Susan Grandin

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