

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2022-731**

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

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

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

19
20 **CHAPTER 654 - CODE OF SUBDIVISION REGULATIONS**

21 * * *

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

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

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

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

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

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

29 (2) Once JEA has granted preliminary approval, consistent with
30 Section 654.108, the Department will review the preliminary
31 site plan, the preliminary and final engineering plans for

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

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

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

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

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

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

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

