

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

January 20, 2022

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2021-841**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

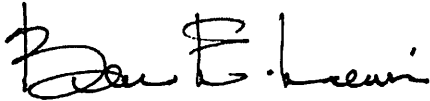
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	6-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Joshua Garrison	Aye
Dawn Motes	Absent
Jason Porter	Absent

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

## **REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendations on:

### **ORDINANCE 2021-841**

**AN ORDINANCE AMENDING SECTION 656.1218 (INTERSECTION VISIBILITY), SUBPART C (LANDSCAPING REQUIREMENTS), PART 12 (LANDSCAPE AND TREE PROTECTION REGULATIONS), CHAPTER 656 (ZONING CODE), ORDINANCE CODE, TO CLARIFY THE MEASUREMENT OF SIGHT TRIANGLES; AMENDING SECTION 804.617 (OBSTRUCTING VISIBILITY), PART 6 (MISCELLANEOUS DRIVING RULES), CHAPTER 804 (JACKSONVILLE TRAFFIC CODE), ORDINANCE CODE, TO CLARIFY THE DIFFERENCE IN MEASUREMENT BETWEEN AN OBSTRUCTION WITHIN A SIGHT VISIBILITY TRIANGLE CREATED BY A SIGN, POSTER OR VEGETATION AND THE MEASUREMENT FOR SIGHT VISIBILITY RELATIVE TO A STRUCTURE; PROVIDING AN EFFECTIVE DATE.**

#### **I. GENERAL INFORMATION**

The bill amends Chapter 656 (Zoning Code), Ordinance Code, to clarify the measurement of sight triangles regarding intersection visibility within vehicular use areas and to clarify the measurement of obstructions within the sight triangles to reflect that no structure of other visual obstruction will be constructed or placed within the area defined in the Florida Department of Transportation Design Manual.

#### **II. EVALUATION**

##### ***A. The need and justification for the change***

This bill clarifies the sight triangle regulations and brings the City regulations into conformity with the Florida Department of Transportation regulations, thereby eliminating any conflicting provisions.

##### ***B. The relationship of the proposed amendment to the Comprehensive Plan and the work of the Department with appropriate consideration as to whether the proposed amendment will further the purposes of the Zoning Code and Comprehensive Plan.***

This bill is consistent with the spirit and intent of both the Comprehensive Plan and the Zoning Code by making local and state regulations consistent.

#### **III. RECOMMENDATION**

The Planning and Development Department recommends that **Ordinance 2021-841** be approved.

1 Introduced by Council Member Morgan:  
2  
3

4 **ORDINANCE 2021-841**

5 AN ORDINANCE AMENDING SECTION 656.1218  
6 (INTERSECTION VISIBILITY), SUBPART C  
7 (LANDSCAPING REQUIREMENTS), PART 12 (LANDSCAPE  
8 AND TREE PROTECTION REGULATIONS), CHAPTER 656  
9 (ZONING CODE), *ORDINANCE CODE*, TO CLARIFY THE  
10 MEASUREMENT OF SIGHT TRIANGLES; AMENDING SECTION  
11 804.617 (OBSTRUCTING VISIBILITY), PART 6  
12 (MISCELLANEOUS DRIVING RULES), CHAPTER 804  
13 (JACKSONVILLE TRAFFIC CODE), *ORDINANCE CODE*, TO  
14 CLARIFY THE DIFFERENCE IN MEASUREMENT BETWEEN AN  
15 OBSTRUCTION WITHIN A SIGHT VISIBILITY TRIANGLE  
16 CREATED BY A SIGN, POSTER OR VEGETATION AND THE  
17 MEASUREMENT FOR SIGHT VISIBILITY RELATIVE TO A  
18 STRUCTURE; PROVIDING AN EFFECTIVE DATE.  
19

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

21 **Section 1.** Section 656.1218 (Intersection Visibility),  
22 Subpart C (Landscaping Requirements), Part 12 (Landscape and Tree  
23 Protection Regulations), Chapter 656 (Zoning Code), *Ordinance Code*,  
24 is hereby amended to read as follows:

25 **CHAPTER 656 - ZONING CODE**

26 \* \* \*

27 **Part 12. - Landscape and Tree Protection Regulations.**

28 \* \* \*

29 **Subpart C. - Landscaping Requirements**

30 \* \* \*

31 **Sec. 656.1218. Intersection visibility within vehicular use**

1 areas.

2 Where an accessway, such as a drive aisle, intersects with  
3 another accessway within a vehicular use area, where an accessway is  
4 located within a vehicular use area, or where an accessway intersects  
5 with a street right-of-way, cross visibility within the triangular  
6 areas described below shall be unobstructed at a level between two  
7 and eight feet above elevation of adjacent pavement. Only trees with  
8 trunks free of vegetation and limbs within the cross-visibility area,  
9 other landscaping, wall and earth mounds not exceeding a height of  
10 two feet, utility poles, and traffic signs shall be allowed within the  
11 triangular areas. Other ordinances or standards may be more  
12 prohibitive, but at a minimum, no ~~Ne~~ parking shall be allowed within  
13 the triangular areas. The triangular areas are:

14 (a) The area of property on both sides of an accessway which  
15 intersects with another accessway within a vehicular use  
16 area. Two sides at each triangle shall extend six feet each  
17 way from the point of intersection, the third side being a  
18 line connecting the ends of the other two sides; and

19 (b) The area of property on both sides of an accessway where  
20 the accessway intersects with a street right-of-way. Two  
21 sides of each triangle shall extend ten feet each way from  
22 the point of intersection, the third side being a line  
23 connecting the ends of the other two sides~~.~~

24 ~~(c) The area of property located at the corner formed by the~~  
25 ~~intersection of two or more street rights-of-way. Two sides~~  
26 ~~of each triangle shall extend 25 feet along the right-of-~~  
27 ~~way lines, measured from their point of intersection, the~~  
28 ~~third side being a line connecting the ends of the other~~  
29 ~~two sides.~~

30 **Section 2.** Section 804.617 (Obstructing Visibility), Part  
31 6 (Miscellaneous Driving Rules), Chapter 804 (Jacksonville Traffic

1 Code), Ordinance Code, is hereby amended to read as follows:

2 **CHAPTER 804 - JACKSONVILLE TRAFFIC CODE**

3 \* \* \*

4 **Part 6. - Miscellaneous Driving Rules**

5 \* \* \*

6 **Sec. 804.617. - Obstructing Visibility.**

7 (a) No person shall place or cause to be placed or maintained,  
8 either temporarily or permanently, a sign, card, poster,  
9 pennant, banner, bush, tree, hedge or other similar  
10 obstruction in the locations listed below.+ Violation of  
11 this offense shall constitute a class A offense.

12 (a1) On private property within 25 feet of a street  
13 intersection, measured from the street right-of-way,  
14 so as to interfere with traffic visibility at the  
15 intersection.

16 (b2) On private property in such a manner as to interfere  
17 with traffic visibility or a driver using an  
18 unauthorized driveway or alley.

19 (e3) Within the right-of-way of a street in the City.

20 ~~Violation of this offense shall constitute a class A offense.~~

21 (b) No structure or other visual obstruction shall be  
22 constructed or placed within the area defined in the  
23 Florida Department of Transportation Design Manual  
24 ("FDM"), dated January 1, 2020 and as updated from time to  
25 time, in the section of the FDM that regards Clear Sight  
26 Triangles, currently found in Section 212.11. These sight  
27 triangles are intended to provide drivers with a sufficient  
28 view of the intersecting roadway as seen from the driver's  
29 eye, and apply to both private and public property, and  
30 within rights-of-way. The FDM illustrates the types of  
31 roadway intersections and the design speed of the roadways.

1           If an exact match is not covered in the FDM, the City  
2           Traffic Engineer or designee shall be consulted for a  
3           decision on the appropriate placement of any structure.

4           **Section 3.       Effective Date.**   This ordinance shall become  
5 effective upon signature by the Mayor or upon becoming effective  
6 without the Mayor's signature.

7  
8 Form Approved:

9  
10             /s/ Susan C. Grandin

11 Office of General Counsel

12 Legislation prepared by: Susan C. Grandin

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