

1 Introduced by Council Member Bowman and Co-Sponsored by Council
2 Members R.Gaffney and Newby:

3
4 **ORDINANCE 2019-691-E**

5 AN ORDINANCE AMENDING CHAPTER 656 (ZONING
6 CODE), PART 10 (REGULATIONS RELATED TO
7 AIRPORTS AND LANDS ADJACENT THERETO), SECTIONS
8 656.1005.1 (SUBSECTION A. REGULATIONS
9 APPLICABLE TO DESIGNATED CIVILIAN AIRPORT
10 ENVIRONS), 656.1005.2 (SUBSECTION B.
11 REGULATIONS APPLICABLE TO DESIGNATED MILITARY
12 AIRPORT ENVIRONS), AND 656.1009 (EDUCATIONAL
13 FACILITIES), *ORDINANCE CODE*, TO CONFORM TO
14 SECTION 333.03, *FLORIDA STATUTES*, REGARDING
15 LOCATION OF EDUCATIONAL FACILITIES; PROVIDING
16 AN EFFECTIVE DATE.

17
18 **WHEREAS**, by Chapter 2016-209, Laws of Florida, the legislature
19 amended Section 333.03, *Florida Statutes*, to remove the prohibition
20 of construction of an educational facility of a public or private
21 school at either end of a runway of a publicly owned, public-use
22 airport within an area which extends 5 miles in a direct line along
23 the centerline of the runway, and which has a width measuring one-
24 half the length of the runway; and

25 **WHEREAS**, the City of Jacksonville Zoning Code should be
26 amended to conform to Section 333.03, *Florida Statutes*, as amended
27 in 2016, to provide flexibility for locating schools; and

28 **WHEREAS**, removing such prohibition from the City of
29 Jacksonville Zoning Code does not impact the rules protecting areas
30 surrounding airports from incompatible development, including
31 Accident Potential Zones, Air Installation Compatible Use Zones,

1 Clear Zones, or Runway Protection Zones; now, therefore

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

3 **Section 1. Amending Chapter 656 (ZONING CODE), PART 10**
4 **(REGULATIONS RELATED TO AIRPORTS AND LANDS ADJACENT THERETO),**
5 **Ordinance Code.** Chapter 656 (ZONING CODE), PART 10 (REGULATIONS
6 RELATED TO AIRPORTS AND LANDS ADJACENT THERETO), *Ordinance Code*, is
7 hereby amended to read as follows:

8 **Chapter 656 - ZONING CODE**

9 * * *

10 **PART 10. - REGULATIONS RELATED TO AIRPORTS AND LANDS ADJACENT**
11 **THERETO**

12 * * *

13 **Sec. 656.1005.1. - Subsection A. Regulations Applicable to**
14 **Designated Civilian Airport Environs.**

15 * * *

16 (b) Allowable land uses in noise zones. Notwithstanding the
17 zoning district regulations contained elsewhere in this chapter,
18 the allowable land use for a parcel of land lying within a noise
19 zone shall be modified as set forth by the regulations in this
20 section.

21 * * *

22 Table 656-2

23 * * *

24 A-Acceptable development

25 X-Unacceptable development

26 C-Conditional development, with conditions as noted:

27 * * *

28 7. Schools are further limited by FS 333. ~~See Sec. 656.1009.~~

29 * * *

30 **Sec. 656.1005.2. Subsection B. Regulations Applicable to**
31 **Designated Military Airport Environs.**

1 * * *

2 (b) Allowable land uses in noise zones and accident potential
3 zones. Notwithstanding the zoning district regulations contained
4 elsewhere in this chapter, the allowable land use for a parcel of
5 land lying within a noise zone and/or an accident potential zone
6 shall be modified as set forth by the regulations in this section.

7 * * *

8 Table 656-4

9 * * *

10 A-Acceptable development

11 X-Unacceptable development

12 C-Conditional development, with conditions as noted:

13 * * *

14 11. Schools are further limited by FS 333. ~~See Sec. 656.1009.~~

15 * * *

16 **Sec. 656.1009. - ~~Educational Facilities.~~ Reserved.**

17 ~~No new educational facility of a public or private school, with the~~
18 ~~exception of aviation school facilities, shall be permitted within~~
19 ~~an area extending along the centerline of any runway and measured~~
20 ~~from the end of the runway and extending for a distance of five~~
21 ~~miles and having a width equal to one half the runway length.~~
22 ~~Exceptions approving construction of an educational facility within~~
23 ~~the delineated area shall only be granted when the Planning~~
24 ~~Commission and/or City Council make specific findings detailing how~~
25 ~~the public policy reasons for allowing construction outweigh health~~
26 ~~and safety concerns prohibiting such a location.~~

27 * * *

28 **Section 2. Effective Date.** This Ordinance shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

1 Form Approved:

2

3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation prepared by: Shannon K. Eller

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