



City of Jacksonville Beach

Amended Agenda

11 North Third Street
Jacksonville Beach, Florida

City Council

Monday, March 3, 2025

6:00 PM

Council Chambers

MEMORANDUM TO:

The Honorable Mayor and
Members of the City Council
City of Jacksonville Beach, Florida

Council Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council.

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- A. Regular City Council Meeting held on February 18, 2025

APPROVAL OF THE AGENDA

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

CONSENT AGENDA

- A. Accept the Annual Comprehensive Financial Report and Community Redevelopment Agency Financial Statements for the Fiscal Year ending September 30, 2024

MAYOR AND CITY COUNCIL

- A. Proclamation of Flood Awareness Week

CITY CLERK

CITY MANAGER/NEW BUSINESS

- A. Award/Reject RFP No. 01-2425 for Ticketed Special Event to Real Time Entertainment and Management
- B. 1. Approve/Disapprove the proposal from AWC for the upgrade to WinCC at the Water Reclamation Facility;
2. Authorize the Mayor and City Manager to execute the proposal from AWC for the upgrade to WinCC at the Water Reclamation Facility; and
3. Declare AWC a Sole Source Provider
- C. 1. Approve/Disapprove the purchase of (11) 26kV Breakers from Myers Controlled Power, LLC; and
2. Declare Myers Controlled Power, LLC, a Sole Source Provider

RESOLUTIONS

ORDINANCES

- A. Approve/Disapprove Ordinance No. 2025-8220 on the first reading repealing and replacing Chapter 34 - Land Development Code of the City Code of Ordinances, and schedule a second reading for March 17, 2025

ADJOURNMENT

NOTICE

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk or to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an [Accommodation Request](#) to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.

**Minutes of Regular City Council Meeting
held Tuesday, February 18, 2025 at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

Council Member Wagner provided the invocation, followed by the Pledge of Allegiance.

CALL TO ORDER:

Mayor Pro-Tem Janson called the meeting to order at 6:00 P.M.

ROLL CALL:

Mayor: Christine Hoffman (absent)

Council Members:	Sandy Golding (remote)	Bill Horn	Dan Janson
	Greg Sutton	John Wagner	Bruce Wouters

Also present were: City Manager Mike Staffopoulos, City Attorney David Migut, Community Redevelopment Agency (CRA) Coordinator Taylor Mobbs, and City Clerk Sheri Gosselin.

APPROVAL OF MINUTES:

Motion: It was moved by Mr. Sutton, seconded by Mr. Horn, and passed unanimously to approve the following minutes:

- Regular City Council Meeting held on February 3, 2025
- City Council Briefing held on February 10, 2025

APPROVAL OF THE AGENDA

Motion: It was moved by Mr. Sutton, seconded by Mr. Horn, to approve the agenda minus Item A 1. and 2., under City Manager/New Business.

Voice Vote: In a voice vote, the motion passed unanimously.

ANNOUNCEMENTS:

Mayor Pro-Tem Janson reported on a recent trip to Washington, D.C., where he discussed the 13th Avenue South appropriation with Congressman Rutherford. He noted the Florida League of Cities' opposition to tax exemptions on municipal bonds and support for the National Flood Insurance Program. He provided legislative updates on House Bill 301 and Senate Bill 184.

Council Member Wouters provided a handout to the Council and expressed concerns related to the Land Development Code update, including reduced setbacks in RM-1 and RM-2 districts, stormwater issues, privacy concerns, and impacts on neighborhood character.

Council Member Golding announced a public workshop on the Land Development Code scheduled for February 20, 2025. Ms. Golding stated a Town Hall would be held on March 5, 2025, at the Beaches Branch Library with Jacksonville City Council members, including Matt Carlucci, Nick Howland, Chris Miller, Ron Salem, and District 13 Representative Rory Diamond. Ms. Golding noted the start of the legislative session on March 4, 2025, and urged council members to oppose House Bill 301.

Council Member Horn thanked fellow council members for advocating at the state level, highlighting concerns about state preemption affecting local governance. He opposed the proposed Accessory Dwelling Unit (ADU) legislation and emphasized protecting local control.

Council Member Wagner announced the Seawalk Music Festival to be held February 22-23, 2025.

COURTESY OF THE FLOOR TO VISITORS:

- Ronda Steinke-McDonald, 1120 S 2nd Avenue North, Jacksonville Beach, spoke about public workshops.
- Thomas Harrell, 2796 Colonies Drive, Jacksonville Beach, spoke about ongoing construction.
- Adam Feber, 3916 Grande Boulevard, Jacksonville Beach, spoke about the variance process.
- David Parson, 1706 1st Street, Jacksonville Beach, spoke about trash and pollution concerns at the car wash on 16th Avenue South.

CONSENT AGENDA:

Item A **Accept the monthly financial reports for the month of January 2025**

Motion: It was moved by Mr. Sutton, seconded by Mr. Horn, to approve the Consent Agenda.

Voice Vote: In a voice vote, the motion passed unanimously.

MAYOR AND CITY COUNCIL: None

CITY CLERK: None

CITY MANAGER/NEW BUSINESS:

- Item A** **1. Approve/Disapprove the First One-year Extension of the Contract Agreement with Heart Utilities for Installation of Underground Electric Infrastructure (RFP #08-2021); and**
- 2. Authorize the Mayor and City Manager to execute the First One-year Extension of the Contract Agreement with Heart Utilities for Installation of Underground Electric Infrastructure**

Item A was removed from the agenda.

- Item B** **1. Approve/Disapprove the Scope and Fee for Phase I - Conceptual Design of the low speed vehicle parking lot; and**
- 2. Authorize the Mayor and City Manager to execute the Scope and Fee for Phase I - Conceptual Design of the low speed vehicle parking lot**

CRA Coordinator Taylor Mobbs provided background on the item.

Motion: It was moved by Mr. Sutton, seconded by Mr. Horn, to approve the Scope and Fee for Phase I - Conceptual Design of the low speed vehicle parking lot.

Discussion: A discussion ensued about preserving palm trees and ADA parking.

Roll Call Vote: Ayes – Golding, Horn, Sutton, Wagner, Wouters, and Mayor Pro-Tem Janson

The motion passed unanimously.

Motion: It was moved by Mr. Sutton, seconded by Mr. Horn, to authorize the Mayor and City Manager to execute the Scope and Fee for Phase I - Conceptual Design of the low speed vehicle parking lot.

Discussion: None

Roll Call Vote: Ayes – Horn, Sutton, Wagner, Wouters, Golding, and Mayor Pro-Tem Janson

The motion passed unanimously.

RESOLUTIONS: None

ORDINANCES: None

ADJOURNMENT:

Motion: It was moved by Mr. Sutton, seconded by Mr. Wagner, to adjourn.

Voice Vote: In a voice vote, the motion passed unanimously.

There being no further business, the meeting adjourned at 6:29 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:

Christine H. Hoffman, MAYOR

Date: _____

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Ashlie Gossett, Chief Financial Officer
DATE:	01/22/2025
SUBJECT:	Annual Comprehensive Financial Report and Community Redevelopment Agency Financial Statements for the Fiscal Year ending September 30, 2024

BACKGROUND

The City is required by state law and our Charter to have an annual audit of our financial records by an independent Certified Public Accountant. The independent auditing firm, Purvis Gray and Company, has completed the FY2024 audit and will present the audit results and financial highlights at the Council briefing preceding the regular meeting. The City once again received an unqualified audit opinion on our financial reports. In addition, the auditors found no major deficiencies in internal controls.

In advance of the meeting, the City Council was provided a copy of the City's Fiscal Year 2024 Annual Comprehensive Financial Report (ACFR). The ACFR was prepared at the conclusion of the audit, and includes the basic financial statements, management discussion and analysis, other financial and compliance reports, as well as reports by the independent auditor. The financial information for the Community Redevelopment Agency (CRA) is presented within the City's ACFR because the CRA is a dependent special district of the City. However, Florida Statutes also require separate audit reports for CRAs. Therefore, the City Council has also been provided with a copy of the FY2024 CRA Financial Statements and Independent Audit Report.

The Government Finance Officers' Association (GFOA) recently awarded a Certificate of Achievement Award for Excellence in Financial Reporting to the City for its FY2023 ACFR. In order to be awarded a Certificate of Achievement, a governmental unit must publish an easily readable and efficiently organized annual comprehensive financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements. The City has received this award every year since FY1993 (31 years). Staff believes that the FY2024 ACFR continues to meet the Certificate of Achievement Program's requirements and will submit it to the GFOA to determine its eligibility for another certificate.

FINANCIAL IMPACT

For informational purposes only.

REQUESTED ACTION

Accept the Annual Comprehensive Financial Report and Community Redevelopment Agency Financial Statements for the Fiscal Year ending September 30, 2024

ATTACHMENTS

1. FY2024 Annual Comprehensive Financial Report ACFR reissued
2. FY2024 CRA Financial Statements and Audit Report

ANNUAL COMPREHENSIVE FINANCIAL REPORT

CITY OF JACKSONVILLE BEACH, FLORIDA
FISCAL YEAR ENDED SEPTEMBER 30, 2024



CITY OF JACKSONVILLE BEACH, FLORIDA
ANNUAL COMPREHENSIVE FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2024

Prepared by
Finance Department

INTRODUCTORY SECTION

**CITY OF JACKSONVILLE BEACH, FLORIDA
ANNUAL COMPREHENSIVE FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2024**

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LETTER OF TRANSMITTAL

February 21, 2025

To the Honorable Mayor, Members of the City Council, and Citizens of the City of Jacksonville Beach, Florida:

Florida Statutes require that all general purpose local governments publish within nine months of the close of each fiscal year, a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards (GAAS) by a firm of licensed certified public accountants. Pursuant to that requirement, we hereby issue the annual comprehensive financial report for the City of Jacksonville Beach, Florida, for the fiscal year ended September 30, 2024.

This report consists of management's representations concerning the finances of the City of Jacksonville Beach, Florida (the City). Consequently, management assumes full responsibility for the completeness and reliability of all the information presented in this report. To provide a reasonable basis for making these representations, the City's management has established a comprehensive internal control framework that is designed both to protect the government's assets from loss, theft, or misuse and to compile sufficient reliable information for the preparation of the City's financial statements in conformity with GAAP. Because the cost of internal controls should not outweigh their benefits, the City's comprehensive framework of internal controls has been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

The City's financial statements have been audited by Purvis, Gray and Company, LLP, a firm of licensed certified public accountants. The goal of the independent audit is to provide reasonable assurance that the financial statements of the City for the fiscal year ended September 30, 2024, are free of material misstatement. The independent audit involved: examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditors concluded, based upon their audit, that there is a reasonable basis for rendering unmodified opinions on the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City for the fiscal year ended September 30, 2024, and that the City's financial statements are presented fairly in conformity with GAAP. The independent auditors' report is presented as the first component of the financial section of this report.

The independent audit of the financial statements of the City is sometimes part of a broader federal and state mandated "Single Audit" designed to meet the special needs of federal and state grantor agencies. The standards governing Single Audit engagements require the independent auditor to report not only on the fair presentation of the financial statements, but also on the audited government's internal controls and compliance with legal requirements, with special emphasis on internal controls and legal requirements involving the administration of federal and state awards. The City met the minimum expenditures required for a Federal Single Audit.

GAAP requires that management provide a narrative introduction, overview, including changes in financial policies, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement MD&A and should be read in conjunction with it. The City's MD&A can be found immediately following the report of the independent auditors.

Profile of the City of Jacksonville Beach, Florida

The City was incorporated in 1907 and is located in the northeastern part of the state. The City currently occupies a land area of 8.06 square miles and serves a population of over 23,800. The City is empowered to levy a property tax on both real and personal properties located within its boundaries.

The City has operated under the council-manager form of government since 1937. Policy-making and legislative authority are vested in a governing council consisting of the mayor and six other members. The City Council is responsible, among other things, for passing ordinances, adopting the budget, appointing committees, and hiring both the government's manager and attorney. The City Manager is responsible for carrying out the policies and ordinances of the City Council, for overseeing the day-to-day operations of the government, and for appointing the heads of the various departments. The Council is elected on a nonpartisan basis. Council members are elected to four-year staggered terms with three council members elected every two years. The mayor is elected to a four-year term. Three council members are elected from within their districts, and the mayor and the remaining three council members are elected at-large.

The City provides a full range of services that include police and fire protection, sanitation services, the maintenance of streets and infrastructure, recreational activities and cultural events. In addition to general government activities, the City provides a full range of utility services including electric, natural gas, stormwater drainage, water, and wastewater treatment.

The annual budget serves as the foundation for the City's financial planning and control. All City departments are required to submit requests for appropriation to the City Manager that align with the City's adopted strategic plan. The City Manager uses these requests as the starting point for developing a proposed budget. The City Manager then presents this proposed budget to the City Council for review. The City Council is required to hold public hearings on the proposed budget and to adopt a final budget no later than September 30 of each year. The City Council annually adopts a budget resolution for all funds of the City. A five-year capital improvement plan is prepared each year based on business requirements and internal five-year revenue and expenditure projections.

The appropriated budget is prepared by fund, function (e.g., public safety), and department (e.g., police). Management must seek City Council approval to make budgetary amendments at the departmental level in the general fund, and at the fund level for all other funds. Management may, however, make a budget adjustment as long as it does not increase the overall budget for a department within the general fund or for any other fund in total. The City also maintains an encumbrance accounting system as one technique of accomplishing budgetary control.

Encumbrances represent commitments related to unperformed contracts for goods and services. Encumbered appropriations are carried forward into subsequent year's budget without being re-budgeted. All encumbered budget appropriations, except project budgets, lapse at the end of each fiscal year. Encumbrances existing at year-end are recorded as reservations of fund balance and do not require re-appropriation.

Factors Affecting Financial Condition

The information presented in the financial statements is perhaps best understood when it is considered from the broader perspective of the specific environment within which the City operates.

Local Economy

The City, which is adjacent to the Atlantic Ocean, has grown into a solid business, resort, and residential community that is in close proximity to historical, entertainment, and tourism attractions. The City has a considerable commercial district that includes shopping centers, restaurants, and hotels, which contributes significantly to its economy. Major employers in the area include: the United States Navy and the Baptist Medical Center Beaches.

Even though the City is the economic center of the beaches area, housing is still the dominant land use, occupying in excess of 66% of the developed land areas of the City. Approximately 55.5% of the City's housing is comprised of single-family homes and 44.5% is multifamily dwellings based on U.S. Census Bureau estimates. Generally, the quality of the housing is high, with approximately 50% of the housing built since 1980. The City is a mature community, which is experiencing re-development.

Long-Term Financial Planning

The Vision statement for the community, the Mission statement for the organization, and the employee developed set of Core Values adopted in 2021 continue to be the foundational pillars for the City's Strategic Plan, which was adopted in the same year via Resolution No. 2095-2021. This plan serves as the road map for identifying what priorities, goals, and objectives will guide the City as budgeting and long-term financial plans are made.

The City prepares a rolling five-year Capital Improvement Plan (CIP) each year. As part of this process, revenues and expenditures for key operating funds such as the General Fund, Community Redevelopment, Electric, and Water & Sewer are analyzed to ensure the financial sustainability of each fund over the long term. The goal is to ensure that a minimum reserve of 25% will be maintained at the end of each year over a five-year period. This exercise allows the City to plan for major capital expenditures in a fiscally responsible manner, while consciously evaluating whether scheduled rate changes meet the needs of adequately maintaining assets. Therefore, during the fiscal year 2025-2029 capital budget process, various projects for continued electric improvements, public works infrastructure projects, technology improvements, parks projects, and equipment purchases were planned. The total projected cost for capital improvements identified in the 2025-2029 capital improvement plan totaled \$222,793,290.

Awards and Acknowledgements

The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its annual comprehensive financial report (ACFR) for the fiscal year ended September 30, 2023. This was the 31st consecutive year that the government has received this prestigious award. In order to be awarded a Certificate of Achievement, the government published an easily readable and efficiently organized ACFR that satisfied both GAAP and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current ACFR continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

In addition, the government also received the GFOA's Distinguished Budget Presentation Award for its annual budget document for the fiscal year beginning October 1, 2024. This was the 31st consecutive year that the government has received this award. In order to qualify for the Distinguished Budget Presentation Award, the government's budget document was judged to be proficient in several categories: as a policy document, a financial plan, an operations guide, and a communications device.

Preparation of the financial report would not have been possible without the commitment and dedication of the Finance Department staff. We would like to express our appreciation to members of all departments who assisted and contributed to the preparation of this report. Credit must also be given to the Mayor and City Council for their unfailing support in the management of the finances for the City.

Respectfully submitted,

A handwritten signature in blue ink, reading "Michael J. Staffopoulos".

Michael Staffopoulos
City Manager

A handwritten signature in blue ink, reading "Ashlie Gossett".

Ashlie Gossett
Chief Financial Officer



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**City of Jacksonville Beach
Florida**

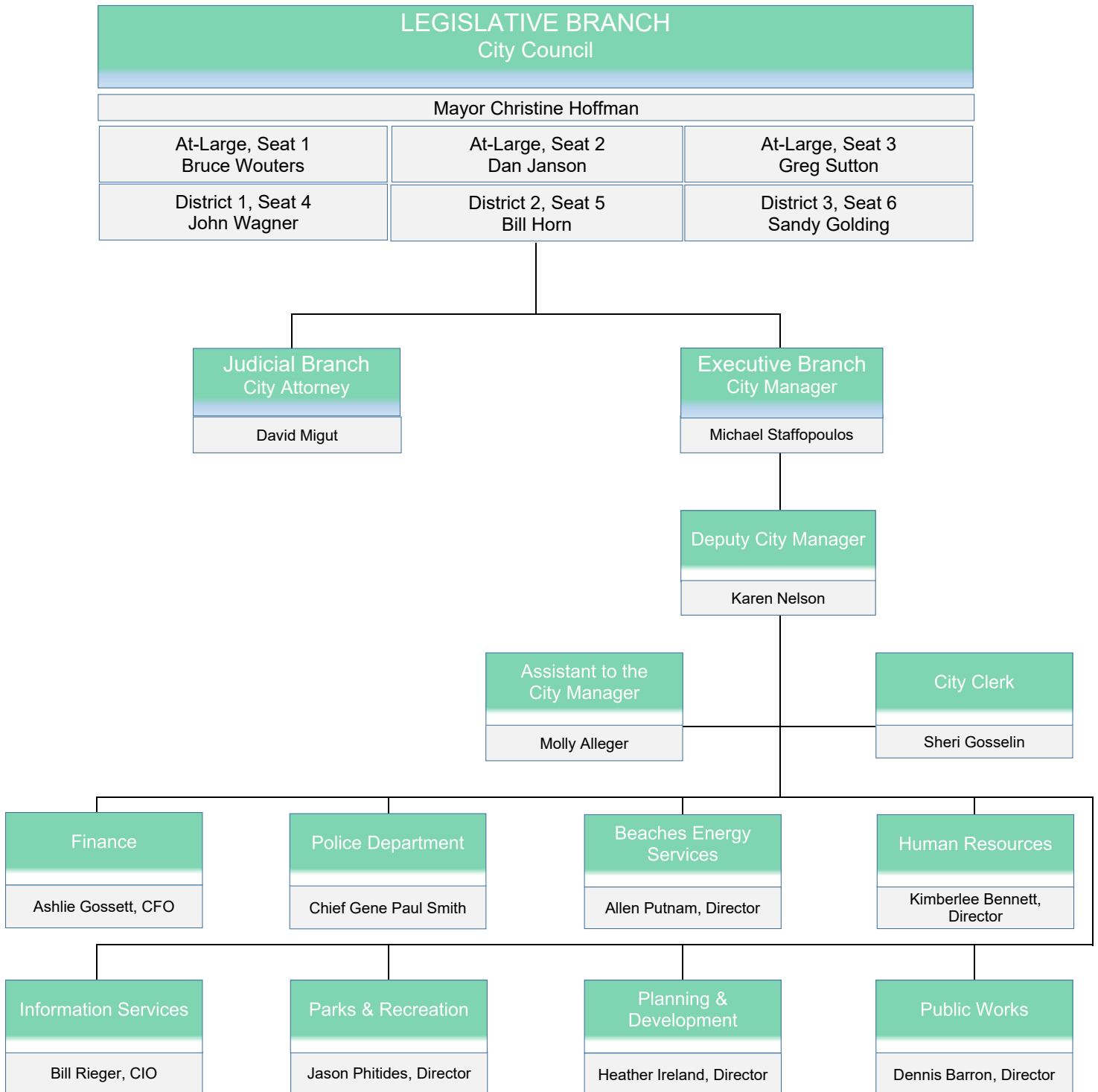
For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

September 30, 2023

Executive Director/CEO

CITY OF JACKSONVILLE BEACH

Government Organization



**CITY OF JACKSONVILLE BEACH, FLORIDA
CITY OFFICIALS**

LEGISLATIVE BRANCH

City Council:

Mayor

Seat 1, At-Large

Seat 2, At-Large

Seat 3, At-Large

Seat 4, District 1

Seat 5, District 2

Seat 6, District 3

Christine Hoffman

Bruce Wouters

Dan Janson

Greg Sutton

John Wagner

Bill Horn

Sandy Golding

City Attorney

City Auditors

David Migut

Purvis, Gray and Company, LLP

EXECUTIVE BRANCH

City Manager

Deputy City Manager

Chief Financial Officer

Chief Information Officer

Police Chief

Director of Beaches Energy Services

Director of Human Resources

Director of Parks & Recreation

Director of Planning and Development

Director of Public Works

City Clerk

Michael Staffopoulos

Karen W. Nelson

Ashlie Gossett

Bill Rieger

Gene Paul Smith

Allen Putnam

Kimberlee Bennett

Jason Phitides

Heather Ireland

Dennis Barron

Sheri Gosselin

AGENCY, BOARDS, AND COMMISSION

Board of Adjustment

Community Redevelopment Agency

Planning Commission

General Employees' Pension Board

Police Officers' Pension Board

Firefighters' Pension Board

Special Magistrate

INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Jacksonville Beach, Florida, (the City) as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of September 30, 2024, and the respective changes in financial position, and, where applicable, cash flows thereof, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

CERTIFIED PUBLIC ACCOUNTANTS

Gainesville | Ocala | Tallahassee | Sarasota | Orlando | Tampa

purvisgray.com

Members of American and Florida Institutes of Certified Public Accountants

Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

INDEPENDENT AUDITOR'S REPORT

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the major governmental fund budgetary comparison schedules, and pension and other postemployment benefit plan schedules as listed in the table of contents (collectively, the required supplementary information) be presented to supplement the basic financial statements. Such

Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

INDEPENDENT AUDITOR'S REPORT

information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The accompanying combining and individual non-major fund financial statements and other schedules, schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and schedule of expenditures of grant funds per the City of Jacksonville's Ordinance Code Chapter 118.202(e), are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual non-major fund financial statements and other schedules, the schedule of expenditures of federal awards, and schedule of expenditures of grant funds per the City of Jacksonville's Ordinance Code Chapter 118.202(e), are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

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INDEPENDENT AUDITOR'S REPORT

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated February 21, 2025, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Purvis Gray

February 21, 2025
Tallahassee, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

As the management of the City of Jacksonville Beach, Florida (the City), we offer readers of the City's financial statements this narrative overview and analysis of the City's activities for the fiscal year ended September 30, 2024. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, on pages vi-x of this report, and the financial statements which immediately follow this discussion.

FINANCIAL HIGHLIGHTS

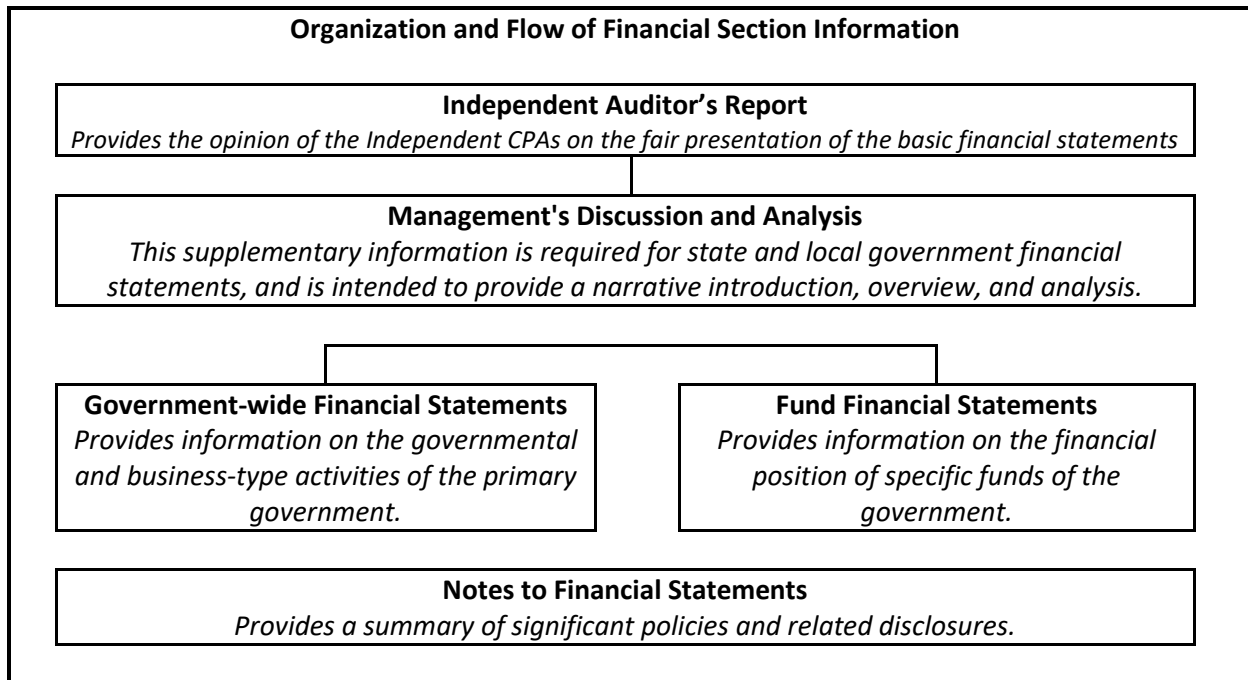
- The City's assets and deferred outflows exceeded its liabilities and deferred inflows at the close of the most recent fiscal year by \$567,403,142 (net position). Of this amount, \$162,120,030 (unrestricted net position) is available to meet the City's obligations to provide ongoing services to our citizens and customers, to make payments to creditors, to pay for the projects in our capital improvement plan, or to establish reserves for emergencies or catastrophic events.
- The City's total net position increased by \$41,066,205 or 7.8% over the prior year. The governmental net position increased by \$10,861,015 (5.7%) and the business-type net position increased by \$30,205,190 (9.6%). In addition to planned savings for upcoming capital improvement projects, governmental net position increased with property tax revenues as real estate taxable property values grew 10% over the prior year. Business-type net position growth reflects the continued positive business performance of the City's various services.
- Revenues and net transfers in for the governmental activities totaled \$54,204,400, an increase of \$913,366 or 1.7% for the year. Total expenses and net transfers out were \$43,343,385, an increase of \$11,887,551 or 37.8% for the year. The sharp increase is primarily attributable to the contribution of water/sewer, and stormwater infrastructure at the completion of the downtown and 10th Street South capital improvement projects.
- Revenues and net transfers in the business-type activities totaled \$139,741,834, an increase of \$8,310,753 or 6.3% from the prior year. As stated earlier, capital contributions from the governmental funds were the primary driver of the increase. Total expenses were \$109,536,644, a decrease of \$9,232,159 or 7.8% for the year. The decrease in expenses is largely driven by the falling cost of power and natural gas in both the electric and natural gas utilities.
- The City's total non-lease financed debt as of September 30, 2024, is zero.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements, which are comprised of three components: 1) *government-wide financial statements*, 2) *fund financial statements*, and 3) *notes to the financial statements* that explain some of the information in the statements and provide more detailed data. The basic financial statements are followed by a section of required supplementary information that further explains and supports the information in the financial statements.

This report also contains other supplementary information that provides details about the City's non-major funds and internal service funds, each of which are added together and presented in single columns in the basic financial statements.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA



Government-Wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business. The government-wide financial statements are presented on pages 19-20 of this report.

The *statement of net position* presents financial information on all of the City's assets, liabilities, and deferred inflows/outflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported for some items that will only result in cash flows in future fiscal periods.

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City include general government, law enforcement, fire control, building inspections, physical environment, roads and streets, and parks and recreation. The business-type activities of the City include electric, natural gas, water and sewer, stormwater, sanitation, golf course, and leased facilities.

Fund Financial Statements. A fund is a group of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with financial-related legal requirements. The City's funds are divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements. The governmental fund financial statements consist of a *balance sheet* and a *statement of revenues, expenditures, and changes in fund balance*. The basic governmental fund statements are presented on pages 21-24 of this report.

Because the focus of governmental funds is narrower than that of government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The City maintains sixteen individual governmental funds. Information is presented separately in the governmental fund financial statements for the general fund, the capital projects fund, and the community redevelopment fund, which are considered to be major funds. Data from the other governmental funds is combined into a single, aggregated presentation.

The City adopts an annual appropriated budget for its various funds. To demonstrate compliance with the adopted budget, a budgetary comparison statement has been included with the basic financial statements for the general fund and the community redevelopment fund.

Proprietary funds. The City maintains two different types of proprietary funds: enterprise and internal service funds. Enterprise funds are used to report the same functions presented as business-type activities in the city-wide financial statements. The City uses enterprise funds to account for its utilities (electric, natural gas, water and sewer, stormwater, and sanitation) as well as its golf course and leased facilities operations. Internal service funds are an accounting classification used to allocate costs internally among the City's various functions. The City uses internal service funds to account for its fleet of vehicles, property maintenance, employment services, financial services, information technology services, and insurance programs. Because these services predominantly benefit governmental rather than business-type functions, they have been included within governmental activities in the city-wide financial statements.

The proprietary fund financial statements provide separate information for the water and sewer utility and the electric utility. Data from the other enterprise funds is combined into a single, aggregated presentation. All internal service funds are combined into an aggregated presentation in the proprietary fund financial statements. The basic proprietary fund financial statements are presented on pages 24-29 of this report.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statement because their resources are not available to support the City's own programs. The City uses fiduciary funds to account for the activities of the police, fire, and general employees' pension trust funds. The basic fiduciary fund financial statements are presented on pages 30-31 of this report.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Notes to the Financial Statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements are presented on pages 32-68 of this report.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning comparison schedules of original and final budgets compared to actual results for relevant major funds, as well as the City's progress in funding its obligation to provide pension benefits and other post-employment benefits to its employees. Required supplementary information is presented on pages 69-77 of this report.

Individual fund data for the non-major funds is provided in the form of combining statements in the supplemental information section titled "Combining and Individual Non-Major Fund Statements and Other Schedules". Budgetary comparison statements for the non-major governmental funds are also included in this section, which begins on page 78.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Statement of Net Position. Over time, changes in net position serve as a useful measure of the City's financial condition. During fiscal year 2024, the City's net position for governmental activities increased by \$10,861,015 or 5.7%. The increase in net position for business-type activities was \$30,205,190 or 7.8%. The major drivers of the change in net position by category are detailed in the bullet points below.

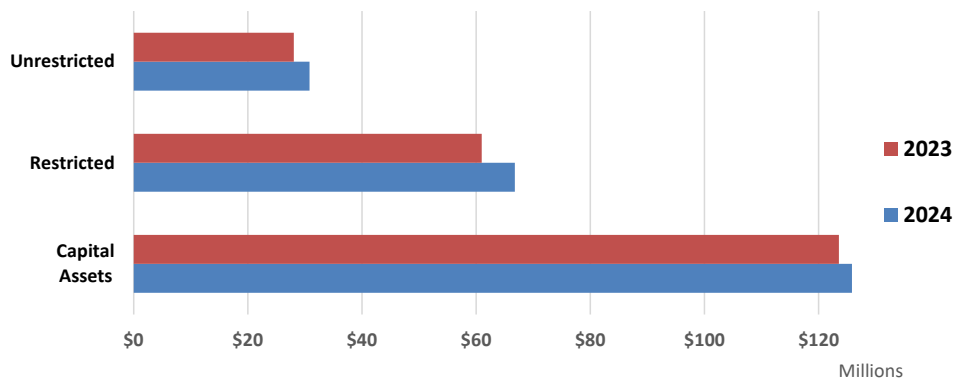
The following condensed comparison shows the City's net position for the two most recent fiscal years. The detailed statement of net position is presented on page 19 of this report.

City of Jacksonville Beach Statement of Net Position						
	Governmental Activities		Business-Type Activities		Total	
	2024	2023	2024	2023	2024	2023
Current and Other Assets	\$121,520,121	\$115,785,365	\$187,586,521	\$163,235,867	\$309,106,642	\$279,021,232
Capital Assets, Net	125,949,159	123,538,442	213,110,527	198,017,352	339,059,686	321,555,794
Total Assets	247,469,280	239,323,807	400,697,048	361,253,219	648,166,328	600,577,026
Total Deferred Outflows of Resources	8,552,817	11,408,550	5,014,594	6,604,055	13,567,411	18,012,605
Current Liabilities	8,423,417	11,686,043	28,613,430	17,313,315	37,036,847	28,999,358
Non-Current Liabilities	21,912,707	23,974,366	13,647,248	14,720,130	35,559,955	38,694,496
Total Liabilities	30,336,124	35,660,409	42,260,678	32,033,445	72,596,802	67,693,854
Total Deferred Inflows of Resources	2,261,619	2,508,609	19,472,176	22,050,231	21,733,795	24,558,840
Net Position:						
Net Invested in						
Capital Assets	125,818,480	123,538,442	212,690,435	197,443,561	338,508,915	320,982,003
Restricted	66,774,197	60,971,262	-	-	66,774,197	60,971,262
Unrestricted	30,831,677	28,053,635	131,288,353	116,330,037	162,120,030	144,383,672
Total Net Position	\$223,424,354	\$212,563,339	\$343,978,788	\$313,773,598	\$567,403,142	\$526,336,937

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

- Current and Other Assets increased by \$30,085,410 due to strong investment performance and the City's continued effort to build up reserves as part of its pay-as-you-go strategy for future capital improvement projects.
- Deferred Outflows of resources decreased by \$4,445,194, which includes the recording of Other Post Employment Benefit related outflows and actuarial changes to pension related outflows. The decrease in pension liability is a result of interest earnings recorded as of September 30, 2024.
- Current Liabilities increased by \$8,037,489 or 27.7%, which mainly reflects a rise in power costs recovered in advance; the City continues to reduce the pass-through cost of power from its provider to its customers to mitigate the over-recovery.
- Non-current Liabilities shrunk by \$3,134,541 or 8.1%, largely due to the increase in the actuarially determined net pension liability based on the plans' experience.
- Deferred Inflows decreased by \$2,825,045 or 11.5% due to recording of other post-employment benefits, rate stabilization changes, and the actuarial changes to pension related inflows.
- The largest portion of the City's net position (59.7%) reflects its net investment in capital assets (e.g., land, buildings, improvements, infrastructure, and equipment, net of accumulated depreciation and directly related liabilities). The City uses these capital assets to provide services to citizens and customers; therefore, these assets are not available for future spending.
- An additional portion of the City's net position (11.8%) represents resources that are subject to external restrictions on how they may be used.
- The remaining balance of the City's net position (28.6%) may be used to meet the government's ongoing obligations to citizens, customers, and creditors.

Net Position - Governmental Activities



Net Position - Business Type Activities



MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

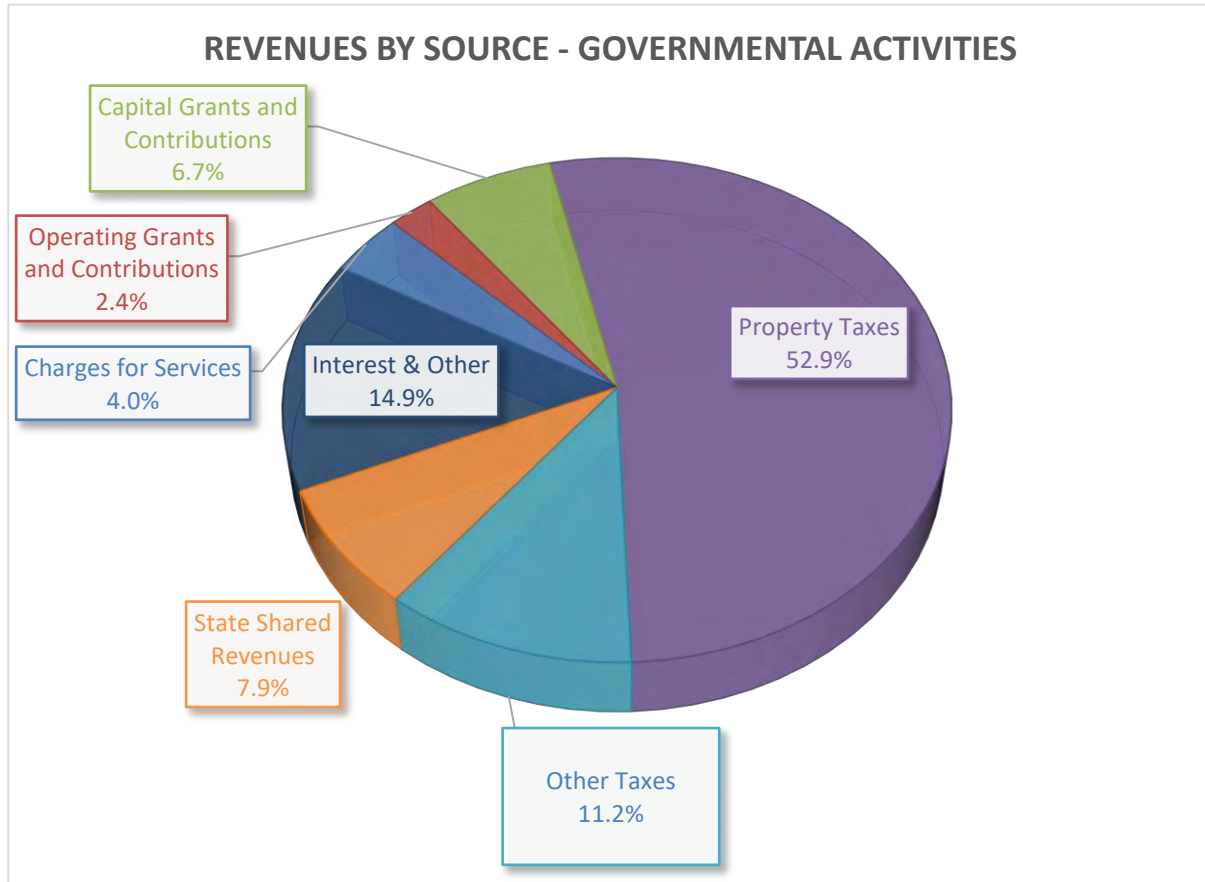
Statement of Activities. The following table illustrates the condensed statement of activities for the most recent fiscal year as compared to the prior year. The detailed statement of activities is presented on page 20 of this report.

City of Jacksonville Beach Changes in Net Position						
	Governmental Activities		Business-Type Activities		Total	
	2024	2023	2024	2023	2024	2023
Program Revenues						
Charges for Services	\$2,177,060	\$2,374,412	\$120,114,991	\$126,515,489	\$122,292,051	\$128,889,901
Operating Grants and Contributions	1,285,834	1,411,143	-	642	1,285,834	1,411,785
Capital Grants and Contributions	3,650,615	7,773,103	349,814	625,267	4,000,429	8,398,370
General Revenues:						
Property Taxes	28,672,921	26,078,066	-	-	28,672,921	26,078,066
Other Taxes	6,086,751	5,455,416	-	-	6,086,751	5,455,416
State Shared Revenues	4,273,952	4,042,787	-	-	4,273,952	4,042,787
Other Intergovernmental Revenues	29,361	30,804	-	-	29,361	30,804
Interest	7,312,122	3,350,619	9,978,956	4,214,966	17,291,078	7,565,585
Miscellaneous	715,784	96,720	54,148	74,717	769,932	171,437
Total Revenues	54,204,400	50,613,070	130,497,909	131,431,081	184,702,309	182,044,151
Program Expenses						
General Government	7,857,087	6,600,965	-	-	7,857,087	6,600,965
Law Enforcement	14,034,597	13,229,825	-	-	14,034,597	13,229,825
Fire Control	3,168,180	2,939,662	-	-	3,168,180	2,939,662
Building Inspections	895,705	814,472	-	-	895,705	814,472
Physical Environment	482,676	496,048	-	-	482,676	496,048
Road and Street	2,696,649	2,845,201	-	-	2,696,649	2,845,201
Parks and Recreation	4,964,566	4,529,661	-	-	4,964,566	4,529,661
Interest on Long-Term Debt						
Electric	-	-	81,681,888	91,506,974	81,681,888	91,506,974
Water and Sewer	-	-	12,681,275	11,939,694	12,681,275	11,939,694
Stormwater	-	-	1,766,932	1,618,979	1,766,932	1,618,979
Sanitation	-	-	7,977,094	5,880,149	7,977,094	5,880,149
Golf Course	-	-	3,013,391	2,724,234	3,013,391	2,724,234
Leased Facilities	-	-	777,854	657,558	777,854	657,558
Natural Gas	-	-	1,638,210	1,763,251	1,638,210	1,763,251
Total Expenses	34,099,460	31,455,834	109,536,644	116,090,839	143,636,104	147,546,673
Change in Net Position						
Before Transfers	20,104,940	19,157,236	20,961,265	15,340,242	41,066,205	34,497,478
Net Transfers	(9,243,925)	2,677,964	9,243,925	(2,677,964)	-	-
Change in Net Position	10,861,015	21,835,200	30,205,190	12,662,278	41,066,205	34,497,478
Net Position - Beginning of Year	212,563,339	190,728,139	313,773,598	301,111,320	526,336,937	491,839,459
Net Position - End of Year	\$223,424,354	\$212,563,339	\$343,978,788	\$313,773,598	\$567,403,142	\$526,336,937

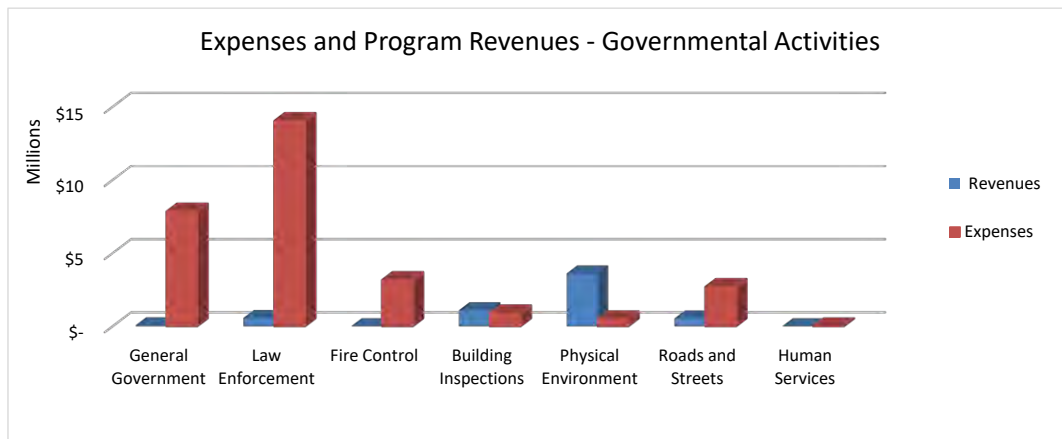
Governmental activities. Governmental activities for fiscal year 2024 increased the City's net position by \$20,104,940 (before transfers). For purposes of this discussion, interfund transfers from business-type funds to governmental funds are not included in revenues from activities.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

The chart below reflects the percentage of individual revenue sources to total revenue sources for governmental activities. Charges for services, grants, and contributions are considered program revenues. Taxes, intergovernmental revenues, and interest are considered general revenues.



The following chart compares the program revenues from governmental activities to the related expenses. Please note that expenses precede revenues as governments seek to identify the needs of citizens and then raise the resources needed to meet those needs. The excess of expenses over program revenues is then funded by the remaining general revenues of the government.

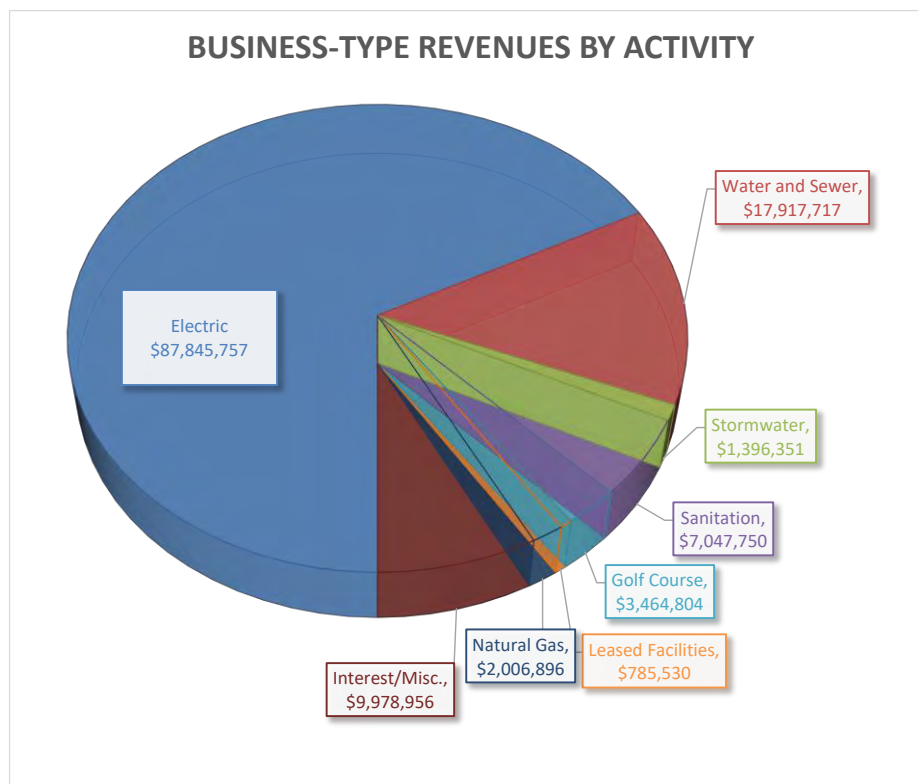


MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Key Elements of Governmental Activities Revenues and Expenses:

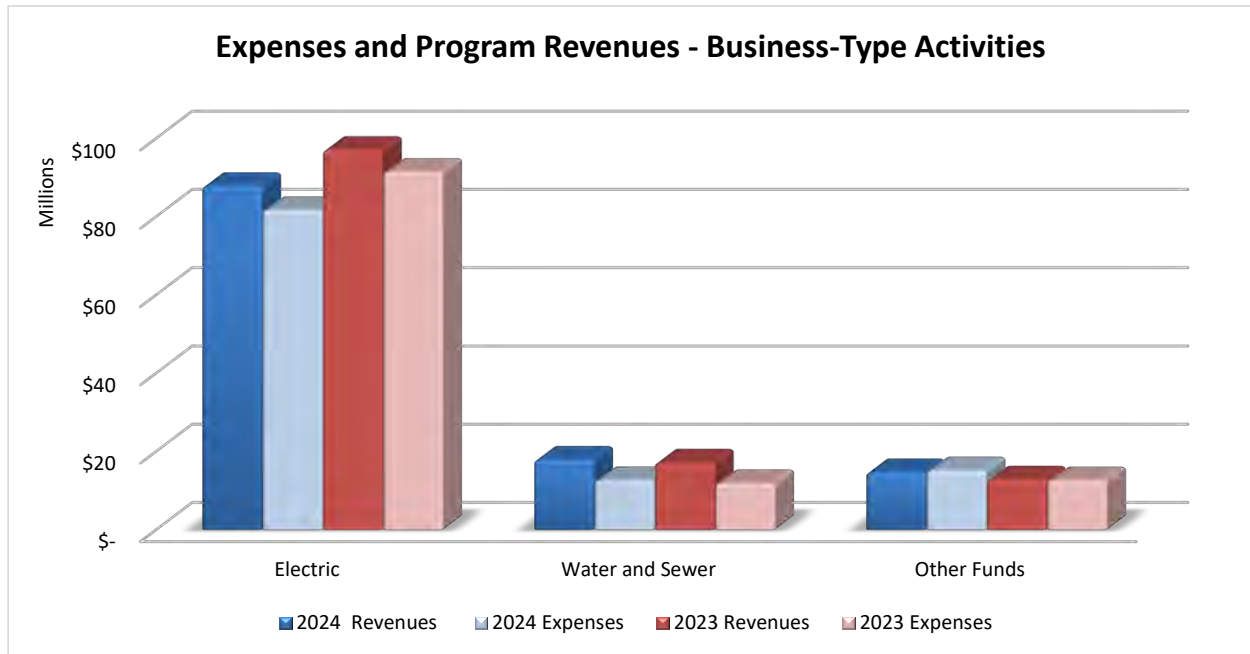
- Property taxes, which provided 52.9% of governmental revenues, increased by \$2,594,855 or 10% in fiscal year 2024 in line with rising taxable property values and new construction.
- Capital grants and contributions decreased by \$4,122,488 or 53%, due in large part to revenue recognition timing for ARPA grant proceeds utilized in capital projects during the year.
- Interest revenues increased by \$3,961,503 or 118.2% compared to the prior year as a result of strong market performance. The investment portfolio is managed by professional investment firms hired pursuant to the City's investment policy and monitored by an independent professional investment advisor.
- Total expenses increased by \$2,643,626 and 8.4% to \$34,099,460. This increase was primarily driven by a \$1.6 million increase in personnel costs and other miscellaneous expenses, as well as increases in CRA grant expenditures, fire contract increases, additional depreciation expense on completed capital projects, and increased internal service fund expenses.

Business-type activities. Business-type activities for fiscal year 2024 increased the City's net position by \$20,961,265 (before transfers). On the statement of activities, net revenues are increased by transfers from governmental activities of \$9,243,925 to determine the change in net position. The following chart shows the composition of revenues from the City's business-type activities.



MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

The following chart compares the program revenues from the City's business-type activities to the related expenses for fiscal years 2024 and 2023. Business-type activities differ from governmental activities in that charges for services are designed specifically to recover the cost of providing those services, including capital costs such as depreciation or debt service.



Key Elements of Business-Type Revenues and Expenditures:

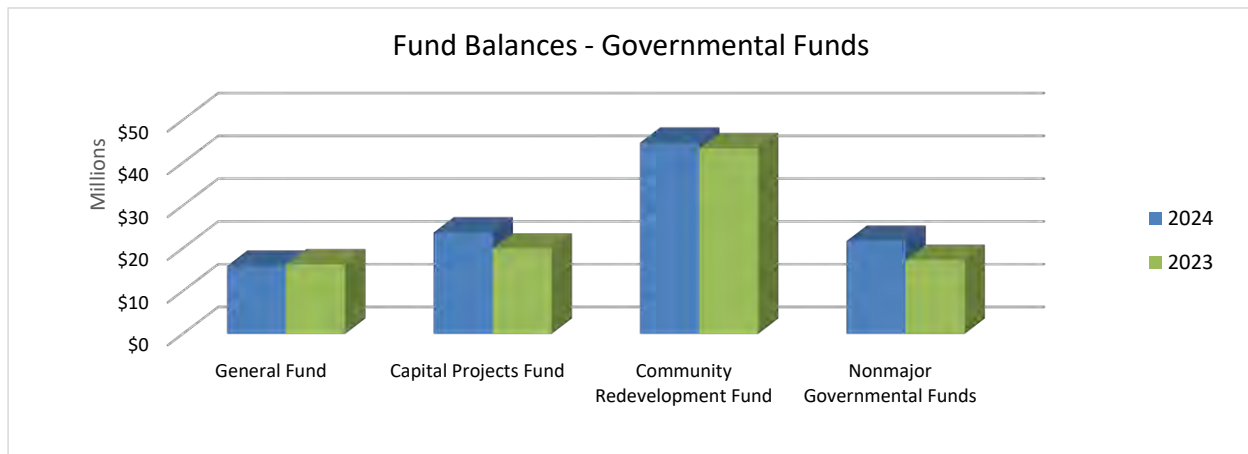
- Charges for services in the business-type activities decreased by \$6,400,498 or 5.1% from the prior year. Of these program revenues, 70.1% comes from electric utility services and 14.3% from the water and sewer utility. Much of the decrease is attributable to the bulk power cost adjustment, which is the pass-through cost of power to our customers. Water and sewer rates are adjusted annually in accordance with the Consumer Price Index, which is necessary to pay for needed maintenance and improvements to the system. Sanitation rates were also increased during the year to recover the cost of the new solid waste and recycling contract.
- Interest revenues increased by \$5,763,990 or 136.8% compared to the prior year as a result of strong market performance. Investments are reported at fair value. The investment portfolio is managed by professional investment firms hired pursuant to the City's investment policy and monitored by an independent professional investment advisor.
- Total expenses for the business-type activities decreased by \$6,554,195 or 5.6% due in large part to a reduction in the cost of purchased electricity and natural gas from the City's providers.
- Significant transfers out in business-type activities included a \$3,586,382 transfer from the electric enterprise fund and a \$121,591 transfer from the natural gas fund to governmental funds in accordance with the City's policies on electric and natural gas transfers.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

Governmental Funds. The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, the portion of unrestricted fund balance the City has committed or assigned may serve as a useful measure of available resources at the end of the fiscal year.

At the end of fiscal year 2024 the City's governmental funds reported a combined ending fund balance of \$105,801,035, an increase of \$9,246,078 or 9.6% for the year. The growth in all funds is attributable to the City's pay-as-you-go funding strategy for capital improvements. Strong investment earnings and the recognition of ARPA revenues as funds are spent also contributed to the increase in fund balance. In years where large capital projects take place, it is expected that fund balances will decrease. Of the total fund balance, \$66,774,197 is restricted for specific uses related to redevelopment, tourism, transportation improvements, capital projects, law enforcement, building permits, and opioid mitigation; \$9,206,170 is committed for revenue stabilization, cemetery improvements, parking and transportation, and tree replacement; \$29,817,676 is assigned for capital projects and unanticipated events/emergencies; \$2,992 is non-spendable; and no funds are unassigned.



General Fund. The general fund is the chief operating fund of the City. The financial operations of the general fund are reported separately in the *balance sheet* and the *statement of revenues, expenditures, and changes in fund balances*.

At the end of the fiscal year, the fund balance of the general fund was \$15,845,541, of which \$463,798 was restricted for building permits and \$9,199,479 was committed for revenue stabilization, cemetery improvements, and parking and transportation improvements. An additional \$6,179,272 was assigned to an unanticipated events/emergencies reserve account, and \$2,992 was non-spendable, as it is reserved for prepaid expenditures. The City uses current revenue sources to fund budgeted expenditures in the general fund. When evaluating the general fund's liquidity, it should be noted that the revenue stabilization reserve serves as a working capital reserve and the unanticipated events/emergencies account may be used to supplement operating revenues if approved by the City Council. Combined, the general fund balances represent 63.5% of general fund expenditures for 2024.

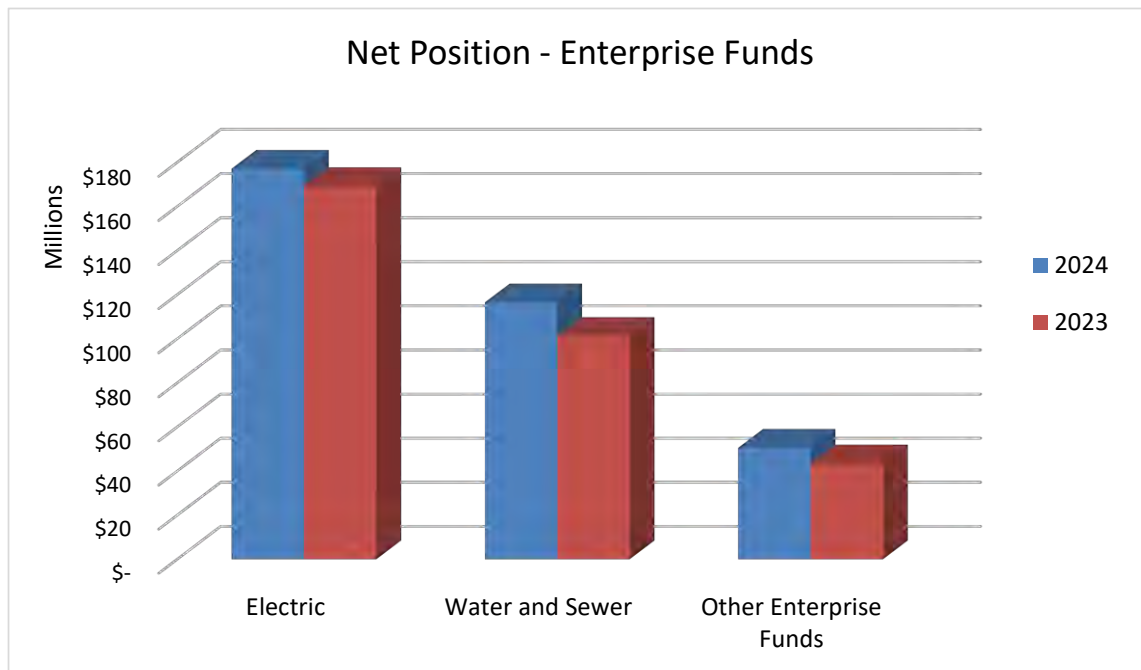
MANAGEMENT'S DISCUSSION AND ANALYSIS
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CITY OF JACKSONVILLE BEACH, FLORIDA

Other major governmental funds. Other major governmental funds include the capital projects fund and the community redevelopment fund. The capital projects fund is used to account for various capital projects, major equipment purchases, and major repairs and renovations. These expenditures are funded by transfers from other funds or grants. The fund balance at year-end in the capital projects fund was \$23,638,404. The increase of \$3,778,551, or 19.0%, from the prior year reflects the accumulation of funds to be used for approved capital improvement projects or major equipment replacements in future years.

The community redevelopment fund is used to account for expenses in the City's two redevelopment districts, which are funded by tax increment revenues. The ending fund balance in the redevelopment fund was \$44,641,351, an increase of \$1,329,458 and 3.1% for the year. The FY2025-2029 5-year Capital Improvement Plan for both the Downtown and Southend Districts anticipates spending over \$54 million for infrastructure, parks, and beautification projects. A more detailed summary of the activities in this fund can be found in the notes to the financial statements.

Proprietary Funds. The proprietary fund financial statements provide information related to activities in the City's enterprise funds and internal service funds. The proprietary fund financial statements are comprised of: 1) a *statement of net position*, 2) a *statement of revenues, expenses, and changes in fund net position*, and 3) a *statement of cash flows*.

At the end of fiscal year 2024, the City's enterprise funds reported a combined ending net position of \$343,978,788, an increase of \$30,205,190 or 9.6% for the year. A portion of the increase is attributable to the City's strategy to accumulate resources over a period of time to fund future capital improvements via pay-as-you-go financing. \$13,350,898 of the total increase comes from capital asset contributions from the governmental funds at the completion of several infrastructure construction projects.



MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

GENERAL FUND BUDGETARY HIGHLIGHTS

The difference between the original budget and the final amended budget was an increase in net appropriations of \$677,639 for expenditures and an increase of \$3,667,827 for transfers out. Budget amendments were adopted anticipating using available fund balance or revenues in excess of the original budget projections.

In 2024, the total fund balance of the City's general fund decreased by \$327,261. Actual revenues were higher than final budgeted revenues by \$2,809,050. While property tax revenues met budget expectations, all other categories out-performed estimates. Actual expenditures were under budget by \$1,011,270 or 3.9%. This variance is attributable to personnel vacancies and the active management by departments of their individual budgets to ensure compliance with budgetary limits.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets. The City's investment in capital assets for its governmental and business-type activities as of September 30, 2024, totaled \$339,059,686 (net of accumulated depreciation). Capital assets include land, buildings, equipment, infrastructure, and construction in progress. The City's total investment in capital assets increased \$17,503,892 or 5.4% due in large part to the start of several ARPA grant funded water/sewer capital improvement projects. Major projects include efforts at both water plants and the water reclamation facility to convert the disinfection systems to utilize the safer, sodium hypochlorite instead of the gaseous chlorine.

Additional information on the City's capital assets is presented in Note 5 of the notes to the financial statements. As demonstrated in the schedule of capital activity in this note, the City has continued to invest significantly in its capital assets for both governmental and business-type activities.

The following table is a summary of the City's investment in capital assets for fiscal years 2024 and 2023:

City of Jacksonville Beach Capital Assets							
	Governmental Activities		Business-Type Activities		Total		
	2024	2023	2024	2023	2024	2023	
Land	\$ 29,373,496	\$ 29,373,496	\$ 4,388,198	\$ 4,388,198	\$ 33,761,694	\$ 33,761,694	
Buildings and Improvements	64,622,757	59,477,104	397,846,255	373,386,626	462,469,012	432,863,730	
Equipment	22,361,533	20,367,169	15,854,292	14,499,130	38,215,825	34,866,299	
Infrastructure	72,712,778	61,413,398	-	-	72,712,778	61,413,398	
Construction in Progress	18,684,240	30,750,015	22,786,942	22,051,569	41,471,182	52,801,584	
	207,754,804	201,381,182	440,875,687	414,325,523	648,630,491	615,706,705	
Less: Accumulated Depreciation	(81,805,645)	(77,842,740)	(227,765,160)	(216,308,171)	(309,570,805)	(294,150,911)	
Capital Assets, Net	\$ 125,949,159	\$ 123,538,442	\$ 213,110,527	\$ 198,017,352	\$ 339,059,686	\$ 321,555,794	

Long-Term Debt. At September 30, 2024, the City had no outstanding bonded debt. The last utility revenue bond payment was made on October 1, 2020. The City seeks to minimize the need for future debt through long-term planning and capital budgeting. Pay-as-you-go financing is the preferred financing method and is used where possible.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Additional information on the City's long-term debt is presented in Note 6 of the notes to the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

Each year the City begins its annual budget process with an evaluation of its current financial position. This evaluation considers local and national economic trends, financial trend analysis, a five-year capital improvement plan, and a five-year cash flow analysis for major city operations. During FY2024, the City experienced a cyber event that delayed the progress of several strategic projects and initiatives. Consequently, this required the reset of some goals from current year to the new year. The challenges of the cyber event were met head-on by a dedicated workforce determined to provide critical services to our community with minimal disruption.

The total FY2025 adopted budget of \$234,912,679 is 10.4% higher than the prior year and continues to provide the same service level our community expects. The increase is largely attributable to planned capital improvement projects in Water and Sewer Fund for wastewater effluent elimination compliance. The general fund budget is \$31,147,065, an increase of 8.6% from the prior year, due largely to increase in police compensation and the addition of police officer positions.

Factors considered in preparing the City's budget for the fiscal year 2025 included:

- The City Council adopted a new Vision statement for the community and Mission statement for the organization, while employees developed a set of core values. These three efforts were the foundational pillars for the Strategic Plan adopted during FY2022. Capital improvement projects and departmental service levels proposed during the budget process were evaluated based on their alignment with the strategic plan.
- The City's property values increased by 9.4%, and the millage rate remains the same at 3.9947 mills. However, this growth is expected to be offset by the escalating labor, operating, and capital outlay costs.
- Personnel services expenses grew by 7% over the 2024 budget. Factors influencing the increase include a 3% annual pay plan adjustment in addition to merit increases, the addition of 4 Police Officers in support of a dedicated traffic unit to increase the overall police presence throughout the community, and the addition of a Construction Project Superintendent assist in the oversight of the robust Public Works 5-year capital improvement plan.
- As stewards of the taxpayer resources that make possible the services that are essential to our community, we will continue to manage these resources conservatively and responsibly.

MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

REQUESTS FOR INFORMATION

This financial report is designed to provide users with a general overview of the City of Jacksonville Beach's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Chief Financial Officer
City of Jacksonville Beach
11 North Third Street
Jacksonville Beach, Florida 32250

Additional information can also be found on the City's website at www.jacksonvillebeach.org.

STATEMENT OF NET POSITION
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Governmental Activities	Business-Type Activities	Total
Assets			
Equity in Pooled Cash and Investments	\$ 118,017,877	\$ 127,147,960	\$ 245,165,837
Other Cash and Investments	5,425	1,300	6,725
Accounts Receivable, Net	298,791	18,753,589	19,052,380
Due from Other Governments	1,747,455	2,767	1,750,222
Inventories	-	3,636,290	3,636,290
Prepaid Items	1,450,573	131,860	1,582,433
Restricted Assets:			
Equity in Pooled Cash and Investments	-	36,763,838	36,763,838
Leases Receivable	-	1,148,917	1,148,917
Capital Assets:			
Non-Depreciable	48,057,735	27,175,140	75,232,875
Depreciable, Net	77,891,424	185,935,387	263,826,811
Total Assets	<u>247,469,280</u>	<u>400,697,048</u>	<u>648,166,328</u>
Deferred Outflows of Resources			
Pension Related	8,102,331	4,718,713	12,821,044
OPEB Related	450,486	295,881	746,367
Total Deferred Outflows of Resources	<u>8,552,817</u>	<u>5,014,594</u>	<u>13,567,411</u>
Liabilities			
Accounts Payable	1,800,124	7,510,467	9,310,591
Accrued Interest	-	3,735	3,735
Other Accrued Liabilities	1,649,132	1,455,417	3,104,549
Power Costs Recovered in Advance	-	12,835,153	12,835,153
Due to Other Governments	2,713,228	3,563	2,716,791
Deposits	45,946	6,721,488	6,767,434
Unearned Revenues	1,860,830	83,607	1,944,437
Self-Insurance Claims Payable	354,157	-	354,157
Non-Current Liabilities:			
Due Within One Year	1,429,698	633,764	2,063,462
Due in More Than One Year	20,483,009	13,013,484	33,496,493
Total Liabilities	<u>30,336,124</u>	<u>42,260,678</u>	<u>72,596,802</u>
Deferred Inflows of Resources			
Pension Related	1,455,904	673,490	2,129,394
OPEB Related	805,715	529,198	1,334,913
Lease Related	-	1,062,291	1,062,291
Rate Stabilization	-	17,207,197	17,207,197
Total Deferred Inflows of Resources	<u>2,261,619</u>	<u>19,472,176</u>	<u>21,733,795</u>
Net Position			
Net Investment in Capital Assets	125,818,480	212,690,435	338,508,915
Restricted for:			
Redevelopment	44,641,351	-	44,641,351
Tourism	3,871,696	-	3,871,696
Transportation Improvements	4,185,033	-	4,185,033
Capital Projects	13,066,452	-	13,066,452
Law Enforcement	226,116	-	226,116
Building Permits	463,798	-	463,798
Opioid Mitigation	319,751	-	319,751
Unrestricted	30,831,677	131,288,353	162,120,030
Total Net Position	<u>\$ 223,424,354</u>	<u>\$ 343,978,788</u>	<u>\$ 567,403,142</u>

See accompanying notes.

STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Function/Program Activities	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Governmental Activities							
General Government	\$ 7,857,087	\$ 62,667	\$ 3,000	\$ -	\$ (7,791,420)		\$ (7,791,420)
Law Enforcement	14,034,597	267,910	253,808	48,964	(13,463,915)		(13,463,915)
Fire Control	3,168,180	-	-	-	(3,168,180)		(3,168,180)
Building Inspections	895,705	1,097,564	-	-	201,859		201,859
Physical Environment	482,676	10,079	-	3,601,651	3,129,054		3,129,054
Roads and Streets	2,696,649	534,385	-	-	(2,162,264)		(2,162,264)
Parks and Recreation	4,964,566	204,455	1,029,026	-	(3,731,085)		(3,731,085)
Total Governmental Activities	34,099,460	2,177,060	1,285,834	3,650,615	(26,985,951)	\$ -	(26,985,951)
Business-Type Activities							
Electric	81,681,888	87,722,354	-	123,403		6,163,869	6,163,869
Water and Sewer	12,681,275	17,870,592	-	47,125		5,236,442	5,236,442
Stormwater	1,766,932	1,396,351	-	-		(370,581)	(370,581)
Sanitation	7,977,094	7,047,750	-	-		(929,344)	(929,344)
Golf Course	3,013,391	3,464,804	-	-		451,413	451,413
Leased Facilities	777,854	785,530	-	-		7,676	7,676
Natural Gas	1,638,210	1,827,610	-	179,286		368,686	368,686
Total Business-Type Activities	109,536,644	120,114,991	-	349,814	-	10,928,161	10,928,161
Total Primary Government	\$ 143,636,104	\$ 122,292,051	\$ 1,285,834	\$ 4,000,429	(26,985,951)	10,928,161	(16,057,790)
General Revenues							
Taxes:							
Property Taxes					28,672,921	-	28,672,921
Infrastructure Surtax					1,952,501	-	1,952,501
Communication Service Tax					1,327,304	-	1,327,304
Convention Development Tax					836,397	-	836,397
Fuel Taxes					1,271,481	-	1,271,481
Other Taxes					699,068	-	699,068
State-Shared Revenues (Unrestricted)					4,273,952	-	4,273,952
Other Intergovernmental Revenues (Unrestricted)					29,361	-	29,361
Investment Income					7,312,122	9,978,956	17,291,078
Gain on Sale of Capital Assets					-	54,148	54,148
Miscellaneous					715,784	-	715,784
Net Transfers					(9,243,925)	9,243,925	-
Total General Revenues and Transfers					37,846,966	19,277,029	57,123,995
Change in Net Position					10,861,015	30,205,190	41,066,205
Net Position, Beginning of Year					212,563,339	313,773,598	526,336,937
Net Position, End of Year					\$ 223,424,354	\$ 343,978,788	\$ 567,403,142

See accompanying notes.

BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	General Fund	General Capital Projects Fund	Community Redevelopment Funds	ARPA Grant Fund	Other Governmental Funds	Total Governmental Funds
Assets						
Equity in Pooled Cash and Investments	\$ 15,578,621	\$ 23,991,091	\$ 48,784,243	\$ -	\$ 23,547,659	\$ 111,901,614
Other Cash and Investments	5,425	-	-	-	-	5,425
Receivables:						
Accounts, Net	298,562	-	-	-	-	298,562
Interfund Receivables	51,976	-	-	-	-	51,976
Due from Other Governments	1,350,424	-	-	-	397,031	1,747,455
Prepaid Expenditures	2,992	-	-	-	-	2,992
Total Assets	17,288,000	23,991,091	48,784,243	-	23,944,690	114,008,024
Liabilities, Deferred Inflows of Resources, and Fund Balances						
Liabilities						
Accounts Payable	124,554	311,147	912,787	-	271,405	1,619,893
Other Accrued Liabilities	597,506	41,540	523,814	-	213,954	1,376,814
Due to Other Governments	6,938	-	2,706,290	-	-	2,713,228
Interfund Payables	-	-	-	-	51,976	51,976
Deposits	45,946	-	-	-	-	45,946
Unearned Revenue	182,984	-	-	-	1,677,846	1,860,830
Total Liabilities	957,928	352,687	4,142,891	-	2,215,181	7,668,687
Deferred Inflows of Resources						
Unavailable Revenues	484,531	-	1	-	53,770	538,302
Fund Balances						
Non-Spendable:						
Prepaid Expenditures	2,992	-	-	-	-	2,992
Restricted for:						
Redevelopment	-	-	44,641,351	-	-	44,641,351
Tourism Expenditures	-	-	-	-	3,871,696	3,871,696
Transportation Improvements	-	-	-	-	4,185,033	4,185,033
Capital Projects	-	-	-	-	13,066,452	13,066,452
Law Enforcement	-	-	-	-	226,116	226,116
Building Permits	463,798	-	-	-	-	463,798
Opioid Mitigation	-	-	-	-	319,751	319,751
Committed for:						
Revenue Stabilization	7,786,766	-	-	-	-	7,786,766
Cemetery Improvements	491,604	-	-	-	-	491,604
Parking and Transportation	921,109	-	-	-	-	921,109
Tree Replacement	-	-	-	-	6,691	6,691
Assigned for:						
Unanticipated Events/ Emergencies	6,179,272	-	-	-	-	6,179,272
Capital Projects	-	23,638,404	-	-	-	23,638,404
Total Fund Balances	15,845,541	23,638,404	44,641,351	-	21,675,739	105,801,035
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 17,288,000	\$ 23,991,091	\$ 48,784,243	\$ -	\$ 23,944,690	\$ 114,008,024

See accompanying notes.

**RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

Fund Balance - Total Governmental Funds \$ 105,801,035

**Amounts Reported for Governmental Activities in the Statement of Net
Position are Different Because:**

Capital assets used in governmental activities are not financial resources
and, therefore, are not reported in the governmental funds:

Capital Assets	\$ 206,488,049	
(Accumulated Depreciation)	<u>(80,868,567)</u>	125,619,482

Deferred outflows and inflows of resources are not available in the current
period and, therefore, are not reported in the governmental funds.
Deferred outflows and inflows of resources at year-end consist of:

Deferred Outflows Related to Pensions	6,215,220	
Deferred Inflows Related to Pensions	(1,318,205)	
Deferred Outflows Related to OPEB	450,486	
Deferred Inflows Related to OPEB	<u>(805,715)</u>	4,541,786

Some revenues have been deferred on the governmental funds balance sheet because they were not measurable and available at year-end.		538,302
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Long-term liabilities are not due and payable in the current period and,
therefore, are not reported in the governmental funds:

Net Pension Liability	(9,152,132)	
Total OPEB Liability	(1,438,162)	
Contractual Pension Liability	(3,104,620)	
Compensated Absences	<u>(3,141,738)</u>	(16,836,652)

Internal service funds are used by management to charge the costs of
certain activities to individual funds. The assets, deferred outflows and
liabilities, and deferred inflows of the internal service funds are reported
with governmental activities.

3,760,401

Net Position of Governmental Activities		<u><u>\$ 223,424,354</u></u>
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See accompanying notes.

**STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	General Fund	General Capital Projects Fund	Community Redevelopment Funds	ARPA Grant Fund	Other Governmental Funds	Total Governmental Funds
Revenues						
Taxes	\$ 18,195,975	\$ -	\$ 12,503,318	\$ -	\$ 4,076,209	\$ 34,775,502
Licenses and Permits	1,100,484	-	-	-	-	1,100,484
Intergovernmental	5,396,451	-	-	-	3,817,730	9,214,181
Charges for Services	781,009	-	-	-	-	781,009
Fines and Forfeitures	262,246	-	-	-	364,054	626,300
Interest and Other Revenue	1,727,095	1,297,908	3,312,412	-	1,251,091	7,588,506
Total Revenues	<u>27,463,260</u>	<u>1,297,908</u>	<u>15,815,730</u>	<u>-</u>	<u>9,509,084</u>	<u>54,085,982</u>
Expenditures						
Current:						
General Government	2,653,629	746,062	1,578,442	-	18,489	4,996,622
Public Safety	15,906,932	42,115	1,116,295	-	132,754	17,198,096
Physical Environment	79,677	-	-	-	12,797	92,474
Roads and Streets	1,829,588	-	-	-	33,688	1,863,276
Parks and Recreation	4,261,244	9,489	-	-	136,064	4,406,797
Capital Outlay	212,449	4,258,518	11,791,535	-	4,197,110	20,459,612
(Total Expenditures)	<u>(24,943,519)</u>	<u>(5,056,184)</u>	<u>(14,486,272)</u>	<u>-</u>	<u>(4,530,902)</u>	<u>(49,016,877)</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>2,519,741</u>	<u>(3,758,276)</u>	<u>1,329,458</u>	<u>-</u>	<u>4,978,182</u>	<u>5,069,105</u>
Other Financing Sources (Uses)						
Transfers in	4,220,825	7,536,827	-	-	2,250,000	14,007,652
Transfers (out)	<u>(7,067,827)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(2,762,852)</u>	<u>(9,830,679)</u>
Total Other Financing Sources (Uses)	<u>(2,847,002)</u>	<u>7,536,827</u>	<u>-</u>	<u>-</u>	<u>(512,852)</u>	<u>4,176,973</u>
Net Change in Fund Balances	<u>(327,261)</u>	<u>3,778,551</u>	<u>1,329,458</u>	<u>-</u>	<u>4,465,330</u>	<u>9,246,078</u>
Fund Balances, Beginning of Year	<u>16,172,802</u>	<u>19,859,853</u>	<u>43,311,893</u>	<u>-</u>	<u>17,210,409</u>	<u>96,554,957</u>
Fund Balances, End of Year	<u>\$ 15,845,541</u>	<u>\$ 23,638,404</u>	<u>\$ 44,641,351</u>	<u>\$ -</u>	<u>\$ 21,675,739</u>	<u>\$ 105,801,035</u>

See accompanying notes.

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO
THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

Net Change in Fund Balance - Total Governmental Funds \$ 9,246,078

**Amounts Reported for Governmental Activities in the Statement of
Activities are Different Because:**

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense:

Expenditures for Capital Assets	\$ 20,459,609	
Transfers of Capital Assets	(13,350,898)	
Disposals of Capital Assets	(221,229)	
(Current Year Depreciation)	(4,622,521)	2,264,961

Repayments of Debt are recorded as an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position:

Payments Related to the Contractual Pension Liability - Firefighters' Plan	504,547
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Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds:

Change in Accrued Compensated Absences	(24,665)	
Change in Net Pension Liability and Deferred Inflows and Outflows Related to Pensions	(656,427)	
Change in Other Postemployment Benefits and Deferred Inflows and Outflows Related to OPEB	78,622	(602,470)

Some revenues have been deferred in the governmental funds because they were not available at year-end, but have been recognized in the statement of activities.

141,628

Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. The net revenue (expense) of the internal service funds is reported with governmental activities.

(693,729)

Change in Net Position of Governmental Activities

\$ 10,861,015

See accompanying notes.

STATEMENT OF NET POSITION
PROPRIETARY FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Business-Type Activities - Enterprise Funds				Governmental Activities - Internal Service Funds
	Electric	Water and Sewer	Other Funds	Totals	
Assets					
Current Assets:					
Equity in Pooled Cash and Investments	\$ 49,194,904	\$ 57,564,857	\$ 20,388,199	\$ 127,147,960	\$ 6,116,263
Other Operating Cash	-	-	1,300	1,300	-
Receivables:					
Accounts, Net	15,379,115	2,075,839	1,298,635	18,753,589	229
Leases, Current	-	-	106,106	106,106	-
Due from Other Governments	2,767	-	-	2,767	-
Inventories	3,543,768	-	92,522	3,636,290	-
Prepaid Expenses	117,842	-	14,018	131,860	1,447,581
Restricted Assets:					
Equity in Pooled Cash and Investments	35,839,970	-	923,868	36,763,838	-
Total Current Assets	104,078,366	59,640,696	22,824,648	186,543,710	7,564,073
Non-Current Assets:					
Leases Receivable, Non-Current	-	-	1,042,811	1,042,811	-
Capital Assets:					
Land	2,551,256	361,970	1,474,972	4,388,198	-
Buildings and Improvements	242,309,934	107,417,047	48,119,274	397,846,255	149,937
Equipment	8,303,969	4,023,378	2,843,960	15,171,307	953,115
Software Assets Under SBITAs	-	-	-	-	163,702
Equipment Under Leases	-	-	682,985	682,985	-
Construction in Progress	11,384,610	10,287,859	1,114,473	22,786,942	-
Total Capital Assets	264,549,769	122,090,254	54,235,664	440,875,687	1,266,754
(Accumulated Depreciation and Amortization)	(143,712,750)	(61,023,114)	(23,029,296)	(227,765,160)	(937,077)
Total Capital Assets, Net of Accumulated Depreciation and Amortization	120,837,019	61,067,140	31,206,368	213,110,527	329,677
Total Non-Current Assets	120,837,019	61,067,140	32,249,179	214,153,338	329,677
Total Assets	224,915,385	120,707,836	55,073,827	400,697,048	7,893,750
Deferred Outflows of Resources					
Pension Related	2,917,871	1,335,003	465,839	4,718,713	1,887,111
OPEB Related	151,939	109,289	34,653	295,881	-
Total Deferred Outflows of Resources	3,069,810	1,444,292	500,492	5,014,594	1,887,111

See accompanying notes.

STATEMENT OF NET POSITION
PROPRIETARY FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Concluded)

	Business-Type Activities - Enterprise Funds				Governmental Activities - Internal Service Funds
	Electric	Water and Sewer	Other Funds	Totals	
Liabilities					
Current Liabilities:					
Accounts Payable	\$ 5,448,711	\$ 995,380	\$ 1,066,376	\$ 7,510,467	\$ 180,231
Accrued Interest	2,241	1,494	-	3,735	-
Other Accrued Liabilities	772,411	556,640	126,366	1,455,417	272,318
Due to Other Governments	-	-	3,563	3,563	-
Unearned Revenue	-	-	83,607	83,607	-
Estimated Liability for Self-Insured Losses	-	-	-	-	354,157
Accrued Compensated Absences	327,504	125,557	20,423	473,484	232,361
Lease Liability	-	-	160,280	160,280	-
Liabilities Under SBITAs	-	-	-	-	29,124
Current Liabilities Payable from Restricted Assets:					
Power Costs Recovered in Advance	11,911,285	-	923,868	12,835,153	-
Customer Deposits	6,721,488	-	-	6,721,488	-
Total Current Liabilities	25,183,640	1,679,071	2,384,483	29,247,194	1,068,191
Non-Current Liabilities:					
Accrued Compensated Absences	1,310,017	502,226	81,690	1,893,933	929,444
Lease Liability	-	-	259,812	259,812	-
Liabilities Under SBITAs	-	-	-	-	101,555
Net Pension Liability	6,052,556	2,833,711	1,028,880	9,915,147	3,783,571
Other Postemployment Benefits	485,061	348,903	110,628	944,592	-
Total Non-Current Liabilities	7,847,634	3,684,840	1,481,010	13,013,484	4,814,570
Total Liabilities	33,031,274	5,363,911	3,865,493	42,260,678	5,882,761
Deferred Inflows of Resources					
Pension Related	419,845	154,054	99,591	673,490	137,699
OPEB Related	271,751	195,469	61,978	529,198	-
Lease Related	-	-	1,062,291	1,062,291	-
Rate Stabilization	17,207,197	-	-	17,207,197	-
Total Deferred Inflows of Resources	17,898,793	349,523	1,223,860	19,472,176	137,699
Net Position					
Net Investment in Capital Assets	120,837,019	61,067,140	30,786,276	212,690,435	198,998
Unrestricted	56,218,109	55,371,554	19,698,690	131,288,353	3,561,403
Total Net Position	\$ 177,055,128	\$ 116,438,694	\$ 50,484,966	\$ 343,978,788	\$ 3,760,401

See accompanying notes.

**STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Business-Type Activities - Enterprise Funds				Governmental Activities - Internal Service Funds
	Electric	Water and Sewer	Other Funds	Totals	
Operating Revenues					
Charges for Services	\$ 87,227,365	\$ 17,864,106	\$ 13,736,155	\$ 118,827,626	\$ 16,560,412
Other	494,989	6,486	785,890	1,287,365	159,630
Total Operating Revenues	87,722,354	17,870,592	14,522,045	120,114,991	16,720,042
Operating Expenses					
Purchased Power	57,595,138	-	741,952	58,337,090	-
Personnel Services	6,963,344	4,192,366	2,186,167	13,341,877	7,464,582
Purchased Services	1,768,539	577,745	7,886,719	10,233,003	1,161,524
Repairs and Maintenance	746,520	1,571,471	1,010,178	3,328,169	555,385
Depreciation and Amortization	6,837,244	3,111,526	1,754,537	11,703,307	80,941
Materials and Supplies	966,168	622,879	411,096	2,000,143	195,030
Other Expenses	6,804,935	2,605,288	1,161,669	10,571,892	8,084,331
(Total Operating Expenses)	(81,681,888)	(12,681,275)	(15,152,318)	(109,515,481)	(17,541,793)
Operating Income	6,040,466	5,189,317	(630,273)	10,599,510	(821,751)
Non-Operating Revenues (Expenses)					
Investment Earnings	5,164,610	3,459,680	1,330,482	9,954,772	198,499
Interest from Leasing Activities	-	-	24,184	24,184	-
Interest Expense on Leases and SBITAs	-	-	(21,163)	(21,163)	(477)
Gain (Loss) on Disposal of Capital Assets	170,404	26,877	(143,133)	54,148	-
Total Non-Operating Revenues (Expenses)	5,335,014	3,486,557	1,190,370	10,011,941	198,022
Income Before Contributions and Transfers	11,375,480	8,675,874	560,097	20,611,451	(623,729)
Capital Contributions					
Connection Fees	123,403	47,125	179,286	349,814	-
Contributions from Other Funds	-	6,641,350	6,709,548	13,350,898	-
Total Capital Contributions	123,403	6,688,475	6,888,834	13,700,712	-
Transfers					
Transfers in	162,097	-	-	162,097	-
Transfers (out)	(3,769,382)	(126,000)	(373,688)	(4,269,070)	(70,000)
Total Transfers	(3,607,285)	(126,000)	(373,688)	(4,106,973)	(70,000)
Change in Net Position	7,891,598	15,238,349	7,075,243	30,205,190	(693,729)
Total Net Position, Beginning of Year	169,163,530	101,200,345	43,409,723	313,773,598	4,454,130
Total Net Position, End of Year	\$ 177,055,128	\$ 116,438,694	\$ 50,484,966	\$ 343,978,788	\$ 3,760,401

See accompanying notes.

STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Business-Type Activities - Enterprise Funds				Governmental Activities - Internal Service Funds
	Electric	Water and Sewer	Other Funds	Totals	
Cash Flows from Operating Activities					
Cash Received from Customers and Users	\$ 96,718,518	\$ 17,869,618	\$ 14,501,204	\$ 129,089,340	\$ 16,720,042
Cash Payments to Vendors for Goods and Services	(67,252,149)	(4,936,188)	(10,518,476)	(82,706,813)	(10,046,190)
Cash Payments to Employees for Services	(6,600,295)	(4,120,889)	(2,092,176)	(12,813,360)	(7,146,101)
Insurance Reimbursements Received (Claims Paid)	-	-	-	-	272,686
Net Cash Provided by (Used in) Operating Activities	<u>22,866,074</u>	<u>8,812,541</u>	<u>1,890,552</u>	<u>33,569,167</u>	<u>(199,563)</u>
Cash Flows from Non-Capital Financing Activities					
Transfers in	162,097	-	-	162,097	-
Transfers (out)	(3,769,382)	(126,000)	(373,688)	(4,269,070)	(70,000)
Interest from Leasing and SBITA Activities	-	-	24,184	24,184	-
Net Cash (Used in) Provided by Non-Capital Financing Activities	<u>(3,607,285)</u>	<u>(126,000)</u>	<u>(349,504)</u>	<u>(4,082,789)</u>	<u>(70,000)</u>
Cash Flows from Capital and Related Financing Activities					
Acquisition of Capital Assets	(8,218,568)	(3,666,266)	(1,731,533)	(13,616,367)	(62,995)
Proceeds on Sale of Capital Assets	198,054	26,877	-	224,931	-
Connection Fees	123,403	47,125	179,286	349,814	-
Principal Repayments on Long-Term Debt	-	-	(153,699)	(153,699)	(33,023)
Interest Paid on Long-Term Debt	-	-	(21,163)	(21,163)	(477)
Net Cash (Used in) Provided by Capital and Related Financing Activities	<u>(7,897,111)</u>	<u>(3,592,264)</u>	<u>(1,727,109)</u>	<u>(13,216,484)</u>	<u>(96,495)</u>
Cash Flows from Investing Activities					
Investment Earnings	<u>5,164,610</u>	<u>3,459,680</u>	<u>1,330,482</u>	<u>9,954,772</u>	<u>198,499</u>
Net Cash Provided by (Used in) Investing Activities	<u>5,164,610</u>	<u>3,459,680</u>	<u>1,330,482</u>	<u>9,954,772</u>	<u>198,499</u>
Net Increase (Decrease) in Cash and Cash Equivalents	16,526,288	8,553,957	1,144,421	26,224,666	(167,559)
Cash and Cash Equivalents, Beginning of Year	<u>68,508,586</u>	<u>49,010,900</u>	<u>20,168,946</u>	<u>137,688,432</u>	<u>6,283,822</u>
Cash and Cash Equivalents, End of Year	<u>\$ 85,034,874</u>	<u>\$ 57,564,857</u>	<u>\$ 21,313,367</u>	<u>\$ 163,913,098</u>	<u>\$ 6,116,263</u>

See accompanying notes.

STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Concluded)

	Business-Type Activities - Enterprise Funds				Governmental Activities - Internal Service Funds
	Electric	Water and Sewer	Other Funds	Totals	
Included on the Accompanying Balance					
<u>Sheet Under the Following Captions</u>					
Current Assets					
Equity in Pooled Cash and Investments	\$ 49,194,904	\$ 57,564,857	\$ 20,388,199	\$ 127,147,960	\$ 6,116,263
Other Operating Cash	-	-	1,300	1,300	-
Restricted Assets					
Equity in Pooled Cash and Investments	35,839,970	-	923,868	36,763,838	-
Total	<u>\$ 85,034,874</u>	<u>\$ 57,564,857</u>	<u>\$ 21,313,367</u>	<u>\$ 163,913,098</u>	<u>\$ 6,116,263</u>
<u>Reconciliation of Operating Income (Loss)</u>					
<u>to Net Cash Provided by (Used in)</u>					
<u>Operating Activities</u>					
Operating Income (Loss)	\$ 6,040,466	\$ 5,189,317	\$ (630,273)	\$ 10,599,510	\$ (821,751)
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided by (Used in) Operating Activities:					
Depreciation	6,837,244	3,111,526	1,754,537	11,703,307	80,941
Power Costs Recovered in Advance (Returned)	7,400,418	-	193,383	7,593,801	-
Changes in Assets - Decrease (Increase) and Liabilities - Increase (Decrease):					
Accounts Receivable	1,331,257	(2,118)	(206,477)	1,122,662	-
Leases Receivable and Related Deferred Inflow of Resources	-	-	(22,536)	(22,536)	-
Assessments Receivable	-	1,144	-	1,144	-
Inventories	641,923	-	26,334	668,257	-
Prepaid Expenses	(37,941)	-	(2,866)	(40,807)	(44,806)
Accounts Payable and Other Accrued Liabilities	25,169	441,195	669,670	1,136,034	131,789
Estimated Liability for Self-Insured Losses	-	-	-	-	135,783
Unearned Revenues	-	-	14,789	14,789	-
Customer Deposits	264,489	-	-	264,489	-
Accrued Compensated Absences	81,675	(39,381)	17,299	59,593	64,956
OPEB Liability and Related Deferred Inflows and Outflows of Resources	(26,515)	(19,074)	(6,049)	(51,638)	-
Net Pension Liability and Related Deferred Inflows and Outflows of Resources	307,889	129,932	82,741	520,562	253,525
Net Cash Provided by (Used in) Operating Activities	<u>\$ 22,866,074</u>	<u>\$ 8,812,541</u>	<u>\$ 1,890,552</u>	<u>\$ 33,569,167</u>	<u>\$ (199,563)</u>
<u>Supplemental Disclosure of Non-Cash Activities</u>					
Transfer of Capital Assets	\$ -	\$ 6,641,350	\$ 6,709,548	\$ 13,350,898	\$ -
Right-of-Use Assets Acquired Under SBITAs	\$ -	\$ -	\$ -	\$ -	\$ 163,702

See accompanying notes.

STATEMENT OF FIDUCIARY NET POSITION
ALL FIDUCIARY FUNDS - PENSION TRUST FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Assets

Cash and Cash Equivalents	\$ 3,821,391
Accrued Interest	215,651
Investments:	
Equities, Including Mutual Funds	86,643,422
Corporate Bonds	14,268,156
U.S. Government Obligations/Agencies	17,694,233
Real Estate	5,251,016
Total Investments	<u>123,856,827</u>
Total Assets	<u><u>127,893,869</u></u>

Liabilities

Accounts Payable	11,091
Other Accrued Liabilities	3,011
Total Liabilities	<u><u>14,102</u></u>

Net Position

Restricted for Pensions	<u><u>\$ 127,879,767</u></u>
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See accompanying notes.

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
ALL FIDUCIARY FUNDS - PENSION TRUST FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Additions

Contributions:	
Employee	\$ 2,162,401
Employer:	
City of Jacksonville Beach	3,705,547
City of Jacksonville	389,373
State of Florida	345,163
Total Contributions	<u>6,602,484</u>

Investment Income:	
Investment Earnings	24,468,689
(Investment Expenses)	(166,663)
Net Investment Income	<u>24,302,026</u>

Total Additions	<u>30,904,510</u>
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Deductions

Benefits	8,407,706
Refunds of Contributions	222,393
Administrative Expense	<u>357,473</u>

(Total Deductions)	<u>(8,987,572)</u>
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Change in Net Position	21,916,938
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Net Position, Beginning of Year	<u>105,962,829</u>
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Net Position, End of Year	<u><u>\$ 127,879,767</u></u>
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See accompanying notes.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Note 1 - Summary of Significant Accounting Policies

A. Reporting Entity

The City of Jacksonville Beach, Florida, (the City) was founded in 1907 and operates under a City Council/City Manager form of government. As required by generally accepted accounting principles, the financial statements of the reporting entity include those of the City (the primary government) and its component units.

The City has one blended component unit, the City of Jacksonville Beach Community Redevelopment Agency (CRA). The CRA was created in 1978 pursuant to Chapter 163, Florida Statutes and City Ordinance No. 6950. The CRA is being treated as a blended component unit and included as part of the primary government for financial reporting purposes because the City appoints the CRA Board, the City has the power to impose its will on the CRA through significant influence on activities and level of service, and the CRA provides its services entirely to the City. All assets constructed by the CRA on City-owned land automatically become assets of the City upon completion, and all assets constructed by the CRA on CRA-owned land, along with the underlying land, are deeded to the City upon completion. The CRA is presented in the financial statements of the City as a special revenue fund. There are two redevelopment trust funds established by the CRA, the Downtown Redevelopment District and the Southend Redevelopment District. Both Districts' fund financial statements are presented in the separately issued financial statements of the CRA, as required by State Statute.

This report also includes the accounts and transactions of the following pension plans (collectively, the Plans), which are considered to be fiduciary component units of the City:

- City of Jacksonville Beach General Employees' Retirement System (the General Plan)
- City of Jacksonville Beach Police Officers' Retirement System (the Police Plan)
- City of Jacksonville Beach Firefighters' Retirement System (The Firefighters' Plan)

The Plans are being treated as fiduciary component units and included as part of the primary government for financial reporting purposes because the City may amend provisions of the Plans through a bargaining process with members and unions associated with the Plans, and a financial burden exists on the part of the City wherein the City is legally obligated or has otherwise assumed the obligation to make contributions to the Plans. Each individual pension plan issues its own separate set of financial statements. The General Plan and the Police Plan are considered to be fiscally dependent on the City. The Firefighters' Plan is substantially funded through contributions from the City of Jacksonville; obligated contributions to the Firefighters' plan by the City are contractual in nature.

B. Change in Reporting Entity (Major Fund Classification)

During the current fiscal year, the ARPA Grant Fund was reclassified from a major fund to a non-major fund based on the total liabilities of the ARPA Grant Fund no longer exceeding the 10% threshold of the government's total governmental fund liabilities. There was no impact to the beginning fund balance of the ARPA Grant Fund or the Other Governmental Funds fund balance as previously reported as a result of the reclassification.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

C. Government-Wide and Fund Financial Statements

The basic financial statements consist of the government-wide financial statements and fund financial statements. The government-wide financial statements (the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the City. For the most part, the effect of interfund activity has been removed from these statements so as not to distort financial results. Fiduciary funds are also excluded from the government-wide financial statements since by definition these assets are being held for the benefit of a third party and cannot be used to address activities or obligations of the government. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment; and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Separate financial statements (fund financial statements) are provided for governmental funds, proprietary funds, and fiduciary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

A reconciliation is provided that converts the results of governmental fund accounting to the governmental activities in the government-wide presentations. The City's fiduciary funds are presented in the fund financial statements by type (pension trust funds only) but as noted above, are not included in the government-wide statements.

Internal service funds of a government (which traditionally provide services primarily to other funds of the government) are presented in summary form as part of the proprietary fund financial statements. Since the principal users of the internal services are the City's governmental activities, financial statements of internal service funds are consolidated into the governmental activities column when presented at the government-wide level. To the extent possible, the costs of these services are allocated among the appropriate governmental and business-type activities.

D. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements, the proprietary fund financial statements, and the fiduciary fund financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Operating revenues shown for proprietary operations generally result from producing or providing goods and services such as electric, water and sewer, stormwater, sanitation, natural gas, leased space/assets, and the golf course, or from interfund charges (internal service funds). Operating expenses for these

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

operations include all costs related to providing the service or product. These costs include purchased power, personal and purchased services, repairs and maintenance, depreciation, materials and supplies, and other expenses directly related to costs of services. All other revenues and expenses not meeting these definitions are reported as non-operating revenues and expenses.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay the liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within thirty days of the end of the current fiscal period, except for grant revenues which are considered available if collected within 120 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, accrued compensated absences, and expenditures related to claims and judgments, are recorded only when payment is due. Other postemployment benefits are accrued in governmental funds only if funded.

Property taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual as revenue of the current period. Only the portion of special assessments collectible within the current period is accrued as revenue of the current period. Grant revenues are considered earned and are accrued simultaneously with the grant expenditure. In applying the susceptibility-to-accrual concept to intergovernmental revenues, the legal and contractual requirements of the numerous individual programs are used as guidance.

There are, however, essentially two types of intergovernmental revenues. In one, monies must be expended for the specific purpose or project before any amounts will be paid to the City; therefore, revenues are recognized based upon the expenditures recorded. In the other, monies are virtually unrestricted as to purpose of expenditure and substantially irrevocable, i.e., revocable only for failure to comply with prescribed compliance requirements. These resources are reflected as revenues at the time of receipt or earlier if they meet the availability criterion. All other revenue items are considered to be measurable and available only when cash is received by the government.

The financial transactions of the City are recorded in individual funds. Each fund is accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management’s Discussion and Analysis – For State and Local Governments*, sets forth minimum criteria (percentage of the assets, liabilities, revenues or expenditures/expenses of either fund category or the governmental and enterprise combined) for the determination of major funds. The City electively added certain funds as major funds.

The City reports the following major governmental funds:

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

- **General Fund**—is the City’s primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund. Most of the essential governmental services such as public safety, street construction and maintenance, culture and recreation, and general administration are provided by the general fund.
- **General Capital Projects Fund**—is the City’s primary capital projects fund. It accounts for the costs of various capital projects, major equipment purchases, and major repairs and renovations.
- **Community Redevelopment Fund**—accounts for the activities of the City’s Community Redevelopment Agency, including the Downtown and Southend redevelopment districts. The primary revenue source is ad valorem tax increment funds, which are restricted for expenditures benefiting the redevelopment districts.

The City reports the following major enterprise funds:

- **Electric Fund**—accounts for the activities associated with providing electric service to its customers inside the City, as well as to its service territories in Neptune Beach and Ponte Vedra Beach. The electric fund is a distribution utility, with no significant power generation assets.
- **Water and Sewer Fund**—accounts for the provision of water and sewer services to the residents of the City. All activities necessary to provide such services are accounted for in this fund, including the capital and operating costs associated with water supply, treatment and distribution, wastewater collection, treatment and disposal, and utility billing and collection.

Governmental and enterprise funds which do not meet the criteria for reporting as *major funds* are grouped together for financial reporting into one column.

In addition, the City reports the following fund types:

- **Internal Service Funds**—account for services provided to other departments within the City on a cost reimbursement basis. These services include: city manager, accounting, utility billing, information systems, human resources, fleet maintenance, purchasing administration, maintenance facility, and insurance. The internal service funds are included in governmental activities for government-wide reporting purposes, and the excess revenue or expenses for the funds are allocated to the appropriate functional activity.
- **Pension Trust Funds**—account for the activities of the general employees’ pension, police officers’ pension and firefighters’ pension plans, which accumulate resources for defined benefit payments to qualified employees.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges of the City’s enterprise activities, which are quasi-external transactions. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

The City does not charge user departments for indirect services provided by general fund departments.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

E. Assets and Liabilities

■ **Cash and Investments**

- **Cash and Cash Equivalents**—for purposes of the statement of cash flows for the proprietary fund types, cash and cash equivalents include demand deposits, certificates of deposit, repurchase agreements with financial institutions, petty cash, state pool investments, mutual funds, and equity in pooled cash and investments. Equivalents are defined as short-term, highly liquid investments that are both readily convertible to known amounts of cash and have an original maturity of three months or less. Cash equivalents may exclude certain liquid assets held in restricted investment accounts.
- **Equity in Pooled Cash and Investments**—the City maintains an accounting system in which substantially all cash and investments are recorded and are reflected as pooled cash and investments, except for the pension trust fund investments. Investment earnings are distributed monthly in accordance with the participating funds' relative percentage of investments.
- **Restricted Cash and Investments**—represent equity in pooled cash and investments and separately identified investments which are restricted as to use.

Investments are valued at fair value unless the investment qualifies as an external investment pool under guidance in GASB Statement No. 79, *Certain External Investment Pools and Pool Participants*. These investments are valued at amortized cost.

- **Receivables**—All receivables are reported at their gross value, and where appropriate are reduced by the estimated portion that is expected to be uncollectible. The allowance for doubtful accounts at September 30, 2024, is \$225,263. Estimated unbilled revenues from the electric, water and sewer, stormwater, sanitation, and natural gas funds are recognized at the end of each fiscal year on a pro rata basis. Included in accounts receivable at September 30, 2024, are unbilled amounts totaling \$8,156,392. The estimated amount is based on billings during the month following the close of the fiscal year.
- **Interfund Receivables and Payables**—During the course of its operations, the City has numerous transactions between funds to provide services and construct assets. To the extent that certain transactions between funds were not paid for or received as of September 30, 2024, balances of interfund receivables and payables expected to be liquidated within one year have been recorded as due from and due to other funds. Balances of interfund receivables and payables not expected to be liquidated within one year, if any, are recorded as advances to and advances from other funds. Balances of advances to other funds are offset by non-spendable fund balances in the respective funds since these receivables are not available for appropriation. Short-term interfund loans to eliminate cash deficits are classified as "interfund receivables/payable".

Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances".

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- **Inventories and Prepaid Items**—Inventories are only significant to and reported in proprietary funds. Inventories in the Electric Fund are valued at the lower of average cost or net realizable value, using the first-in, first-out (FIFO) method for the physical flow of inventory. Inventories in the Golf Fund are held for resale and are reported at the lower of average cost or market.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements.

- **Capital Assets**—Capital assets, which include property, plant and equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial estimated useful life in excess of one year and individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

Interest costs incurred before the end of a construction period are a financing activity separate from the related capital asset and are recognized as an expense in the period in which the cost is incurred. These interest costs are not capitalized as part of the historical cost of the capital asset.

In proprietary fund types, capital assets are capitalized at cost in the fund which acquired or constructed them. Donated assets are recorded at acquisition value. Depreciation of exhaustible capital assets used by these funds is charged as an expense against operations, and accumulated depreciation is reported on the balance sheets of the funds in which the assets are capitalized. Depreciation has been provided over the estimated useful life of each asset using the straight-line method. The range of estimated useful lives of capital assets are:

Buildings and Improvements	30-35 Years
Infrastructure	15-75 Years
Vehicles and Equipment	3-15 Years

Capital assets are not recorded on the balance sheet of governmental funds.

- **Long-Term Obligations**—In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums, discounts, and refunding losses are deferred and amortized over the life of the bonds using the straight-line method, which approximates the effective interest method. Issuance costs are expensed as incurred.

In the fund financial statements, governmental fund types record bond premiums and discounts, as well as bond issuance costs in the year incurred. The face amount of debt and premiums received on debt issuances are reported as other financing sources, while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds, are reported as debt service expenditures.

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- **Leases**—The City is a lessee for various lease agreements involving the lease of Golf Cars for use at the City's Golf Course. The City recognizes a lease liability and an intangible right-to-use lease asset (lease asset) in the government-wide financial statements. The City recognizes leases with an initial, individual value of \$5,000 or more.

At the commencement of a lease, the City initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of the lease payments made at or before the lease commencement date, plus initial direct costs. Subsequently, the lease asset is amortized on a straight-line basis over its useful life.

The City monitors changes in circumstances that would require a remeasurement of its lease and will remeasure the lease asset and liability if certain changes occur that are expected to significantly affect the amount of the lease liability.

Lease assets are reported with other capital assets and lease liabilities are reported with long-term debt on the statement of net position.

- **Subscription-Based Technology Arrangements (SBITAs)**—The City recognizes a SBITA liability and an intangible right-to-use subscription asset (subscription asset) in the government-wide financial statements. At the commencement of the arrangement, the City initially measures the SBITA liability at the present value of payments expected to be made during the subscription term. Subsequently, the SBITA liability is reduced by the principal portion of the subscription payments made. The subscription asset is initially measured as the initial amount of the SBITA liability, adjusted for subscription payments made at or before the lease commencement date. Subsequently, the subscription asset is amortized on a straight-line basis over its useful life.

Key estimates and judgments related to SBITAs include how the City determines: (1) the discount rate it uses to discount the expected subscription payments to present value, (2) subscription term, and (3) subscription payments.

- (1) The City uses the interest rate charged in the agreement as the discount rate. When an interest rate is not provided in the agreement, the City uses the treasury rate corresponding to the subscription term as the discount rate for the SBITA.
- (2) The subscription term includes the non-cancellable period of the subscription. Subscription payments included in the measurement of the SBITA liability are composed of fixed payments. The City only recognizes a SBITA liability for lease terms greater than one year.
- (3) Subscription payments are the monthly or yearly payments stated in the agreement. The City only recognizes a SBITA liability for SBITAs with a beginning present value greater than \$100,000.

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- **Compensated Absences**—City employees are entitled to certain compensated absences based on their length of employment. Accumulated unpaid vacation and sick pay are accrued when earned in the enterprise and internal service funds but are only recorded when paid in the governmental fund types.

City employees are permitted to accumulate two years of accrued vacation leave (up to 352 hours) and an unlimited amount of accrued sick leave. If an employee retires from the City, he/she will be paid for unused sick leave at 100% up to 700 hours. Additionally, employees retiring with twenty years' service may be eligible for a supplemental percentage payment of sick leave. Eligible employees may receive payment for 25% of hours accrued over 700 to a maximum of 2,400 total hours. Upon termination of employment, an employee is paid for his/her accrued vacation leave based on the current hourly rate of pay.

Each calendar year, employees who have an accrued sick leave balance of 208 hours or more on December 31 have the option of converting 16 hours sick leave to 16 hours vacation leave. Additionally, employees have the option of converting either 16 or 32 hours of vacation leave to cash provided their accrued leave balances and hours utilized during the year meet the following requirements:

<u>Minimum Accrued Vacation Leave Balance as of December 31</u>	<u>Minimum Vacation Hours Utilized in Year</u>	<u>Vacation Leave Hours Eligible for Conversion to Cash</u>
120	32	16
160	48	32

- **Deferred Inflows/Outflows of Resources**—Deferred outflows of resources represent the consumption of net assets that applies to future periods. Deferred outflows have a positive effect on net position, similar to assets. Deferred inflows of resources represent an acquisition of net assets that applies to future periods. Deferred inflows have a negative effect on net position, similar to liabilities.
- **Unearned Revenue**—Governmental funds and business-type funds also defer revenue recognition in connection with resources that have been received, but not yet earned.
- **Pensions**—For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City's pension plans and additions to/deductions from pension plan net position have been determined on the same basis as they are reported by the plans. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

F. Fund Balances

- **Classifications**—The City has implemented the provisions of GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* (GASB 54), as required. The purpose of GASB 54 is to improve the consistency and usefulness of fund balance information to the financial statement user. The statement establishes fund balance classifications that comprise a hierarchy based primarily

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on the extent to which the organization is bound to honor constraints on the specific purpose for which amounts in the funds can be spent. Fund balance is reported in five components – non-spendable, restricted, committed, assigned, and unassigned:

- **Non-Spendable**—This component of fund balance consists of amounts that cannot be spent because: (a) they are not expected to be converted to cash; or (b) they are legally or contractually required to remain intact. Examples of this classification are prepaid items, inventories, and principal (corpus) of an endowment fund.
- **Restricted**—This component of fund balance consists of amounts that are constrained either: (a) externally by third parties (creditors, grantors, contributors, or laws or regulations of other governments); or (b) by law through constitutional provisions or enabling legislation.
- **Committed**—This component of fund balance consists of amounts that can only be used for specific purposes pursuant to constraints imposed by formal action (e.g., ordinance or resolution, which are considered equally binding) of the organization’s governing authority (the City Council). These committed amounts cannot be used for any other purpose unless the City Council removes or changes the specified use by taking the same type of action (e.g., ordinance or resolution) employed to constrain those amounts.

Pursuant to a fund balance policy adopted under the City Council’s Resolution No. 1887-2011, the City established a stabilization fund in the general fund that qualifies as a stabilization arrangement and is classified as committed fund balance under GASB 54. At each fiscal year-end, the stabilization fund is adjusted to an amount equal to 25% of the subsequent years’ general fund budgeted expenditures. The purpose of the stabilization fund is to provide sufficient working capital at the beginning of the fiscal year until the time the City begins receiving ad valorem taxes, usually toward the end of the first quarter. The stabilization balance can only be reduced with City Council approval, or for budgeted expenditures when all other unrestricted or uncommitted fund balances have been exhausted, or there is a revenue shortfall resulting in a decrease in the stabilization fund.

- **Assigned**—This component of fund balance consists of amounts that are constrained by a less-than-formal action of the organization’s governing authority, or by an individual or body to whom the governing authority has delegated this responsibility. In addition, residual balances in capital projects and debt service funds are considered assigned for the general purpose of the respective fund.

Fund balance at year-end has been assigned within the general fund for unanticipated events or emergencies. The City’s fund balance policy adopted under the City Council’s Resolution No. 1887-2011 established the reserve. Expenditures for emergencies must be approved by the City Manager and reported to the City Council within 30 working days of the emergency. Expenditures for major unanticipated unbudgeted events require prior City Council approval and subsequent modification to the general fund budget.

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- **Unassigned**—This classification is used for: (a) negative unrestricted fund balances in any governmental fund; or (b) fund balances within the general fund that are not restricted, committed, or assigned.

■ **Flow Assumption**

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources (committed, assigned, and unassigned) as they are needed. When unrestricted resources (committed, assigned, and unassigned) are available for use in the general fund, it is the City's policy to use unassigned resources first, then assigned, and then committed, as needed. When unrestricted resources (committed, assigned, and unassigned) are available for use in any other governmental fund, it is the City's policy to use committed resources first, then assigned, and then unassigned, as needed.

G. Accounting Changes

Implementation of GASB Statement No. 100, *Accounting Changes and Error Corrections*

During the year ended September 30, 2024, the City adopted GASB Statement No. 100, *Accounting Changes and Error Corrections*. The statement enhances accounting and financial reporting requirements for accounting changes and error corrections. The statement defines accounting changes as: (a) changes in accounting principles, (b) changes in accounting estimates, or (c) changes to or within the financial reporting entity, each with its own financial reporting requirements. Disclosure requirements include descriptions of accounting changes and error corrections and their quantitative effects on account balances. The impact to the City's financial statements as a result of the adoption of this statement is described in Note 1.B.

Note 2 - Property Tax Calendar

The City levies property taxes each November 1, which become a lien on real and personal property located in the City. The assessment of all properties and the collection of all property taxes are made through the Property Appraiser and Tax Collector of Duval County, Florida.

Details of the tax calendar are presented below:

Lien Date	January 1, 2023
Levy Date	October 1, 2023
Installment Payments	
First Installment	No Later Than June 30, 2023
Second Installment	No Later Than September 30, 2023
Third Installment	No Later Than December 31, 2023
Fourth Installment	No Later Than March 31, 2024
Regular Payments	
Discount Periods	November 2023 Through February 2024
No Discount Period	After March 1, 2024
Delinquent Date	April 1, 2024

NOTES TO FINANCIAL STATEMENTS
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Note 3 - Deposits and Investments

Equity in Pooled Cash and Investments

The City maintains a cash and investment pool that is available for use by all funds. Interest earned on pooled cash and investments is allocated to each fund based on the average equity balance. The balance in pooled cash and investments was \$281,929,672 in governmental and business-type funds and \$484,833 in the pension funds. Of the pooled cash and investments in the governmental and business-type funds, \$31,776,335 was considered to be restricted.

Deposits

The City's bank deposits are held in qualified public depositories (QPDs) pursuant to Florida Statutes, Chapter 280. The Act provides protection of public deposits by requiring each QPD to pledge collateral to the State Treasurer. The Treasurer shall establish minimum required collateral pledging levels ranging from 25% to 200% of public deposits held, depending on the depository's financial condition and establishment period. In the event of default by a QPD, all claims for public deposits would be satisfied by the State Treasurer from the proceeds of federal deposit insurance, pledged collateral of the QPD in default and, if necessary, assessments against other QPDs of the same type as the depositor in default. Therefore, all cash and time deposits held by QPDs are fully insured and collateralized.

Certain deposits held by trust companies and fully secured under trust business laws are exempt from Chapter 280 requirements. At year-end, the amount of City deposits held in short-term cash and investments for the settlement of investment purchase/sale transactions was \$1,277,747 and the amount of deposits held in the pension trust funds was \$3,336,557.

The table below provides a reconciliation of City funds held in cash and investments to the amounts presented in the financial statements:

Cash Held in Banks	\$ 36,949,643
Petty Cash	6,725
Investments	244,187,118
Deposits Held in Trust	1,277,747
Less Pooled Cash Held in Pension Trust Funds	<u>(484,833)</u>
Total	<u>\$ 281,936,400</u>

As presented in the accompanying Statement of Net Position:

Equity in Pooled Cash and Investments	\$ 245,165,837
Other Cash and Investments	6,725
Restricted Equity in Pooled Cash and Investments	<u>36,763,838</u>
Total	<u>\$ 281,936,400</u>

Investments

Following are the investments held in the pooled cash fund, credit ratings, and maturities of the City's governmental and business-type activities at September 30, 2024:

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Investment Type	S&P Credit Rating	Fair Value	Investment Maturities			
			Less than 1 Year	1-5 Years	6-10 Years	More than 10 Years
U.S. Govt Obligations	AA+	\$ 90,919,295	\$ 5,443,043	\$ 80,613,549	\$ 4,728,086	\$ 134,617
Federal Agency Securities:						
Federal Home Loan Mortgage Corporation	AA+	14,021,374	287,138	11,474,078	-	2,260,158
Federal National Mortgage Association	AA+	7,590,961	5,955	4,265,803	130,662	3,188,541
Federal Home Loan Bank	AA+	2,540,758	876,768	1,663,990	-	-
Federal Farm Credit Bank	AA+	1,790,021	1,790,021	-	-	-
Government National Mortgage Association	AA+	13,444	-	-	-	13,444
Corporate ABSs	AAA	10,908,546	-	10,891,829	16,717	-
Corporate ABSs	AA+	106,713	-	106,713	-	-
Corporate ABSs	Aaa (Moody's)	3,775,779	-	3,656,052	119,727	-
Corporate Bonds	AAA	1,449,627	6,721	1,442,906	-	-
Corporate Bonds	AA+	1,315,372	442,851	872,521	-	-
Corporate Bonds	AA	532,764	244,778	287,986	-	-
Corporate Bonds	AA-	433,368	433,368	-	-	-
Corporate Bonds	A+	5,218,982	1,092,487	4,126,495	-	-
Corporate Bonds	A	8,546,803	2,336,629	6,210,174	-	-
Corporate Bonds	A-	5,666,598	336,626	4,722,514	607,458	-
Corporate Bonds	BBB+	2,981,786	664,747	2,317,039	-	-
Municipal Bonds	AAA	1,613,281	458,593	1,052,345	102,343	-
Municipal Bonds	AA+	1,414,046	100,044	1,314,002	-	-
Municipal Bonds	AA	559,385	-	559,385	-	-
Municipal Bonds	AA-	122,957	-	122,957	-	-
Municipal Bonds	A+	222,667	97,145	125,522	-	-
Municipal Bonds	A-	145,163	-	145,163	-	-
Municipal Bonds	Aa1 (Moody's)	128,820	-	-	109,062	19,758
Florida State Board of Administration:						
Florida PRIME	AAAm	35,947,152	35,947,152	-	-	-
Florida Trust - Day to Day Fund	AAAmf (Fitch)	32,392,299	32,392,299	-	-	-
Florida Municipal Investment Trust:						
Short-Term Bond Portfolio (0-2 Years)	AAA (Fitch)	13,829,157	13,829,157	-	-	-
Total		\$ 244,187,118	\$ 96,785,522	\$ 135,971,023	\$ 5,814,055	\$ 5,616,518

Listed below are the investments and maturities in the City's pension trust funds at September 30, 2024:

Investment Type	Fair Value	Investment Maturities			
		Less than 1 Year	1-5 Years	6-10 Years	More than 10 Years
Equities	\$ 86,643,422	\$ 86,643,422	\$ -	\$ -	\$ -
U.S. Government Securities	6,445,430	25,060	2,428,133	533,498	3,458,739
Federal Agency Securities:					
Federal Farm Credit Banks	104,834	-	104,834	-	-
Federal Home Loan Mortgage Corporation	3,381,172	-	-	-	3,381,172
Federal National Mortgage Association	7,762,797	3,467	169,131	-	7,590,199
Corporate Bonds	14,268,156	-	3,459,025	9,612,786	1,196,345
Real Estate	5,251,016	5,251,016	-	-	-
Total	\$ 123,856,827	\$ 91,922,965	\$ 6,161,123	\$ 10,146,284	\$ 15,626,455

Credit quality distribution for the City's pension trust fund investments with credit exposure as a percentage of the total pension investment is as follows:

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<u>Investment Type</u>	<u>Moody's Credit Rating</u>	<u>Percent of Total</u>
U.S. Government Securities	Aaa	5.19%
Federal Agency Securities	Aaa	9.08%
Corporate Bonds	A1	3.38%
Corporate Bonds	A2	3.05%
Corporate Bonds	A3	2.16%
Corporate Bonds	Aa1	1.57%
Corporate Bonds	Aa3	0.40%
Corporate Bonds	Aaa	0.96%

Authorized Investments

Florida Statute 218.415 authorizes the City to invest in the state pools and in obligations of the United States Treasury and agencies. The City has adopted an investment policy for operating funds pursuant to state statutes that allows the City to contract for investment and related services, establish internal controls, and specifies the types of investments that may be purchased. Key objectives of the policy are as follows:

- Safety of principal is the foremost objective of the investment program.
- Provide sufficient liquidity to allow for quick conversion of investments to cash easily and rapidly without loss of principal to meet operating, payroll, and capital requirements.
- The investment portfolio shall be designed with the objective of attaining a market rate of return through budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs.
- Investments held should be diversified to the extent practicable to control the risk of loss resulting from overconcentration of assets in a specific maturity, issuer, instrument, dealer, or bank through which financial instruments are bought and sold.

The policy also lists permitted types of investments, limitations as to amounts invested in each type, the amount invested with each issuer, the length of investment maturities, and other statutory or contractual restrictions for each type of investment. The investment in any derivative products or the use of reverse repurchase agreements is not permitted by this investment policy.

Chapters 175 and 185 of the Florida Statutes authorize the Police Officers' and Firefighters' pension trust funds to invest in time and savings accounts of banks insured by the Federal Deposit Insurance Corporation.

Under City Ordinance, the pension trust funds are also authorized to invest in obligations of the United States, in obligations guaranteed as to principal and interest by the United States. Additional authorized investments include bonds, stocks, or other evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States, provided the corporation is listed on one or more of the recognized national stock exchanges. Corporate fixed income securities must hold a rating of A or higher by Moody's or Standard & Poor's rating services.

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Risk Disclosure

The City's investment policy does not address its exposure to interest rate changes, custodial credit risk, or quality credit risk. The following items discuss the City's operating funds' and pension funds' exposure to various risks in primarily the fixed rate portions of their investment portfolios:

- **Interest Rate Risk**—the City's fixed rate investments are generally tied to bond reserve requirements and are intended to be held until the funds are needed, at maturity. As a means of limiting its exposure to fair value losses arising from rising interest rates, the City's pension funds limit their risk by averaging investment maturities at approximately five to seven years.
- **Custodial Credit Risk**—for an investment, custodial credit risk is the risk that in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City generally utilizes third-party custodians to help manage custodial credit risk.
- **Concentration of Credit Risk**—the investment policy for the operating funds of the City define what percentage of the total investment portfolio may be invested in each type of investment vehicle. The City's policy states that these percentages may be further restricted based on market conditions, risk, and diversification investment strategies. The pension funds' investment policies and practices require investments to be diversified to the extent practicable to control the risk of loss resulting from overconcentration of assets in a specific maturity, issuer, instrument, dealer, or bank through which financial instruments are purchased and sold. No more than 10% of an individual investment manager's total fixed income portfolio may be invested in securities of a single issuer (5% in the case of a corporate issuer). No more than 10% of plan assets may be in foreign securities.

Fair Value Measurements

The fair value hierarchy categorizes the inputs to valuation techniques used to measure fair value into three levels:

- **Level 1 Inputs**—are quoted prices (unadjusted) for identical assets or liabilities in active markets that a government can access at the measurement date.
- **Level 2 Inputs**—are inputs other than quoted prices included within Level 1 that are observable for an asset or liability, either directly or indirectly.
- **Level 3 Inputs**—are unobservable inputs for an asset or liability. The fair value hierarchy gives the highest priority to Level 1 inputs and the lowest priority to Level 3 inputs. If a price for an identical asset or liability is not observable, a government should measure fair value using another valuation technique that maximizes the use of relevant observable inputs and minimizes the use of unobservable inputs.

The City's investments are measured at fair value on a recurring basis. Fair value measurements are categorized based on the valuation inputs used to measure an asset's fair value in the hierarchy described above. The fair value measurements for the City's operating investments are as follows at September 30, 2024:

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CITY OF JACKSONVILLE BEACH, FLORIDA

		Fair Value Measurements Using		
		Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Investments by Fair Value Level	Amount			
U.S. Government Obligations	\$ 90,919,295	\$ 15,701,140	\$ 75,218,155	\$ -
Federal Agency Securities:				
Federal Agencies	4,330,779	-	4,330,779	-
Federal Home Loan Mortgage Corporation	14,021,374	-	14,021,374	-
Federal National Mortgage Association	7,590,961	-	7,590,961	-
Government National Mortgage Association	13,444	-	13,444	-
Corporate ABSs	14,791,038	-	14,791,038	-
Corporate Bonds	26,145,300	-	26,145,300	-
Municipal Bonds	4,206,319	-	4,206,319	-
Total Investments by Fair Value Level	162,018,510	\$ 15,701,140	\$ 146,317,370	\$ -
Investments Measured at Amortized Cost	Amount			
Florida State Board of Administration:				
Florida PRIME	\$ 35,947,152			
Florida Trust - Day to Day Fund	32,392,299			
Florida Municipal Investment Trust:				
Short-Term Bond Portfolio (0-2 Years)	13,829,157			
Total Investments Measured at Amortized Cost	82,168,608			
Total Investments	\$ 244,187,118			

As of September 30, 2024, there were no redemption fees, maximum transaction amounts, or any other requirements of the Florida PRIME investment pool that serve to limit a participant's daily access to 100 percent of their account value.

The fair value measurements for the City's pension trust fund investments are as follows at September 30, 2024:

		Fair Value Measurements Using		
		Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Investments by Fair Value Level	Amount			
Equities	\$ 86,643,422	\$ 86,643,422	\$ -	\$ -
U.S. Government Securities	6,445,430	-	6,445,430	-
Federal Agency Securities:				
Federal Farm Credit Banks	104,834	-	104,834	-
Federal Home Loan Mortgage Corporation	3,381,172	-	3,381,172	-
Federal National Mortgage Association	7,762,797	-	7,762,797	-
Corporate Bonds	14,268,156	-	14,268,156	-
Total Investments Measured at Fair Value	118,605,811	\$ 86,643,422	\$ 31,962,389	\$ -
Investments Measured at the Net Asset Value (NAV)	Amount	Unfunded Commitments	Redemption Frequency (if Currently Eligible)	Redemption Notice Period
Real Estate Fund	\$ 5,251,016	-	Quarterly	45 days
Total Investments	\$ 123,856,827			

Federal Agency Securities and U.S. Government Obligations are categorized as Level 1 or Level 2, depending on whether the individual securities are quoted in active markets; otherwise, they are valued using matrix pricing techniques that value securities based on their relationship to benchmark quoted prices. Corporate bonds, corporate ABSs, and municipal bonds are valued using quoted prices for similar

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securities in active markets and are categorized as Level 2 in the fair value hierarchy. The Real Estate Fund is valued at Net Asset Value (NAV), which is determined using certified annual appraisals of investment properties held by the fund.

Note 4 - Interfund Receivables, Payables and Transfers

Interfund receivables/payables represent short-term loans to cover other funds' deficits in pooled cash and investments. As of September 30, 2024, the balance in these accounts consists of the following:

	<u>Receivable</u>	<u>Payable</u>
General Fund	\$ 51,976	\$ -
Community Development Block Grant	-	3,092
J.A.G. Grant	-	48,884
Total	<u>\$ 51,976</u>	<u>\$ 51,976</u>

Interfund transfers during the year ended September 30, 2024, consist of the following:

	<u>Transfers In</u>				
	<u>General Fund</u>	<u>General Capital Projects</u>	<u>Electric</u>	<u>Other Governmental</u>	<u>Total</u>
Transfers Out					
General Fund	\$ -	\$ 7,067,827 (1)	\$ -	\$ -	\$ 7,067,827
Other Governmental	512,852 (2)	-	-	2,250,000 (1)	2,762,852
Electric Fund	3,586,382 (3)	183,000 (1)	-	-	3,769,382
Water and Sewer	-	126,000 (1)	-	-	126,000
Other Enterprise	121,591 (3)	90,000 (1)	162,097 (4)	-	373,688
Internal Service	-	70,000 (1)	-	-	70,000
Total Transfers Out	<u>\$ 4,220,825</u>	<u>\$ 7,536,827</u>	<u>\$ 162,097</u>	<u>\$ 2,250,000</u>	<u>\$ 14,169,749</u>

Transfer Purpose

- (1) Capital Projects Funding
- (2) Supplemental Funding
- (3) Return on Investment
- (4) Repayment of Construction Advance

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Note 5 - Capital Assets

Capital asset activity for the year ended September 30, 2024, was as follows:

	Beginning Balances	Increases	Decreases	Ending Balance
Governmental Activities				
Capital Assets Not Being Depreciated:				
Land	\$ 29,373,496	\$ -	\$ -	\$ 29,373,496
Construction In Progress	30,750,015	16,542,654	(28,608,430)	18,684,239
Total Capital Assets Not Being Depreciated	60,123,511	16,542,654	(28,608,430)	48,057,735
Capital Assets Being Depreciated:				
Buildings and Improvements	59,477,104	5,145,652	-	64,622,756
Equipment	20,367,169	2,057,250	(226,587)	22,197,832
Subscription-Based IT Arrangements	-	163,702	-	163,702
Road Network	33,148,818	9,040,400	(610,705)	41,578,513
Other Infrastructure Networks	28,264,580	2,994,180	(124,495)	31,134,265
Total Capital Assets Being Depreciated	141,257,671	19,401,184	(961,787)	159,697,068
Less Accumulated Depreciation for:				
Buildings and Improvements	(25,468,828)	(2,098,265)	-	(27,567,093)
Equipment	(14,995,604)	(1,759,111)	222,157	(16,532,558)
Subscription-Based IT Arrangements	-	(32,740)	-	(32,740)
Road Network	(14,049,641)	(425,356)	393,906	(14,081,091)
Other Infrastructure Networks	(23,328,667)	(387,990)	124,495	(23,592,162)
Total Accumulated Depreciation	(77,842,740)	(4,703,462)	740,558	(81,805,644)
Total Being Depreciated, Net	63,414,931	14,697,722	(221,229)	77,891,424
Governmental Activities Capital Assets, Net	\$ 123,538,442	\$ 31,240,376	\$ (28,829,659)	\$ 125,949,159
	Beginning Balances	Increases	Decreases	Ending Balance
Business-Type Activities				
Capital Assets Not Being Depreciated:				
Land	\$ 4,388,198	\$ -	\$ -	\$ 4,388,198
Construction In Progress	22,051,569	3,975,800	(3,240,427)	22,786,942
Total Capital Assets Not Being Depreciated	26,439,767	3,975,800	(3,240,427)	27,175,140
Capital Assets Being Depreciated/Amortized:				
Buildings and Improvements	373,386,626	24,541,733	(82,104)	397,846,255
Equipment	13,816,145	1,547,028	(191,866)	15,171,307
Equipment Under Leases	682,985	-	-	682,985
Total Capital Assets Being Depreciated/Amortized	387,885,756	26,088,761	(273,970)	413,700,547
Less Accumulated Depreciation and Amortization for:				
Buildings and Improvements	(205,902,821)	(10,426,247)	54,452	(216,274,616)
Equipment	(10,287,779)	(1,117,534)	191,866	(11,213,447)
Equipment Under Leases	(117,571)	(159,526)	-	(277,097)
Total Accumulated Depreciation and Amortization	(216,308,171)	(11,703,307)	246,318	(227,765,160)
Total Being Depreciated or Amortized, Net	171,577,585	14,385,454	(27,652)	185,935,387
Business-Type Activities Capital Assets, Net	\$ 198,017,352	\$ 18,361,254	\$ (3,268,079)	\$ 213,110,527

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
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Depreciation and amortization expense was charged to functions/programs of the City as follows:

Governmental Activities	
General Government	\$ 1,870,239
Law Enforcement	1,002,473
Building Inspections	17,442
Physical Environment	391,261
Roads and Streets	833,845
Parks and Recreation	507,261
Internal Service Funds	80,941
Total Depreciation and Amortization Expense – Governmental Activities	\$ 4,703,462
Business-Type Activities	
Electric	\$ 6,837,244
Water and Sewer	3,111,526
Stormwater	1,034,575
Sanitation	65,971
Golf Course	454,592
Leased Facilities	12,600
Natural Gas	186,799
Total Depreciation and Amortization Expense – Business-Type Activities	\$ 11,703,307

Note 6 - Long-Term Debt

The following is a summary of changes in long-term debt for the year ended September 30, 2024:

	Balance September 30, 2023	Additions	Other Reductions	Balance September 30, 2024	Due Within One Year
Governmental Activities					
Accrued Compensated Absences	\$ 4,213,921	\$ 1,971,256	\$ (1,881,634)	\$ 4,303,543	\$ 860,709
Accrued Other Postemployment Benefits	1,434,414	3,748	-	1,438,162	-
Net Pension Liability	14,716,864	-	(1,781,161)	12,935,703	-
Other Contractual Pension Obligation - Fire	3,609,167	-	(504,547)	3,104,620	539,865
Liabilities under SBITAs	-	163,702	(33,023)	130,679	29,124
Total Governmental Activities	23,974,366	2,138,706	(4,200,365)	21,912,707	1,429,698
Business-Type Activities					
Accrued Compensated Absences	2,307,824	1,131,186	(1,071,593)	2,367,417	473,484
Accrued Other Postemployment Benefits	942,130	2,462	-	944,592	-
Net Pension Liability	10,896,385	-	(981,238)	9,915,147	-
Lease Liability	573,791	-	(153,699)	420,092	160,280
Total Business-Type Activities	14,720,130	1,133,648	(2,206,530)	13,647,248	633,764
Total Long-Term Obligations	\$ 38,694,496	\$ 3,272,354	\$ (6,406,895)	\$ 35,559,955	\$ 2,063,462

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Note 7 - Restricted Assets

The following table indicates the balances at September 30, 2024, for all restricted assets in the proprietary fund types:

	<u>Electric Fund</u>	<u>Natural Gas Fund</u>
Power Costs Recovered in Advance	\$ 11,911,285	\$ 923,868
Rate Stabilization	17,207,197	-
Customer Deposits	6,721,488	-
Total Restricted Assets	<u><u>\$ 35,839,970</u></u>	<u><u>\$ 923,868</u></u>

Note 8 - Florida Municipal Power Affiliation

The City is a member of the Florida Municipal Power Agency (FMPA) and a participant in three of its projects: the St. Lucie Project, the All Requirements Project, and the Florida Municipal Solar Project. FMPA currently has six major power supply projects in operation: (1) the St. Lucie Project; (2) the Stanton Project; (3) the Tri-City Project; (4) the Stanton 2 Project; (5) the All Requirements Project and (6) the Florida Municipal Solar Project.

The St. Lucie Project

On May 12, 1983, FMPA acquired an 8.8% undivided ownership interest in the St. Lucie Unit 2, a 934 megawatt (MW) nuclear power plant operated by Florida Power & Light Company (FPL). The St. Lucie Unit 2 began operation in 1983. In 2003, the Nuclear Regulatory Commission extended the plant's operating license by twenty years. It is now licensed to operate until 2043.

Fifteen of FMPA's members, including the City, are participants in the St. Lucie Project. As a participant in the St. Lucie Project, the City is entitled to 5.4 MW of FMPA's 73.5 MW capacity and energy associated with the St. Lucie Project.

Total expense for 2024 under this contract was \$2,469,963. The City's St. Lucie Power Supply and Sales contracts with FMPA extend through the later of: (1) the date on which related bond principal or other obligations are fully retired; (2) the date the St. Lucie Project is fully decommissioned or otherwise disposed of; or (3) the date all obligations of FMPA under its participation agreement with FPL have been fully satisfied.

The All Requirements Project

FMPA's All Requirements Project provides: (1) each Participant's power supply requirements above Excluded Power Supply Resources and Back-up and Support Services (capitalized terms are defined in the All Requirements Power Supply Contracts), if any, under All Requirements Services; and (2) reserves, losses, firming capacity, back-up energy, and certain associated transmission and dispatching services required for Excluded Power Supply Resources under Back-up and Support Services.

The All Requirements Project's current utility plant assets include varying ownership interests in Stanton Energy Center Units 1 and 2; Indian River Combustion Turbines A, B, C, and D; Stanton A, as well as a minority interest in the FPL St. Lucie nuclear plant. The All Requirements Project's current utility plant assets also consist of 100% ownership in Key West Stock Island Units 2, 3, and 4; the Treasure Coast Energy Center; and Cane Island Units 1, 2, 3, and 4.

NOTES TO FINANCIAL STATEMENTS
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In addition to its ownership facilities, FMPA has interchange and various power purchase contracts with Progress Energy, FPL, Southern Company and others.

The electric system's load in excess of that served from the St. Lucie Project is provided for by FMPA under the All Requirements Project. The City's highest system peak load for fiscal 2024 was in August 2024, at 161.592 MW. Total expense to the City under the All Requirements Project for 2024 was \$54,862,566.

The City and FMPA have entered into an All Requirements Project (ARP) Power Supply Contract (effective March 22, 1985, as amended on May 24, 1991, and January 22, 1999) which requires: 1) FMPA to sell and deliver to the City, and 2) the City to purchase from FMPA, all electric power that the City requires. The initial term of the ARP contract is October 1, 2030; however, on each October 1st, after the effective date, the contract automatically extends for an additional one-year period unless either party, at least one year prior to such automatic extension date, notifies the other party in writing of its decision not to extend the contract.

The City pays for electric power under the contract at the rates set forth in the rate schedules to the ARP contract, which FMPA may revise from time to time in accordance with the contract. The contract provides the option for the City to withdraw from the All-requirements Project after notice and making the debt payment, provided for in Section 29 of the contract (which, generally, is equal to the City's portion of the ARP Debt and other costs incurred, or expected to be incurred, by the ARP as a result of the City's withdrawal).

The Florida Municipal Solar Project

The Florida Municipal Solar Project will generate zero-emission energy, using only the sun as fuel. When the sun is shining, solar panels absorb the sun and convert it to electricity. This energy is then distributed through the electric grid to homes and businesses. FMPA's Florida Municipal Solar Project is a joint project of 16 municipal electric utilities. It is one of the largest municipal-backed solar projects in the United States with approximately 1.5 million solar panels that will be installed at five sites. The project will consist of five solar farms that will generate nearly 375 megawatts of zero-emissions energy, enough to power approximately 75,000 Florida homes. Each site will generate between 74.5 and 74.9 megawatts.

Interconnect Services

The City also has a contract for backup interconnection and electric service with Jacksonville Electric Authority (JEA) through an interconnection point at the Neptune Beach Substation. Total expense for 2024 under this contract was \$0.

Note 9 - Power Costs

The City uses a power cost true-up recomputed monthly in its electric rates. At September 30, 2024, the City was over-recovered from customers by \$11,911,285. This amount is expected to be returned to customers in future years. In 2013, the City adopted Resolution 1911-2013 establishing a rate stabilization reserve in order to reduce the impact of changes in power costs to the City's residents. The rate stabilization reserve is equal to three months of average power costs for the previous fiscal year. As of September 30, 2024, the rate stabilization reserve totaled \$17,207,197. This amount is included as a Deferred Inflow of Resources in the accompanying financial statements.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

The City also uses a cost of gas true-up recomputed monthly in its natural gas rates. At September 30, 2024, the City was over-recovered from customers by \$923,868. This amount will be returned to customers in future years.

Note 10 - Retirement Systems

Plan Descriptions

Substantially all full-time employees of the City were covered by the City of Jacksonville Beach, Florida, Public Employees' Retirement System (the PERS) through March 31, 2000.

Effective April 1, 2000, substantially all full-time employees were covered under one of three separate defined benefit pension plans formed on April 1, 2000, as a result of amendments to Florida Statutes mandated by the state legislature. Chapter 175.061 governing Firefighters' pensions and Chapter 185.05 governing Police Officers' pensions were amended to require separate pension plans for each of these groups of employees. On March 31, 2000, the predecessor pension plan (the PERS) ceased operations, and its assets, liabilities, and fund balance were divided among the following three distinct pension plans:

- General Employees' Retirement System (GERS)
- Police Officers' Retirement System (PORS)
- Firefighters' Retirement System (FFRS)

Each plan is considered a single-employer, defined benefit pension plan. Each of the plans present separate financial statements and are included as fiduciary component units of the City's financial reporting entity. The plans issue publicly available financial reports that include financial statements and required supplementary information. The GERS is administered by the Board of Trustees comprised of two members of City Council selected by the City Council, two members of the GERS elected by the membership, and a fifth member elected by the other four board members. The PORS and FFRS are both administered by a separate Board of Trustees comprised of two residents of the City appointed by City Council, two members of the PORS and FFRS elected by the membership, respectively, and a fifth member elected by the other four board members. The reports may be obtained by writing to the Payroll/Benefits Administrator, City of Jacksonville Beach, 11 North Third Street, Jacksonville Beach, Florida, 32250, or by calling (904) 247-6264.

Membership

As of October 1, 2023, employee membership data related to the pension plans were:

	<u>General Employees</u>	<u>Police Officers</u>	<u>Firefighters</u>
Inactive Plan Members or Their Beneficiaries			
Currently Receiving Benefits (Including DROP Participants)	197	43	22
Inactive Plan Members Entitled to Benefits, But Not Yet Receiving Them	11	4	1
Active Plan Members	<u>261</u>	<u>61</u>	<u>25</u>
Total	<u>469</u>	<u>108</u>	<u>48</u>

NOTES TO FINANCIAL STATEMENTS
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Effective November 19, 2019, the City entered into an agreement with the City of Jacksonville to provide advanced life support and fire services to residents and businesses of the City. The City's firefighters became employees of the City of Jacksonville. At that time, the Jacksonville Beach Firefighters' Retirement Plan was closed to new members. Each firefighter in active service on the effective date was given the opportunity to individually elect to continue participating in the Jacksonville Beach Firefighters' Retirement Plan or join the City of Jacksonville's defined contribution retirement plan. Those who elected to continue participating in the Jacksonville Beach Firefighters' Retirement Plan must continue to make legally required contributions and accrue service benefits under the Plan for as long as they are employed as certified firefighters by the City of Jacksonville.

The City will continue to be the plan administrator and is responsible for the unfunded actuarial accrued liability as determined by the plan actuary as of November 22, 2019. The City agreed to pay the unfunded liability (representing a fixed contractual obligation) at that time totaling \$5,318,174 into the Plan over a 10-year period. Annual contributions towards the unfunded liability are \$707,653, including interest. The City of Jacksonville is responsible for paying the total required contribution to the Jacksonville Beach Firefighters' Pension Plan and estimated annual employee contributions attributable to services rendered after November 23, 2019. As such, the City is no longer subject to the provisions of GASB 68, *Accounting and Financial Reporting for Pensions*, as it relates to the Firefighters' Pension Plan, as the City is no longer considered the Plan employer. The City's contractual pension obligation totaled \$3,104,620 as of September 30, 2024.

Benefits

The pension plans provide retirement benefits, deferred allowances, and death and disability benefits. The plan assets are available to pay the general, police, and firefighters categories of employees, respectively.

The following table shows a summary of benefits for each pension plan. Pension plan provisions were modified significantly during fiscal year 2014.

CITY OF JACKSONVILLE BEACH GENERAL EMPLOYEES' PENSION PLAN				
Provision	Employees with Less Than 5 Years of Service on November 25, 2013	Employees with at Least 5 Years of Service but Less Than 10 Years of Service on November 25, 2013	Employees with 10 or More Years of Service on November 25, 2013	Employees with 30 Years of Service or Age 60 with 5 Years of Service on November 25, 2013
Benefit Formula	2.5% for all years of service (\$100,000 or 75% maximum)			2.5% for all years of service (75% maximum)
Normal Retirement Date	Age 55 with 30 years of service; or age 62 with 10 years of service	Age 62 with 10 years of service; or age 55 with 30 years of service; or age 65 with 5 years of service	Age 60 with 5 years of service; or 30 years of service regardless of age	
Pensionable Pay	Base pay + longevity pay; excluding overtime, shift differential, leave payouts, and all other compensation			Base pay, longevity, overtime, shift differential and incentive pay

NOTES TO FINANCIAL STATEMENTS
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CITY OF JACKSONVILLE BEACH, FLORIDA

CITY OF JACKSONVILLE BEACH POLICE OFFICERS' PENSION PLAN				
Provision	Employees with Less Than 5 Years of Service on June 23, 2014	Employees with at Least 5 Years of Service but Less Than 10 Years of Service on June 23, 2014	Employees with 10 or More Years of Service on June 23, 2014	Employees with 30 Years of Service; Age 52 with 25 Years of Service; Age 55 with 5 Years of Service on June 23, 2014
Benefit Formula	3% for all years of service (\$100,000 or 90% maximum)			3% - first 30 years; 2% thereafter (100% maximum)
Normal Retirement Date	Age 52 with 25 years of service; or Age 55 with 10 years of service; or 30 years of service regardless of age		Age 52 with 25 years of service; or Age 55 with 5 years of service; or 30 years of service regardless of age	
Pensionable Pay	Base pay + 300 hours of overtime per year + longevity pay + incentive pay; excluding overtime >300 hours, leave payouts, and all other compensation			Base pay, longevity, overtime, shift differential and incentive pay

CITY OF JACKSONVILLE BEACH FIREFIGHTERS' PENSION PLAN					
Provision	Employees Hired After July 21, 2014	Employees with Less Than 5 Years of Service on July 21, 2014	Employees with at Least 5 Years of Service but Less Than 10 Years of Service on July 21, 2014	Employees with 10 or More Years of Service on July 21, 2014	Employees with 30 Years of Service; Age 52 with 25 Years of Service; Age 55 with 5 Years of Service on July 21, 2014
Benefit Formula	3% for all years of service (\$90,000 or 90% maximum)				3% - first 30 years; 2% thereafter (100% maximum)
Normal Retirement Date	Age 52 with 25 years of service; or Age 55 with 10 years of service; or 30 years of service regardless of age			Age 52 with 25 years of service; or Age 55 with 5 years of service; or 30 years of service regardless of age	
Pensionable Pay	Base pay + longevity pay + incentive pay; excluding overtime, leave payouts, and all other compensation				Base pay, longevity, overtime, shift differential and incentive pay
COLA	No COLA	2% increase on benefits earned prior to the effective date; 1% annual increase on benefits earned after the effective date			2% increase on 2 nd anniversary and annually thereafter

Pension provisions include death benefits when the death is non-duty-related, whereby the surviving beneficiary(ies) is (are) entitled to receive annually an amount equal to 100% of the employee's normal retirement benefit as long as the employee has attained 10 or more years of service. When the death is duty-related, the ten-year service requirement is waived. The surviving spouse is entitled to receive 100% of the employee's normal retirement benefit, with a minimum benefit of 35% of their final average compensation.

Contributions

For the year ended September 30, 2024, plan participants were required to pay 7.95% of their annual compensation to their respective pension plan. The payments are deducted from the employees' wages or salary and remitted by the City to the respective plan at the end of each pay period. If an employee leaves the employment of the City before he or she is vested, the accumulated contributions plus earned interest are refunded to the employee or the employee's designated beneficiary. If an employee leaves the employment of the City after becoming vested, but before attaining retirement age, the employee or the employee's designated beneficiary has the option of being refunded the accumulated contributions plus earned interest or keeping the funds in the plan and receiving benefits under the plan upon reaching retirement age.

NOTES TO FINANCIAL STATEMENTS
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For the GERS and the PORS, the City makes periodic contributions totaling a minimum of 100% of the annual actuarially determined amount to the pension plan. In addition to the employer contribution, the Police Officers' pension plan receives a distribution of casualty premium tax monies from the State of Florida pursuant to Chapter 185, Florida Statutes. The on-behalf payments received from the State of Florida totaling \$345,163 for the period ending September 30, 2024, were recognized as revenues and expenses in the General Fund and were used to reduce the City's contribution to the Police Officers' pension plan.

For the period ended September 30, 2024, the actuarially determined contribution amount for the City was to be \$3,948,645, including estimated contributions from the State of Florida. The City's actual contribution was \$4,050,710, including actual contributions from the State of Florida. These contributions were determined pursuant to an actuarial valuation dated October 1, 2022.

There were no contributions due to the plans by the City at September 30, 2024.

Investment Policy

The following are the three Boards' adopted asset allocation policy as of September 30, 2024:

<u>Asset Class</u>	<u>Target Allocation</u>
Domestic Equity	47.5%
Alternative Equity	2.5%
International Equity	10%
Core Fixed Income	27.5%
Non-Core Fixed Income	5%
Alternative Fixed Income	2.5%
Real Estate	5%
Total	<u><u>100%</u></u>

Concentration

The plan did not hold investments in any one organization subject to the organizational limit that represents 5% or more of the pension plans' fiduciary net position.

Rate of Return

For the years ended September 30, 2024 and 2023, the annual money-weighted rate of return on plan investments, net of plan investment expense, was 23.11% and 9.64%, respectively. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Investment Values

Investments in securities are reported at fair value. Corporate bond securities are assigned a value based on yields currently available on securities of issuers with credit ratings similar to the securities held by the pension plan. Unrestricted capital stock securities are assigned a value based on quoted market prices. There are no investments in, loans to, or leases with parties related to the pension plans.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Schedule of Pension Plan Net Position as of September 30, 2024

	General Employees	Police Officers	Firefighters	Totals
Assets				
Cash and Cash Equivalents	\$ 2,021,532	\$ 1,184,502	\$ 615,357	\$ 3,821,391
Accrued Interest	122,968	57,333	35,350	215,651
Investments:				
Equities, Including Mutual Funds	48,662,009	22,962,888	15,018,525	86,643,422
Corporate Bonds	8,135,940	3,793,330	2,338,886	14,268,156
U.S. Government Obligations/Agencies	10,089,545	4,704,187	2,900,501	17,694,233
Real Estate Fund	2,994,216	1,396,035	860,765	5,251,016
Total Investments	<u>69,881,710</u>	<u>32,856,440</u>	<u>21,118,677</u>	<u>123,856,827</u>
Total Assets	<u>72,026,210</u>	<u>34,098,275</u>	<u>21,769,384</u>	<u>127,893,869</u>
Liabilities				
Accounts Payable	3,697	3,697	3,697	11,091
Other Accrued Liabilities	1,896	673	442	3,011
Total Liabilities	<u>5,593</u>	<u>4,370</u>	<u>4,139</u>	<u>14,102</u>
Net Position Restricted for Pensions	<u>\$ 72,020,617</u>	<u>\$ 34,093,905</u>	<u>\$ 21,765,245</u>	<u>\$ 127,879,767</u>

Schedule of the Change in Pension Plan Net Position as of September 30, 2024

	General Employees	Police Officers	Firefighters	Totals
Additions				
Contributions				
Employee	\$ 1,517,266	\$ 491,997	\$ 153,138	\$ 2,162,401
Employer:				
City of Jacksonville Beach	2,335,245	662,649	707,653	3,705,547
City of Jacksonville	-	-	389,373	389,373
State of Florida	-	345,163	-	345,163
Total Contributions	<u>3,852,511</u>	<u>1,499,809</u>	<u>1,250,164</u>	<u>6,602,484</u>
Investment Income				
Investment Earnings	13,916,178	6,506,750	4,045,761	24,468,689
(Investment Expenses)	(93,703)	(44,377)	(28,583)	(166,663)
Net Investment Income	<u>13,822,475</u>	<u>6,462,373</u>	<u>4,017,178</u>	<u>24,302,026</u>
Total Additions	<u>17,674,986</u>	<u>7,962,182</u>	<u>5,267,342</u>	<u>30,904,510</u>
Deductions				
Benefits	5,748,234	1,868,926	790,546	8,407,706
Refunds of Contributions	153,618	68,775	-	222,393
Administrative Expense	174,280	101,842	81,351	357,473
(Total Deductions)	<u>(6,076,132)</u>	<u>(2,039,543)</u>	<u>(871,897)</u>	<u>(8,987,572)</u>
Change in Net Position	<u>11,598,854</u>	<u>5,922,639</u>	<u>4,395,445</u>	<u>21,916,938</u>
Net Position, Beginning of Year	<u>60,421,763</u>	<u>28,171,266</u>	<u>17,369,800</u>	<u>105,962,829</u>
Net Position, End of Year	<u>\$ 72,020,617</u>	<u>\$ 34,093,905</u>	<u>\$ 21,765,245</u>	<u>\$ 127,879,767</u>

Basis of Accounting – Pension Trust Funds

The Pension Trust Fund statements are prepared on the accrual basis of accounting. Contributions from the City and the City's employees are recognized as revenue in the period in which employees provide services to the City. Interest and dividend income is recognized when earned by the pension plan.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Realized gains and losses on the sale of investments held by the pension plan are recognized when incurred. Net appreciation in the fair value of investments held by the pension plan is recorded as an increase to investment income based on the valuation of investments as of the date of the statement of plan net position available for benefits. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

Measurement Date

As permitted by GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, the City elected to use a measurement date to value the net pension liability and related deferred inflows and outflows as of September 30, 2023, one year prior to the reporting date.

Net Pension Liability

The components of the net pension liability for the General Employees' Plan and Police Officers' Plan as of September 30, 2023, and for the year then ended, were as follows:

General Employees' Pension Plan

	(a) Total Pension Liability	(b) Plan Fiduciary Net Position	(a) - (b) Net Pension Liability
Balance, Beginning of Year	\$ 77,675,753	\$ 57,101,056	\$ 20,574,697
Service Cost	1,979,653	-	1,979,653
Interest	5,687,138	-	5,687,138
Differences Between Expected and Actual Experience	(631,284)	-	(631,284)
Changes of Assumptions	-	-	-
Contributions - Employer	-	2,356,822	(2,356,822)
Contributions - Employee	-	1,410,829	(1,410,829)
Net Investment Income	-	5,393,601	(5,393,601)
Benefit Payments Including Refunds of Employee Contributions	(5,674,142)	(5,674,142)	-
Administrative Expenses	-	(166,403)	166,403
Net Changes	1,361,365	3,320,707	(1,959,342)
Balance, End of Year	<u>\$ 79,037,118</u>	<u>\$ 60,421,763</u>	<u>\$ 18,615,355</u>

Police Officers' Pension Plan

	(a) Total Pension Liability	(b) Plan Fiduciary Net Position	(a) - (b) Net Pension (Asset) Liability
Balance, Beginning of Year	\$ 31,326,606	\$ 26,288,054	\$ 5,038,552
Service Cost	868,130	-	868,130
Interest	2,316,992	-	2,316,992
Differences Between Expected and Actual Experience	(370,085)	-	(370,085)
Changes of Assumptions	-	-	-
Contributions - Employer and State	-	742,170	(742,170)
Contributions - Employee	-	498,855	(498,855)
Net Investment Income	-	2,484,432	(2,484,432)
Benefit Payments Including Refunds of Employee Contributions	(1,734,882)	(1,734,882)	-
Administrative Expenses	-	(107,363)	107,363
Net Changes	1,080,155	1,883,212	(803,057)
Balance, End of Year	<u>\$ 32,406,761</u>	<u>\$ 28,171,266</u>	<u>\$ 4,235,495</u>

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Actuarial Assumptions

The total pension liability was based on an actuarial valuation as of October 1, 2022, and a measurement date of September 30, 2023, using the following actuarial assumptions applied to all measurement periods. The rationale for the actuarial assumptions were developed using an experience study last updated in 2002.

Inflation	2.5%
Salary Increases	2.5% - 6.3% (Including Inflation)
Investment Rate of Return	7.5% - General Employees' and Police Officers'

Mortality rates were based on the House Bill 1309, which mandated the use of the Florida Retirement System (FRS) mortality tables, which use variations of the fully generational PUB-2010 Mortality Tables with projection scale MP-2018.

The long-term expected rate of return on pension plan investments was determined using the building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expenses and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plans' target asset allocation are summarized below:

<u>Asset Class</u>	<u>Long-Term Expected Rate of Return (Excluding Inflation)</u>
Domestic Equity	7.5%
International Equity	8.5%
Domestic Bonds	2.5%
International Bonds	3.5%
Real Estate	4.5%
Alternative Assets	6.24%
Cash	0%

Discount Rate

The discount rate used to measure the total pension liability for the General Employees' and Police Officers' Plan was 7.5%. The projection of cash flows used to determine the single discount rate assumed that plan member contributions will be made at the current contribution rate and that employer contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on these assumptions, the pension plans' fiduciary net positions were projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The single discount rate reflects the long-term expected rate of return on pension plan investments including inflation.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

The table below provides the sensitivity of the net pension liability to changes in the discount rate. The table represents the plans' net pension liability, if it were calculated using a single discount rate that is one-percentage point lower or one-percentage point higher than the single discount rate.

Sensitivity of Net Pension Liability to the Single Discount Rate Assumption				
	1% Decrease 6.50%		Current Discount Rate 7.50%	1% Increase 8.50%
General Employees' Pension Plan:	\$ 26,637,938	\$	18,615,355	\$ 10,751,932
Police Officers' Pension Plan:	\$ 8,106,347	\$	4,235,495	\$ 985,752

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2024, the City recognized pension expense as follows:

General Employees' Pension Plan	\$ 3,374,704
Police Officers' Pension Plan	1,398,868
Total	<u><u>\$ 4,773,572</u></u>

At September 30, 2024, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

Deferred Outflows of Resources

	General Employees'	Police Officers'	Total
Contributions Made After the Measurement Date	\$ 2,335,245	\$ 1,007,812	\$ 3,343,057
Differences Between Expected and Actual Experience	843,491	154,876	998,367
Net Difference Between Projected and Actual Earnings on Pension Plan Investments	5,758,649	2,720,971	8,479,620
Total	<u><u>\$ 8,937,385</u></u>	<u><u>\$ 3,883,659</u></u>	<u><u>\$ 12,821,044</u></u>

Deferred Inflows of Resources

	General Employees'	Police Officers'	Total
Differences Between Expected and Actual Experience	\$ 590,554	\$ 577,458	\$ 1,168,012
Changes in Assumptions	546,216	415,166	961,382
Total	<u><u>\$ 1,136,770</u></u>	<u><u>\$ 992,624</u></u>	<u><u>\$ 2,129,394</u></u>

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Contributions made after the measurement date (shown above) but before the end of the City's reporting period will be recognized as a reduction of the net pension liability in the fiscal year ending September 30, 2025, the fiscal period subsequent to the actuarial measurement date.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending September 30,	General Employees'	Police Officers'	Total
2025	\$ 1,156,433	\$ 382,137	\$ 1,538,570
2026	1,578,417	502,363	2,080,780
2027	3,087,431	1,192,736	4,280,167
2028	(356,911)	(166,813)	(523,724)
2029	-	(27,200)	(27,200)
Total	\$ 5,465,370	\$ 1,883,223	\$ 7,348,593

Note 11 - Interlocal Agreement

In 1984, pursuant to an interlocal agreement authorized by Florida Statutes, Section 163.01, the City joined with the City of Neptune Beach and the City of Atlantic Beach to construct and operate effluent outfall lines and disposal facilities, together with all the lands, right-of-ways, easements, and other entitlements necessary for the construction and use thereof.

Each party to the agreement was solely responsible for the design and construction of its individually used segments. For the shared segments, the initial capital costs allocation to the three parties was based upon each city's reserved capacity as a percentage of total capacity.

Annual repair and maintenance of the shared outfall lines is prorated to each city based upon the applicable reserved capacity allocations. In 2003, upon mutual consent, the parties adjusted the percentages to reflect current permitted capacity as follows:

	Atlantic Beach Tie-in to Discharge Point	Neptune Beach Tie-in to Atlantic Beach Tie-in
Atlantic Beach, Florida	45%	0.0%
Jacksonville Beach, Florida	41.3%	75.0%
Neptune Beach, Florida	13.7%	25.0%
Total	100.0%	100.0%

The City contributed \$0 to the interlocal agreement during 2024. As of September 30, 2024, the City had no commitment related to outfall repairs and maintenance and the interlocal agreement had no outstanding debt. There are no separate financial statements prepared for the interlocal agreement. The City records its capital assets related to the interlocal agreement in the water/sewer enterprise fund.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Note 12 - Commitments, Contingencies, and Encumbrances

Grants

The City participates in federal, state, and county programs that are fully or partially funded by grants received from other governmental units. In management's opinion, there are no material instances of non-compliance relating to these grants.

Litigation

The City is a party to claims and lawsuits arising in the normal course of business. Management does not expect that these matters will have a material effect on the financial position or results of operations of the City.

Construction Commitments

As of September 30, 2024, the City had the following commitments related to significant unfinished capital projects:

Project	Expended as of September 30, 2024	Remaining Commitment
10 St S Infrastructure (10STS2)	\$ 49,588	\$ 110,700
4TH St. S. Roadway Improvements	641,215	6,499,585
A1A Gravity Sewer Main Improvements	-	1,039,100
Chlorine Conversion at both Water Treatment Plants	2,500,462	1,893,929
Downtown Infrastructure Improvements Phase3C Projects 4&5	9,182,388	17,709,019
Dune Walkover Improvements	1,655,235	286,514
Electric Infrastructure Improvements	94,440	1,745,060
Electric Transmission Infrastructure Improvements	-	64,274
Electric Substation Improvements	19,072	78,382
Electric Transmission Infrastructure Improvements	159,500	1,276,000
Evans Drive Drainage Improvements	147,950	114,198
Gonzales Park Improvements	30,022	286,910
Gravity Sewer 18th Ave N (LS8DEM)	8,412	2,541
Lift Station #2 Rehabilitation (VREH2)	58,439	234,427
Lift Stations Number 25 Improvements	-	66,070
Lift Stations Number 5 Improvements	16,451	30,861
Lift Stations Numbers 28 & 33 Improvements	334,645	570,401
Lift Stations Numbers 7 & 20 Improvements	365,076	271,599
Ocean Terrace Drainage Improvements	60,496	6,451
Passive Park	14,700	18,200
PCP North Digester Tanks and Air Piping Improvements	114,725	58,950
Penman Road Sewer System Improvements	-	41,042
South Beach Park Splash Pad Improvements	-	226,405
Urban Trails	84,038	49,772
Wastewater Effluent Elimination Compliance Project	20,054	402,434
Wastewater Treatment Facility Biosolid Dewatering System Upgrade	1,925,582	6,743,869
Water Main Improvements	\$276,638	365,962
Total	\$ 17,759,128	\$ 40,192,655

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Fire Services Agreement

As previously discussed, the City entered into an Interlocal Agreement with the City of Jacksonville for Advanced Life Support and Fire Services effective November 23, 2019. As part of this agreement, the City is required to pay \$2,220,000 in the first year for services provided with amounts being increased each subsequent year by 2.5% or the annual percentage increase in the U.S. Consumer Price Index, whichever is greater. The term of the agreement is 20 years.

Encumbrances

Significant encumbrances included in governmental fund balances are as follows:

Fund	Restricted Fund Balance	Assigned Fund Balance
General Fund	\$ -	\$ 292,857
General Capital Projects Fund	-	2,449,864
Community Redevelopment Fund	22,783,990	-
Other Governmental Funds	9,892,381	-
Total	\$ 32,676,371	\$ 2,742,721

Note 13 - Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. In response to that risk, the City has implemented a risk management program. The major features of the program include the following:

- Beginning in fiscal year 2020, the City is fully insured for workers compensation claims. Prior to fiscal year 2020, the City was self-insured workers' compensation risks up to \$150,000 per claim.
- Continuing a \$25,000 general liability coverage deductible.
- Funding adequate reserves to cover self-insuring workers' compensation retentions and liability and property insurance deductibles.
- Competitive solicitation of insurance and self-insurance proposals.

During 2024, the City purchased commercial insurance against losses for the following types of risk:

- Real and personal property damage, including flood damage.
- General, cyber, and automobile liability.
- Commercial crime.
- Police professional liability.
- Health.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Substantially all risk management activities are accounted for by the City within its internal service fund. Total expenses for risk management services (including claims and commercial insurance) were \$5,094,256 in 2024, and \$4,698,928 in 2023.

The City is self-insured for three remaining workers' compensation claims with the Florida League of Cities, Inc. providing aggregate excess coverage. Beginning in fiscal year 2020, the City became fully insured for all new claims.

The internal service fund is charging other funds of the City for risk management services based on costs incurred of the program. For 2024, actual costs exceeded interdepartmental charges and other earnings by \$140,344. For 2023, actual costs exceeded interdepartmental charges and other earnings by \$410,595. The self-insurance fund has unrestricted net position of \$3,445,977 at September 30, 2024.

There were no significant reductions in insurance coverage from 2023 to 2024.

The estimated liability for self-insured losses of \$354,157 accrued in the self-insurance fund at September 30, 2024, is based on the requirements of GASB Statement No. 10, which requires that a liability for claims be reported if information prior to the issuance of the financial statements indicates that it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated. Estimates must be re-evaluated annually based on current year payment activity and progression of remaining open claims. Based on prior claims activity and the nature of outstanding claims remaining, it is considered to be reasonably possible that the full current estimated claims payable amount may be paid within one year of the reporting date. Should the remaining claims not be liquidated, a revised estimate will be performed, with the remaining liability reported as a current liability. Changes in the self-insurance fund's estimated liability were as follows for September 30:

	<u>2024</u>	<u>2023</u>
Beginning Balance	\$ 218,374	\$ 139,340
Current Year Claims and Changes in Estimates	168,034	49,872
Insurance Reimbursements (Claim Payments)	<u>(32,251)</u>	<u>29,162</u>
Ending Balance	<u>\$ 354,157</u>	<u>\$ 218,374</u>

Note 14 - Leases and Subscription-Based Information Technology Arrangements (SBITAs)

City as Lessor

The City has four facilities that have rental space available. Additionally, the City leases available space on cell towers for pole attachments. Revenues from the facilities' and towers' operating leases and the related maintenance expenses are accumulated in the City's Leased Facilities Fund; and fund net income is used to make technology purchases.

Lease agreements for the Community Services Center, the Industrial Park, and Penman Park are for initial five-year terms, renewable in one to three-year increments and with the option for the City to cancel with ninety days' notice; the lessee may cancel the lease with thirty days' notice, but only in the event of elimination of their programs' primary funding source(s). The lease agreement for the Marina building was for an initial five-year term and is renewable in five-year increments, with the option for the lessee to cancel with 90 days' notice prior to the expiration of each renewal term. After the first twenty years

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

of the lease, the City may terminate the lease with three hundred and sixty-five days' notice prior to the expiration of any renewal term. Lease agreements for cell tower space are for initial five-year terms and are renewable in five-year increments, with the option for the lessee to cancel the lease given 90 days' notice prior to the expiration of each renewal term; the lessor has no rights of cancellation without cause during the term of any cell tower lease.

Charges for space at the Community Services Center, the Industrial Park, Penman Park, and the Marina building are based on the size of the area leased; cell tower charges are based on square footage of tower and ancillary ground-level space utilized. Payments are due monthly at the beginning of each month for all leases with an annual escalation of 4% applied across all leases, with the exception of the Marina building, which is subject to a 3% annual escalation on payments. No leases of the City contain variable payment components. There are no contingent rentals or subleases at any of the facilities. Imputed interest on all leases is considered to be the incremental borrowing rate of the City, which was 2% at inception of the leases.

The City received the following inflows of resources from leases in 2024:

Lease Revenue Recognized	\$ 145,104
Interest Revenue Recognized	<u>24,184</u>
Total Inflows of Resources from Leases	<u>\$ 169,288</u>

City as Lessee

Commencing January 1, 2023, the City entered into two lease agreements for operational assets for the City's golf course, including golf carts and associated GPS units for the carts. Terms of these leases are 52 months from the date of inception, terminating April 30, 2027. The City applied an imputed rate of interest of 4.2% for these leases, based on the stated interest rate of 4.2% on additional golf course operational asset leases as described below, as all leases are for similar assets and were entered into within the same timeframe. The leases include no variable components, residual value guarantees, or bargain purchase options.

Commencing February 1, 2023, the City entered into three lease agreements for operational assets for the City's golf course, including golf carts and a range picker car. Terms of the leases are 48 months from the date of inception, terminating January 31, 2027, at a stated rate of interest of 4.2%. The leases include no variable components, residual value guarantees, or bargain purchase options.

Lease payments made under these agreements during the fiscal year ended September 30, 2024, were \$174,862, including \$153,699 of principal and \$21,163 of interest expense. Future minimum lease payments, including principal and interest components, under this lease are as follows:

Year Ending September 30,	Principal	Interest	Total
2025	\$ 160,280	\$ 14,582	\$ 174,862
2026	167,143	7,719	174,862
2027	<u>92,669</u>	<u>1,241</u>	<u>93,910</u>
Total	<u>\$ 420,092</u>	<u>\$ 23,542</u>	<u>\$ 433,634</u>

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

City as SBITA Obligor

Commencing July 1, 2024, the City entered into a subscription-based information technology arrangement (SBITA) for cloud-based server hosting software. The term of the agreement is 60 months from the date of inception, terminating June 30, 2028. The City applied an imputed rate of interest of 4.13% for the agreement, based on the stated interest rates of long-term obligations (leases of physical assets) entered into within the same general timeframe and for a similar term. The SBITA includes no variable components or commitments prior to commencement of the term, and no impairment losses were noted related to the underlying software assets.

Payments made under the SBITA during the fiscal year ended September 30, 2024, were \$33,500, including \$33,023 of principal and \$477 of interest expense. Future minimum lease payments, including principal and interest components, under this lease are as follows:

<u>Year Ending September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2025	\$ 29,124	\$ 5,397	\$ 34,521
2026	31,393	4,194	35,587
2027	33,802	2,898	36,700
2028	36,360	1,502	37,862
Total	<u>\$ 130,679</u>	<u>\$ 13,991</u>	<u>\$ 144,670</u>

Note 15 - Other Postemployment Benefits (OPEB)

Plan Description

As part of a single-employer postemployment benefit plan, the City offers postemployment medical, dental, and life insurance benefits to any employee who satisfies the disability, early, or normal retirement provisions of the applicable retirement plan (GERS, PORS, or FFRS). Eligibility requirements for retirement under the City's three retirement systems may be obtained by writing to the Payroll/Benefits Administrator, City of Jacksonville Beach, 11 North Third Street, Jacksonville Beach, Florida, 32250, or by calling (904) 247-6264. According to the Substantive Plan, retired police officers, firefighters, and general employees, as well as their dependents, are permitted to remain covered under the City's medical plans as long as they pay the premium charged by the insurance company for the plan and coverage elected. The amount of the contributions required for retiree and dependent coverage may change from time to time. This conforms to the minimum requirements of governmental employers under Chapter 112.08, Florida Statutes. The plan does not issue separate financial statements.

Membership Information

The following table provides a summary of the number of participants in the plan as of September 30, 2022 (the latest actuarial valuation):

Inactive Plan Members or Beneficiaries Currently Receiving Benefits	22
Inactive Plan Members Entitled to but not yet Receiving Benefits	-
Active Plan Members	<u>280</u>
Total Plan Members	<u><u>302</u></u>

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Funding Policy

Currently, the City's OPEB plan is unfunded. That is, there is no separate trust fund or equivalent arrangement into which the City would make contributions to advance-fund the obligation, as it does for its pension plans. Therefore, the ultimate subsidies which are provided over time are financed directly by the general assets of the City, which are invested in very short-term fixed income instruments. Although an actuarial valuation for the OPEB plan was completed to measure current year's subsidies and project future subsidies, the City Council has not determined if a separate trust fund or equivalent arrangement will be established.

Total OPEB Liability

The City's total OPEB liability of \$2,382,754 was measured as of September 30, 2023, which is one year prior to the reporting date. The actuarial valuation date was September 30, 2022.

Changes in the Total OPEB Liability

Total OPEB Liability, Beginning of Year	<u>\$ 2,376,544</u>
Service Cost	80,349
Interest on Total OPEB Liability	105,236
Differences Between Expected and Actual Experience	-
Changes of Assumptions and Other Inputs	(49,059)
Benefit Payments	<u>(130,316)</u>
Net Change in Total OPEB Liability	<u>(6,210)</u>
Total OPEB Liability, End of Year	<u><u>\$ 2,382,754</u></u>

Changes of assumptions and other inputs include an increase of the discount rate from 4.40% as of the beginning of the measurement period to 4.63% at the end of the measurement period.

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following table presents the total OPEB liability of the City as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher than the current rate:

	1% Decrease	Current	1% Increase
	<u>3.63%</u>	<u>Discount Rate</u>	<u>5.63%</u>
	<u>4.63%</u>		
Total OPEB Liability	\$ 2,607,497	\$ 2,382,754	\$ 2,187,033

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following table presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are one percentage point lower or one percentage point higher than the current healthcare cost trend rates:

	1% Decrease	Current	1% Increase
	<u>Trend Rate</u>	<u>Healthcare cost</u>	<u>Trend Rate</u>
Total OPEB Liability	\$ 2,137,561	\$ 2,382,754	\$ 2,675,000

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the fiscal year ended September 30, 2024, the City recognized OPEB expense of \$16,643. At September 30, 2024, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

<u>Description</u>	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Benefits Paid after Measurement Date	\$ 146,903	\$ -
Differences between Expected and Actual Experience	427,730	88,906
Changes in Assumptions and Other Inputs	171,734	1,246,007
Total	<u>\$ 746,367</u>	<u>\$ 1,334,913</u>

Of the total amount reported as deferred outflows of resources related to OPEB, \$146,903 resulting from benefits paid subsequent to the measurement date and before the end of the fiscal year will be included as a reduction of the total OPEB liability in the year ended September 30, 2025. Other amounts reported as deferred outflows and inflows of resources related to OPEB will be recognized in OPEB expense as follows:

<u>Fiscal Year Ending September 30,</u>	<u>Amount</u>
2025	\$ (168,942)
2026	(167,395)
2027	(153,477)
2028	(37,093)
2029	(51,777)
Thereafter	(156,765)
Total	<u>\$ (735,449)</u>

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of the valuation and the historical pattern of sharing benefit costs between the employer and plan members. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

Actuarial methods and assumptions include the following:

Actuarial Valuation Date:	September 30, 2022
Measurement Date:	September 30, 2023
Reporting Date:	September 30, 2024
Actuarial Cost Method:	Entry Age Normal Cost
Inflation Rate:	2.50%
Discount Rate:	4.63%
Projected Salary Increases:	Salary increase rates used for General Employees and Police Officers in their respective pension actuarial valuation: 2.7% - 6.3% including inflation.
Retirement Age:	Retirement rates vary by group and are based on applicable pension valuations.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Mortality:	Mortality rates are the same as used in the July 1, 2022 actuarial valuation of the Florida Retirement System for Regular Class and Special Risk Class members. These rates were taken from adjusted Pub-2010 mortality tables published by the SOA with generational mortality improvements using Scale MP-2018. Adjustments to reference tables are based on the results of a statewide experience study covering the period 2013 through 2018.
Healthcare Cost Trend Rate:	Based on the Getzen Model, with a trend starting at 6.50% for 2023 followed by 6.25% for 2024, and then gradually decreasing to an ultimate trend rate of 4.00%.
Aging Factors:	Based on the 2013 SOA Study "Health Care Costs – From Birth to Death".
Expenses:	Administrative expenses are included in the per capita health costs.

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Taxes	\$ 18,057,931	\$ 18,159,510	\$ 18,195,975	\$ 36,465
Licenses and Permits	795,100	795,100	1,100,484	305,384
Intergovernmental	4,549,646	4,550,646	5,396,451	845,805
Charges for Services	548,000	548,000	781,009	233,009
Fines and Forfeitures	200,000	200,000	262,246	62,246
Interest and Other Revenue	304,500	400,954	1,727,095	1,326,141
Total Revenues	24,455,177	24,654,210	27,463,260	2,809,050
Expenditures				
Executive and Legislative	1,420,180	1,477,180	1,086,443	390,737
Finance	488,091	495,877	423,521	72,356
Planning and Development	1,400,700	1,568,036	1,445,542	122,494
Parks and Recreation	4,420,498	4,506,849	4,449,993	56,856
Public Works	1,973,595	1,985,764	1,881,236	104,528
Police	10,863,132	11,427,956	11,424,051	3,905
Fire	3,751,380	3,751,380	3,665,766	85,614
Non-Departmental	959,574	741,747	566,967	174,780
(Total Expenditures)	(25,277,150)	(25,954,789)	(24,943,519)	1,011,270
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	(821,973)	(1,300,579)	2,519,741	3,820,320
Other Financing Sources (Uses)				
Transfers in	4,221,973	4,221,973	4,220,825	(1,148)
Transfers (out)	(3,400,000)	(7,067,827)	(7,067,827)	-
Total Other Financing Sources (Uses)	821,973	(2,845,854)	(2,847,002)	(1,148)
Net Change in Fund Balance	\$ -	\$ (4,146,433)	\$ (327,261)	\$ 3,819,172

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
COMMUNITY REDEVELOPMENT FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Taxes	\$ 12,541,883	\$ 12,541,883	\$ 12,503,318	\$ (38,565)
Interest and Other Revenue	157,900	157,900	3,312,412	3,154,512
Total Revenues	<u>12,699,783</u>	<u>12,699,783</u>	<u>15,815,730</u>	<u>3,115,947</u>
Expenditures				
Current:				
General Government	2,128,222	2,231,142	1,578,442	652,700
Public Safety	1,478,674	1,582,469	1,116,295	466,174
Physical Environment	10	10	-	10
Transportation	-	604,780	-	604,780
Capital Outlay	11,924,945	43,965,781	11,791,535	32,174,246
(Total Expenditures)	<u>(15,531,851)</u>	<u>(48,384,182)</u>	<u>(14,486,272)</u>	<u>33,897,910</u>
Net Change in Fund Balance	<u>\$ (2,832,068)</u>	<u>\$ (35,684,399)</u>	<u>\$ 1,329,458</u>	<u>\$ 37,013,857</u>

NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

Note 1 - Stewardship, Compliance, and Accountability

Budgets

The City Council annually adopts a budget resolution for all funds of the City. A five-year capital improvement plan is prepared each year based on business requirements and internal five-year revenue and expense projections. Governmental fund annual operating budgets are adopted on a basis consistent with generally accepted accounting principles.

Encumbrance accounting is employed in the governmental funds. Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrances outstanding at year-end are included in fund balances as restricted, assigned, or committed and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year. Encumbered appropriations are carried forward into the subsequent years' budgets without being rebudgeted. All unencumbered budget appropriations, except project budgets, lapse at the end of each fiscal year.

All departments of the City submit requests for appropriation to the City Manager so that a budget may be prepared. The budget is prepared by fund, department, division, and object of expenditure, and includes information on the previous two years, current year budget, and proposed expenditures, and the means of financing them for the next fiscal year. Public hearings are conducted to obtain taxpayer comments.

Prior to October 1, the budget is legally enacted through passage of a resolution. Overall changes to the adopted budget must be approved by a majority vote of the City Council. The City Council may make supplemental appropriations during the year, up to the amount available for appropriation. At the close of each fiscal year, the unencumbered balance of each appropriation reverts to the fund from which it was appropriated and is subject to further appropriation.

Budgets are monitored at varying levels of classification detail; however, budgetary control is legally maintained at the fund level, except for the general fund, where it is maintained at the departmental level. Management must seek City Council approval to make budgetary amendments at the departmental level in the general fund, and at the fund level for all other funds. Management may, however, make a budget adjustment as long as it does not increase the overall budget for a department within the general fund or for any other fund in total.

**SCHEDULE OF CHANGES IN NET PENSION LIABILITY
AND RELATED RATIOS MULTI-YEAR
GENERAL EMPLOYEES
CITY OF JACKSONVILLE BEACH, FLORIDA
PENSION TRUST FUNDS**

Reporting Date - September 30:	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
Measurement Date - September 30:	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Total Pension Liability										
Service Cost	\$ 1,979,653	\$ 1,660,426	\$ 1,568,162	\$ 1,598,849	\$ 1,503,973	\$ 1,376,901	\$ 1,391,483	\$ 1,207,176	\$ 1,111,657	\$ 1,129,366
Interest on the Total Pension Liability	5,687,138	5,454,290	5,420,774	5,349,162	5,292,226	5,106,511	4,852,273	4,606,558	4,557,077	4,443,924
Difference Between Expected and Actual Experience	(631,284)	1,303,615	218,907	(533,465)	(1,027,446)	1,126,397	325,573	(1,228,033)	(891,893)	-
Assumption Changes (1), (2), (3), (4)	-	-	(1,459,419)	-	-	2,931,687	2,129,976	2,784,150	-	-
Benefit Payments	(5,427,690)	(5,042,246)	(5,149,912)	(4,908,805)	(4,346,876)	(4,555,656)	(4,599,574)	(3,929,634)	(4,052,263)	(3,669,967)
Refunds	(246,452)	(230,213)	(272,998)	(557,035)	(301,365)	(158,889)	(97,989)	(153,923)	(276,366)	(301,455)
Net Change in Total Pension Liability	1,361,365	3,145,872	325,514	948,706	1,120,512	5,826,951	4,001,742	3,286,294	448,212	1,601,868
Total Pension Liability-Beginning	77,675,753	74,529,881	74,204,367	73,255,661	72,135,149	66,308,198	62,306,456	59,020,162	58,571,950	56,970,082
Total Pension Liability-Ending (a)	79,037,118	77,675,753	74,529,881	74,204,367	73,255,661	72,135,149	66,308,198	62,306,456	59,020,162	58,571,950
Plan Fiduciary Net Position										
Employer and State Contributions	2,356,822	2,405,223	2,443,559	2,324,624	2,100,105	1,898,689	1,591,545	1,321,320	1,387,165	1,216,994
Employee Contributions	1,410,829	1,173,445	1,147,477	1,110,267	1,036,998	1,029,762	1,018,627	927,251	853,057	771,553
Pension Plan Net Investment Income	5,393,601	(10,994,068)	11,245,803	5,610,039	3,062,326	4,761,584	5,827,579	3,782,591	(153,496)	4,697,264
Benefit Payments	(5,427,690)	(5,042,246)	(5,149,912)	(4,908,805)	(4,346,876)	(4,555,656)	(4,599,574)	(3,929,634)	(4,052,263)	(3,669,967)
Refunds	(246,452)	(230,213)	(272,998)	(557,035)	(301,365)	(158,889)	(97,989)	(153,923)	(276,366)	(301,456)
Pension Plan Administrative Expense	(166,403)	(101,612)	(101,416)	(102,704)	(96,476)	(100,429)	(105,804)	(111,995)	(92,050)	(102,358)
Net Change in Plan Fiduciary Net Position	3,320,707	(12,789,471)	9,312,513	3,476,386	1,454,712	2,875,061	3,634,384	1,835,610	(2,333,953)	2,612,030
Plan Fiduciary Net Position-Beginning	57,101,056	69,890,527	60,578,014	57,101,628	55,646,916	52,771,855	49,137,471	47,301,861	49,635,814	47,023,784
Plan Fiduciary Net Position-Ending (b)	60,421,763	57,101,056	69,890,527	60,578,014	57,101,628	55,646,916	52,771,855	49,137,471	47,301,861	49,635,814
Net Pension Liability-Ending (a) – (b)	\$ 18,615,355	\$ 20,574,697	\$ 4,639,354	\$ 13,626,353	\$ 16,154,033	\$ 16,488,233	\$ 13,536,343	\$ 13,168,985	\$ 11,718,301	\$ 8,936,136
Plan Fiduciary Net Position as Percentage of Total Pension Liability	76.45%	73.51%	93.78%	81.64%	77.95%	77.14%	79.59%	78.86%	80.15%	84.74%
Covered Payroll	\$ 17,612,571	\$ 14,746,238	\$ 14,294,336	\$ 13,915,132	\$ 13,044,000	\$ 12,952,981	\$ 12,812,918	\$ 11,663,535	\$ 10,730,277	\$ 10,622,900
Net Pension Liability as a Percentage of Covered Payroll	105.69%	139.53%	32.46%	97.92%	123.84%	127.29%	105.65%	112.91%	109.21%	84.12%

Notes to Schedule:

- (1) - Assumption changes for the 9/30/16 measurement date include adding a 3% load on the present value of future benefits as a margin for future mortality improvements.
- (2) - Assumption changes for the 9/30/17 measurement date include lowering the investment return and wage inflation assumptions from 8.0% to 7.9% and 3.5% to 2.5%, respectively, and the use of the HB mandated FRS mortality tables.
- (3) - Assumption changes for the 9/30/18 measurement date include lowering the investment return from 7.9% to 7.5%.
- (4) - Assumption changes for the 9/30/21 measurement date include an update to and use of the HB mandated FRS mortality tables.

**SCHEDULE OF CHANGES IN NET PENSION LIABILITY
AND RELATED RATIOS MULTI-YEAR
POLICE OFFICERS
CITY OF JACKSONVILLE BEACH, FLORIDA
PENSION TRUST FUNDS**

Reporting Date - September 30:	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
Measurement Date - September 30:	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Total Pension Liability										
Service Cost	\$ 868,130	\$ 815,805	\$ 787,675	\$ 750,964	\$ 724,675	\$ 625,887	\$ 633,232	\$ 608,970	\$ 583,329	\$ 517,788
Interest on the Total Pension Liability	2,316,992	2,206,627	2,200,335	2,063,471	2,008,899	1,916,453	1,826,742	1,709,163	1,632,596	1,568,728
Benefit Changes (1)	-	-	-	-	-	-	-	-	-	(2,590,277)
Difference Between Expected and Actual Experience	(370,085)	126,843	(533,542)	279,135	(521,988)	177,596	(458,370)	(393,421)	-	54,979
Assumption Changes (2), (3), (4), (5)	-	-	(906,992)	-	-	1,221,310	675,123	776,974	-	-
Benefit Payments	(1,662,530)	(1,646,393)	(1,265,218)	(1,276,474)	(1,670,519)	(1,161,010)	(1,176,786)	(1,211,452)	(1,263,089)	(1,275,228)
Refunds	(72,352)	(26,525)	(17,162)	(15,301)	(31,896)	(65,031)	(94,019)	(5,905)	(62,865)	(150,660)
Net Change in Total Pension Liability	1,080,155	1,476,357	265,096	1,801,795	509,171	2,715,205	1,405,922	1,484,329	889,971	(1,874,670)
Total Pension Liability-Beginning	31,326,606	29,850,249	29,585,153	27,783,358	27,274,187	24,558,982	23,153,060	21,668,731	20,778,760	22,653,430
Total Pension Liability-Ending (a)	32,406,761	31,326,606	29,850,249	29,585,153	27,783,358	27,274,187	24,558,982	23,153,060	21,668,731	20,778,760
Plan Fiduciary Net Position										
Employer and State Contributions	742,170	653,851	1,024,101	909,449	802,241	691,323	705,983	662,694	562,835	530,453
Employee Contributions	498,855	448,906	493,053	399,342	383,822	362,140	353,277	343,112	328,665	263,978
Pension Plan Net Investment Income	2,484,432	(5,042,780)	4,983,666	2,411,239	1,316,052	1,991,673	2,367,943	1,498,725	(59,565)	1,819,901
Benefit Payments	(1,662,530)	(1,646,393)	(1,265,218)	(1,276,474)	(1,670,519)	(1,161,010)	(1,176,786)	(1,211,452)	(1,263,089)	(1,275,228)
Refunds	(72,352)	(26,525)	(17,162)	(15,301)	(31,896)	(65,031)	(94,019)	(5,905)	(62,865)	(150,660)
Pension Plan Administrative Expense	(107,363)	(81,970)	(83,994)	(80,908)	(77,460)	(88,504)	(80,293)	(66,704)	(71,518)	(81,366)
Net Change in Plan Fiduciary Net Position	1,883,212	(5,694,911)	5,134,446	2,347,347	722,240	1,730,591	2,076,105	1,220,470	(565,537)	1,107,078
Plan Fiduciary Net Position-Beginning	26,288,054	31,982,965	26,848,519	24,501,172	23,778,932	22,048,341	19,972,236	18,751,766	19,317,303	18,210,225
Plan Fiduciary Net Position-Ending (b)	28,171,266	26,288,054	31,982,965	26,848,519	24,501,172	23,778,932	22,048,341	19,972,236	18,751,766	19,317,303
Net Pension Liability-Ending (a) – (b)	\$ 4,235,495	\$ 5,038,552	\$ (2,132,716)	\$ 2,736,634	\$ 3,282,186	\$ 3,495,255	\$ 2,510,641	\$ 3,180,824	\$ 2,916,965	\$ 1,461,457
Plan Fiduciary Net Position as Percentage of Total Pension Liability	86.93%	83.92%	107.14%	90.75%	88.19%	87.18%	89.78%	86.26%	86.54%	92.97%
Covered Payroll	\$ 6,037,062	\$ 5,641,806	\$ 5,395,032	\$ 5,023,170	\$ 4,827,950	\$ 4,555,220	\$ 4,443,736	\$ 4,315,874	\$ 4,134,151	\$ 3,945,943
Net Pension Liability as a Percentage of Covered Payroll	70.16%	89.31%	-39.53%	54.48%	67.98%	76.73%	56.50%	73.70%	70.56%	37.04%

Notes to Schedule:

- (1) - Benefit terms were modified for the Police Officers' Plan during 2014 to include longer vesting periods, changes in the benefit formula, and changes in what is considered pensionable compensation.
- (2) - Assumption changes for the 9/30/16 measurement date include adding a 3% load on the present value of future benefits as a margin for future mortality improvements.
- (3) - Assumption changes for the 9/30/17 measurement date include lowering the investment return and wage inflation assumptions from 8.0% to 7.9% and 3.5% to 2.5%, respectively, and the use of the HB mandated FRS mortality tables.
- (4) - Assumption changes for the 9/30/18 measurement date include lowering the investment return from 7.9% to 7.5%.
- (5) - Assumption changes for the 9/30/21 measurement date include an update to and use of the HB mandated FRS mortality tables.

**SCHEDULE OF EMPLOYER CONTRIBUTIONS
GENERAL EMPLOYEES
CITY OF JACKSONVILLE BEACH, FLORIDA
PENSION TRUST FUNDS**

September 30:	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
Actuarially Determined Contribution	\$ 2,334,877	\$ 2,356,821	\$ 2,405,220	\$ 2,442,960	\$ 2,322,790	\$ 2,097,788	\$ 1,892,707	\$ 1,591,545	\$ 1,321,320	\$ 1,387,165
Contributions in Relation to the Actuarially Determined Contribution	2,335,245	2,356,822	2,405,223	2,443,559	2,324,624	2,100,105	1,898,689	1,591,545	1,321,320	1,387,165
Contribution Deficiency (Excess)	\$ (368)	\$ (1)	\$ (3)	\$ (599)	\$ (1,834)	\$ (2,317)	\$ (5,982)	\$ -	\$ -	\$ -
Covered Payroll	\$ 19,085,152	\$ 17,612,571	\$ 14,746,238	\$ 14,294,336	\$ 13,915,132	\$ 13,044,000	\$ 12,952,981	\$ 12,812,918	\$ 11,663,535	\$ 10,730,277
Contributions as a Percentage of Covered Payroll	12.24%	13.38%	16.31%	17.09%	16.71%	16.10%	14.66%	12.42%	11.33%	12.93%

Notes to Schedule of Contributions

Valuation Date	October 1, 2022 for period ended September 30, 2024
Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	3 to 25 Years
Asset Valuation Method	4-Year Smoothed Market
Actuarial Assumptions:	
Inflation	2.5% wage inflation, 2.5% price inflation
Investment Rate of Return	7.50%
Projected Salary Increases	2.5% to 6.3% including inflation
Retirement Age	Age and experience-based table of rates that are specific to the type of eligibility condition. Last updated for the 2002 valuation.
Mortality	The Florida Retirement System mortality tables which use variations of the fully generational PUB-2010 Mortality Tables with projection scale MP-2018.

**SCHEDULE OF EMPLOYER CONTRIBUTIONS
POLICE OFFICERS
CITY OF JACKSONVILLE BEACH, FLORIDA
PENSION TRUST FUNDS**

September 30:	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
Actuarially Determined Contribution	\$ 906,115	\$ 742,170	\$ 653,851	\$ 917,954	\$ 844,401	\$ 770,582	\$ 691,323	\$ 678,304	\$ 633,555	\$ 511,049
Contributions in Relation to the Actuarially Determined Contribution	1,007,812	742,170	653,851	1,024,101	909,449	802,241	691,323	705,983	662,694	562,835
Contribution Deficiency (Excess)	<u>\$ (101,697)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (106,147)</u>	<u>\$ (65,048)</u>	<u>\$ (31,659)</u>	<u>\$ -</u>	<u>\$ (27,679)</u>	<u>\$ (29,139)</u>	<u>\$ (51,786)</u>
Covered Payroll	\$ 5,944,990	\$ 6,037,062	\$ 5,641,806	\$ 5,395,032	\$ 5,023,170	\$ 4,827,950	\$ 4,555,220	\$ 4,443,736	\$ 4,315,874	\$ 4,134,151
Contributions as a Percentage of Covered Payroll	16.95%	12.29%	11.59%	18.98%	18.11%	16.62%	15.18%	15.89%	15.35%	13.61%

Notes to Schedule of Contributions

Valuation Date	October 1, 2022 for period ended September 30, 2024
Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	1 to 25 Years
Asset Valuation Method	4-Year Smoothed Market
Actuarial Assumptions:	
Inflation	2.5% wage inflation, 2.5% price inflation
Investment Rate of Return	7.50%
Projected Salary Increases	2.5% to 6.3% including inflation
Retirement Age	Age and experience-based table of rates that are specific to the type of eligibility condition. Last updated for the 2002 valuation.
Mortality	The Florida Retirement System mortality tables which use variations of the fully generational PUB-2010 Mortality Tables with projection scale MP-2018.

**SCHEDULE OF INVESTMENT RETURNS
CITY OF JACKSONVILLE BEACH, FLORIDA
PENSION TRUST FUNDS**

Fiscal Year Ended September 30,	Annual Money-Weighted Rate of Return Net of Investment Expense	
	General Employees	Police Officers
2024	23.11%	23.11%
2023	9.64%	9.64%
2022	-16.04%	-16.04%
2021	18.94%	18.94%
2020	10.02%	10.02%
2019	5.61%	5.61%
2018	9.22%	9.22%
2017	12.11%	12.11%
2016	8.15%	8.15%
2015	-0.35%	-0.35%

**SCHEDULE OF CHANGES IN TOTAL OTHER POSTEMPLOYMENT BENEFITS (OPEB)
AND RELATED RATIOS
CITY OF JACKSONVILLE BEACH, FLORIDA
OTHER POSTEMPLOYMENT BENEFIT PLAN**

Reporting Date:	9/30/2024	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2019	9/30/2018
Measurement Date:	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2019	9/30/2018	9/30/2017
Total OPEB Liability							
Service Cost	\$ 80,349	\$ 129,864	\$ 119,336	\$ 136,800	\$ 119,289	\$ 178,369	\$ 173,214
Interest on the Total OPEB Liability	105,236	65,662	69,333	74,815	89,149	119,333	106,001
Difference Between Expected and Actual Experience of the Total OPEB Liability	-	208,011	-	476,887	-	(260,980)	-
Changes in Assumptions and Other Inputs	(49,059)	(821,527)	69,271	(392,386)	279,237	(915,785)	(137,638)
Benefit Payments	(130,316)	(147,767)	(146,390)	(98,241)	(126,309)	(161,121)	(152,098)
Net Change in Total OPEB Liability	6,210	(565,757)	111,550	197,875	361,366	(1,040,184)	(10,521)
Total OPEB Liability - Beginning of Year	2,376,544	2,942,301	2,830,751	2,632,876	2,271,510	3,311,694	3,322,215
Total OPEB Liability - End of Year	\$ 2,382,754	\$ 2,376,544	\$ 2,942,301	\$ 2,830,751	\$ 2,632,876	\$ 2,271,510	\$ 3,311,694
Estimated Covered-Employee Payroll	\$ 25,835,099	\$ 17,213,754	\$ 21,560,345	\$ 17,562,406	\$ 20,116,441	\$ 17,880,928	\$ 14,491,777
Total OPEB Liability as a Percentage of Covered-Employee Payroll	9.22%	13.81%	13.65%	16.12%	13.09%	12.70%	22.85%

Notes:

Covered-employee payroll presented above is an estimate based on data submitted. Governmental Accounting Standards Board (GASB) Statement No. 75 defined covered-employee payroll as the payroll of employees that are provided with OPEB through the OPEB plan, including employees terminating during the measurement period.

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There are no assets accumulated in a trust that meets the criteria of GASB Codification P22.101 or P52.101 to pay related benefits for the OPEB plan.

Assumption changes and other inputs include the following:

- | | |
|--|--|
| -Change in discount rate from 3.10% to 3.50% for the 9/30/17 measurement date. | -Change in discount rate from 2.41% to 2.19% for the 9/30/21 measurement date. |
| -Change in discount rate from 3.50% to 3.83% for the 9/30/18 measurement date. | -Change in discount rate from 2.19% to 4.40% for the 9/30/22 measurement date. |
| -Change in discount rate from 3.83% to 2.75% for the 9/30/19 measurement date. | -Updates to per capita cost and premiums for the 9/30/22 measurement date. |
| -Change in discount rate from 2.75% to 2.41% for the 9/30/20 measurement date. | -Updates to the healthcare cost trend assumption for the 9/30/22 measurement date. |
| | -Change in discount rate from 4.40% to 4.63% for the 9/30/23 measurement date. |

10 years of data will be displayed as information becomes available.

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Special Revenue Funds			
	Convention Development Tax Fund	Court Costs Training Fund	Local Option Gas Tax Fund	Infrastructure Surtax Fund
Assets				
Equity in Pooled Cash and Investments	\$ 3,811,345	\$ 11,450	\$ 4,076,870	\$ 12,856,710
Due from Other Governments	114,121	-	108,585	122,349
Total Assets	<u>3,925,466</u>	<u>11,450</u>	<u>4,185,455</u>	<u>12,979,059</u>
Liabilities, Deferred Inflows of Resources, and Fund Balances				
Liabilities				
Accounts Payable	-	-	-	122,313
Other Accrued Liabilities	-	-	422	30,677
Interfund Payables	-	-	-	-
Unearned Revenues	-	-	-	-
Total Liabilities	<u>-</u>	<u>-</u>	<u>422</u>	<u>152,990</u>
Deferred Inflows of Resources				
Unavailable Revenues	<u>53,770</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balances				
Restricted for:				
Tourism Expenditures	3,871,696	-	-	-
Transportation Improvements	-	-	4,185,033	-
Capital Projects	-	-	-	12,826,069
Law Enforcement	-	11,450	-	-
Opioid Mitigation	-	-	-	-
Committed for:				
Tree Replacement	-	-	-	-
Total Fund Balances	<u>3,871,696</u>	<u>11,450</u>	<u>4,185,033</u>	<u>12,826,069</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 3,925,466</u>	<u>\$ 11,450</u>	<u>\$ 4,185,455</u>	<u>\$ 12,979,059</u>

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Continued)

	Special Revenue Funds				
	Community Development Block Grant Fund	Radio Communications Fund	J.A.G. Grant Fund	ARPA Fund	Opioid Settlement Fund
Assets					
Equity in Pooled Cash and Investments	\$ -	\$ 2,323	\$ -	\$ 2,008,864	\$ 319,751
Due from Other Governments	3,092	-	48,884	-	-
Total Assets	<u>3,092</u>	<u>2,323</u>	<u>48,884</u>	<u>2,008,864</u>	<u>319,751</u>
Liabilities, Deferred Inflows of Resources, and Fund Balances					
Liabilities					
Accounts Payable	-	-	-	148,163	-
Other Accrued Liabilities	-	-	-	182,855	-
Interfund Payables	3,092	-	48,884	-	-
Unearned Revenues	-	-	-	1,677,846	-
Total Liabilities	<u>3,092</u>	<u>-</u>	<u>48,884</u>	<u>2,008,864</u>	<u>-</u>
Deferred Inflows of Resources					
Unavailable Revenues	-	-	-	-	-
Fund Balances					
Restricted for:					
Tourism Expenditures	-	-	-	-	-
Transportation Improvements	-	-	-	-	-
Capital Projects	-	-	-	-	-
Law Enforcement	-	2,323	-	-	-
Opioid Mitigation	-	-	-	-	319,751
Committed for:					
Tree Replacement	-	-	-	-	-
Total Fund Balances	<u>-</u>	<u>2,323</u>	<u>-</u>	<u>-</u>	<u>319,751</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 3,092</u>	<u>\$ 2,323</u>	<u>\$ 48,884</u>	<u>\$ 2,008,864</u>	<u>\$ 319,751</u>

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Concluded)

	Special Revenue Funds			Capital Projects Fund	
	Tree Protection Fund	Law Enforcement Trust Fund	Equitable Sharing Trust Fund	Infrastructure Tax Capital Projects Fund	Total Non-Major Governmental Funds
Assets					
Equity in Pooled Cash and Investments	\$ 6,691	\$ 18,238	\$ 195,034	\$ 240,383	\$ 23,547,659
Due from Other Governments	-	-	-	-	397,031
Total Assets	<u>6,691</u>	<u>18,238</u>	<u>195,034</u>	<u>240,383</u>	<u>23,944,690</u>
Liabilities, Deferred Inflows of Resources, and Fund Balances					
Liabilities					
Accounts Payable	-	929	-	-	271,405
Other Accrued Liabilities	-	-	-	-	213,954
Interfund Payables	-	-	-	-	51,976
Unearned Revenues	-	-	-	-	1,677,846
Total Liabilities	<u>-</u>	<u>929</u>	<u>-</u>	<u>-</u>	<u>2,215,181</u>
Deferred Inflows of Resources					
Unavailable Revenues	-	-	-	-	53,770
Fund Balances					
Restricted for:					
Tourism Expenditures	-	-	-	-	3,871,696
Transportation Improvements	-	-	-	-	4,185,033
Capital Projects	-	-	-	240,383	13,066,452
Law Enforcement	-	17,309	195,034	-	226,116
Opioid Mitigation	-	-	-	-	319,751
Committed for:					
Tree Replacement	6,691	-	-	-	6,691
Total Fund Balances	<u>6,691</u>	<u>17,309</u>	<u>195,034</u>	<u>240,383</u>	<u>21,675,739</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 6,691</u>	<u>\$ 18,238</u>	<u>\$ 195,034</u>	<u>\$ 240,383</u>	<u>\$ 23,944,690</u>

**COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Special Revenue Funds			
	Convention Development Tax Fund	Court Costs Training Fund	Local Option Gas Tax Fund	Infrastructure Surtax Fund
Revenues				
Taxes	\$ 852,227	\$ -	\$ 1,271,481	\$ 1,952,501
Intergovernmental	-	-	-	-
Fines and Forfeitures	-	6,408	-	-
Interest and Other Revenue	217,311	893	227,444	610,325
Total Revenues	<u>1,069,538</u>	<u>7,301</u>	<u>1,498,925</u>	<u>2,562,826</u>
Expenditures				
Current:				
General Government	-	-	-	18,489
Public Safety	-	7,657	-	-
Physical Environment	-	-	-	-
Roads and Streets	-	-	33,688	-
Parks and Recreation	136,064	-	-	-
Capital Outlay	84,038	-	-	299,643
(Total Expenditures)	<u>(220,102)</u>	<u>(7,657)</u>	<u>(33,688)</u>	<u>(318,132)</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>849,436</u>	<u>(356)</u>	<u>1,465,237</u>	<u>2,244,694</u>
Other Financing Sources (Uses)				
Transfers in	-	-	-	2,250,000
Transfers (out)	-	-	(372,000)	-
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>(372,000)</u>	<u>2,250,000</u>
Net Change in Fund Balance	849,436	(356)	1,093,237	4,494,694
Fund Balances, Beginning of Year	<u>3,022,260</u>	<u>11,806</u>	<u>3,091,796</u>	<u>8,331,375</u>
Fund Balances, End of Year	<u>\$ 3,871,696</u>	<u>\$ 11,450</u>	<u>\$ 4,185,033</u>	<u>\$ 12,826,069</u>

**COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Continued)**

	Special Revenue Funds				
	Community Development Block Grant Fund	Radio Communications Fund	J.A.G. Grant Fund	ARPA Fund	Opioid Settlement Fund
Revenues					
Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
Intergovernmental	140,852	-	48,964	3,627,914	-
Fines and Forfeitures	-	26,912	-	-	319,751
Interest and Other Revenue	-	(1,583)	-	-	-
Total Revenues	<u>140,852</u>	<u>25,329</u>	<u>48,964</u>	<u>3,627,914</u>	<u>319,751</u>
Expenditures					
Current:					
General Government	-	-	-	-	-
Public Safety	-	97,794	20,401	-	-
Physical Environment	-	-	-	8,000	-
Roads and Streets	-	-	-	-	-
Parks and Recreation	-	-	-	-	-
Capital Outlay	-	-	28,563	3,619,914	-
(Total Expenditures)	<u>-</u>	<u>(97,794)</u>	<u>(48,964)</u>	<u>(3,627,914)</u>	<u>-</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>140,852</u>	<u>(72,465)</u>	<u>-</u>	<u>-</u>	<u>319,751</u>
Other Financing Sources (Uses)					
Transfers in	-	-	-	-	-
Transfers (out)	(140,852)	-	-	-	-
Total Other Financing Sources (Uses)	<u>(140,852)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Change in Fund Balance	<u>-</u>	<u>(72,465)</u>	<u>-</u>	<u>-</u>	<u>319,751</u>
Fund Balances, Beginning of Year	<u>-</u>	<u>74,788</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balances, End of Year	<u>\$ -</u>	<u>\$ 2,323</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 319,751</u>

**COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Concluded)**

	Special Revenue Funds			Capital Projects Fund	Total Non-Major Governmental Funds
	Tree Protection Fund	Law Enforcement Trust Fund	Equitable Sharing Trust Fund	Infrastructure Tax Capital Projects Fund	
Revenues					
Taxes	\$ -	\$ -	\$ -	\$ -	\$ 4,076,209
Intergovernmental	-	-	-	-	3,817,730
Fines and Forfeitures	-	-	10,983	-	364,054
Interest and Other Revenue	418	21,772	17,773	156,738	1,251,091
Total Revenues	418	21,772	28,756	156,738	9,509,084
Expenditures					
Current:					
General Government	-	-	-	-	18,489
Public Safety	-	6,334	568	-	132,754
Physical Environment	13	-	-	4,784	12,797
Roads and Streets	-	-	-	-	33,688
Parks and Recreation	-	-	-	-	136,064
Capital Outlay	-	-	138,850	26,102	4,197,110
(Total Expenditures)	(13)	(6,334)	(139,418)	(30,886)	(4,530,902)
Excess (Deficiency) of Revenues Over (Under) Expenditures	405	15,438	(110,662)	125,852	4,978,182
Other Financing Sources (Uses)					
Transfers in	-	-	-	-	2,250,000
Transfers (out)	-	-	-	(2,250,000)	(2,762,852)
Total Other Financing Sources (Uses)	-	-	-	(2,250,000)	(512,852)
Net Change in Fund Balance	405	15,438	(110,662)	(2,124,148)	4,465,330
Fund Balances, Beginning of Year	6,286	1,871	305,696	2,364,531	17,210,409
Fund Balances, End of Year	\$ 6,691	\$ 17,309	\$ 195,034	\$ 240,383	\$ 21,675,739

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
CONVENTION DEVELOPMENT TAX FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Taxes	\$ 610,000	\$ 610,000	\$ 852,227	\$ 242,227
Interest and Other Revenue	11,000	11,000	217,311	206,311
Total Revenues	<u>621,000</u>	<u>621,000</u>	<u>1,069,538</u>	<u>448,538</u>
Expenditures				
Current:				
Parks and Recreation	129,037	159,037	136,064	22,973
Capital Outlay	500,000	633,809	84,038	549,771
(Total Expenditures)	<u>(629,037)</u>	<u>(792,846)</u>	<u>(220,102)</u>	<u>572,744</u>
Net Change in Fund Balance	<u>\$ (8,037)</u>	<u>\$ (171,846)</u>	<u>\$ 849,436</u>	<u>\$ 1,021,282</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
COURT COSTS TRAINING FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Fines and Forfeitures	\$ 8,000	\$ 8,000	\$ 6,408	\$ (1,592)
Interest and Other Revenue	100	100	893	793
Total Revenues	<u>8,100</u>	<u>8,100</u>	<u>7,301</u>	<u>(799)</u>
Expenditures				
Current:				
Public Safety	8,100	8,100	7,657	443
(Total Expenditures)	<u>(8,100)</u>	<u>(8,100)</u>	<u>(7,657)</u>	<u>443</u>
Net Change in Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (356)</u>	<u>\$ (356)</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
LOCAL OPTION GAS TAX FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Taxes	\$ 1,299,000	\$ 1,299,000	\$ 1,271,481	\$ (27,519)
Interest and Other Revenue	13,119	13,119	227,444	214,325
Total Revenues	<u>1,312,119</u>	<u>1,312,119</u>	<u>1,498,925</u>	<u>186,806</u>
Expenditures				
Current:				
Roads and Streets	384,594	467,471	33,688	433,783
(Total Expenditures)	<u>(384,594)</u>	<u>(467,471)</u>	<u>(33,688)</u>	<u>433,783</u>
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	927,525	844,648	1,465,237	620,589
Other Financing Sources (Uses)				
Transfers (out)	(372,000)	(372,000)	(372,000)	-
Net Change in Fund Balance	<u>\$ 555,525</u>	<u>\$ 472,648</u>	<u>\$ 1,093,237</u>	<u>\$ 620,589</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
INFRASTRUCTURE SURTAX FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Taxes	\$ 1,864,390	\$ 1,864,390	\$ 1,952,501	\$ 88,111
Interest and Other Revenue	33,495	33,495	610,325	576,830
Total Revenues	<u>1,897,885</u>	<u>1,897,885</u>	<u>2,562,826</u>	<u>664,941</u>
Expenditures				
Current:				
General Government	9,500	9,500	18,489	(8,989)
Roads and Streets	750,000	6,412,140	-	6,412,140
Capital Outlay	120,000	2,232,147	299,643	1,932,504
(Total Expenditures)	<u>(879,500)</u>	<u>(8,653,787)</u>	<u>(318,132)</u>	<u>8,335,655</u>
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	1,018,385	(6,755,902)	2,244,694	9,000,596
Other Financing Sources (Uses)				
Transfers in	-	2,250,000	2,250,000	-
Net Change in Fund Balance	<u>\$ 1,018,385</u>	<u>\$ (4,505,902)</u>	<u>\$ 4,494,694</u>	<u>\$ 9,000,596</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
COMMUNITY DEVELOPMENT BLOCK GRANT FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Intergovernmental	\$ 142,000	\$ 142,000	\$ 140,852	\$ (1,148)
Total Revenues	<u>142,000</u>	<u>142,000</u>	<u>140,852</u>	<u>(1,148)</u>
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	142,000	142,000	140,852	(1,148)
Other Financing Sources (Uses)				
Transfers (out)	<u>(142,000)</u>	<u>(142,000)</u>	<u>(140,852)</u>	<u>1,148</u>
Net Change in Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
RADIO COMMUNICATION FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Fines and Forfeitures	\$ 25,000	\$ 25,000	\$ 26,912	\$ 1,912
Interest and Other Revenue	810	810	(1,583)	(2,393)
Total Revenues	<u>25,810</u>	<u>25,810</u>	<u>25,329</u>	<u>(481)</u>
Expenditures				
Current:				
Public Safety	100,100	100,100	97,794	2,306
(Total Expenditures)	<u>(100,100)</u>	<u>(100,100)</u>	<u>(97,794)</u>	<u>2,306</u>
Net Change in Fund Balance	<u>\$ (74,290)</u>	<u>\$ (74,290)</u>	<u>\$ (72,465)</u>	<u>\$ 1,825</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
J.A.G. GRANT FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Intergovernmental	\$ -	\$ 48,964	\$ 48,964	\$ -
Total Revenues	-	48,964	48,964	-
Expenditures				
Current:				
Public Safety	-	-	20,401	(20,401)
Capital Outlay	-	48,964	28,563	20,401
(Total Expenditures)	-	(48,964)	(48,964)	-
Net Change in Fund Balance	\$ -	\$ -	\$ -	\$ -

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
ARPA FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Intergovernmental	\$ -	\$ -	\$ 3,627,914	\$ 3,627,914
Total Revenues	<u>-</u>	<u>-</u>	<u>3,627,914</u>	<u>3,627,914</u>
Expenditures				
Current:				
Physical Environment	72,000	72,000	8,000	64,000
Capital Outlay	-	5,817,925	3,619,914	2,198,011
(Total Expenditures)	<u>72,000</u>	<u>(5,889,925)</u>	<u>(3,627,914)</u>	<u>2,262,011</u>
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	<u>72,000</u>	<u>(5,889,925)</u>	<u>-</u>	<u>5,889,925</u>
Net Change in Fund Balance	<u>\$ 72,000</u>	<u>\$ (5,889,925)</u>	<u>\$ -</u>	<u>\$ 5,889,925</u>

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
OPIOID SETTLEMENT FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Fines and Forfeitures	\$ -	\$ -	\$ 319,751	\$ 319,751
Total Revenues	-	-	319,751	319,751
 Net Change in Fund Balance	 \$ -	 \$ -	 \$ 319,751	 \$ 319,751

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
TREE PROTECTION FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Interest and Other Revenue	\$ 100	\$ 100	\$ 418	\$ 318
Total Revenues	<u>100</u>	<u>100</u>	<u>418</u>	<u>318</u>
Expenditures				
Current:				
Physical Environment	<u>3,000</u>	<u>3,000</u>	<u>13</u>	<u>2,987</u>
(Total Expenditures)	<u>(3,000)</u>	<u>(3,000)</u>	<u>(13)</u>	<u>2,987</u>
Net Change in Fund Balance	<u>\$ (2,900)</u>	<u>\$ (2,900)</u>	<u>\$ 405</u>	<u>\$ 3,305</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
LAW ENFORCEMENT TRUST FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Fines and Forfeitures	\$ 4,000	\$ 4,000	\$ -	\$ (4,000)
Interest and Other Revenue	2,100	2,100	21,772	19,672
Total Revenues	<u>6,100</u>	<u>6,100</u>	<u>21,772</u>	<u>15,672</u>
Expenditures				
Current:				
Public Safety	8,030	8,030	6,334	1,696
(Total Expenditures)	<u>(8,030)</u>	<u>(8,030)</u>	<u>(6,334)</u>	<u>1,696</u>
Net Change in Fund Balance	<u>\$ (1,930)</u>	<u>\$ (1,930)</u>	<u>\$ 15,438</u>	<u>\$ 17,368</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
EQUITABLE SHARING TRUST FUND
SPECIAL REVENUE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Fines and Forfeitures	\$ 30,000	\$ 30,000	\$ 10,983	\$ (19,017)
Interest and Other Revenue	3,259	3,259	17,773	14,514
Total Revenues	<u>33,259</u>	<u>33,259</u>	<u>28,756</u>	<u>(4,503)</u>
Expenditures				
Current:				
Public Safety	20,780	20,780	568	20,212
Capital Outlay	-	138,850	138,850	-
(Total Expenditures)	<u>(20,780)</u>	<u>(159,630)</u>	<u>(139,418)</u>	<u>20,212</u>
Net Change in Fund Balance	<u>\$ 12,479</u>	<u>\$ (126,371)</u>	<u>\$ (110,662)</u>	<u>\$ 15,709</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
GENERAL CAPITAL PROJECTS FUND
CAPITAL PROJECTS FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Intergovernmental	\$ -	\$ 200,000	\$ -	\$ (200,000)
Interest and Other Revenues	50,000	65,024	1,297,908	1,232,884
Total Revenues	<u>50,000</u>	<u>265,024</u>	<u>1,297,908</u>	<u>1,032,884</u>
Expenditures				
Current:				
General Government	501,000	626,763	746,062	(119,299)
Public Safety	11,108	44,085	42,115	1,970
Culture and Recreation	-	-	9,489	(9,489)
Capital Outlay	6,348,977	9,047,483	4,258,518	4,788,965
(Total Expenditures)	<u>(6,861,085)</u>	<u>(9,718,331)</u>	<u>(5,056,184)</u>	<u>4,662,147</u>
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	(6,811,085)	(9,453,307)	(3,758,276)	5,695,031
Other Financing Sources (Uses)				
Transfers in	3,869,000	7,536,827	7,536,827	-
Net Change in Fund Balance	<u>\$ (2,942,085)</u>	<u>\$ (1,916,480)</u>	<u>\$ 3,778,551</u>	<u>\$ 5,695,031</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
INFRASTRUCTURE TAX CAPITAL PROJECTS FUND
CAPITAL PROJECTS FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Budgeted Amounts		Actual	Variance With
	Original	Final	Amounts	Final Budget
				Positive
				(Negative)
Revenues				
Interest and Other Revenues	\$ -	\$ -	\$ 156,738	\$ 156,738
Total Revenues	<u>-</u>	<u>-</u>	<u>156,738</u>	<u>156,738</u>
Expenditures				
Current:				
Physical Environment	6,000	6,000	4,784	1,216
Capital Outlay	302,225	489,334	26,102	463,232
(Total Expenditures)	<u>(308,225)</u>	<u>(495,334)</u>	<u>(30,886)</u>	<u>464,448</u>
Excess (Deficiency) of Revenues				
Over (Under) Expenditures	(308,225)	(495,334)	125,852	621,186
Other Financing Sources (Uses)				
Transfers (Out)	<u>-</u>	<u>(2,250,000)</u>	<u>(2,250,000)</u>	<u>-</u>
Net Change in Fund Balance	<u>\$ (308,225)</u>	<u>\$ (2,745,334)</u>	<u>\$ (2,124,148)</u>	<u>\$ 621,186</u>

COMBINING STATEMENT OF NET POSITION
NON-MAJOR ENTERPRISE FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	<u>Stormwater</u>	<u>Sanitation</u>	<u>Golf Course</u>	<u>Leased Facilities</u>	<u>Natural Gas</u>	<u>Totals</u>
Assets						
Current Assets:						
Equity in Pooled Cash and Investments	\$ 7,858,133	\$ 2,870,735	\$ 4,692,377	\$ 1,364,808	\$ 3,602,146	\$ 20,388,199
Other Operating Cash	-	-	1,300	-	-	1,300
Receivables:						
Accounts, Net	165,130	932,541	2,961	33,710	164,293	1,298,635
Leases, Current	-	-	-	106,106	-	106,106
Inventory	-	-	92,522	-	-	92,522
Prepaid Expenses	-	-	12,707	1,311	-	14,018
Restricted Assets:						
Equity in Pooled Cash and Investments	-	-	-	-	923,868	923,868
Total Current Assets	<u>8,023,263</u>	<u>3,803,276</u>	<u>4,801,867</u>	<u>1,505,935</u>	<u>4,690,307</u>	<u>22,824,648</u>
Non-Current Assets:						
Leases Receivable, Non-Current	-	-	-	1,042,811	-	1,042,811
Capital Assets:						
Land	1,057,992	-	388,980	28,000	-	1,474,972
Buildings and Improvements	35,373,867	-	4,755,006	813,838	7,176,563	48,119,274
Equipment	856,937	641,302	661,231	684,490	-	2,843,960
Equipment Under Leases	-	-	682,985	-	-	682,985
Construction in Progress	1,114,473	-	-	-	-	1,114,473
Total Capital Assets	<u>38,403,269</u>	<u>641,302</u>	<u>6,488,202</u>	<u>1,526,328</u>	<u>7,176,563</u>	<u>54,235,664</u>
(Accumulated Depreciation and Amortization)	<u>(16,128,157)</u>	<u>(578,122)</u>	<u>(3,179,404)</u>	<u>(1,314,778)</u>	<u>(1,828,835)</u>	<u>(23,029,296)</u>
Total Non-Current Assets	<u>22,275,112</u>	<u>63,180</u>	<u>3,308,798</u>	<u>1,254,361</u>	<u>5,347,728</u>	<u>32,249,179</u>
Total Assets	<u>30,298,375</u>	<u>3,866,456</u>	<u>8,110,665</u>	<u>2,760,296</u>	<u>10,038,035</u>	<u>55,073,827</u>
Deferred Outflows of Resources						
Pension Related	105,908	83,888	276,043	-	-	465,839
OPEB Related	7,997	-	26,656	-	-	34,653
Total Deferred Outflows of Resources	<u>113,905</u>	<u>83,888</u>	<u>302,699</u>	<u>-</u>	<u>-</u>	<u>500,492</u>

COMBINING STATEMENT OF NET POSITION
NON-MAJOR ENTERPRISE FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Concluded)

	<u>Stormwater</u>	<u>Sanitation</u>	<u>Golf Course</u>	<u>Leased Facilities</u>	<u>Natural Gas</u>	<u>Totals</u>
Liabilities						
Current Liabilities:						
Accounts Payable	\$ 340,623	\$ 547,754	\$ 31,203	\$ -	\$ 146,796	\$ 1,066,376
Power Costs Recovered in Advance	-	-	-	-	923,868	923,868
Other Accrued Liabilities	29,431	19,960	66,075	996	9,904	126,366
Due to Other Governments	-	3,563	-	-	-	3,563
Unearned Revenues	-	-	83,607	-	-	83,607
Current Portion of Long-Term Liabilities:						
Accrued Compensated Absences	-	8,956	11,467	-	-	20,423
Lease Liability	-	-	160,280	-	-	160,280
Total Current Liabilities	370,054	580,233	352,632	996	1,080,568	2,384,483
Non-Current Liabilities:						
Accrued Compensated Absences	-	35,823	45,867	-	-	81,690
Lease Liability	-	-	259,812	-	-	259,812
Net Pension Liability	181,041	209,975	637,864	-	-	1,028,880
Other Postemployment Benefits	25,530	-	85,098	-	-	110,628
Total Non-Current Liabilities	206,571	245,798	1,028,641	-	-	1,481,010
Total Liabilities	576,625	826,031	1,381,273	996	1,080,568	3,865,493
Deferred Inflows of Resources						
Pension Related	55,854	19,148	24,589	-	-	99,591
OPEB Related	14,303	-	47,675	-	-	61,978
Lease Related	-	-	-	1,062,291	-	1,062,291
Total Deferred Inflows of Resources	70,157	19,148	72,264	1,062,291	-	1,223,860
Net Position						
Net Investment in Capital Assets	22,275,112	63,180	2,888,706	211,550	5,347,728	30,786,276
Unrestricted	7,490,386	3,041,985	4,071,121	1,485,459	3,609,739	19,698,690
Total Net Position	\$ 29,765,498	\$ 3,105,165	\$ 6,959,827	\$ 1,697,009	\$ 8,957,467	\$ 50,484,966

**COMBINING STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION
NON-MAJOR ENTERPRISE FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Stormwater	Sanitation	Golf Course	Leased Facilities	Natural Gas	Totals
Operating Revenues						
Charges for Services	\$ 1,396,351	\$ 7,047,750	\$ 3,464,444	\$ -	\$ 1,827,610	\$ 13,736,155
Other	-	-	360	785,530	-	785,890
Total Operating Revenues	<u>1,396,351</u>	<u>7,047,750</u>	<u>3,464,804</u>	<u>785,530</u>	<u>1,827,610</u>	<u>14,522,045</u>
Operating Expenses						
Purchased Power	-	-	-	-	741,952	741,952
Personnel Services	332,506	515,451	1,338,138	72	-	2,186,167
Purchased Services	121,537	7,110,038	141,242	94,800	419,102	7,886,719
Repairs and Maintenance	72,683	11,029	182,996	664,476	78,994	1,010,178
Depreciation and Amortization	1,034,575	65,971	454,593	12,599	186,799	1,754,537
Materials and Supplies	3,140	27,594	378,749	291	1,322	411,096
Other Expenses	202,491	247,011	496,510	5,616	210,041	1,161,669
(Total Operating Expenses)	<u>(1,766,932)</u>	<u>(7,977,094)</u>	<u>(2,992,228)</u>	<u>(777,854)</u>	<u>(1,638,210)</u>	<u>(15,152,318)</u>
Operating Income (Loss)	<u>(370,581)</u>	<u>(929,344)</u>	<u>472,576</u>	<u>7,676</u>	<u>189,400</u>	<u>(630,273)</u>
Non-Operating Revenues (Expenses)						
Investment Earnings (Loss)	491,181	199,939	276,911	76,254	286,197	1,330,482
Interest from Leasing Activities	-	-	-	24,184	-	24,184
Interest Expense on Leases and SBITAs	-	-	(21,163)	-	-	(21,163)
Gain (Loss) on Disposal of Capital Assets	-	-	-	-	(143,133)	(143,133)
Total Non-Operating Revenues (Expense)	<u>491,181</u>	<u>199,939</u>	<u>255,748</u>	<u>100,438</u>	<u>143,064</u>	<u>1,190,370</u>
Income (Loss) Before Contributions and Transfers	<u>120,600</u>	<u>(729,405)</u>	<u>728,324</u>	<u>108,114</u>	<u>332,464</u>	<u>560,097</u>
Capital Contributions						
Connection Fees	-	-	-	-	179,286	179,286
Contributions from Other Funds	6,709,548	-	-	-	-	6,709,548
Total Capital Contributions	<u>6,709,548</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>179,286</u>	<u>6,888,834</u>
Transfers						
Transfers (out)	-	-	-	(90,000)	(283,688)	(373,688)
Total Transfers	<u>-</u>	<u>-</u>	<u>-</u>	<u>(90,000)</u>	<u>(283,688)</u>	<u>(373,688)</u>
Change in Net Position	<u>6,830,148</u>	<u>(729,405)</u>	<u>728,324</u>	<u>18,114</u>	<u>228,062</u>	<u>7,075,243</u>
Total Net Position, Beginning of Year	<u>22,935,350</u>	<u>3,834,570</u>	<u>6,231,503</u>	<u>1,678,895</u>	<u>8,729,405</u>	<u>43,409,723</u>
Total Net Position, End of Year	<u>\$ 29,765,498</u>	<u>\$ 3,105,165</u>	<u>\$ 6,959,827</u>	<u>\$ 1,697,009</u>	<u>\$ 8,957,467</u>	<u>\$ 50,484,966</u>

COMBINING STATEMENT OF CASH FLOWS
NON-MAJOR ENTERPRISE FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Stormwater	Sanitation	Golf Course	Leased Facilities	Natural Gas	Totals
Cash Flows from Operating Activities						
Cash Received from Customers and Users	\$ 1,391,496	\$ 6,782,517	\$ 3,476,445	\$ 771,843	\$ 2,078,903	\$ 14,501,204
Cash Payments to Vendors for Goods and Services	(116,572)	(7,080,735)	(1,155,545)	(771,446)	(1,394,178)	(10,518,476)
Cash Payments to Employees for Services	(295,961)	(505,464)	(1,290,679)	(72)	-	(2,092,176)
Net Cash Provided by (Used in) Operating Activities	<u>978,963</u>	<u>(803,682)</u>	<u>1,030,221</u>	<u>325</u>	<u>684,725</u>	<u>1,890,552</u>
Cash Flows from Non-Capital Financing Activities						
Interest from Leasing and SBITA Activities	-	-	-	24,184	-	24,184
Transfers (out)	-	-	-	(90,000)	(283,688)	(373,688)
Net Cash Provided by (Used in) Non-Capital Financing Activities	<u>-</u>	<u>-</u>	<u>-</u>	<u>(65,816)</u>	<u>(283,688)</u>	<u>(349,504)</u>
Cash Flows from Capital and Related Financing Activities						
Acquisition of Capital Assets	(945,537)	-	(219,595)	-	(566,401)	(1,731,533)
Connection Fees	-	-	-	-	179,286	179,286
Principal Repayments on Long-Term Debt	-	-	(153,699)	-	-	(153,699)
Interest Paid on Long-Term Debt	-	-	(21,163)	-	-	(21,163)
Net Cash Provided by (Used in) Capital and Related Financing Activities	<u>(945,537)</u>	<u>-</u>	<u>(394,457)</u>	<u>-</u>	<u>(387,115)</u>	<u>(1,727,109)</u>
Cash Flows from Investing Activities						
Investment Earnings	<u>491,181</u>	<u>199,939</u>	<u>276,911</u>	<u>76,254</u>	<u>286,197</u>	<u>1,330,482</u>
Net Increase (Decrease) in Cash and Cash Equivalents	<u>524,607</u>	<u>(603,743)</u>	<u>912,675</u>	<u>10,763</u>	<u>300,119</u>	<u>1,144,421</u>
Cash and Cash Equivalents, Beginning of Year	<u>7,333,526</u>	<u>3,474,478</u>	<u>3,781,002</u>	<u>1,354,045</u>	<u>4,225,895</u>	<u>20,168,946</u>
Cash and Cash Equivalents, End of Year	<u>\$ 7,858,133</u>	<u>\$ 2,870,735</u>	<u>\$ 4,693,677</u>	<u>\$ 1,364,808</u>	<u>\$ 4,526,014</u>	<u>\$ 21,313,367</u>

COMBINING STATEMENT OF CASH FLOWS
NON-MAJOR ENTERPRISE FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA
(Concluded)

	<u>Stormwater</u>	<u>Sanitation</u>	<u>Golf Course</u>	<u>Leased Facilities</u>	<u>Natural Gas</u>	<u>Totals</u>
<u>Included on the Accompanying Balance Sheet</u>						
<u>Under the Following Captions</u>						
Current Assets						
Equity in Pooled Cash and Investments	\$ 7,858,133	\$ 2,870,735	\$ 4,692,377	\$ 1,364,808	\$ 3,602,146	\$ 20,388,199
Other Operating Cash	-	-	1,300	-	-	1,300
Restricted Equity in Pooled Cash and Investments	-	-	-	-	923,868	923,868
Total	<u>\$ 7,858,133</u>	<u>\$ 2,870,735</u>	<u>\$ 4,693,677</u>	<u>\$ 1,364,808</u>	<u>\$ 4,526,014</u>	<u>\$ 21,313,367</u>
<u>Reconciliation of Operating Income (Loss) to Net</u>						
<u>Cash Provided by (Used in) Operating Activities</u>						
Operating Income (Loss)	\$ (370,581)	\$ (929,344)	\$ 472,576	\$ 7,676	\$ 189,400	\$ (630,273)
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided by (Used in) Operating Activities:						
Depreciation and Amortization	1,034,575	65,971	454,593	12,599	186,799	1,754,537
Power Costs Recovered in Advance (Returned)	-	-	-	-	193,383	193,383
Changes in Assets - Decrease (Increase) and Liabilities - Increase (Decrease):						
Accounts Receivable	(4,855)	(265,233)	(3,148)	8,849	57,910	(206,477)
Leases Receivable and Related Deferred Inflow of Resources	-	-	-	(22,536)	-	(22,536)
Inventories	-	-	26,334	-	-	26,334
Prepaid Expenses	-	-	(2,527)	(339)	-	(2,866)
Accounts Payable and Other Accrued Liabilities	283,279	314,937	20,145	(5,924)	57,233	669,670
Unearned Revenues	-	-	14,789	-	-	14,789
Accrued Compensated Absences	-	944	16,355	-	-	17,299
OPEB Liability and Related Deferred Inflows and Outflows of Resources	(1,395)	-	(4,654)	-	-	(6,049)
Net Pension Liability and Related Deferred Inflows and Outflows of Resources	37,940	9,043	35,758	-	-	82,741
Net Cash Provided by (Used in) Operating Activities	<u>\$ 978,963</u>	<u>\$ (803,682)</u>	<u>\$ 1,030,221</u>	<u>\$ 325</u>	<u>\$ 684,725</u>	<u>\$ 1,890,552</u>
<u>Supplemental Disclosure of Non-Cash Activities</u>						
Transfer of Capital Assets	<u>\$ 6,709,548</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 6,709,548</u>

COMBINING STATEMENT OF NET POSITION
INTERNAL SERVICE FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Self-Insurance Funds	Other Internal Service Funds	Totals
Assets			
Current Assets:			
Equity in Pooled Cash and Investments	\$ 2,381,055	\$ 3,735,208	\$ 6,116,263
Accounts Receivable, Net	229	-	229
Prepaid Expenses	1,424,584	22,997	1,447,581
Total Current Assets	<u>3,805,868</u>	<u>3,758,205</u>	<u>7,564,073</u>
Non-Current Assets:			
Capital Assets:			
Buildings and Improvements	113,743	36,194	149,937
Software Assets Under SBITAs	-	163,702	163,702
Equipment	-	953,115	953,115
	<u>113,743</u>	<u>1,153,011</u>	<u>1,266,754</u>
(Accumulated Depreciation)	<u>(26,513)</u>	<u>(910,564)</u>	<u>(937,077)</u>
Total Capital Assets, Net of Accumulated Depreciation	<u>87,230</u>	<u>242,447</u>	<u>329,677</u>
Total Assets	<u>3,893,098</u>	<u>4,000,652</u>	<u>7,893,750</u>
Deferred Outflows of Resources			
Pension-Related	<u>-</u>	<u>1,887,111</u>	<u>1,887,111</u>
Liabilities			
Current Liabilities:			
Accounts Payable	4,768	175,463	180,231
Other Accrued Liabilities	966	271,352	272,318
Estimated Liability for Self-Insured Losses	354,157	-	354,157
Current Portion of Long-Term Liabilities:			
Accrued Compensated Absences	-	232,361	232,361
SBITA Liability	-	29,124	29,124
Total Current Liabilities	<u>359,891</u>	<u>708,300</u>	<u>1,068,191</u>
Non-Current Liabilities:			
Accrued Compensated Absences	-	929,444	929,444
SBITA Liability	-	101,555	101,555
Net Pension Liability	-	3,783,571	3,783,571
Total Non-Current Liabilities	<u>-</u>	<u>4,814,570</u>	<u>4,814,570</u>
Total Liabilities	<u>359,891</u>	<u>5,522,870</u>	<u>5,882,761</u>
Deferred Inflows of Resources			
Pension Related	<u>-</u>	<u>137,699</u>	<u>137,699</u>
Net Position			
Investment in Capital Assets	87,230	111,768	198,998
Unrestricted	3,445,977	115,426	3,561,403
Total Net Position	<u>\$ 3,533,207</u>	<u>\$ 227,194</u>	<u>\$ 3,760,401</u>

**COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN
FUND NET POSITION
INTERNAL SERVICE FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Self-Insurance Funds	Other Internal Service Funds	Totals
Operating Revenues			
Charges for Services	\$ 4,794,612	\$ 11,765,800	\$ 16,560,412
Other Revenue	159,300	330	159,630
Total Operating Revenues	<u>4,953,912</u>	<u>11,766,130</u>	<u>16,720,042</u>
Operating Expenses			
Personnel Services	21,284	7,443,298	7,464,582
Purchased Services	147,319	1,014,205	1,161,524
Repairs and Maintenance	-	555,385	555,385
Depreciation	7,575	73,366	80,941
Materials and Supplies	-	195,030	195,030
Other Expenses	4,918,078	3,166,253	8,084,331
(Total Operating Expenses)	<u>(5,094,256)</u>	<u>(12,447,537)</u>	<u>(17,541,793)</u>
Operating (Loss)	<u>(140,344)</u>	<u>(681,407)</u>	<u>(821,751)</u>
Non-Operating Income (Expense)			
Investment Earnings	198,499	-	198,499
Interest Expense on Leases and SBITAs	-	(477)	(477)
Total Non-Operating Income (Expense)	<u>198,499</u>	<u>(477)</u>	<u>198,022</u>
Income Before Transfers	<u>58,155</u>	<u>(681,884)</u>	<u>(623,729)</u>
Transfers			
Transfers (out)	-	(70,000)	(70,000)
Total Transfers	<u>-</u>	<u>(70,000)</u>	<u>(70,000)</u>
Change in Net Position	58,155	(751,884)	(693,729)
Total Net Position, Beginning of Year	<u>3,475,052</u>	<u>979,078</u>	<u>4,454,130</u>
Total Net Position, End of Year	<u>\$ 3,533,207</u>	<u>\$ 227,194</u>	<u>\$ 3,760,401</u>

COMBINING STATEMENT OF CASH FLOWS
INTERNAL SERVICE FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Self-Insurance Funds	Other Internal Service Funds	Totals
Cash Flows from Operating Activities			
Cash Received from Customers and Users	\$ 4,953,912	\$ 11,766,130	\$ 16,720,042
Cash Payments to Vendors for Goods and Services	(5,244,140)	(4,802,050)	(10,046,190)
Cash Payments to Employees for Services	(21,284)	(7,124,817)	(7,146,101)
Insurance Reimbursements Received (Claims Paid)	272,686	-	272,686
Net Cash (Used in) Provided by Operating Activities	(38,826)	(160,737)	(199,563)
Cash Flows from Non-Capital Financing Activities			
Transfers (out)	-	(70,000)	(70,000)
Total Cash Flows from Non-Capital Financing Activities	-	(70,000)	(70,000)
Cash Flows from Capital and Related Financing Activities			
Acquisition of Capital Assets	-	(62,995)	(62,995)
Principal Repayments on Long-Term Debt	-	(33,023)	(33,023)
Interest Paid on Long-Term Debt	-	(477)	(477)
Total Cash Flows from Non-Capital Financing Activities	-	(96,495)	(96,495)
Cash Flows from Investing Activities			
Interest Received on Investments	198,499	-	198,499
Net (Decrease) Increase in Cash and Cash Equivalents	159,673	(327,232)	(167,559)
Cash and Cash Equivalents, Beginning of Year	2,221,382	4,062,440	6,283,822
Cash and Cash Equivalents, End of Year	\$ 2,381,055	\$ 3,735,208	\$ 6,116,263
<u>Included on the Accompanying Balance Sheet Under the Following Captions</u>			
Current Assets			
Equity in Pooled Cash and Investments	\$ 2,381,055	\$ 3,735,208	\$ 6,116,263
<u>Reconciliation of Operating Income (Loss) to Net Cash Provided by (Used in) Operating Activities</u>			
Operating Income (Loss)	\$ (140,344)	\$ (681,407)	\$ (821,751)
Adjustments to Reconcile Operating Income (Loss) to Net Cash (Used in) Provided by Operating Activities:			
Depreciation	7,575	73,366	80,941
Changes in Assets - Decrease (Increase) and Liabilities - Increase (Decrease):			
Prepaid Expenses	(42,806)	(2,000)	(44,806)
Accounts Payable and Other Accrued Liabilities	966	130,823	131,789
Change in Estimated Liability for Self-Insured Losses	135,783	-	135,783
Accrued Compensated Absences	-	64,956	64,956
Net Pension Liability and Related Deferred Inflows and Outflows of Resources	-	253,525	253,525
Net Cash (Used in) Provided by Operating Activities	\$ (38,826)	\$ (160,737)	\$ (199,563)
<u>Supplemental Disclosure of Non-Cash Activities</u>			
Right-of-Use Assets Acquired Under SBITAs	\$ -	\$ 163,702	\$ 163,702

SCHEDULE OF COMBINING BALANCE SHEET
COMMUNITY REDEVELOPMENT FUNDS
SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA

	Downtown Redevelopment District Fund	Southend Redevelopment District Fund	Totals
Assets			
Equity in Pooled Cash and Investments	\$ 32,247,155	\$ 16,537,088	\$ 48,784,243
Total Assets	<u>32,247,155</u>	<u>16,537,088</u>	<u>48,784,243</u>
Liabilities and Fund Balances			
Liabilities			
Accounts Payable	897,128	15,659	912,787
Other Accrued Liabilities	519,291	4,523	523,814
Due to Other Governments	-	2,706,290	2,706,290
Total Liabilities	<u>1,416,419</u>	<u>2,726,472</u>	<u>4,142,891</u>
Deferred Inflows of Resources			
Unavailable Revenues	<u>-</u>	<u>1</u>	<u>1</u>
Fund Balances			
Restricted for:			
Redevelopment	30,830,736	13,810,615	44,641,351
Total Fund Balances	<u>30,830,736</u>	<u>13,810,615</u>	<u>44,641,351</u>
Total Liabilities and Fund Balances	<u>\$ 32,247,155</u>	<u>\$ 16,537,088</u>	<u>\$ 48,784,243</u>

**SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES - COMMUNITY REDEVELOPMENT FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

	Downtown Redevelopment District Fund	Southend Redevelopment District Fund	Totals
Revenues			
Taxes	\$ 9,496,330	\$ 3,006,988	\$ 12,503,318
Interest and Other Revenue	2,255,410	1,057,002	3,312,412
Total Revenues	<u>11,751,740</u>	<u>4,063,990</u>	<u>15,815,730</u>
Expenditures			
Current:			
General Government	1,102,262	476,180	1,578,442
Public Safety	1,116,295	-	1,116,295
Capital Outlay	11,454,031	337,504	11,791,535
(Total Expenditures)	<u>(13,672,588)</u>	<u>(813,684)</u>	<u>(14,486,272)</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(1,920,848)</u>	<u>3,250,306</u>	<u>1,329,458</u>
Net Change in Fund Balances	(1,920,848)	3,250,306	1,329,458
Fund Balances, Beginning of Year	<u>32,751,584</u>	<u>10,560,309</u>	<u>43,311,893</u>
Fund Balances, End of Year	<u><u>\$ 30,830,736</u></u>	<u><u>\$ 13,810,615</u></u>	<u><u>\$ 44,641,351</u></u>

STATISTICAL SECTION (UNAUDITED)

Statistical Section (Unaudited)

This part of the City of Jacksonville Beach, Florida's (the City) Annual Comprehensive Financial Report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

Contents	Pages
Financial Trends Information These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.	108
Revenue Capacity Information These schedules contain information to help the reader assess the City's local revenue source.	113
Debt Capacity Information These schedules present information to help the reader assess the City's debt burden and its ability to issue additional debt in the future.	117
Demographic and Economic Information These schedules offer demographic and economic indicators to help the reader understand the environment in which the City's financial activities take place.	122
Operating Information These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the City provides and the activities it performs.	124

Sources: Unless otherwise noted, the information in these schedules were obtained from the Annual Comprehensive Financial Reports for the relevant year.

FINANCIAL TRENDS INFORMATION

Schedule 1
City of Jacksonville Beach, Florida
Net Position by Component
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Governmental Activities										
Net Investment in Capital Assets	\$ 86,383,735	\$ 91,291,193	\$ 97,360,044	\$ 103,211,819	\$ 106,877,097	\$ 109,163,923	\$ 107,483,303	\$ 111,901,718	\$ 123,538,442	\$ 125,818,480
Restricted	23,230,058	27,183,762	29,102,410	31,711,520	34,119,094	38,810,100	47,141,320	51,566,305	60,971,262	66,774,197
Unrestricted	9,601,684	12,564,372	11,440,106	13,386,797	14,252,607	17,354,249	19,725,094	27,260,116	28,053,635	30,831,677
Total Governmental Activities Net Position	119,215,477	131,039,327	137,902,560	148,310,136	155,248,798	165,328,272	174,349,717	190,728,139	212,563,339	223,424,354
Business-type Activities										
Net Investment in Capital Assets	155,027,489	157,675,660	168,296,227	175,128,349	183,588,778	194,305,179	193,783,121	194,884,830	197,443,561	212,690,435
Restricted	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	4,193,000	-	-	-	-
Unrestricted	62,652,866	68,166,503	65,451,820	68,995,532	75,349,878	78,181,725	94,215,754	106,226,490	116,330,037	131,288,353
Total Business-type Activities Net Position	219,680,355	227,842,163	235,748,047	246,123,881	260,938,656	276,679,904	287,998,875	301,111,320	313,773,598	343,978,788
Primary Government										
Net Investment in Capital Assets	241,411,224	248,966,853	265,656,271	278,340,168	290,465,875	303,469,102	301,266,424	306,786,548	320,982,003	338,508,915
Restricted	25,230,058	29,183,762	31,102,410	33,711,520	36,119,094	43,003,100	47,141,320	51,566,305	60,971,262	66,774,197
Unrestricted	72,254,550	80,730,875	76,891,926	82,382,329	89,602,485	95,535,974	113,940,848	133,486,606	144,383,672	162,120,030
Total Primary Government Net Position	\$ 338,895,832	\$ 358,881,490	\$ 373,650,607	\$ 394,434,017	\$ 416,187,454	\$ 442,008,176	\$ 462,348,592	\$ 491,839,459	\$ 526,336,937	\$ 567,403,142

Schedule 2
City of Jacksonville Beach, Florida
Changes in Net Position
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Expenses										
Governmental Activities:										
General Government	\$ 3,327,768	\$ 2,493,191	\$ 3,284,283	\$ 3,202,655	\$ 3,737,267	\$ 3,911,667	\$ 4,974,593	\$ 4,319,646	\$ 6,600,965	\$ 7,857,087
Law Enforcement	6,158,188	9,020,136	10,008,845	9,757,732	10,562,207	11,300,694	11,033,893	10,871,090	13,229,825	14,034,597
Fire Control	1,972,069	3,827,130	4,183,046	4,123,060	4,766,320	4,342,859	2,758,059	2,790,961	2,939,662	3,168,180
Building Inspections	498,870	510,092	531,696	574,436	631,896	682,069	668,549	704,921	814,472	895,705
Physical Environment	356,095	356,268	446,496	506,348	482,877	465,506	491,317	511,929	496,048	482,676
Roads and Streets	3,936,380	2,713,668	2,794,320	2,643,431	3,635,996	2,514,183	3,051,233	2,506,098	2,845,201	2,696,649
Parks and Recreation	3,141,474	3,134,179	3,502,497	3,607,934	3,848,072	3,863,411	3,513,829	4,270,654	4,529,661	4,964,566
Interest on Long-Term Debt	116,801	74,599	38,722	21,773	4,310	-	-	-	-	-
Total Governmental Activities Expenses	19,507,645	22,129,263	24,789,905	24,437,369	27,668,945	27,080,389	26,491,473	25,975,299	31,455,834	34,099,460
Business-Type Activities:										
Electric	74,983,356	74,126,043	76,095,735	75,833,677	73,644,169	70,910,714	75,085,347	97,129,039	91,506,974	81,681,888
Water and Sewer	8,835,376	9,008,417	9,358,111	9,782,478	9,738,833	10,252,806	9,911,907	10,009,081	11,939,694	12,681,275
Stormwater	1,190,742	1,290,008	1,507,348	1,573,499	1,294,110	1,484,027	1,547,067	1,481,291	1,618,979	1,766,932
Sanitation	3,320,470	3,362,128	5,203,263	3,970,986	3,554,289	3,652,176	3,701,798	3,821,009	5,880,149	7,977,094
Golf Course	1,471,132	1,268,556	1,309,024	962,855	1,877,802	2,171,412	2,321,607	2,322,140	2,724,234	3,013,391
Leased Facilities	265,349	278,923	424,898	541,874	383,286	833,029	468,625	487,915	657,558	777,854
Natural Gas	1,350,599	1,201,664	1,506,490	1,611,079	1,592,891	1,293,532	1,461,999	2,280,020	1,763,251	1,638,210
Total Business-Type Activities Expenses	91,417,024	90,535,739	95,404,869	94,276,448	92,085,380	90,597,696	94,498,350	117,530,495	116,090,839	109,536,644
Total Primary Government Expenses	110,924,669	112,665,002	120,194,774	118,713,817	119,754,325	117,678,085	120,989,823	143,505,794	147,546,673	143,636,104
Program Revenues										
Governmental Activities:										
Charges for Services:										
General Government	77,737	73,132	65,947	64,540	67,387	66,255	68,662	61,255	60,229	62,667
Law Enforcement	187,102	187,762	131,667	127,957	203,998	139,910	279,504	270,235	254,070	267,910
Building Inspections	656,045	683,556	604,421	666,973	938,103	917,441	841,131	1,027,742	1,197,778	1,097,564
Physical Environment	15,238	12,371	15,185	11,260	29,169	24,120	17,007	13,720	17,733	10,079
Roads and Streets	200,975	170,746	163,799	175,360	275,640	898,622	311,036	328,515	569,559	534,385
Parks and Recreation	125,443	121,342	160,132	213,789	211,172	160,824	225,110	238,155	275,043	204,455
Operating Grants and Contributions	1,149,520	1,105,992	1,424,306	1,472,822	1,226,389	1,290,905	1,229,351	1,440,547	1,411,143	1,285,834
Capital Grants and Contributions	328,049	53,564	52,233	28,223	58,070	55,547	292,208	1,707,747	7,773,103	3,650,615
Total Governmental Activities										
Program Revenues	2,740,109	2,408,465	2,617,690	2,760,924	3,009,928	3,553,624	3,264,009	5,087,916	11,558,658	7,113,509

Schedule 2 (Concluded)
City of Jacksonville Beach, Florida
Changes in Net Position
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Program Revenues (Concluded)										
Business-type Activities:										
Charges for Services:										
Electric	\$ 81,912,342	\$ 82,096,562	\$ 81,444,806	\$ 83,457,490	\$ 79,637,252	\$ 80,101,098	\$ 82,519,625	\$ 106,890,674	\$ 96,803,891	\$ 87,722,354
Water and Sewer	11,675,568	12,459,297	13,002,446	14,357,160	14,825,478	14,901,668	15,786,840	16,506,710	17,138,549	17,870,592
Stormwater	1,294,802	1,314,783	1,337,248	1,382,348	1,408,750	1,406,797	1,311,274	1,360,397	1,388,041	1,396,351
Sanitation	3,235,626	3,333,899	3,447,674	3,515,142	3,579,173	3,490,240	3,600,138	3,750,331	4,907,474	7,047,750
Golf Course	1,140,725	984,317	954,162	278,686	2,013,103	2,516,520	3,125,375	3,443,125	3,393,606	3,464,804
Leased Facilities	476,548	528,391	588,606	653,191	664,195	767,195	761,049	758,819	762,855	785,530
Natural Gas	2,017,973	1,869,071	2,068,186	2,221,745	2,162,732	1,788,412	1,845,309	2,699,398	2,121,073	1,827,610
Operating Grants and Contributions	-	-	1,518,177	1,459,055	23,204	55,062	2,580	11,910	642	-
Capital Grants and Contributions	861,845	489,894	661,152	349,628	458,010	499,544	665,695	2,626,206	625,267	349,814
Total Business-Type Activities										
Program Revenues	102,615,429	103,076,214	105,022,457	107,674,445	104,771,897	105,526,536	109,617,885	138,047,570	127,141,398	120,464,805
Total Primary Government Program Revenues	105,355,538	105,484,679	107,640,147	110,435,369	107,781,825	109,080,160	112,881,894	143,135,486	138,700,056	127,578,314
Net (Expense) Revenue										
Governmental Activities	(16,767,536)	(19,720,798)	(22,172,215)	(21,676,445)	(24,659,017)	(23,526,765)	(23,227,464)	(20,887,383)	(19,897,176)	(26,985,951)
Business-Type Activities	11,198,405	12,540,475	9,617,588	13,397,997	12,686,517	14,928,840	15,119,535	20,520,075	11,050,559	10,928,161
Total Primary Government Net Expense	(5,569,131)	(7,180,323)	(12,554,627)	(8,278,448)	(11,972,500)	(8,597,925)	(8,107,929)	(367,308)	(8,846,617)	(16,057,790)
General Revenues and Other Changes in Net Position										
Governmental Activities:										
Taxes:										
Property Taxes	15,906,918	16,942,109	18,050,950	19,884,929	18,357,738	20,971,159	22,048,764	23,114,045	26,078,066	28,672,921
Franchise Taxes	5,280	5,280	5,280	5,280	5,280	5,280	5,280	5,280	-	-
Infrastructure Surtax	1,195,504	1,242,584	1,300,026	1,384,739	1,436,666	1,395,678	1,593,766	1,842,917	1,790,723	1,952,501
Communication Service Tax	1,109,765	1,168,470	1,080,151	1,161,638	1,151,317	1,160,616	1,101,550	1,186,333	1,133,739	1,327,304
Convention Development Tax	344,940	363,370	372,921	414,030	423,275	320,451	565,513	753,398	781,771	836,397
Fuel Taxes	765,325	797,149	806,576	837,087	853,266	772,754	780,852	1,193,223	1,195,249	1,271,481
Other Taxes	702,174	728,276	653,051	618,215	632,425	682,804	554,098	538,015	553,934	699,068
State-shared Revenues	3,022,878	3,120,537	3,290,116	3,475,563	3,568,750	3,298,598	3,809,465	4,359,210	4,042,787	4,273,952
Other Intergovernmental Revenues	32,343	31,883	41,756	38,603	33,258	31,429	12,074	65,919	30,804	29,361
Interest	947,694	1,344,885	805,131	363,329	2,405,402	2,090,225	99,731	(2,240,169)	3,350,619	7,312,122
Miscellaneous	245,617	146,118	326,364	363,393	423,946	118,521	509,738	2,233,441	96,720	715,784
Net Transfers	3,236,898	5,653,987	2,303,126	3,766,229	2,306,356	2,758,724	3,969,386	4,214,193	2,677,964	(9,243,925)
Total Governmental Activities	27,515,336	31,544,648	29,035,448	32,313,035	31,597,679	33,606,239	35,050,217	37,265,805	41,732,376	37,846,966
Business-Type Activities:										
Interest	1,019,905	1,275,320	591,422	828,004	4,413,572	3,570,132	155,103	(3,193,437)	4,214,966	9,978,956
Miscellaneous	-	-	-	68,325	21,042	1,000	13,719	-	74,717	54,148
Net Transfers	(3,236,898)	(5,653,987)	(2,303,126)	(3,766,229)	(2,306,356)	(2,758,724)	(3,969,386)	(4,214,193)	(2,677,964)	9,243,925
Total Business-Type Activities	(2,216,993)	(4,378,667)	(1,711,704)	(2,869,900)	2,128,258	812,408	(3,800,564)	(7,407,630)	1,611,719	19,277,029
Total Primary Government	25,298,343	27,165,981	27,323,744	29,443,135	33,725,937	34,418,647	31,249,653	29,858,175	43,344,095	57,123,995
Change in Net Position										
Governmental Activities	10,747,800	11,823,850	6,863,233	10,636,590	6,938,662	10,079,474	11,822,753	16,378,422	21,835,200	10,861,015
Business-Type Activities	8,981,412	8,161,808	7,905,884	10,528,097	14,814,775	15,741,248	11,318,971	13,112,445	12,662,278	30,205,190
Total Primary Government	\$ 19,729,212	\$ 19,985,658	\$ 14,769,117	\$ 21,164,687	\$ 21,753,437	\$ 25,820,722	\$ 23,141,724	\$ 29,490,867	\$ 34,497,478	\$ 41,066,205

Schedule 3
City of Jacksonville Beach, Florida
Fund Balances, Governmental Funds
Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
General Fund										
Non-Spendable	\$ -	\$ 1,807	\$ 77	\$ 1,193	\$ 2,291	\$ 4,714	\$ 3,279	\$ 4,219	\$ 851	\$ 2,992
Restricted						79,020	161,612	352,382	455,246	463,798
Committed	5,069,431	5,168,956	5,540,793	5,758,237	6,271,451	6,265,763	6,603,601	7,899,382	8,544,202	9,199,479
Assigned	4,312,870	5,050,075	5,029,759	5,712,790	7,537,043	8,001,876	6,233,902	6,664,268	6,731,935	6,179,272
Total General Fund	<u>\$ 9,382,301</u>	<u>\$ 10,220,838</u>	<u>\$ 10,570,629</u>	<u>\$ 11,472,220</u>	<u>\$ 13,810,785</u>	<u>\$ 14,351,373</u>	<u>\$ 13,002,394</u>	<u>\$ 14,920,251</u>	<u>\$ 15,732,234</u>	<u>\$ 15,845,541</u>
All Other Governmental Funds										
Restricted	\$ 22,860,797	\$ 26,836,531	\$ 28,742,329	\$ 31,944,567	\$ 33,726,706	\$ 38,442,868	\$ 46,572,425	\$ 50,665,089	\$ 60,516,016	\$ 66,310,399
Committed	6,066	6,194	7,994	6,007	3,121	5,164	6,259	6,097	6,286	6,691
Assigned	6,637,001	7,934,432	7,362,439	7,865,834	7,198,956	10,047,394	13,382,461	17,510,191	19,859,853	23,638,404
Total All Other Governmental Funds	<u>\$ 29,503,864</u>	<u>\$ 34,777,157</u>	<u>\$ 36,112,762</u>	<u>\$ 39,816,408</u>	<u>\$ 40,928,783</u>	<u>\$ 48,495,426</u>	<u>\$ 59,961,145</u>	<u>\$ 68,181,377</u>	<u>\$ 80,382,155</u>	<u>\$ 89,955,494</u>

Schedule 4

City of Jacksonville Beach, Florida

Changes in Fund Balances, Governmental Funds

Last Ten Fiscal Years

(Modified Accrual Basis of Accounting)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Revenues										
Taxes	\$ 20,021,606	\$ 21,228,237	\$ 22,273,155	\$ 24,271,318	\$ 22,847,169	\$ 25,332,542	\$ 26,618,023	\$ 28,480,812	\$ 32,207,083	\$ 34,775,502
Licenses and Permits	682,161	679,820	592,151	650,985	942,091	1,556,531	845,334	1,033,441	1,050,332	1,100,484
Intergovernmental	4,079,434	4,207,812	4,665,075	4,844,846	4,800,083	4,590,750	5,017,950	7,429,215	12,436,810	9,214,181
Charges for Services	356,036	351,926	382,336	444,799	559,815	414,576	594,556	614,126	853,704	781,009
Fines and Forfeitures	332,099	259,869	239,465	201,815	250,244	301,027	332,246	347,667	491,076	626,300
Interest and Other Revenue	1,173,919	1,450,768	1,126,585	760,051	2,644,066	2,312,513	386,188	(1,821,537)	3,552,836	7,588,506
Total Revenues	26,645,255	28,178,432	29,278,767	31,173,814	32,043,468	34,507,939	33,794,297	36,083,724	50,591,841	54,085,982
Expenditures										
Current:										
General Government	2,862,341	2,556,750	2,800,432	2,712,795	2,866,277	2,905,661	3,292,935	3,639,400	4,115,433	4,996,622
Public Safety	12,649,752	12,874,674	13,350,078	13,892,257	15,014,400	15,383,041	14,703,460	14,671,947	15,989,584	17,198,096
Physical Environment	11,417	9,651	81,029	114,600	98,436	70,743	80,264	136,955	104,489	92,474
Roads and Streets	2,886,824	1,584,109	1,769,416	1,757,092	2,921,604	1,725,376	2,333,010	1,711,030	2,007,542	1,863,276
Parks and Recreation	2,739,420	2,783,261	2,900,618	3,109,305	3,297,899	3,203,695	3,318,536	3,725,833	4,043,525	4,406,797
Debt Service:										
Principal	1,545,800	1,581,880	955,000	980,000	490,000	-	-	-	-	-
Interest	116,801	74,599	38,722	21,773	4,310	-	-	-	-	-
Capital Outlay	2,689,003	4,757,047	9,551,371	7,796,984	7,947,720	7,394,715	2,234,402	9,370,859	16,148,877	20,459,612
(Total Expenditures)	(25,501,358)	(26,221,971)	(31,446,666)	(30,384,806)	(32,640,646)	(30,683,231)	(25,962,607)	(33,256,024)	(42,409,450)	(49,016,877)
(Deficiency) of Revenues										
(Under) Expenditures	1,143,897	1,956,461	(2,167,899)	789,008	(597,178)	3,824,708	7,831,690	2,827,700	8,182,391	5,069,105
Other Financing Sources (Uses)										
Proceeds from Borrowing	-	-	-	-	-	-	-	-	-	-
Principal - Current Refundings	-	-	-	-	-	-	-	-	-	-
Sale of General Capital Assets	-	-	-	-	-	-	-	1,788,000	155,232	-
Transfers in	7,550,022	7,466,111	7,188,855	7,540,195	6,987,402	8,182,686	8,903,923	10,566,155	11,464,283	14,007,652
Transfers (out)	(3,734,254)	(3,310,742)	(3,335,560)	(3,723,966)	(2,939,281)	(3,900,166)	(4,529,366)	(6,281,962)	(7,199,888)	(9,830,679)
Total Other Financing Sources (Uses)	3,815,768	4,155,369	3,853,295	3,816,229	4,048,121	4,282,520	4,374,557	6,072,193	4,419,627	4,176,973
Net Change in Fund Balance	\$ 4,959,665	\$ 6,111,830	\$ 1,685,396	\$ 4,605,237	\$ 3,450,943	\$ 8,107,228	\$ 12,206,247	\$ 8,899,893	\$ 12,602,018	\$ 9,246,078
Debt Service as a % of Non-Capital Expenditures*	7.5%	7.8%	4.6%	4.6%	2.1%	0.0%	0.0%	0.0%	0.0%	0.0%

* Non-capital expenditures are total expenditures less capital outlay.

REVENUE CAPACITY INFORMATION

Schedule 5

City of Jacksonville Beach, Florida

Assessed Value and Estimated Actual Value of Taxable Property

Last Ten Fiscal Years

Fiscal Year Ended September 30,	Assessed Taxable Values			Tax-Exempt Property	Estimated Actual Value (1)	Total Direct Tax Rate (2)	Taxable Assessed Value as a % of Actual Value
	Real Property	Personal Property	Total Taxable Assessed Value				
2015	\$ 2,600,643,517	\$ 66,537,759	\$ 2,667,181,276	\$ 1,109,561,873	\$ 3,776,743,149	3.9947	70.62%
2016	2,814,151,792	80,641,926	2,894,793,718	1,259,519,810	4,154,313,528	3.8947	69.68%
2017	3,027,805,594	96,405,964	3,124,211,558	1,340,803,509	4,465,015,067	3.7947	69.97%
2018	3,249,073,173	99,904,354	3,348,977,527	1,419,311,962	4,768,289,489	3.9947	70.23%
2019	3,498,864,284	108,836,408	3,607,700,692	1,599,153,996	5,206,854,688	3.9947	69.29%
2020	3,713,763,339	109,049,032	3,822,812,371	1,566,454,924	5,389,267,295	3.9947	70.93%
2021	3,925,727,019	112,031,838	4,037,758,857	1,940,839,379	5,978,598,236	3.9947	67.54%
2022	4,121,219,786	127,396,062	4,248,615,848	2,002,908,823	6,251,524,671	3.9947	67.96%
2023	4,649,229,278	130,892,674	4,780,121,952	2,736,047,495	7,516,169,447	3.9947	63.60%
2024	5,137,081,932	141,196,658	5,278,278,590	3,182,311,544	8,460,590,134	3.9947	62.39%

Source: Duval County Ad Valorem Assessment Rolls for Jacksonville Beach.

(1) Estimated actual values are the total "just" values of property subject to taxation, as defined by Section 193.001, Florida Statutes.

Note: Property is assessed each year as of January 1 at market value. However, assessed value is limited by the Amendment 10 or the "Save Our Homes" tax cap. This 1992 amendment to the Florida Constitution limits increases in value of homesteads (an individual's primary residence) to 3% or less per year. The taxable value is the assessed value less any exemptions.

(2) Tax rate is per \$1,000 of assessed value.

Schedule 6
City of Jacksonville Beach, Florida
Direct and Overlapping Property Tax Rates
Last Ten Fiscal Years
(Rate Per \$1,000 of Assessed Value)

Fiscal Year September 30,	Direct Rates (1)	Overlapping Rates				Total Millage Rate
	City of Jacksonville Beach	Florida Inland Navigation	Water Management District	School District	Duval County	
2015	3.9947	0.0345	0.3164	7.3050	8.1512	19.8018
2016	3.8947	0.0320	0.3023	7.1170	8.1512	19.4972
2017	3.7947	0.0320	0.2885	6.8020	8.1512	19.0684
2018	3.9947	0.0320	0.2724	6.4850	8.1512	18.9353
2019	3.9947	0.0320	0.2562	6.2930	8.1512	18.7271
2020	3.9947	0.0320	0.2414	6.1500	8.1512	18.5693
2021	3.9947	0.0320	0.2287	5.9050	8.1512	18.3116
2022	3.9947	0.0320	0.2287	5.9050	8.1512	18.3116
2023	3.9947	0.0320	0.1974	5.4840	8.0262	17.7343
2024	3.9947	0.0288	0.1793	6.4310	8.0262	18.6600

Source: Duval County Property Appraiser

(1) Direct rate consists of operating millage only.

Schedule 7
City of Jacksonville Beach, Florida
Principal Property Tax Payers
Fiscal Year 2024 and Nine Years Ago

	2024			2015		
	Taxable Assessed Value	Rank	Percentage of Total City Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total City Taxable Assessed Value
Broadstone Beach House at Jax. Beach	\$ 52,436,400	1	1.02%	\$ 29,201,180	1	1.12%
Margaritaville Beach Hotel	41,802,900	2	0.81%			
Springhill Suites	38,731,000	3	0.75%			
South Beach Regional Shopping Center	38,117,783	4	0.74%	15,139,200	5	0.58%
Ocean Park (Apartments) Partnership, Ltd.	37,973,400	5	0.74%	21,901,000	2	0.84%
Courtyard Marriott - Beachfront	37,738,375	6	0.73%	20,926,900	3	0.80%
Hampton Inn Oceanfront	35,587,612	7	0.69%	20,926,070	4	0.80%
Pablo Plaza	25,088,503	8	0.49%	13,489,100	6	0.52%
Four Points by Sheraton - Jax Beachfront	21,968,000	9	0.43%			
Winward Marina Group	19,282,200	10	0.38%	11,999,900	7	0.46%
South Beach Parkway Shopping Center				10,025,600	9	0.58%
Marsh Landing Plaza				10,330,200	8	0.40%
Target				9,715,116	10	0.37%
Total	<u>\$ 348,726,173</u>		<u>6.78%</u>	<u>\$ 163,654,266</u>		<u>6.47%</u>
 Total Assessed Real Property Valuation from Schedule 5	 <u>\$ 5,137,081,932</u>			 <u>\$ 2,600,643,517</u>		

Source: Duval County Property Appraiser

Schedule 8
City of Jacksonville Beach, Florida
Property Tax Levies and Collections
Last Ten Fiscal Years

Fiscal Year September 30,	Taxes Levied for Fiscal Year (1)	Collected Within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections To-Date	
		Amount Net of Discount (2)	Percentage of Levy		Amount	Percentage of Levy
2015	\$ 7,756,009	\$ 7,351,558	94.79%	\$ 48,357	\$ 7,399,915	95.41%
2016	8,292,080	7,845,052	94.61%	66,708	7,911,760	95.41%
2017	8,699,388	8,008,400	92.06%	423,672	8,432,072	96.93%
2018	9,831,502	9,062,838	92.18%	341,173	9,404,011	95.65%
2019	10,654,284	10,101,419	94.81%	237,715	10,339,134	97.04%
2020	11,327,634	10,516,809	92.84%	454,850	10,971,659	96.86%
2021	12,068,826	11,306,880	93.69%	341,287	11,648,167	96.51%
2022	12,675,758	11,917,633	94.02%	351,332	12,268,965	96.79%
2023	14,217,164	13,464,082	94.70%	325,798	13,789,880	96.99%
2024	15,764,773	14,909,522	94.57%	360,745	15,270,267	96.86%

Source: Duval County Property Appraiser and City of Jacksonville Beach Finance Department.

(1) Taxes levied do not include the taxes levied for the Community Redevelopment Agencies.

(2) Section 197.012 of the Florida Statutes allows a discount for early payment of taxes: 4% in November, 3% in December, 2% in January, and 1% in February.

DEBT CAPACITY INFORMATION

Schedule 9
City of Jacksonville Beach, Florida
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

Fiscal Year	Governmental Activities				Business-Type Activities					
	Redevelopment Bonds	Infrastructure Sales Tax Bonds	SBITA Liability	Total Governmental	Electric Bonds	Outstanding Debt Per Electric Customer (1)	Water and Sewer Bonds	Outstanding Debt Per Water Customer (1)	Lease Liability	
2015	\$ 646,880	\$ 3,360,000	\$ -	\$ 4,006,880	\$ 13,151,582	\$ 382	\$ 9,177,080	\$ 885	\$ -	
2016	-	2,425,000	-	2,425,000	10,874,050	313	7,587,834	732	-	
2017	-	1,470,000	-	1,470,000	8,550,349	246	5,966,373	574	-	
2018	-	490,000	-	490,000	6,178,302	177	4,311,174	414	-	
2019	-	-	-	-	3,752,911	108	2,618,754	252	-	
2020	-	-	-	-	1,266,350	36	883,650	84	-	
2021	-	-	-	-	-	-	-	-	-	
2022	-	-	-	-	-	-	-	-	-	
2023	-	-	-	-	-	-	-	-	573,791	
2024	-	-	130,679	130,679	-	-	-	-	420,092	

Note: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

(1) Number of electric, water, and stormwater customers can be found on Schedule 17.

(2) See the Schedule of Demographic and Economic Statistics on Schedule 14 for personal income and population data.

N/A - Not yet available

Schedule 9 (Concluded)
City of Jacksonville Beach, Florida
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

Fiscal Year	Total Business-Type	Total Debt	Percentage of Personal Income (2)	Total Debt Per Capita (2)
2015	\$ 22,328,662	\$ 26,335,542	2.79%	\$ 1,155
2016	18,461,884	20,886,884	2.10%	897
2017	14,516,722	15,986,722	1.53%	680
2018	10,489,476	10,979,476	1.01%	467
2019	6,371,665	6,371,665	0.57%	273
2020	2,150,000	2,150,000	0.18%	92
2021	-	-	0.00%	-
2022	-	-	0.00%	-
2023	573,791	573,791	0.04%	24
2024	420,092	550,771	N/A	23

Schedule 10
City of Jacksonville Beach, Florida
Ratios of General Bonded Debt Outstanding
Last Ten Fiscal Years

Fiscal Year	Governmental Activities					
	Redevelopment Bonds	% of Actual Taxable Value of Property (1)	Infrastructure Sales Tax Bonds	Infrastructure Debt Per Capita	Total Government Debt	Total Debt Per Capita
2015	\$ 646,880	0.09%	\$ 3,360,000	\$ 147	\$ 4,006,880	\$ 176
2016	-	0.00%	2,425,000	104	2,425,000	104
2017	-	0.00%	1,470,000	63	1,470,000	63
2018	-	0.00%	490,000	21	490,000	21
2019	-	0.00%	-	-	-	-
2020	-	0.00%	-	-	-	-
2021	-	0.00%	-	-	-	-
2022	-	0.00%	-	-	-	-
2023	-	0.00%	-	-	-	-
2024	-	0.00%	-	-	-	-

Note: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

(1) Total redevelopment debt outstanding divided by total assessed taxable valuation in tax increment districts.

Schedule 11
City of Jacksonville Beach, Florida
Direct and Overlapping Governmental Activities Debt
As of September 30, 2024
(Dollars in Thousands)

There is no direct and overlapping governmental activities debt for the City of Jacksonville Beach.

Schedule 12
City of Jacksonville Beach, Florida
Legal Debt Margin Information

Neither the City of Jacksonville Beach Charter or Code, nor the Florida Statutes limits the amount of debt the City can issue.

Schedule 13
City of Jacksonville Beach, Florida
Pledged-Revenue Coverage
Last Ten Fiscal Years

Fiscal Year	Electric, Water, and Sewer Revenue Bonds						Debt Service Coverage
	Utility Service Charges	Less: Operating Expenses (1)	Net Available Revenue	Debt Service			
				Principal	Interest		
2015	\$ 93,587,910	\$ (74,744,539)	\$ 18,843,371	\$ 3,555,000	\$ 870,938	4.26	
2016	94,555,859	(74,581,123)	19,974,736	3,680,000	745,588	4.51	
2017	94,447,252	(76,524,604)	17,922,648	3,800,000	634,688	4.04	
2018	97,814,650	(77,018,181)	20,796,469	3,925,000	498,219	4.70	
2019	94,462,730	(74,918,074)	19,544,656	4,060,000	366,925	4.41	
2020	95,002,766	(72,450,850)	22,551,916	4,210,000	213,100	5.10	
2021	-	-	-	-	-	-	
2022	-	-	-	-	-	-	
2023	-	-	-	-	-	-	
2024	-	-	-	-	-	-	

(1) Excludes depreciation expense.

Bonds were paid off in FY 2021.

DEMOGRAPHIC AND ECONOMIC INFORMATION

Schedule 14
City of Jacksonville Beach, Florida
Demographic and Economic Statistics
Last Ten Calendar Years

Fiscal Year	Population (1)	Duval County Unemployment Rate (2)	Duval County Per Capita Income (3)	Personal Income
2015	22,805	6.0%	\$ 41,339	\$ 942,735,895
2016	23,288	4.9%	42,617	992,464,696
2017	23,503	4.6%	44,347	1,042,287,541
2018	23,494	3.6%	46,174	1,084,811,956
2019	23,352	3.4%	47,475	1,108,636,200
2020	23,394	6.0%	51,131	1,196,158,614
2021	23,830	4.6%	54,354	1,295,255,820
2022	23,830	3.0%	56,168	1,338,483,440
2023	23,830	2.8%	58,975	1,405,374,250
2024	24,309	3.4%	N/A	N/A

(1) **Source:** U.S. Census Bureau and City Planning and Development Department

(2) **Source:** U.S. Department of Labor

(3) **Source:** Bureau of Economic Analysis-U.S. Dept of Commerce

N/A - Not yet available.

Schedule 15
City of Jacksonville Beach, Florida
Principal Employers
Fiscal Year 2024 and Nine Years Ago

Employer	2024			2015		
	Employees	Rank	Percentage of Total City Employment	Employees	Rank	Percentage of Total City Employment
Naval Station Mayport	10,103	1	N/A	9,000	1	N/A
PGA Tour, Inc.	3,000	2				
The Players Championship	900	3				
Baptist Medical Center - Beaches	884	4	N/A	800	2	N/A
Vicar's Landing	550	5	N/A			N/A
Ponte Vedra Inn and Club	530	6	N/A			N/A
City of Jacksonville Beach	452	7	N/A	400	3	N/A
Sawgrass Marriott Golf Resort	450	9	N/A			N/A
Fleet Landing	330	10	N/A	280	5	N/A
U.S. Coast Guard			N/A	300	4	N/A
Avante at Jax Beach			N/A	250	6	N/A
One Ocean Resort Hotel				190	7	
North FL Home Healthcare				150	8	
World Gym				150	9	
City of Atlantic Beach				120	10	

Source: Jacksonville Chamber of Commerce

Notes: Principal Employer ranking includes the four beach communities of Jacksonville, Neptune, and Atlantic Beach (Duval County), Ponte Vedra Beach (St. Johns County), and Mayport Naval Base.

N/A - Total beaches workforce number is not available.

OPERATING INFORMATION

Schedule 16
City of Jacksonville Beach, Florida
City Employees by Function/Program
Last Ten Fiscal Years

Function/Program	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
General Government	14	14	14	14	14	16	25	30	22	22
Finance	38	39	42	41	44	45	40	41	41	40
Planning and Development	9	10	10	10	10	10	10	10	10	10
Electric	75	75	75	75	72	72	72	72	70	71
Information Services									12	12
Redevelopment*	1	1	1	0	0	0	1	1	1	1
Public Works	66	66	67	67	68	70	70	71	71	71
Human Resources	7	6	6	6	6	6	6	6	7	7
Parks and Recreation	98	100	100	100	100	99	101	100	102	102
Grounds and Maintenance	7	7	7	7	9	9	9	9	9	9
Golf Course	25	25	25	24	27	27	30	30	32	32
Police	100	100	102	102	103	103	103	103	103	103
Fire Fighters	31	31	31	31	31	31	0	0	0	0
Total	471	474	480	477	484	488	467	473	480	480

Source: City of Jacksonville Beach Annual Budget

Note: Figures include both full-time and part-time positions and have not been converted to full-time equivalent positions.

* Beginning in 2015, 1 part-time Community Redevelopment Specialist was added.

Schedule 17
City of Jacksonville Beach, Florida
Operating Indicators by Function/Program
Last Ten Fiscal Years

Function/Program	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Police										
Physical Arrests	1,582	1,470	1,992	1,932	1,980	1,452	1,409	1250	1217	993
Parking Violations	2,640	2,016	1,833	1,501	1,231	1,231	987	1345	1838	1525
Law Violations	2,322	1,845	3,143	3,536	3,092	2,325	2,316	1984	1859	1480
Fire										
Emergency Incidents*	3,195	3,401	3,643	3,298	3,399	0	0	0	0	0
Inspections (Total)	1,852	1,797	1,857	2,442	2,154	1,668	1,794	2,039	2,373	3,112
Other Public Works										
Street Resurfacing (Miles)	7.36	0.00	1.57	1.17	2.82	1.07	4.33	0	1.05	1.49
Electric										
Number of Active										
Electric Customers	34,433	34,711	34,738	34,815	34,900	35,171	35,437	35,481	35,686	35,679
Average Residential										
Monthly Consumption										
(Kilowatt Hours)	1,253	1,246	1,178	1,219	1,231	1,233	1,230	1,225	1,194	1,193
Water										
Number of Active										
Water Customers	10,204	10,369	10,398	10,405	10,399	10,520	10,678	10,689	10,756	10,794
Average Residential Monthly										
Consumption (Gallons)	3,083	3,926	4,146	4,255	4,389	4,191	4,195	4,093	4,644	4,006
Wastewater										
Number of Active Wastewater										
Customers	10,036	10,217	10,246	10,261	10,254	10,375	10,522	10,536	10,630	10,671
Storm Mains Cleaned (Feet)	33,153	34,733	33,791	22,543	17,584	8,078	26,030	17,864	9,031	15,945

Source: City of Jacksonville Beach Annual Budget & Department Directors

* - Emergency Incidents were contracted out to the City of Jacksonville during the fiscal year ended September 30, 2020.

Schedule 18
City of Jacksonville Beach, Florida
Capital Asset Statistics by Function/Program
Last Ten Fiscal Years

Function/Program	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Police										
Stations (Including Satellite Stations)	1	1	1	1	1	1	1	1	1	1
Patrol Units	76	76	79	80	80	83	83	78	75	84
Fire Stations	2	2	2	2	2	0	0	0	0	0
Other Public Works										
Paved Roads (Miles)	89	89	90	90	90	90	93	93	93	93
Streetlights	5,493	5,538	5,909	5,582	5,613	5,643	5,649	5,649	5,680	5,683
Water										
Water Mains (Miles)	109	109	109	109	109	109	126	126	124	124
Production Wells	6	6	6	6	6	6	6	6	6	6
Fire Hydrants	895	895	900	909	909	909	951	951	955	955
Wastewater										
Sanitary Sewer Mains (Gravity, in Miles)	85	85	85	85	85	85	85	85	97	97
Sanitary Sewer Mains (Force, in Miles)	18	18	18	18	18	18	18	18	18	18
Treatment Plants	1	1	1	1	1	1	1	1	1	1
Lift Stations	38	38	38	38	38	38	38	38	38	38
Treatment Capacity (Millions of Gallons)	5	5	5	5	5	5	5	5	5	5
Parks and Recreation										
Acreage*	86	86	86	210	210	210	210	210	210	210
Parks	11	11	11	16	15	15	15	15	15	15
Golf Course	1	1	1	1	1	1	1	1	1	1
Tennis Courts	8	8	8	8	8	8	8	8	8	8

Source: City of Jacksonville Beach Annual Budget & Department Directors

* - Golf course acreage was included beginning with fiscal year 2018.

SINGLE AUDIT SECTION

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

Federal Grantor/Pass-Through Grantor/Program Title	Assistance Listing Number	Pass-Through Grantor's Number	Federal Award Amount	Federal Expenditures
Federal Awards				
U.S. Department of Housing and Urban Development				
Passed Through City of Jacksonville				
Community Development Block Grant	14.218	666634-24	\$ 140,900	\$ 140,852
Total U.S. Department of Housing and Urban Development			<u>140,900</u>	<u>140,852</u>
U.S. Department of Justice				
Passed Through Florida Department of Law Enforcement				
Edward Byrne Memorial Justice Assistance Grant Program	16.738	15PBJA-22-GG-00656-MUMU	48,964	48,964
Total U.S. Department of Justice			<u>48,964</u>	<u>48,964</u>
U.S. Department of Treasury				
Passed Through Florida Department of Emergency Management:				
COVID-19 - Coronavirus State and Local Fiscal Recovery Funds	COVID-19, 21.027	Y5134	11,834,170	3,633,748
Total U.S. Department of Treasury			<u>11,834,170</u>	<u>3,633,748</u>
Total Federal Awards			<u>\$ 12,024,034</u>	<u>\$ 3,823,564</u>

**NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
CITY OF JACKSONVILLE BEACH, FLORIDA**

Note 1 - General

The accompanying schedule of expenditures of federal awards presents the activity of all federal awards programs of the City of Jacksonville Beach, Florida (the City) and is presented in accordance with the requirements of 2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*.

The City reporting entity is defined in Note 1 to the City's basic financial statements for the year ended September 30, 2024. All federal awards received directly from federal agencies, as well as federal awards passed through other governmental agencies, are included in the schedule.

Note 2 - Basis of Accounting

The accompanying schedule of expenditures of federal awards is presented using the same basis of accounting as the fund in which the grant is recorded, generally the accrual or modified accrual basis, as described in Note 1 to the City's financial statements.

Note 3 - De Minimis Indirect Cost Rate Election

The City did not elect to use the 10% de minimis indirect cost rate as covered in §200.414, *Indirect (F&A) costs*, of the Uniform Guidance.

**SCHEDULE OF EXPENDITURES OF GRANT FUNDS PER THE
CITY OF JACKSONVILLE'S ORDINANCE CODE CHAPTER 118.202(e)
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

**City of Jacksonville Public Service Grants Received as a
Subgrant Recipient Per Interlocal Agreement**

City of Jacksonville Beach Fiscal Year 2023-2024 Grant No. 666634-24 - \$140,900

Expenditures	Budgeted	Actual	Spent in Current Year with Prior Year Awards	Carry Forward
CARVER				
Services	\$ 140,900	\$ 140,852	\$ -	\$ 48
Total CARVER	<u>140,900</u>	<u>140,852</u>	<u>-</u>	<u>48</u>
Total Expenditures	<u>\$ 140,900</u>	<u>\$ 140,852</u>	<u>\$ -</u>	<u>\$ 48</u>

GOVERNMENTAL AUDITING SECTION

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED
ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Jacksonville Beach, Florida (the City) as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated February 21, 2025.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

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The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED
ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, non-compliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of non-compliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Purvis Gray

February 21, 2025
Tallahassee, Florida

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR
EACH MAJOR FEDERAL PROGRAM AND REPORT ON INTERNAL CONTROL
OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited the City of Jacksonville Beach, Florida's (the City) compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended September 30, 2024. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2024.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's federal programs.

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The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR
EACH MAJOR FEDERAL PROGRAM AND REPORT ON INTERNAL CONTROL
OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material non-compliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material non-compliance when it exists. The risk of not detecting material non-compliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Non-compliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material non-compliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, non-compliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material non-compliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR
EACH MAJOR FEDERAL PROGRAM AND REPORT ON INTERNAL CONTROL
OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Purvis Gray

February 21, 2025
Tallahassee, Florida

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
CITY OF JACKSONVILLE BEACH, FLORIDA**

SECTION I - SUMMARY OF AUDITOR'S RESULTS

Financial Statements

Type of auditor's report issued on whether the financial statements audited were prepared in accordance with generally accepted accounting principles:	Unmodified
Internal Control Over Financial Reporting:	
Material weakness(es) identified?	No
Significant deficiency(ies) identified?	None Reported
Non-compliance material to financial statements noted?	No

Federal Awards

Internal Control Over Major Federal Programs:	
Material weakness(es) identified?	No
Significant deficiencies identified?	None Reported
Type of auditor's report issued on compliance for major federal programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?	No
Identification of Major Federal Programs:	
Coronavirus State and Local Fiscal Recovery Funds	<u>Assistance Listing No.</u> 21.027
Dollar threshold used to distinguish between type A and type B programs:	\$750,000
Auditee qualified as low risk auditee pursuant to the Uniform Guidance?	No

SECTION II - FINANCIAL STATEMENT FINDINGS

No matters are reported.

SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS

No matters are reported.

INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH SECTION 218.415, FLORIDA STATUTES

The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

We have examined the City of Jacksonville Beach, Florida's (the City's) compliance with Section 218.415, Florida Statutes, during the fiscal year ended September 30, 2024, as required by Section 10.556 (10)(a), *Rules of the Auditor General*. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on the City's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the City complied, in all material respects, with the requirements referenced above. An examination involves performing procedures to obtain evidence about whether the City complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material non-compliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

Our examination does not provide a legal determination on the City's compliance with specified requirements.

In our opinion, the City complied, in all material respects, with the aforementioned requirements during the fiscal year ended September 30, 2024.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, federal and other granting agencies and pass-through entities, the Mayor and City Council members, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

Purvis Gray

February 21, 2025
Tallahassee, Florida

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MANAGEMENT LETTER

The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

Report on the Financial Statements

We have audited the financial statements of the City of Jacksonville Beach, Florida (the City) as of and for the fiscal year ended September 30, 2024, and have issued our report thereon dated February 21, 2025.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance); and Chapter 10.550, *Rules of the Auditor General*.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; Independent Auditor's Report on Compliance for Each Major Federal Program and Report on Internal Control Over Compliance; Schedule of Findings and Questioned Costs; and Independent Accountant's Report on an examination conducted in accordance with the American Institute of Certified Public Accountants *Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, *Rules of the Auditor General*. Disclosures in those reports and schedule, which are dated February 21, 2025, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., *Rules of the Auditor General*, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding financial audit report. There were no such findings and recommendations made in the preceding financial audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., *Rules of the Auditor General*, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The City was established in 1907 and incorporated in 1937, under the legal authority of the Laws of Florida 18623. In addition, the annual financial audit report for the City also includes the accounts and transactions of the entities noted below. The Jacksonville Beach Community Redevelopment Agency is considered a blended component

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The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

MANAGEMENT LETTER

unit and was established pursuant to Chapter 163 of the Florida Statutes. The General Employees', Police Officers', and Firefighters' Pension Plans are considered to be fiduciary component units and were established, and later amended, pursuant to Chapter 27 of the Laws of Florida and Chapters 175 and 185 of the Florida Statutes, respectively.

Financial Condition and Management

Sections 10.554(1)(i)5.a. and 10.556(7), *Rules of the Auditor General*, require us to apply appropriate procedures and communicate the results of our determination as to whether or not the City met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the City did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), *Rules of the Auditor General*, we applied financial condition assessment procedures for the City. It is management's responsibility to monitor the City's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., *Rules of the Auditor General*, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Property Assessed Clean Energy (PACE) Programs

As required by Section 10.554(1)(i)6.a., *Rules of the Auditor General*, the City must state as to whether a PACE program authorized pursuant to Section 163.081 or Section 163.082, Florida Statutes, did/did not operate within the City's geographical boundaries during the fiscal year under audit. The City has not authorized the operation of a PACE program, and management is not aware of the operation of any such program, within its geographical boundaries.

Special District Component Units

Section 10.554(1)(i)5.c., *Rules of the Auditor General*, requires, if appropriate, that we communicate the failure of a special district that is a component unit of a county, municipality, or special district, to provide the financial information necessary for proper reporting of the component unit within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. In connection with our audit, we did not note any special district component units that failed to provide the necessary information for proper reporting in accordance with Section 218.39(3)(b), Florida Statutes. Information for the Southend and Downtown Community Redevelopment Districts (collectively, the CRA) are included in the separately issued financial statements of the CRA.

Additional Matters

Section 10.554(1)(i)3., *Rules of the Auditor General*, requires us to communicate non-compliance with provisions of contracts or grant agreements, or fraud, waste, or abuse, that has occurred, or is likely to have occurred, that has an effect on the financial statements that is less than material, but warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

The Honorable Mayor and Members of the City Council
City of Jacksonville Beach
Jacksonville Beach, Florida

MANAGEMENT LETTER

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, federal and other granting agencies and pass-through entities, the Mayor and City Council members, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

Purvis Gray

February 21, 2025
Tallahassee, Florida



2024

Jacksonville Beach
Community Redevelopment Agency
Financial Statements and
Independent Auditor's Report
September 30, 2024

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**FINANCIAL STATEMENTS
AND
INDEPENDENT AUDITOR’S REPORT**

**JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)**

SEPTEMBER 30, 2024

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INDEPENDENT AUDITOR'S REPORT

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities and each major fund of the Jacksonville Beach Community Redevelopment Agency (the Agency), a component unit of the City of Jacksonville Beach, Florida, as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the Agency's financial statements, as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Agency as of September 30, 2024, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Agency and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for twelve months beyond the financial statement date, including any known information that may raise substantial doubt shortly thereafter.

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To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

INDEPENDENT AUDITOR'S REPORT

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

INDEPENDENT AUDITOR'S REPORT

management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated February 21, 2025, on our consideration of the Agency's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, rules, regulations, contracts and grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Agency's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control over financial reporting and compliance.

Purvis Gray

February 21, 2025
Tallahassee, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS

MANAGEMENT'S DISCUSSION AND ANALYSIS

The Management's Discussion and Analysis (the MD&A) of the Jacksonville Beach Community Redevelopment Agency (the Agency), is intended to provide an overview of the Agency's financial position and results of operations for the fiscal year ended September 30, 2024. The MD&A should be read in conjunction with the Agency's financial statements, including the accompanying notes, to enhance the understanding of the Agency's financial performance.

Financial Highlights

- At September 30, 2024, restricted net position of \$44,641,352 is unspent tax increment financing revenues restricted for upcoming redevelopment projects.
- Fund balance increased in the current year by \$1,329,458. Substantially all of this increase is attributable to tax increment revenues in excess of expenditures due to the timing of the Community Redevelopment Agency (CRA) projects.
- \$2,706,290 in Southend Redevelopment District tax increment revenues was returned to the taxing authorities as part of the year-end fund balance appropriation.

Overview of the Financial Statements

This MD&A is intended to serve as an introduction to the Agency's basic financial statements, which have the following components: 1) government-wide financial statements, 2) fund financial statements, 3) notes to the financial statements, and 4) required supplementary information. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the Agency's finances in a manner similar to a private-sector business.

The statement of net position presents information on all of the Agency's assets and liabilities with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Agency is improving or deteriorating.

The statement of activities presents information showing how the Agency's net position changed during each fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in the statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements listed above distinguish functions of the Agency that are principally supported by ad-valorem taxes and intergovernmental revenues from other functions that are intended to recover all or a significant portion of their cost through user fees and charges. The governmental activities in the Agency are community redevelopment and public safety.

MANAGEMENT'S DISCUSSION AND ANALYSIS

The government-wide financial statements include only the financial activities of the Agency. However, the Agency is considered a blended component unit of the City of Jacksonville Beach, Florida (the City), and as such, the financial information of the Agency is included in the City's Annual Comprehensive Financial Report in each fiscal year.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Agency uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. Governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources, available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate the comparison between governmental funds and governmental activities when required.

Key elements of the reconciliation of these two statements are that the government-wide statement of activities reports the issuance of debt as a liability, the purchases of capital assets as assets which are then charged to expense over their useful lives (depreciated), and changes in long-term liabilities as adjustments of expenses. Conversely, the governmental funds statements report the issuance of debt as another financing source of funds, the repayment of debt as an expenditure, the purchase of capital assets as an expenditure, and do not reflect changes in long-term liabilities.

The Agency maintains two governmental funds. Information is presented separately for the Downtown and Southend Redevelopment Districts in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures and changes in fund balance. In the City's Annual Comprehensive Financial Report, these two funds are referred to as the Downtown and Southend Redevelopment Trust funds.

Notes to the Financial Statements

The notes to the financial statements provide additional information that is essential for a full understanding of the information provided in the government-wide and fund financial statements.

MANAGEMENT'S DISCUSSION AND ANALYSIS

Government-Wide Financial Analysis

The following table summarizes the statement of net position for the current and prior year:

SUMMARY SCHEDULE OF NET POSITION

	<u>2024</u>	<u>2023</u>
Current Assets	\$ 48,784,243	\$ 46,613,780
Capital Assets, Net	<u>7,250,921</u>	<u>7,250,921</u>
Total Assets	<u>56,035,164</u>	<u>53,864,701</u>
Current Liabilities	<u>4,142,891</u>	<u>3,300,302</u>
Total Liabilities	<u>4,142,891</u>	<u>3,300,302</u>
Net Position		
Investment in Capital Assets	7,250,921	7,250,921
Restricted for Redevelopment Projects	<u>44,641,352</u>	<u>43,313,478</u>
Total Net Position	<u>\$ 51,892,273</u>	<u>\$ 50,564,399</u>

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. Governmental activities increased the Agency's net position by \$1,327,874 for the year ended September 30, 2024. Key elements of the change are described below.

The following table summarizes the changes in net position for the current and prior year:

SUMMARY OF CHANGES IN NET POSITION

	<u>2024</u>	<u>2023</u>
General Revenues:		
Tax Increment Financing	\$ 12,503,318	\$ 11,463,597
Investment and Other Income	<u>3,310,828</u>	<u>1,575,628</u>
Total Revenues	<u>15,814,146</u>	<u>13,039,225</u>
Expenses:		
Community Redevelopment	12,775,784	5,367,418
Public Safety	<u>1,710,488</u>	<u>1,563,074</u>
Total Expenses	<u>14,486,272</u>	<u>6,930,492</u>
Change in Net Position	1,327,874	6,108,733
Net Position, Beginning of Year	<u>50,564,399</u>	<u>44,455,666</u>
Net Position, End of Year	<u>\$ 51,892,273</u>	<u>\$ 50,564,399</u>

MANAGEMENT'S DISCUSSION AND ANALYSIS

Community redevelopment expenses increased by \$7,408,366, largely due to the timing of capital projects. Public safety expenses increased by \$147,413 for police pay plan changes and planned vehicle replacements.

Governmental Funds

The focus of the Agency's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Agency's financing requirement. In particular, fund balance may serve as a useful measure of a government's net resources available for spending at the end of the year.

The Agency maintains two Redevelopment trust funds, one for the Downtown District and another for the Southend District. At the end of the current year, a fund balance of \$44,641,351 was both restricted and appropriated to ongoing and future redevelopment projects.

The Agency is required to adopt an annual budget for the two funds prepared on a basis consistent with accounting principles generally accepted in the United States of America.

Capital Assets

The Agency's investment in capital assets as of September 30, 2024, is \$7,250,921, which is strictly land held for future development projects. When the remaining development projects are completed, the land and resulting improvements will become property of the City.

Budgetary Highlights

The Agency's governing board, the CRA, is authorized to transfer budget amounts. Revisions that alter the total expenditure must be approved by both the CRA and City Council. Legal level of control is maintained at the fund level. The difference between the original budget and the final amended amount was a net increase of \$32,040,836 for capital projects and a net increase of \$811,495 for other expenditures.

Actual revenues were higher than the final budgeted revenues by \$3,115,947, largely due to interest income on investments. Actual expenditures were under budget by \$33,897,910 with the timing of capital project expenditures.

Economic Factors and Future Developments

Both districts have been a redevelopment success. Downtown taxable property values have grown from \$42.3 million in the 1984 base year to \$873.8 million in the most recent year and Southend taxable values have grown from \$6.5 million in the 1986 base year to \$506.8 million.

The CRA will continue to plan projects and infrastructure improvements that align with its redevelopment priorities for each district. Additionally, the City and CRA will continue to partner to encourage private sector development in the designated Downtown area.

MANAGEMENT'S DISCUSSION AND ANALYSIS

Key FY2025 projects in the Downtown District are as follows:

- Begin construction of infrastructure improvements to the 12th Avenue South stormwater basin to increase capacity, remove sedimentation, and improve culverts in surrounding area (Phase 3C Project 3).
- Continue the design and implementation of *Downtown Action Plan* items including public art, Latham Plaza master plan, wayfinding signage, and lighting.

Key FY2025 projects in the Southend District are as follows:

- Design south stormwater basin improvements including channel stabilization, pipe cleaning/rehabilitation, and downstream silt removal (Phase 5).
- Continue construction of connectivity corridors.
- Construct passive park along South Beach Parkway at the intersection of Jacksonville Drive.

Requests for Information

This financial report is designed to provide users with a general overview of the Agency's finances for all those with an interest in its finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed to the Finance Department, 11 North Third Street, Jacksonville Beach, Florida 32250.

Additional information can also be found on the City and CRA's website at www.jacksonvillebeach.org.

FINANCIAL STATEMENTS

STATEMENT OF NET POSITION
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

Assets

Equity in Pooled Cash and Investments	\$ 48,784,243
Capital Assets	<u>7,250,921</u>
Total Assets	<u><u>56,035,164</u></u>

Liabilities

Accounts Payable	912,787
Other Accrued Liabilities	523,814
Due to Other Governments	<u>2,706,290</u>
Total Liabilities	<u>4,142,891</u>

Net Position

Investment in Capital Assets	7,250,921
Restricted for Redevelopment Projects	<u>44,641,352</u>
Total Net Position	<u><u>\$ 51,892,273</u></u>

See accompanying notes.

STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

		Net Revenue (Expense) and Changes in Net Position
		<u>Total</u>
	Expenses	Governmental Activities
Functions		
Governmental Activities:		
Community Redevelopment	\$ 1,578,442	\$ (1,578,442)
Public Safety	1,116,295	(1,116,295)
Capital Improvements Contributed to Primary Government	11,791,535	(11,791,535)
Total Governmental Activities	<u>14,486,272</u>	<u>(14,486,272)</u>
General Revenues:		
Tax Increment Financing		12,503,318
Investment and Other Income		<u>3,310,828</u>
Total General Revenues		<u>15,814,146</u>
Change in Net Position		1,327,874
Net Position, Beginning of Year		<u>50,564,399</u>
Net Position, End of Year		<u>\$ 51,892,273</u>

See accompanying notes.

BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

	Downtown Redevelopment District	Southend Redevelopment District	Total Governmental Funds
Assets			
Equity in Pooled Cash and Investments	\$ 32,247,155	\$ 16,537,088	\$ 48,784,243
Total Assets	<u>32,247,155</u>	<u>16,537,088</u>	<u>48,784,243</u>
Liabilities, Deferred Inflows of Resources, and Fund Balance			
Liabilities			
Accounts Payable	897,128	15,659	912,787
Other Accrued Liabilities	519,291	4,523	523,814
Due to Other Governmental Units	-	2,706,290	2,706,290
Total Liabilities	<u>1,416,419</u>	<u>2,726,472</u>	<u>4,142,891</u>
Deferred Inflows of Resources			
Unavailable Revenues	<u>-</u>	<u>1</u>	<u>1</u>
Fund Balance			
Restricted for Redevelopment Projects	<u>30,830,736</u>	<u>13,810,615</u>	<u>44,641,351</u>
Total Fund Balance	<u>30,830,736</u>	<u>13,810,615</u>	<u>44,641,351</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balance	<u>\$ 32,247,155</u>	<u>\$ 16,537,088</u>	<u>\$ 48,784,243</u>
<u>Reconciliation of the Governmental Fund Balance Sheet to the Statement of Net Position</u>			
Total Fund Balance - Governmental Funds			\$ 44,641,351
Amounts Reported for Governmental Activities in the Statement of Net Position are Different Because:			
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds.			7,250,921
Certain revenues have been deferred on the balance sheet because they were not measurable and available at year-end.			<u>1</u>
Net Position of Governmental Activities			<u>\$ 51,892,273</u>

See accompanying notes.

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

	Downtown Redevelopment District	Southend Redevelopment District	Total Governmental Funds
Revenues			
Tax Increment Financing	\$ 9,496,330	\$ 3,006,988	\$ 12,503,318
Investment and Other Income	2,255,410	1,057,002	3,312,412
Total Revenues	<u>11,751,740</u>	<u>4,063,990</u>	<u>15,815,730</u>
Expenditures			
Community Redevelopment:			
Personnel Services	233,841	118,572	352,413
Operating Expenses	868,421	357,608	1,226,029
Public Safety:			
Personnel Services	892,388	-	892,388
Operating Expenses	223,907	-	223,907
Capital Outlay	11,454,031	337,504	11,791,535
(Total Expenditures)	<u>(13,672,588)</u>	<u>(813,684)</u>	<u>(14,486,272)</u>
Net Change in Fund Balance	(1,920,848)	3,250,306	1,329,458
Fund Balance, Beginning of Year	<u>32,751,584</u>	<u>10,560,309</u>	<u>43,311,893</u>
Fund Balance, End of Year	<u>\$ 30,830,736</u>	<u>\$ 13,810,615</u>	<u>\$ 44,641,351</u>

**Reconciliation of the Governmental Fund Statement of Revenues, Expenditures, and
Changes in Fund Balances to the Statement of Activities**

Net Change in Fund Balance	\$ 1,329,458
Certain revenues have been deferred on the balance sheet because they were not measurable and available at year-end, but have been recognized in the statement of activities.	<u>(1,584)</u>
Change in Net Position of Governmental Activities	<u>\$ 1,327,874</u>

See accompanying notes.

NOTES TO FINANCIAL STATEMENTS

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

Note 1 - Summary of Significant Accounting Policies

Financial Reporting Entity

In March 1978, the five-member Jacksonville Beach Community Redevelopment Agency (the Agency) was established by the City of Jacksonville Beach, Florida (the City), by Ordinance No. 6950 as a public body organized pursuant to Part III of Chapter 163 of the Florida Statutes. The Agency's stated purpose is to intervene in the decline of the economic and physical character of the redevelopment area and transformation of the existing conditions into a functional and vibrant urban center. The governing body of the Agency is appointed by the City Council. There are two redevelopment trust funds established by the Agency, the Downtown Redevelopment District and the Southend Redevelopment District.

The Downtown Redevelopment District was established in 1984 with the original redevelopment plan being established in 1987. The plan was amended in 2007 to incorporate the Downtown Vision Plan, and in 2014 to create a Downtown Community Assisted Policing Effort (CAPE), in an effort to make downtown a safer and more inviting area. The most recent amendment to the downtown plan came via the adoption of the 2015 Downtown Action Plan, a collection of projects and programs to address community redevelopment concerns in the areas of public spaces, transportation, public safety, and overall quality of life in the downtown community redevelopment district. The redevelopment plan is set to expire in January of 2047.

The Agency is a blended component unit of the City. The Agency is treated as a blended component unit and included as part of the primary government for financial reporting purposes because the Agency provides its services entirely to the City. All assets constructed by the Agency on City-owned land automatically become assets of the City upon completion, and all assets constructed by the Agency on Agency-owned land, along with the underlying land, are deeded to the City upon completion. The Agency is presented in the financial statements of the City as a special revenue fund.

In November 1985, the Southend Redevelopment District was designated for redevelopment. A plan for the redevelopment of the area was adopted and a tax increment trust fund was established in 1987. The redevelopment plan is set to expire in June of 2047.

The following is a summary of the significant accounting policies applicable to the Agency:

The accounting policies of the Agency conform to accounting principles generally accepted in the United States of America (GAAP) applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the standard setting body for governmental accounting and financial reporting.

Government-Wide and Fund Financial Statements

The government-wide financial statements report information on all the governmental activities of the Agency. The government-wide focus is more on the sustainability of the Agency as an entity and the change in aggregate financial position resulting from the activities of the fiscal period. The fund financial statements focus on short-term results of operations and financing decisions at a specific fund level. Governmental activities are normally supported by taxes and intergovernmental revenues.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

The statement of activities demonstrates the degree to which the direct expenses of a given functional category are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific functional category. Program revenues include operating and capital grants and contributions. In 2024, the Agency did not have any program revenues. Taxes and other items not included as program revenues are reported as general revenues.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The basic financial statements consist of the government-wide financial statements and fund financial statements. The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Tax increment financing from property taxes are recognized as revenue in the year when levied for. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Only current assets and deferred outflows of resources and current liabilities and deferred inflows of resources are generally included on their balance sheet. Since the governmental fund statements are presented on a different measurement focus and basis of accounting than the government-wide governmental activities column, a reconciliation is sometimes necessary to explain the adjustments needed to reconcile the fund based financial statements to the governmental activities column of the government-wide presentation.

Their operating statements present sources (revenues and other financing sources) and uses (expenditures and other financing uses) of available spendable resources during the period. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Agency considers revenues to be available if they are collected within 30 days of the end of the fiscal year. Expenditures generally are recorded when a liability is incurred, as under accrual accounting, except for debt service expenditures, which are recognized when due.

Tax increment financing revenue, when levied for and interest associated with the current fiscal period, are both considered to be measurable and have been recognized as revenues of the current fiscal year, if available.

Per Florida Statutes, Section 163.387, resources deposited into a redevelopment trust fund are restricted for community redevelopment activities pursuant to the approved redevelopment plan.

The Agency reports two special revenue funds which are considered major governmental funds. These funds are used to account for all financial resources received by the Agency. The Agency does not have any non-major funds.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

Assets, Liabilities, and Net Position

Equity in Pooled Cash and Investments: The Agency participates in the City's pooled cash and investment portfolio. Investment earnings are distributed monthly to the participating funds' relative percentage of investments.

Capital Assets: Capital assets include land titled to the Agency. The Agency pays for certain infrastructure improvements (roads, sidewalks, bridges, and other utility infrastructure) within the designated redevelopment area; however, these improvements are considered to be property of the City and, therefore, are included as capital assets in the City's government-wide financial statements.

Capital assets titled to the Agency are reported in governmental activities in the government-wide financial statements. The Agency utilizes the City's capitalization policy and capitalizes assets with a cost in excess of \$5,000 and an estimated life greater than one year. Capital assets are recorded at historical cost or estimated historical cost, if actual historical cost is not available. Donated capital assets are recorded at acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized but are expensed as incurred.

Nature and Purpose of Fund Balance: Per Florida Statutes, Section 163.387, unspent tax increment financing revenues are restricted for future redevelopment projects pursuant to the approved community redevelopment plan and are reported as restricted fund balance in the financial statements. There are no other classifications of fund balance.

Compensation Costs: The Agency has no employees of its own. Instead, the Agency reimburses the City for the portion of salaries and benefits attributable to Agency activities based on the estimated time spent on those activities as projected during the annual budget process. Any long-term payroll and benefit liabilities such as compensated absences, other postemployment benefits, or pension liabilities are reported on the City's financial statements.

Net Position: The government-wide statements utilize a net position presentation. Net investment in capital assets is that portion of net position that relates to the Agency's capital assets reduced by accumulated depreciation. Restricted net position are unspent tax increment financing revenues that are restricted for future redevelopment projects.

Use of Estimates: The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statement and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Note 2 - Deposits and Investments

At year-end, the Agency's share of the City's pooled cash and investment balances was \$48,784,243. The City's bank deposits are held in qualified depositories pursuant to Chapter 280, Florida Statutes, *Florida Security for Public Deposits Act* (the Act). Under the Act, all qualified public depositories are required to pledge eligible collateral having a market value equal to or greater than the average daily or monthly

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

balance of all public deposits times the depository's collateral pledging level. The collateral pledging level may range from 25% to 200% depending upon the depository's financial condition and the length of time that the depository has been established. All collateral must be deposited with an approved financial institution. The Public Depository Security Trust Funds have a procedure to allocate and recover losses in the event of default or insolvency. The Agency's bank balances were insured either by the Federal Deposit Insurance Corporation or collateralized in the bank's participation in the Act.

Authorized Investments

The Agency does not have a separate deposit and investment policy and it follows the deposit and investment policies of the City.

Florida Statute 218.415 authorizes the City to invest in the state pools and in obligations of the United States Treasury and agencies. The City has adopted an investment policy for operating funds pursuant to state statutes that allows the City to contract for investment and related services, establish internal controls, and specifies the types of investments that may be purchased. Key objectives of the policy are as follows:

- Safety of principal is the foremost objective of the investment program.
- Provide sufficient liquidity to allow for quick conversion of investments to cash easily and rapidly without loss of principal to meet operating, payroll, and capital requirements.
- The investment portfolio shall be designed with the objective of attaining a market rate of return through budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs.
- Investments held should be diversified to the extent practicable to control the risk of loss resulting from overconcentration of assets in a specific maturity, issuer, instrument, dealer, or bank through which financial instruments are bought and sold.

The policy also lists permitted types of investments, limitations as to amounts invested in each type, the amount invested with each issuer, the length of investment maturities, and other statutory or contractual restrictions for each type of investment. The investment in any derivative products or the use of reverse repurchase agreements is not permitted by this investment policy.

Risk Disclosure

The City's investment policy does not address its exposure to interest rate changes, custodial credit risk, or quality credit risk. The following items discuss the City's operating funds' and pension funds' exposure to various risks in primarily the fixed rate portions of their investment portfolios:

- **Interest Rate Risk**—the City's fixed rate investments are intended to be held until the funds are needed, at maturity.

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

- **Custodial Credit Risk**—for an investment, custodial credit risk is the risk that in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City generally utilizes third-party custodians to help manage custodial credit risk.
- **Concentration of Credit Risk**—the investment policy for the operating funds of the City define what percentage of the total investment portfolio may be invested in each type of investment vehicle. The City's policy states that these percentages may be further restricted based on market conditions, risk, and diversification investment strategies.

More detailed information on the City's investment portfolio can be obtained from the City's Annual Comprehensive Financial Report, which can be found on the City's website at www.jacksonvillebeach.org.

Note 3 - Capital Assets

Capital asset activity for the year ended September 30, 2024, follows:

	Beginning Balance	Additions	Disposals	Ending Balance
Capital Assets Not Being Depreciated:				
Land	\$ 7,250,921	\$ -	\$ -	\$ 7,250,921

Note 4 - Tax Increment Financing Revenue

The Agency is primarily funded through tax-increment financing revenue. This revenue is computed by applying the operating tax for the City and the City of Jacksonville multiplied by the increased value of property in the Agency over the base property value minus 5%. The City and the City of Jacksonville are required to fund this amount annually without regard to tax collections or other obligations.

In accordance with Section, 163.387(7), Florida Statutes, at the end of each fiscal year, any funds remaining in the Tax Increment Trust Fund must be either appropriated to specific projects, used to reduce debt, or returned to the taxing authorities. The Southend District projected to end the fiscal year with a fund balance of \$16,496,447. Of that total, \$13,790,157 was appropriated to projects already underway or which were expected to start in the near-term. Because there is no outstanding debt in the Southend District, the remaining \$2,706,290 is being returned to taxing authorities—the City of Jacksonville Beach (\$899,335) and the City of Jacksonville (\$1,806,955). These amounts are included in Due to Other Governments on the Agency's Balance Sheet and Statement of Net Position.

Note 5 - Construction Commitments

As of September 30, 2024, the Agency had the following construction commitments related to significant unfinished capital projects:

NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

Project	Expended as of September 30, 2024	Remaining Commitment
Downtown District:		
Downtown Infrastructure Improvements Phase3C Projects 4&5	\$ 9,086,193	\$ 17,457,050
Dune Walkover Improvements	1,120,438	113,928
Southend District:		
Downtown Infrastructure Improvements Phase3C Projects 4&5	29,728	54,764
Ocean Terrace Drainage Improvements (SBOTP)	60,496	6,451
Passive Park	14,700	18,200
South Beach Park Splash Pad Improvements	-	226,405
Total	\$ 10,311,555	\$ 17,876,798

Note 6 - Risk Management

The Agency is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors, omissions, and natural disasters. The Agency is covered by the City's insurance plans. The City purchases commercial insurance against losses for the following types of risk:

- Real and Personal Property Damage, Including Flood Damage
- General Liability
- Automobile Liability
- Commercial Crime
- Police Professional Liability
- Workers Compensation
- Health Insurance
- Pension Fiduciary
- Public Official
- Cyber Liability

REQUIRED SUPPLEMENTARY INFORMATION

REQUIRED SUPPLEMENTARY INFORMATION

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
FOR THE YEAR ENDED SEPTEMBER 30, 2024
DOWNTOWN REDEVELOPMENT DISTRICT**

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Tax Increment Financing	\$ 9,539,445	\$ 9,539,445	\$ 9,496,330	\$ (43,115)
Investment and Other Income	119,000	119,000	2,255,410	2,136,410
Total Revenues	<u>9,658,445</u>	<u>9,658,445</u>	<u>11,751,740</u>	<u>2,093,295</u>
Expenditures				
Community Redevelopment:				
Personnel Services	250,134	250,134	233,841	16,293
Operating Expenses	<u>1,362,357</u>	<u>1,426,572</u>	<u>868,421</u>	<u>558,151</u>
Total Community Redevelopment	<u>1,612,491</u>	<u>1,676,706</u>	<u>1,102,262</u>	<u>574,444</u>
Police:				
Personnel Services	1,231,553	1,231,553	892,388	339,165
Operating Expenses	<u>247,121</u>	<u>350,916</u>	<u>223,907</u>	<u>127,009</u>
Total Police	<u>1,478,674</u>	<u>1,582,469</u>	<u>1,116,295</u>	<u>466,174</u>
Capital Outlay	<u>9,774,945</u>	<u>40,859,889</u>	<u>11,454,031</u>	<u>29,405,858</u>
(Total Expenditures)	<u>(12,866,110)</u>	<u>(44,119,064)</u>	<u>(13,672,588)</u>	<u>30,446,476</u>
Net Change in Fund Balance	<u>\$ (3,207,665)</u>	<u>\$ (34,460,619)</u>	<u>\$ (1,920,848)</u>	<u>\$ 32,539,771</u>

See note to required supplementary information.

REQUIRED SUPPLEMENTARY INFORMATION

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL FOR THE YEAR ENDED SEPTEMBER 30, 2024 SOUTHEND REDEVELOPMENT DISTRICT

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
Revenues				
Tax Increment Financing	\$ 3,002,438	\$ 3,002,438	\$ 3,006,988	\$ 4,550
Investment and Other Income	38,900	38,900	1,057,002	1,018,102
Total Revenues	<u>3,041,338</u>	<u>3,041,338</u>	<u>4,063,990</u>	<u>1,022,652</u>
Expenditures				
Community Redevelopment:				
Personnel Services	117,307	117,307	118,572	(1,265)
Operating Expenses	398,434	1,041,919	357,608	684,311
Capital Outlay	2,150,000	3,105,892	337,504	2,768,388
(Total Expenditures)	<u>(2,665,741)</u>	<u>(4,265,118)</u>	<u>(813,684)</u>	<u>3,451,434</u>
Net Change in Fund Balance	<u>\$ 375,597</u>	<u>\$ (1,223,780)</u>	<u>\$ 3,250,306</u>	<u>\$ 4,474,086</u>

See note to required supplementary information.

NOTE TO REQUIRED SUPPLEMENTARY INFORMATION
SEPTEMBER 30, 2024
JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE CITY OF JACKSONVILLE BEACH, FLORIDA)

Note 1 - Budgetary Procedures and Budgetary Accounting

The Jacksonville Beach Community Redevelopment Agency (the Agency) adheres to the following procedures in establishing the budgetary data reflected in the accompanying financial statements:

Prior to September 30, the Agency Administrator submits, to the Community Redevelopment Agency, a proposed operating budget for the Trust Fund for the fiscal year commencing October 1. The operating budget includes proposed expenditures and the means of financing them.

The Agency budget is also included in the City's budget and is presented to the City Council for ratification prior to September 30.

Agency management is authorized to transfer budget amounts. Revisions that alter the total expenditures must be approved by the Community Redevelopment Agency. Legal level of budgetary control is maintained at the fund level. Budget amendments totaling \$31,252,954 in the Downtown Redevelopment District and \$1,599,377 in the Southend Redevelopment District were related to ongoing construction projects.

OTHER REPORTS

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of the Jacksonville Beach Community Redevelopment Agency (the Agency), a component unit of the City of Jacksonville Beach, Florida, as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements, and have issued our report thereon dated February 21, 2025.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Agency's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

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To the Community Jacksonville Beach Redevelopment Agency
City of Jacksonville Beach, Florida

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, non-compliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of non-compliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Agency's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

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February 21, 2025
Tallahassee, Florida

INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH SECTION 218.415, FLORIDA STATUTES

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

We have examined the Jacksonville Beach Community Redevelopment Agency's (the Agency) compliance with Section 218.415, Florida Statutes, *Local Government Investment Policies*, as of and for the year ended September 30, 2024. Management is responsible for the Agency's compliance with the specified requirements. Our responsibility is to express an opinion on the Agency's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Agency complied, in all material respects, with the requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Agency complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material non-compliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

Our examination does not provide a legal determination of the Agency's compliance with specified requirements.

In our opinion, the Agency complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2024.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, City Council members, the Agency Board members, and applicable management, and is not intended to be, and should not be, used by anyone other than these specified parties.

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February 21, 2025
Tallahassee, Florida

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INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH SECTION 163.387 (6) AND (7), FLORIDA STATUTES

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

We have examined the Jacksonville Beach Community Redevelopment Agency's (the Agency) compliance with Section 163.387 (6) and (7), Florida Statutes, as of and for the year ended September 30, 2024. Management is responsible for the Agency's compliance with the specified requirements. Our responsibility is to express an opinion on the Agency's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Agency complied, in all material respects, with the requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Agency complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material non-compliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

Our examination does not provide a legal determination of the Agency's compliance with specified requirements.

In our opinion, the Agency complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2024.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, City Council members, the Agency Board members, and applicable management, and is not intended to be, and should not be, used by anyone other than these specified parties.

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February 21, 2025
Tallahassee, Florida

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MANAGEMENT LETTER

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

Report on the Financial Statements

We have audited the financial statements of the Jacksonville Beach Community Redevelopment Agency (the Agency), a component unit of the City of Jacksonville Beach, Florida (the City), as of and for the fiscal year ended September 30, 2024, and have issued our report thereon dated February 21, 2025.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, *Rules of the Auditor General*.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards* and Independent Accountant's Reports on an examination conducted in accordance with the American Institute of Certified Public Accountants *Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, *Rules of the Auditor General*. Disclosures in those reports, which are dated February 21, 2025, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., *Rules of the Auditor General*, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding financial audit report. There were no findings or recommendations made in the preceding annual financial audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., *Rules of the Auditor General*, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. This is disclosed in Note 1 of the financial statements.

Financial Condition and Management

Sections 10.554(1)(i)5.a. and 10.556(7), *Rules of the Auditor General*, require us to apply appropriate procedures and communicate the results of our determination as to whether or not the Agency has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the Agency did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

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To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

MANAGEMENT LETTER

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), *Rules of the Auditor General*, we applied financial condition assessment procedures for the Agency. It is management's responsibility to monitor the Agency's financial condition, and our financial condition assessment was based in part on representations made by management and review of financial information provided by same.

Section 10.554(1)(i)2., *Rules of the Auditor General*, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Property Assessed Clean Energy (PACE) Programs

As required by Section 10.554(1)(i)6.a., *Rules of the Auditor General*, the Agency must state as to whether a PACE program authorized pursuant to Section 163.081 or Section 163.082, Florida Statutes, did/did not operate within the Agency's geographical boundaries during the fiscal year under audit. In connection with our audit, the PACE program did not operate within the Agency's geographical boundaries during the fiscal year.

Special District Component Unit

Section 10.554(1)(i)5.c., *Rules of the Auditor General*, requires, if appropriate, that we communicate the failure of a special district that is a component unit of a county, municipality, or special district, to provide the financial information necessary for proper reporting of the component unit within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. In connection with our audit, we did not note any special district component units that failed to provide the necessary information for proper reporting in accordance with Section 218.39(3)(b), Florida Statutes.

Specific Information (Unaudited)

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)7, *Rules of the Auditor General*, the Agency reported:

- a. The total number of district employees compensated in the last pay period of the district's fiscal year as 0. As disclosed in Note 1 of the financial statements, the Agency has no employees but receives administrative, engineering, and project management support from City staff.
- b. The total number of independent contractors to whom non-employee compensation was paid in the last month of the district's fiscal year as 1.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency as \$0. As described in Note 1 of the financial statements, the Agency reimburses the City for support provided by City employees. During the fiscal year, the Agency reimbursed the City for payroll and related benefits totaling \$1,244,801 for work performed by City employees on behalf of the Agency.
- d. All compensation earned by or awarded to non-employee independent contractors, whether paid or accrued, regardless of contingency as \$502,118.
- e. Each construction project with a total cost of at least \$65,000 approved by the district that is scheduled to begin on or after October 1, of the fiscal year being reported, together with the total expenditures for such project. See attached schedule in Appendix A.

To the Jacksonville Beach Community Redevelopment Agency
City of Jacksonville Beach, Florida

MANAGEMENT LETTER

- f. A budget variance based on the budget adopted under Section 189.016(4), Florida Statutes, before the beginning of the fiscal year being reported if the district amends a final adopted budget under Section 189.016(6), Florida Statutes as \$604,780.

Additional Matters

Section 10.554(1)(i)3., *Rules of the Auditor General*, requires that we communicate non-compliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material, but warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, and the Board of Directors and management of the Agency, and is not intended to be, and should not be, used by anyone other than these specified parties.

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February 21, 2025
Tallahassee, Florida

APPENDIX A

Each construction project with a total cost of at least \$65,000 approved by the District that is scheduled to begin on or after October 1, of the fiscal year being reported, together with the total expenditures for such projects was as follows:

District	Project Description	CRA Res. No. or Budget Year	Project Budgeted Cost	Total Expenditures in Year
Downtown	Phase 3C (DT TIF): Project 3 Construction Pump Station		\$ 1,447,775	
Downtown	Latham Plaza Master Plan		\$ 4,000,000	
Downtown	Dune Walkovers (Non-ADA) Construction	FY24 CIP Plan + mid yr mod	\$ 1,205,550	\$ 1,045,452
Downtown	Design and Construct Connectivity Corridors	FY23 CIP Plan	\$ 500,000	
Southend	Stormwater/Reuse Imps (Phase 5) (SE TIF) Construct (CRA)	FY24 CIP Plan	\$ 250,000	
Southend	Street resurfacing S. Burling Way, Isabella Blvd., Marsh Landing Parkway	YE Mod	\$ 604,780	\$ -
Southend	Passive Park Construction	FY24 CIP Plan	\$ 900,000	\$ 14,700
Southend	Design and Construct Connectivity Corridors	FY24 CIP Plan	\$ 500,000	\$ -
Southend	South Beach Park Splash Pad Improvements	FY24 CIP Plan	\$ 250,000	\$ -
Southend	South Beach Park Sidewalk & Parking on Ponce de Leon St.	FY24 CIP Plan	\$ 250,000	\$ -

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CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Alyson Riley, Event Coordinator
DATE:	01/23/2025
SUBJECT:	RFP No. 01-2425 for Ticketed Special Event

BACKGROUND

The City's Special Events Policy does not allow events that require paid admission. Paid priority seating is allowed only in the Seawalk Pavilion as long as half of the Seawalk Pavilion lawn and the entire Latham Plaza are open and free to the general public.

The intent of RFP No. 01-2425 for Ticketed Special Event is to create a pilot program that would allow a one-time exception to this rule to permit the production of a fully ticketed event. The pilot program may be used to affect future amendments to the Special Events Policy.

Respondents were required to provide at least 5 years of experience demonstrating successful production of safe, secure special events. The evaluation criteria also included a detailed scope of the proposed event to contain an emergency action plan, transportation plan and methodology for capturing attendance and economic data. Other criteria included a marketing and promotion plan and budget.

The RFP was publicly advertised for 30 days. In addition to being posted on the City's website, direct invitations were sent to 42 event producers. We received responses from two event producers: Real Time Entertainment and Management (RTEAM) and Vinyl 2 Vinyl, LLC.

RTEAM proposed the **Spring Fling**, a two-day event in March 2026 that “will immerse attendees in Florida's vibrant culture through live music featuring local artists, educational exhibits showcasing the region's unique heritage, and diverse culinary offerings from local food vendors. Our target demographic is adults aged 28 to 40, with the entertainment components likely attracting a wider audience.”

Vinyl 2 Vinyl proposed **Tunes & Tulips by the Beach**, a “premier two-day Mother’s Day festival set to transform Jacksonville Beach's Seawalk Pavilion into a vibrant celebration of motherhood. Taking place on May 11–12, 2025, the event offers a rich combination of live music, wellness activities, fashion, gourmet cuisine, and family-friendly entertainment, creating an unforgettable experience for families and honoring mothers in a truly unique way.”

The responses were independently evaluated by the Evaluation Committee consisting of members of the Special Events Committee. RTEAM was the unanimous choice. Their experience and track record was more extensive than Vinyl 2 Vinyl. They also provided an appropriate safety plan and site plan drawn to scale, together with a practical transportation plan. The proposed methodology to capture attendance and economic data was also more comprehensive than the Vinyl 2 Vinyl proposal.

To review RFP No. 01-2425 in its entirety and all addenda, click [here](#).



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FINANCIAL IMPACT

The special event fees in the current policy will apply in this pilot program and the City will not receive any portion of the event's ticket sales revenue.

REQUESTED ACTION

Award/Reject RFP No. 01-2425 for Ticketed Special Event to Real Time Entertainment and Management

ATTACHMENTS

1. RFP No. 01-2425 Real Time Entertainment & Management (RTEAM) Response
2. RFP No. 01-2425 Vinyl 2 Vinyl, LLC, Response

RTEAM SPRING FLING PROPOSAL

RFP #: 01_2425

CONTENTS:

- I. SECTION D: EVALUATIONS AND AWARDS PROCEDURE
 - A. EVENT DESCRIPTION
 - B. EVENT SITE MAP
 - C. EVENT MARKETING PLAN
 - D. EVENT EMERGENCY RESPONSE PLAN
 - E. RTEAM COI
 - F. EVENT PROPOSED BUDGET
 - G. RTEAM PAST EVENT PHOTOS & PROMOTIONAL MATERIAL
- II. SECTION E: FORMS
 - A. ALL REQUIRED FORMS SIGNED & NOTARIZED
 - B. RTEAM W9
- III. CITY OF JACKSONVILLE BEACH SPECIAL EVENTS APPLICATION
 - A. ALL REQUIRED FORMS COMPLETE & SIGNED

1. EXPERIENCE AND TRACK RECORD

a) List events produced over last 5 years and include venues, crowd size and budget

EVENT	MONTH/YEAR	VENUE	CROWD SIZE	BUDGET
Destination Defender	Nov 2024	Calamigos Ranch (California)	2500	\$5,000,000
Skyway Social	Oct 2024	JTA Skyway	1000 (Sold Out)	\$150,000
2024 Florida Fin Fest	Sept 2024	Seawalk Pavillion	20,000	\$350,000
Railway Concert Series	April 2024	River City Railway	5,000	\$200,000
2024 Woofstock	April 2024	Kanine Social	5,000	\$125,000
2023 Florida Fin Fest	Sept 2023	Seawalk Pavillion	28,050	\$300,000
Destination Defender	Nov 2023	Moody Ranch (Texas)	2500	\$5,000,000
Jax Taco & Tequila Fest	Sept 2023	Metropolitan Park	50,000	\$1,000,000+
2023 Woofstock	April 2023	Kanine Social	4,000	\$100,000
Destination Defender	Nov 2022	Hudson River Valley (New York)	2500	\$3,000,000
2022 Florida Fin Fest	Sept 2022	Seawalk Pavillion	25,000	\$275,000
Rock The Roost	July 2022	Tallahassee State College	15,000	\$1,500,000
2021 Florida Fin Fest	Sept 2021	Seawalk Pavillion	15,000	\$250,000
4xFar	January 2020	Coachella Valley (California)	5000	\$10,000,000 +

b) Proof & Documentation

https://drive.google.com/drive/folders/1lPOUmHhPNzQtMxsfTMIWdTKuFfdD-Qcx?usp=drive_link

c) Three (3) References:

NAME	ORGANIZATION	PHONE #	EMAIL
William Morrow	Kilowatt Events	904-803-3616	w.morrow@kilowattevents.com
David Chalfa	KRo Events	478-318-5408	david@kroevents.com
Morris Fordham	JTA	904-633-8504	mfordham@jtafla.com

2. SCOPE OF PROPOSED TICKETED EVENT

a) Describe your proposed event – include preferred date, time and length as well as target demographic, crowd size, etc.

RTEAM is excited to propose "Spring Fling," a first-of-its-kind ticketed event at the Seawalk Pavilion designed to enhance community safety and showcase the benefits of managed attendance. This event celebrates Florida's rich history while prioritizing a secure and enjoyable experience for all attendees and the surrounding community.

Leveraging our established history of successful events at the Seawalk Pavilion, we propose holding 'Spring Fling' during our previously secured March permit window. Our target dates are March 27th and 28th, 2026, with the event running from 5:00 PM to 10:00 PM on March 27th and 12:00 PM to 10:00 PM ET on March 28th.

'Spring Fling' will immerse attendees in Florida's vibrant culture through live music featuring local artists, educational exhibits showcasing the region's unique heritage, and diverse culinary offerings from local food vendors. Our target demographic is adults aged 28 to 40, with the entertainment components likely attracting a wider audience.

Implementing a ticketed system for 'Spring Fling' offers several key advantages in terms of safety and community impact:

- **Controlled Attendance:** By managing attendance through ticket sales, we can ensure the event remains within safe capacity limits, minimizing overcrowding and potential risks.
- **Enhanced Security Measures:** Ticket revenue will allow us to reinvest in enhanced security measures, such as bag checks, wandering upon entry, and increased security personnel, creating a safer environment for everyone.
- **Reduced Impact on Surrounding Community:** A ticketed event with controlled access will help minimize disruption to the surrounding neighborhood, including traffic congestion, noise levels, and potential safety concerns.

We aim to sell 7,000 tickets and will collaborate closely with the City of Jacksonville Beach's fire and safety teams to determine the optimal capacity for 'Spring Fling' and implement comprehensive security protocols. We anticipate daytime attendance to range from 1,000 to 3,500, with the event reaching closer to the intended capacity around 7:00 PM.

Our previous events at the Seawalk Pavilion have demonstrated our commitment to community well-being and responsible event management. We are confident that 'Spring Fling' will further enhance the city's reputation as a safe and vibrant cultural destination.

b) What will a ticketed event enable you to produce?

We believe a ticketed event will enable a more controlled environment, allowing us to:

- **Implement Robust Security Measures:** Ticket revenue will be directly reinvested to implement comprehensive security protocols comparable to those seen at larger-scale festivals and events. This includes:
 - **Perimeter Control:** Secure the event perimeter with fencing and designated entry/exit points, preventing unauthorized access and ensuring efficient crowd flow.
 - **Bag Checks and Wanding:** Conduct thorough bag checks and utilize wanding devices at all entry points to screen for prohibited items, similar to security procedures at large gatherings such as Jaguars Football games or concerts at the St. Augustine Amp.
 - **Increased Security Personnel:** Deploy a significantly larger security team, including trained professionals and uniformed officers, strategically positioned throughout the venue. Larger events often use a combination of private security and local law enforcement to ensure comprehensive coverage.
 - **Clear Bag Policy:** Implement a clear bag policy to expedite entry and enhance the effectiveness of visual inspections, a common practice at stadiums and arenas to improve safety and efficiency.
 - **Security Technology:** Explore the use of security cameras and other technology to monitor the event and assist in identifying and addressing potential security concerns.
- **Optimize Crowd Management:** Controlled attendance through ticketing allows for better crowd management, reducing overcrowding and potential risks. This includes:
 - **Designated Zones:** Establish designated zones within the venue for different activities, preventing congestion and ensuring smooth traffic flow. This will be referenced in the attached site design but include specific areas for F&B, restroom facilities and other vendor activations, allowing for safe queuing and flow through the event site.
 - **Capacity Monitoring:** Continuously monitor attendance levels in different areas to prevent overcrowding and ensure a comfortable experience for all.
 - **Emergency Response Plan:** Develop and implement a comprehensive emergency response plan in collaboration with local authorities, outlining procedures for various scenarios, including medical emergencies, evacuations, and severe weather.

c) How does this ticketed event benefit the attendees and/or the public?

Enhanced Attendee Experience:

- **Improved Communication:** A ticketed system allows for direct communication with attendees before, during, and after the event. This includes:

- Pre-Event Information: Providing detailed information about transportation options (ride-sharing, parking), entry procedures, security protocols, and event guidelines. This helps attendees plan their trip and arrive prepared, minimizing confusion and delays.
- Real-Time Updates: Sending real-time updates and alerts regarding schedule changes, safety announcements, or inclement weather situations directly to attendees' mobile devices, ensuring everyone stays informed and safe.
- Post-Event Communication: Gathering feedback through surveys and follow-up communication to continuously improve future events.
- Optimized Facilities and Amenities: Knowing the exact number of attendees through ticket sales allows us to:
 - Provide Adequate Facilities: Ensure an appropriate number of restrooms, food vendors, and seating areas are available to accommodate the crowd comfortably.
 - Reduce Wait Times: Minimize wait times for amenities and services, improving the overall attendee experience.
 - Enhance Accessibility: Better accommodate attendees with disabilities by providing adequate accessible facilities and services.
- Elevated Entertainment and Programming: Ticket revenue allows us to invest in:
 - Higher Caliber Performances: Secure more renowned musical acts and performers, offering a richer cultural experience.
 - Expanded Activities: Provide a wider variety of activities and attractions, such as interactive exhibits, artist demonstrations, and family-friendly entertainment.
 - Enhanced Production Quality: Invest in higher-quality sound systems, lighting, and stage production to create a more immersive and memorable experience.
 - Prioritizing Site Safety: Ticket revenue allows us to go above and beyond in ensuring a safe environment for everyone:
 - Comprehensive Lighting: Invest in comprehensive site lighting to ensure adequate visibility throughout the venue, particularly in walkways and high-traffic areas, minimizing tripping hazards and improving safety after dark.
 - Cable Management: Implement professional cable management solutions, such as cable ramps and covers, to eliminate tripping hazards and protect cables from damage.
 - Stage and Structure Safety: Bring in additional blow through barricade, MOJO stage barricade and enhanced infrastructure to support crowds of this size.

Public Benefits:

- Enhanced Safety and Security for All: A ticketed event with controlled access and robust security measures creates a safer environment for both attendees and the surrounding community.
- Reduced Impact on Local Residents: Controlled attendance minimizes disruptions to the neighborhood, including traffic congestion, noise levels, and potential safety concerns.
- Economic Impact: A successful ticketed event can generate revenue for local businesses, such as restaurants, hotels, and transportation providers, boosting the local economy.
- Community Building: 'Spring Fling' will foster a sense of community by bringing people together to celebrate Florida's rich history and enjoy live music and cultural experiences.

By implementing a ticketed model for 'Spring Fling,' we are committed to creating an event that prioritizes the well-being of attendees, minimizes disruption to the public, and contributes positively to the Jacksonville Beach community.

d) Provide an explanation on the potential socio-economic benefit to the City.

This ticketed event offers significant socio-economic benefits to the City of Jacksonville Beach, extending beyond immediate revenue generation to encompass broader community impact and sustainable tourism growth.

Direct Economic Impact:

- **Increased Visitor Spending:** Based on our experience with past events at the Seawalk Pavilion, we conservatively estimate that 'Spring Fling' will generate well over \$2 million in economic impact for the Jacksonville Beach area. This includes direct spending on:
 - **Accommodations:** Attracting a regional and out-of-market audience, the event will contribute to increased occupancy rates at local hotels and rental properties.
 - **Dining and Entertainment:** Attendees will patronize local restaurants, bars, and entertainment venues, boosting revenue for these businesses.
 - **Transportation:** Visitors will utilize public transportation, rental car services, and ride-sharing options, contributing to the local transportation economy.
 - **Retail and Services:** Attendees will likely purchase souvenirs, beachwear, and other goods and services from local businesses.

Indirect Economic Impact:

- **Job Creation:** The event will create temporary employment opportunities in various sectors, including event staffing, security, hospitality, and transportation.
- **Tax Revenue:** Increased visitor spending will generate additional tax revenue for the city through sales taxes, hotel occupancy taxes, and other applicable taxes.
- **Marketing and Promotion:** The event will serve as a platform to showcase Jacksonville Beach as a vibrant destination, attracting future visitors and investors. Our marketing efforts will highlight the city's beautiful beaches, public spaces, and natural beauty, reaching a wider audience and generating positive exposure for the area.

Long-Term Socio-Economic Benefits:

- **Sustainable Tourism:** By providing a high-quality event experience, we aim to foster repeat visitation and positive word-of-mouth marketing, contributing to sustainable tourism growth for Jacksonville Beach.
- **Community Pride and Engagement:** 'Spring Fling' will create a sense of community pride and offer residents an opportunity to enjoy live music, cultural experiences, and a vibrant atmosphere.

- **Enhanced City Reputation:** Hosting a successful ticketed event will enhance the city's reputation as a desirable destination for entertainment and cultural events, attracting future investment and development.

In conclusion, 'Spring Fling' offers a multi-faceted approach to generating socio-economic benefits for Jacksonville Beach. By attracting visitors, supporting local businesses, creating jobs, and enhancing the city's reputation, this event will contribute to the long-term economic vitality and community well-being of the area.

e) Describe methodology to capture attendance and other economic related data.

To accurately capture attendance and gather valuable economic data for 'Spring Fling,' we will implement a multi-faceted approach that combines advanced technology with responsible data management practices.

1. Ticketing and Registration Data:

Our ticketing platform will collect essential information from each attendee during the registration process, including:

- **Contact Information:** Name, email address, phone number, and zip code. This data will be used for communication, marketing analysis, and understanding attendee demographics.
- **Demographic Information:** Age and gender (optional). This information will help us tailor future events and marketing efforts to better serve our audience.
- **Purchase History:** Ticket type, add-on purchases, and spending habits. This data will provide insights into consumer preferences and revenue streams.

2. AI-Powered Facial Analysis:

- **Ethical and Anonymous Insights:** RTEAM holds an exclusive license to utilize ethical, anonymous facial analysis technology. This cutting-edge hardware allows us to capture real-time, aggregated data on attendee engagement and sentiment without collecting any personally identifiable information.
- **Key Metrics:**
 - **Happiness Over Time:** Measure overall attendee satisfaction and identify peak moments of engagement throughout the event.
 - **Age and Gender Demographics:** Gain a deeper understanding of audience composition to inform future programming and marketing strategies.
 - **Total Impressions and Engagement Levels:** Assess the reach and impact of various stages, activations, and performances.

3. Visit Jacksonville Partnership:

- **Macro-Level Economic Data:** We will collaborate with Visit Jacksonville to leverage their city-subscribed tracking systems. This partnership will provide valuable macro-level insights into:
 - **Attendee Whereabouts:** Understand attendee movement patterns and identify popular areas of interest within the city.

- Visitor Information: Gather data on visitor origins, length of stay, and spending habits to assess the overall economic impact of the event.
- Tourism Trends: Identify broader tourism trends and contribute to the city's ongoing efforts to promote sustainable tourism growth.

By combining these data collection methodologies, we can gain a comprehensive understanding of 'Spring Fling's' impact on attendance, attendee satisfaction, and the local economy. This data-driven approach will enable us to continually refine our events and maximize their positive impact on the Jacksonville Beach community.

f) Provide a site plan, drawn to scale, for the proposed event

INCLUDED

g) Describe a transportation plan to move event attendees safely to and from the event site

To ensure the safe and efficient transportation of attendees to and from 'Spring Fling,' we have developed a comprehensive transportation plan that prioritizes convenience, accessibility, and minimal disruption to the Jacksonville Beach community.

Parking Options:

- Premium VIP Parking: A designated section of the municipal parking lot will be reserved for Premium VIP ticket holders, providing convenient and secure parking close to the event entrance.
- General and VIP Parking: The remaining spaces in the municipal lot, as well as available street parking, will be open to both General Admission and VIP ticket holders on a first-come, first-served basis.

Alternative Transportation:

- Walking and Cycling: We encourage attendees staying at nearby hotels or residing within walking distance to utilize these eco-friendly options. Clearly marked pedestrian and bicycle routes will be provided to ensure safe access to the venue.
- Ride-Sharing: We will collaborate with ride-share companies to establish designated pick-up and drop-off zones, minimizing traffic congestion and providing a seamless experience for attendees utilizing these services.

Off-Site Parking and Shuttle Service:

- Partnership with Public Transit: In partnership with a nearby commercial real estate partner and the public transit system, we will operate a continuous shuttle service to and from a large off-site parking lot. This will provide ample parking options for attendees while mitigating traffic congestion in the immediate vicinity of the event.

Traffic Management:

- **Signage and Traffic Control:** Clear signage and traffic control measures will be implemented to direct attendees to designated parking areas and manage traffic flow around the venue.
- **Traffic Personnel:** Trained traffic personnel will be deployed to assist with traffic flow and ensure pedestrian safety.

Communication and Information:

- **Pre-Event Communication:** Detailed transportation information, including parking options, shuttle schedules, and ride-share zones, will be communicated to attendees in advance through our website, social media channels, and email communications.
- **Real-Time Updates:** Any changes or updates to transportation services will be communicated to attendees in real-time through our ticketing data and on-site announcements.

By implementing this multi-faceted transportation plan, we aim to provide attendees with a variety of safe and convenient options for reaching 'Spring Fling' while minimizing traffic congestion and ensuring a positive experience for both attendees and the Jacksonville Beach community.

h) Describe an emergency action plan for the proposed event

INCLUDED

i) Complete the attached Special Event Application – see Attachment B.

ATTACHED

3. MARKETING AND PROMOTION

a) Describe marketing and promotion plans – platforms to be used and access for CITY oversight?

See Example here:

https://docs.google.com/document/d/1_Tq8xJqYEn2oa4qBR9RvxIRQJUvpulDj4ikqN7rsE-M/edit?usp=sharing

4. BUDGET PROPOSAL

<https://docs.google.com/spreadsheets/d/1WeqsDlcdK21dAnrWhULNym5Q4KmEWOOTogevQ1KgBw0/edit?usp=sharing>

a) Provide proposed ticket pricing, include any quantities and scaling

Total Tickets Inventory: 7000

GA:

Blind Pre-Sale: 500 @ \$35 (will rollover if not all sold)

Early Bird: 3000 @ \$45 (will rollover if not all sold)

Regular: 2650 @ \$55

VIP:

Blind Pre-Sale: 250 @ \$75 (will rollover if not all sold)

Early Bird: 250 @ \$100 (will rollover if not all sold)

Regular: 250 @ \$125

PREMIUM VIP:

Blind Pre-Sale: 50 @ \$200 (will rollover if not all sold)

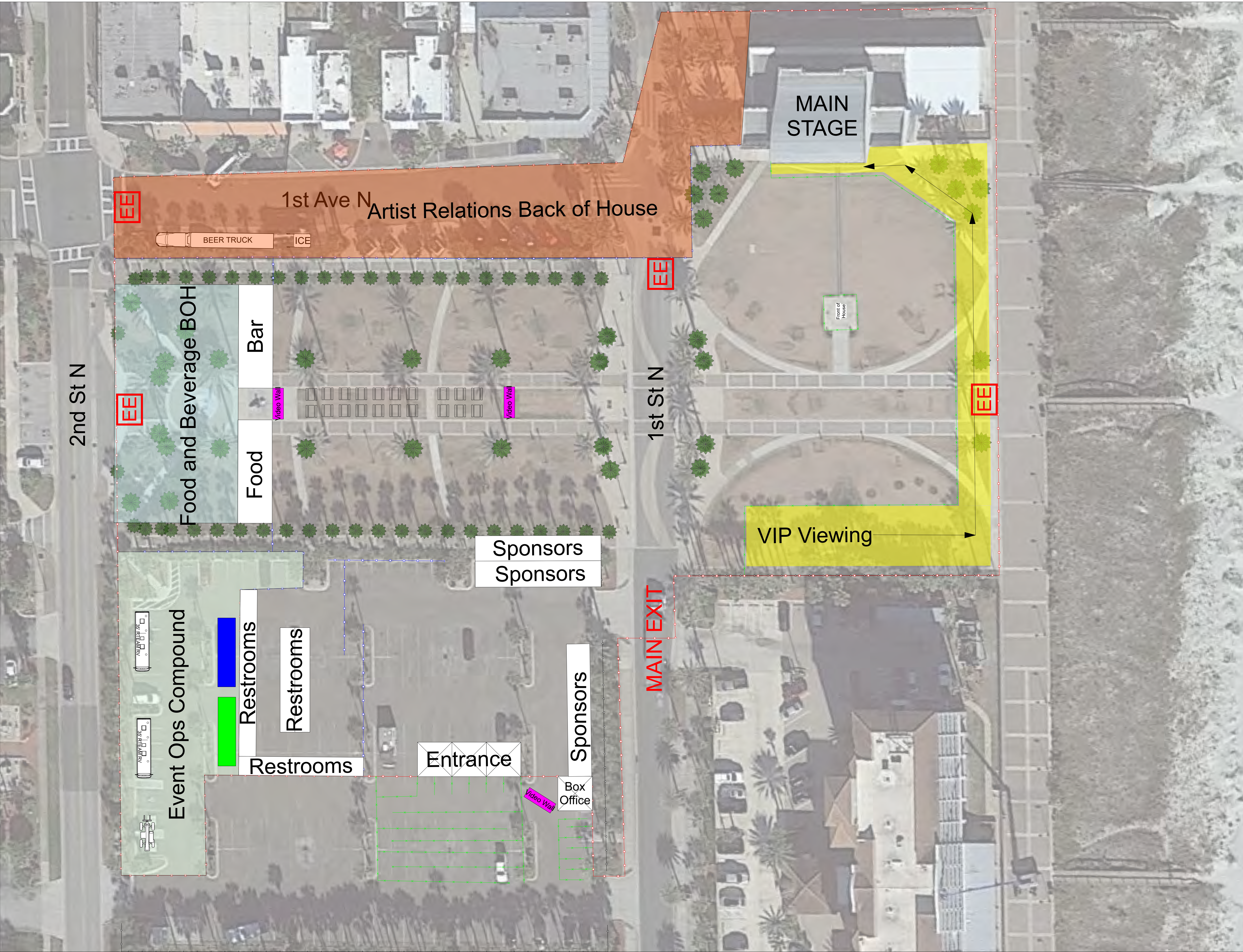
Early Bird: 50 @ \$250 (will rollover if not all sold)

Regular: Remainder sold at \$275

b) Describe additional revenue sources, if any

The event will seek additional revenue through:

1. Sponsorship
2. Vendors
3. Food Vendor(s)
4. Beverage Sales
5. Merchandise
6. Tourism Grant



SPRING FLING
2026

RTEAM

SPFL2026
503 1st St N
Jacksonville Beach, FL 32250
LEGEND

- Bike Fence
- 6' Fence
- 6' Fence Black Scrim
- 8' Fence
- K-Rail
- Power
- Video Board
- ADA Access
- ADA Viewing
- Tent
- Fire Hydrant
- Porta John
- Confort Station
- Food Truck
- Ambulance
- Generator
- Light Tower
- Emergency Exit

SITE PLAN: Draft 1

SCALE: 1:50
DRAWING DATE: 1/5/25

SH-1

2026 Spring Fling - MARKETING PLAN

Goals:

- Increase awareness of Spring Fling 2026
- Generate ticket sales
- Promote Florida history and heritage

Target Audience:

- Music fans
 - a. Fans of headliners and affinity artists
- Florida culture enthusiasts
- Young, affluent families of North East Florida

Messaging:

- 'Spring Fling' will immerse attendees in Florida's vibrant culture through live music featuring local artists, educational exhibits showcasing the region's unique heritage, and diverse culinary offerings from local food vendors.
- The festival will feature a diverse lineup of artists, educational opportunities, interactive exhibits, local vendors, food trucks and more.
- Attendees will have the opportunity to learn about Florida heritage and what makes our state so special.

Marketing Channels:

- Social Media - Instagram, FB, Tik-Tok, Youtube
- Email Blasts
- Paid advertising - Soundwave Consulting
- Influencer Marketing
- Public Relations - News 4 Jax, Folio Magazine, First Coast News, Mom Blogs, JME, Visit Jacksonville
- Print - Flyers, Handbills, Street Banners, Billboards

2026 Spring Fling - MARKETING PLAN

Marketing Timeline:

- **September 25, 2025:**
 - Social Media: Soft launch of marketing campaign.
 - i. 2026 dates announced.
 - 1. Maybe sneak peak of the artwork
 - ii. Place ad dollars (~\$100) behind FB event page
 - Email: Announce 2026 dates and encourage subscribers to follow on social media for more updates.
- **September 27, 2025:**
 - Social Media: Who do you want to see perform at Spring Fling 2026?
- **October 1, 2025:**
 - Social Media & Email: Launch a giveaway for VIP tickets + tickets on sale December 15th
 - i. Collaborative post on instagram with marketing partners - 904 hh, presenting sponsor
 - 1. Announce giveaway winner on December 15th, 2025
- **October 9, 2025:**
 - Social Media: lifestyle content from past years
 - i. Updates coming soon
 - ii. Reminder tickets on sale April 15th
- **October 15, 2025:**
 - Social Media & Email: Announce the general sale date for tickets and offer a discount for early bird VIP ticket purchases.
- **October 29, 2025:**
 - Social Media: Early bird VIP tickets on sale reminder
- **November 1, 2025:**
 - Social Media and Email: Release the full lineup of artists
- **November 6, 2025:**
 - Social Media: Headliner highlight 1
- **November 13, 2025:**
 - Social Media: Headliner highlight 2
- **November 15, 2025:**
 - Social Media: Vendor applications open

2026 Spring Fling - MARKETING PLAN

- i. Link in bio
- **November 21, 2025:**
 - Social Media: Attendee/lifestyle video
- **November 28, 2025:**
 - Social Media & Email: Announce one more week of early bird VIP pricing

December 2025 - Start posting 2/week on social media

- **December 2, 2025:**
 - Social Media and Email: Last day for early bird pricing is Wednesday, February 4th
- **December 5, 2025:**
 - Social Media: Food truck applications open
 - i. Link in bio
- **December 10, 2025:**
 - Social Media: Launch a giveaway for VIP tickets and items provided by sponsors/partners.
 - i. Announce winner on June 24th
 - ii. Influencer Marketing: Partner with influencers to promote the festival.
- **December 12, 2025:**
 - Social Media: Music focused video 1
 - Email: Push vendor and food truck signups
 - i. Tell your friends
 - ii. Insert link to forms
- **December 17, 2025:**
 - Social Media: Highlight food and beverage experiences
- **December 20, 2025:**
 - Social Media: Attendee experience (POV) video
- **December 24, 2025:**
 - Social Media: The Local gift card giveaway
 - i. Collab post
- **December 26, 2025:**
 - Social Media: Florida Conservation/educational video 1
- **January 1, 2026:**
 - Social Media: Individual food truck highlight
 - Public Relations: Secure media coverage of the festival.

2026 Spring Fling - MARKETING PLAN

- **January 3, 2026:**
 - Social Media: Partner collab post
- **January 9, 2026:**
 - Social Media: Music focused video 2
- **January 11, 2026:**
 - Social Media: Educational Village highlight
 - i. Highlighting main sponsor and bigger activations
- **January 15, 2026:**
 - Social Media: Florida Conservation/educational video 2
- **January 17, 2026:**
 - Social Media & Email: Outline VIP Packages on sale now
- **January 21, 2026:**
 - Social Media: VIP experience (POV) video
- **January 23, 2026:**
 - Social Media: Educational village photo with Florida Conservation information
- **January 29, 2026:**
 - Social Media: Lineup highlight
 - i. Photos of each artist/band
- **January 31, 2026:**
 - Social Media: Partner/Sponsor giveaway
 - i. Announce winner on 2/14

February 2026 - Start posting 3/week on social media

- **February 1, 2026:**
 - PR: Spring Fling feature in Folio entertainment/music issue
- **February 4, 2026:**
 - PR: Spring Fling feature on JME
- **February 5, 2026:**
 - Social Media: "Schedule" Graphic (carousel)
 - i. Friday schedule graphic
 - ii. Saturday schedule graphic
 - iii. Animated Flier
 - Email: Friday and Saturday schedules
- **February 7, 2026:**

2026 Spring Fling - MARKETING PLAN

- Social Media: Headliner collab video
 - i. Talking about being excited to perform at Spring Fling
- **February 8, 2026:**
 - Social Media: Water refill post
 - i. Highlight water refill stations on site
- **February 11, 2026:**
 - Social Media: Headliner collab video
 - i. Talking about being excited to perform at Spring Fling
- **February 13, 2026:**
 - Social Media: Introducing 2026 Speaker Series post
 - i. Main partners/presenters
 - ii. Promote educational workshops and webinars on Florida conservation
 - 1. Outline which speakers will be taking part in the workshops
 - Email: Announce the educational workshops and webinars on Florida conservation this Friday, 8/15
- **February 14, 2026:**
 - PR: Spring Fling feature on Visit Jacksonville
- **February 15, 2026:**
 - Social Media: Host live educational workshops and webinars on Florida conservation.
 - Social Media: Information about educational village activations
 - Partnerships: Partner with local businesses to offer discounts on food, drinks, and merchandise.
- **February 19, 2026:**
 - Social Media: "FAQ's" Graphic (carousel)
 - i. Date & time / location / Free event + VIP / All ages / rain or shine
 - ii. Where to park
 - iii. Where to stay
 - iv. Allowed items / prohibited items
 - v. Questions
 - vi. Site map
 - Email: Outline festival FAQ's
- **February 20, 2026:**
 - Social Media: Plastic free festival highlight

2026 Spring Fling - MARKETING PLAN

- i. No plastic on whole event site - use verbiage from website
 - ii. All biodegradable utensils, straws, cups
 - iii. Aluminum canned water, beer, seltzers
- **February 22, 2026:**
 - Social Media: Blue Jay ticket giveaway
 - i. Collab post with Blue Jay and band
- **February 25, 2026:**
 - Social Media: Schedule Video
- **February 27, 2026:**
 - Social Media: Partner/Sponsor giveaway
 - i. Collab with chosen partner
- **February 28, 2026:**
 - Social Media: VIP ticket giveaway
 - i. Platinum or Premium?
- **February 29, 2026:**
 - PR: Niko on the news
 - i. "Spring Fling 2026 in TWO WEEKS"
 - Social Media: Clip from Niko on the news
- **March 2, 2026:**
 - PR: Spring Fling feature on Stuff To Do In Jacksonville
- **March 4, 2026:**
 - Social Media: Final push for ticket sales.
 - Email: Urge subscribers to purchase VIP tickets before they sell out.
- **March 5, 2026: TBD**
- **March 9, 2026:**
 - Social Media: Hotel partner highlight
- **March 11, 2026: TBD**
- **March 13, 2026: TBD**
- **March 17, 2026:**
 - PR: Niko on the news
 - i. "Spring Fling 2026 in NEXT WEEKEND"
 - Social Media: Clip from Niko on the news
 - Email: "Spring Fling 2026 in NEXT WEEKEND"
- **March 18, 2026: TBD**

2026 Spring Fling - MARKETING PLAN

- **March 19, 2026: TBD**
- **March 23, 2026:**
 - Social Media: Attendee photos
 - i. FOMO verbiage - "Spring Fling 2026 this weekend"
 - PR: Spring Fling feature on 904 HH weekend guide
 - Email: Spring Fling 2026 this weekend
- **March 24, 2026:**
 - Social Media: Past performance photos
 - i. FOMO verbiage
- **March 25, 2026:**
 - Social Media: Headliner hype video
 - Email: Send VIP ticket advances
- **March 26, 2026:**
 - Social Media: Headliner hype video
- **March 27, 2026:**
 - Social Media & Email: Day 1
- **During the Festival:**
 - Social Media:
 - i. Share live updates from the festival
 - ii. Host contests on social media stories for attendees.
- **Post-Festival:**
 - Email: Send a thank-you email to attendees with recap content.
 - Social Media: Share highlights from the festival.
 - Planning: Begin planning for Spring Fling 2027.

Partner Marketing Timeline:

TBD

Email Marketing Timeline:

Pull from overall marketing timeline

2026 Spring Fling - MARKETING PLAN

Ad Spend Timeline:

TBD

2026 Spring Fling - MARKETING PLAN

Content Ideas:

- **Florida heritage posts**
 - ☐ How long have people lived in Florida
 - Who were the first to live here?
 - ☐ When did Florida become a state?
 - ☐ Oldest city in Florida?
 - ☐ How many people live in Florida now?
- **Florida conservation posts**
 - ☐ Current environmental changes, topics or policies
- **Sponsorship opportunities**
 - ☐ Different levels and what they include?
- **Collab with TikTok influencers**
 - ☐ Come out to shoot content at the event
 - Trade for VIP wristband

Onsite Content

Schedule:

Ideas:

- Getting kids to say what conversation means to them
- Giveaways
 - Concert tickets
 - Upcoming RTEAM fests
 - Upcoming headliner concert ticket
 - Giving away sponsor/partner or Spring Fling merch if you can answer these questions
 - How many years has Spring Fling been around?
 - What the average temperature of Florida
 - How many people live in Florida?

2026 Spring Fling - MARKETING PLAN

- Closest answer gets it
- Interviewing people about their experience at Spring Fling (think families with kids)
- What would you say to your friends and family that aren't at Spring Fling right now?

Website Ideas / Edits:

- Update Website
 - Update tabs
 - Home
 - Current Landing page
 - Current copy and Florida photo, stating something like "see you all this year on March 27th & 28th, 2026"
 - Scroll to food photo
 - Add link to list of attending vendors & food trucks
 - With updated photos and copy
 - Add festival partners w/ logos and Add footer section to the bottom of each page
 - With links to Home, Tickets, Lineup, Get Involved, FAQs, Socials tabs
 - Subscribe to email blast section
 - Lineup
 - Flier
 - Create "share lineup" button - ability to send PNG
 - Festival Partners w/ logos and footer section
 - Tickets
 - Link to tickets right away
 - VIP and Premium VIP descriptions below
 - Festival Partners w/ logos and footer section
 - Schedule
 - Daily music schedule graphics
 - Create "share schedule" button - ability to send PNG
 - Speaker series schedule graphics

2026 Spring Fling - MARKETING PLAN

- Create “share schedule” button - ability to send PNG
 - Festival Partners w/ logos and footer section
- Speaker Series
 - Change photo to speaker series video
 - “Presenters: Topic”
 - Speakers
 - Speaker Series schedule graphics
 - Links to past talks on Youtube
 - Festival Partners w/ logos and footer section
- Get Involved
 - Keep everything the same but add beach cleanup section with link to beach clean up sign up page
 - Festival Partners w/ logos and footer section
- Map
 - Festival map graphic
 - Festival Partners w/ logos and footer section
- Contact
 - Same but add Festival Partners w/ logos and footer section
- How We Started
 - Story of how Spring Fling Started & what it stands for
 - Festival Partners w/ logos and footer section
- FAQs
 - Event Times
 - Location
 - Ticketed event with VIP upgrade options
 - All ages
 - Where to park - use verbiage from website
 - Where to stay - Courtyard and Springhill Suites hotel partners w/ booking link
 - Food and beverages available for purchase
 - Allowed items
 - Prohibited items
 - Merch
 - Sitemap

2026 Spring Fling - MARKETING PLAN

- Entrances - use verbiage from website
 - Rain or Shine
 - Link to "contact" page if we didn't answer your questions
-
- Make location bigger on computer view of home page
 - Add link to Spring Fling youtube

EMERGENCY RESPONSE PLAN

RTEAM's Spring Fling

Seawalk Pavillion Ticketed Concert

Prepared 1/2/25

Event Information

Introduction / Purpose

The concert ("Management") mission is to promote life safety first. Our primary concern in the event of an emergency is the safety and well-being of all personnel, guests, artists, and the general public.

We strive to follow the operational best practices to ensure our events run safely. This will be accomplished through a combination of event personnel and outside emergency response agencies, with the participation of each being determined based upon the severity of the situation.

Management understands that such action should be pre-planned in writing, prior to an emergency, and should be consistent across all operations. This Emergency Response Plan, hereinafter referred to as the "ERP", is part of management's effort to meet this objective.

This plan is intended to act as a guide in actual emergency situations, assign responsibility for implementation of the plan in the event of an emergency, and familiarize site personnel with local emergency response authorities, the location of the potential hazards and the plan to control emergency situations, should they arise.

A message from the organizer:

Please be aware of your surroundings. If you see anything suspicious or anyone acting in a suspicious manner, please report it to Event Dispatch immediately.

IF YOU SEE SOMETHING, SAY SOMETHING.

Security & Distribution

The title of this document is *RTEAM Spring Fling Emergency Response Plan*.

The information detailed in this plan, attachments, and any referenced policies, plans, procedures is for Event Management's use only and should be handled as sensitive information not to be disclosed.

This document should be safeguarded, handled, transmitted, and stored in accordance with appropriate security directives. Reproduction of this document, in whole or in part, without prior approval from Management is prohibited.

The attached materials will be disseminated only on a need-to-know basis as determined by RTEAM's Emergency Management team.

For questions, concerns, or more information, please contact the following:

Niko Costas: niko@rteam.net

Ancillary & Associated Attached Documents

- Department Emergency Communications Plan
- Department Heavy Weather Action Plan

Nature of Event & Participants / Attendees

General Information

Event Name	Spring Fling
Event Dates	March 27 & 28 2026
Venue	Seawalk Pavilion
City / State	Jacksonville Beach, FL
Promoter / Producer	Real Time Entertainment & Management (RTEAM)
Site Operator	Real Time Entertainment & Management (RTEAM)
Artist Profile	National Headliner
Headliners	Opening Acts: TBD Headliner: TBD
Anticipated Ticket Sales	7000
Capacity	7000
Local Agencies Providing Support	City of Jacksonville Beach Jacksonville Beach Police Department Jacksonville Fire & Rescue Department
Security	Overwatch Security & Centurion Security Services
Security Screening	Wanding, Bag Search
Medical // Ambulance Services	Jacksonville Fire & Rescue Department
Police / Law Enforcement Services	Jacksonville Beach Police Department Jacksonville Sheriff's Office
Vending // Concessions	Yes – alcohol / beer / wine sales. Food truck vendor sales. Concession provided

Additional Notes	Ticketed event. All ages require tickets. Tickets are bar code paperless. GA open area VIP + Sponsor areas are separated by fencing and bike rack. Sponsorship activations throughout the event site.
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Event Dates & Hours of Operation					
Day	Date	Doors (Official)	Show Start	Show End	Curfew
Friday	March 27, 2026	5:00 PM	5:30 PM	10:00 PM	10:00 PM
Saturday	March 28, 2026	12:00 PM	12:00 PM	10:00 PM	10:00 PM

Site Information	
Load-In Dates	March 24 -27, 2026
Load-Out Dates	March 28 - 30, 2026
Site Location	Seawalk Pavilion
Physical Address	75 1st St N, Jacksonville Beach, FL 32250
Municipality	Duval County
Site Main Phone Number	TBD
EventGeneral Email Address	info@rteam.net

Emergency Management

Event Emergency Management Command, Venue Management, Emergency Response, and other key stakeholders

Event Emergency Management Team

Niko Costas	904-861-8128	Executive Producer
Josue Cruz	305-803-4722	Operations Director
Chris Anderson	239-564-0629	Project Manager

Emergency Services Officials

TBD		Jax Beach Police Department
TBD		Overwatch Security
TBD		Jacksonville Fire & Rescue Department

City Contacts

TBD		
TBD		
TBD		
TBD		

Emergency Manager-On-Duty System / Communication

Upon discovery of an incident, or potential situation which could lead to an incident, staff at the site are instructed to contact the Emergency Manager-On-Duty through one of the following methods: radio, cell phone, or direct verbal communication.

Event Mode (During Event Hours)

1 st	Executive Producer	Niko Costas
2 nd	Director, Site Operations	Josue Cruz
3 rd	Production Manager	Chris Anderson

Non-Event Mode (Load-In & Load-Out)

1 st	Director, Site Operations	Josue Cruz
2 nd	Executive Producer	Niko Costas
3 rd	Project Manager	Chris Anderson

Emergency Response Command

On-Site “War Room/Production Office”

Event Operations will take place on site in a dedicated production trailer.

Severe Weather Shelter-in-Place

TENTS ARE NOT TO BE USED FOR SHELTER-IN-PLACE. BY ANYONE.

Event Staff

1. Shelter-In-Place: Operations HQ / Office Trailers, Staff Vehicles, AMP

Event Patrons

1. Shelter-In-Place: Evacuate to nearby public businesses, personal vehicles, city hall, hotels, or other permanent structures

Artists

1. Shelter-in-Place: Amphitheater backstage, hospitality trailers or personal vehicles

Access & Egress Movement

Access

Access and Egress points will be identified on a site plan pending RFP approval and site design.

The plan provides for a total of 6 (TBC)¹ Emergency Exit Gates along the perimeter fence line of the event site. There will be one main exit within the municipal parking lot where guests will exit during operational hours. When the event concludes, the team will open up the additional South, North and West Emergency exits allowing patrons to flow out of any of those areas.

There are eight (8) GA entrance lanes and four (4) ADA + VIP + VVIP + SPONSOR entrance lanes holding a total of seventeen (12) entrance lanes. One hour before music ends these lanes will be dismantled to create a large lane of 100ft for event egress. The Entrances + Exits will be clearly visible and defined with signage and security.

Access to the site is controlled by tickets for the general public (patrons) and credentials for event staff. event staff (primarily event security staff) will verify the authenticity of said tickets and/or credentials.

Patrons will queue through “chutes” or “lanes” of bike rack barricade, at which point their bags and persons will be searched then will pass through a magnetometer and they will have their electronic ticket scanned.

The Event is programmed so that patrons will be dispersed over the entire site with each area of the site (**Examples: VIP area, VVIP / Sponsor Area, GA Areas**) holding a significant portion of the patrons at any given time. The Event stage schedules are coordinated to allow for ease of foot traffic and patron flow throughout the day and over the entire EventSite.

Tickets will be sold in advance via website, and on-site at the Box Office.

Egress

All exits and emergency exits will remain unobstructed and be clearly identified and well-lit.

In normal circumstances, patrons will exit through the official entrance and exit lanes, in addition to select emergency exits, if needed.

Crowd managers will be t-shirt security, and a pending number of officers from the Police department. These organizations will work in conjunction with the event organizer to assist in all crowd management plans and execution.

Emergency Exits

All emergency exits will be staffed at all times and either temporary fence panels or bike barricade.. The panels or barricades will not be locked during event hours.

Safety personnel will staff all emergency exits when the site is occupied by the public and will be able to open the fence panels in the event of an emergency

Event Safety Policies & Info

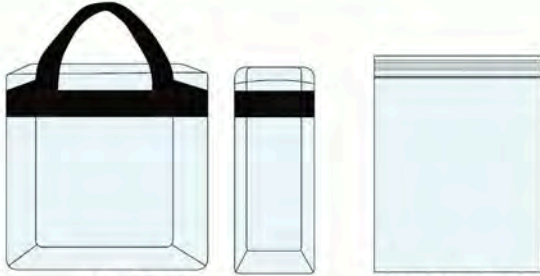
All patrons are subject to search, via magnetometers and hand wand. Security personnel will be provided by Overwatch Security [Gates // Perimeter Fence Lines // Interior Roamers // Barricades].

Allowed and prohibited items, and the event bag policy will be posted on signage at the entrance gates.

Bag Policy

Bag Size Guidelines

- Small purse or hand-held clutch [maximum size: 4.5" x 6.5"]
- A small or medium-sized clear plastic, vinyl or PVC bag [maximum size: 12" x 6" x 12"]
- A clear one-gallon resealable zip top bag [maximum is freezer-size: 10" x 12" x 2"]
- Clear or mesh drawstring bags [maximum size 16" x 13"]

OFFICIAL BAG POLICY	
APPROVED	NOT APPROVED
 CLEAR TOTES 12" X 6" X 12" PLASTIC STORAGE BAGS 1 GALLON, RESEALABLE CLEAR AND MESH DRAWSTRING BAGS 16" X 13" SMALL CLUTCH BAGS 4.5" X 6.5"	 OVERSIZED TOTE BAGS SOLID TOTE BAGS BACKPACKS SOLID OR CLEAR DIAPER BAGS PURSES SOLID DRAWSTRING BAGS COOLER BAGS WAIST BELT BAGS

Allowed / Not Allowed

ALLOWED

- Binoculars
- Cell Phones
- Clear plastic or zip-top bags that meet Eventsize restrictions
- Earplugs
- Hats & Sunglasses
- One (1) factory-sealed bottle of water, 20 oz or less
- Prescription medication*
 - **Must be in the original bottle. Name on the bottle must match the patron name.*
- Small bags and purses that meet Eventsize restrictions, clear or mesh drawstring bags.
- Small point-and-shoot digital camera.
- Sunscreen (non-aerosol)

NOT ALLOWED

- Audio Recording Equipment
- Aerosol Cans
- Balloons or beach balls
- Backpacks, Duffel Bags, or Solid Drawstring Bags
- Chains, Chain Wallets, or Spikes
- Chairs of any kind
- Gang-Related Colors or Patches
- Confetti, Glow Sticks, Silly String
- Drones
- Drugs or drug paraphernalia
- Fireworks or Explosives
- Outside Food or Beverages
- Glass Containers
- Hula Hoops or Totems
- Lasers or Laser Pointers
- Loose Pills or Prescriptions w/out labels
- Musical Instruments of any kind
- Pets (except Service Animals)
- Picnic Baskets or Coolers
- Professional Cameras
- Selfie Sticks
- Umbrellas
- Unauthorized vending or advertising
- Video Recording Equipment – including GoPros
- Weapons of any kind

**There is no on-site storage for prohibited items*

Perimeter & Barricade

The perimeter of the site will be defined by 6' ("construction style") fencing.

The stages and access adjacent to the stages will be protected by pressure / blow-thru style ("Mojo") barricades as well as standard Bike Rack barricade in front of the stage, and, as needed, extending from the edge of the stage across the patron area to the "FOH Mix".

6' temporary fence panel or bike rack barricade may be used to control access from the edge of the stage barricade to the backstage areas.

The perimeter fencing, the bike rack and the pressure / blow-thru barricades, in conjunction with event safety & security staff will serve the purpose of controlling the flow of patrons and prohibiting a crowd rush.



Emergency Lighting

Existing Emergency and safety lighting will be utilized throughout the site. If needed additional light towers will be brought in.

Permanent and Temporary Structural Systems

Permanent structural systems / buildings within the park are proposed to remain without modifications. Temporary structural systems [tents, membrane structures] shall be erected, maintained and dismantled according to the Florida Building Code and other governing regulatory specifications.

Medical Emergency

General Medical Information

First Aid Kits will be available on-site during load-in and load-out. During Load-In / Load-Out, if a serious injury occurs, site personnel should call **911** or transport the injured party to the nearest ER or urgent care center.

Medical Protocol

In the event of a medical emergency, immediately notify **DISPATCH first on CHANNEL (TBD)**.

Clearly and calmly state:

- Your name
- Your location
- Who needs medical assistance
- The nature of the medical emergency
- If trained and qualified, take appropriate first aid measures.
- Do not move guest unless absolutely necessary – try to make the guest comfortable
- **Remain at the scene until assistance arrives, answer any questions from EMTs.**

AED units will be with Mobile JFRD EMS

Local Hospital / Urgent Care Information

HOSPITAL	URGENT CARE
Jacksonville Beach Baptist Medical 1350 13th Ave S Jacksonville Beach, FL 32250 904-627-2900 1.7 miles from site 24 hours / Emergency Services	River City Urgent Care 630 Jacksonville Dr Jacksonville Beach FL 32250 (904) 435 0799 2.5 miles from site Hours: 9-5pm

On-Site Medical Location & Hours of Operation

Medical On-Site Hours				
Day	Date	Start	End	Staffing
Friday	3/27/26	5:00PM	12:00 AM	2 response teams from JFRD
Saturday	3/28/26	12:00PM	12:00 AM	2 response teams from JFRD

Medical Team Staffing

Medical staff will be certified appropriately and provided by **JFRD EMS**.

Ambulance service will be provided by JFRD EMS.

Medical Incident Response Plan & Guidelines

In the event of a medical emergency, immediately notify **DISPATCH first on CHANNEL (TBD)**.

- Be specific about the location of the call.
- **Stay with the guest until medical assistance has arrived.**
- **Do not leave the guest / patron.**
- Stay on the emergency channel until medical assistance has arrived.
- Do not use the guest's name over the radio when transmitting medical information.

Provider will assess the patient and make determination if the location of the patient is safe / appropriate to provide initial treatment. If yes, initial care / stabilization will be provided, and patient will be transported to the closest First Aid area at the Venue. We will also offer a First Aid tent that will be positioned at the entrance of the event site.

Fire Hazards

Site personnel will respond only to a fire at the incipient (*initial, or developing*) stage. While all site personnel are responsible for safe practices and reporting any outbreak of fire, Management's safety personnel will watch for potential hazards that could lead to a fire or explosion, and will respond in the event one should occur.

The event will rely on the services of the local Fire Department [**JFRD**] to respond to fires beyond the incipient stage. Incident command and response will be handled by local Emergency Response Agencies.

Fire Extinguishers

Fire extinguishers will be placed at all tents where it is required to do so, and all heat-producing products/ items.

Fire extinguishers will have been serviced and tagged within the last 12 months by a fire extinguisher company.

Guest Services

Information Booth

An information booth will be located inside EventGA Entrance in the event site. This location will be staffed accordingly during show hours. Patrons will be provided the following services at this location:

- Directions
- General Event Information
- Accessibility Center / Services
- Patron medical storage / service animal responsibility notices
- Lost & Found

Security

Contract security provider **TBD** will be the on-site security contractor at the event. They will be located in numerous positions throughout the facility and will liaise with emergency services representatives **Jacksonville Beach PD** as required.

All referenced agencies will be represented during show days.

JBPD will deploy officers throughout the site in fixed and roving positions. Same for JFRD.

Civil Disturbances or Other Emergency Situations

It is important to be aware of potential issues on site and notify Event Managers if something seems out of place.

Issues to consider include the following (not inclusive):

- Demonstration or Trespass
- Civil Disturbances (i.e. battery, robbery, kidnap, extortion, etc..)
- Threats (Terrorist, Bomb, etc..)
- Hazardous Materials
- Suspicious Package
- Active Shooter

In the event of a Civil Disturbance or Other Emergency Situation [such as those listed above], Concert Management would turn over command to local agencies having jurisdiction – namely Jacksonville Beach Police Department and JFRD.

Severe Weather Conditions

Management will monitor area weather during the entire event, from load-in through load-out. Weather information will come from AccuWeather, as well as local sources, as appropriate.

The event operations will monitor the weather on behalf of Management and send alerts directly to Management if there is any predicted weather at the 20-mile range and the 8-mile range of the event site. Additionally, Management will have EventDispatch actively monitoring incoming weather via Accuweather and local sources. Dispatch will work actively with Management to prepare for any incoming inclement weather.

Monitoring will include the following:

- Lightning
- Heavy Rain
- High Winds
- Tornadoes
- Hail
- Flooding
- Heat

Severe Weather Incident Response

Should Management receive the forecast of severe / dangerous weather in the area, the following system will be implemented by the EventManagers to alert the site staff and guests.

Threat Level Charts & Action Plans

Green – All Clear

Weather is ALL CLEAR and ALL activities at the site may continue or resume.

Yellow – Event Site is ON ALERT / WARNING

Bad weather could be moving towards the site and should arrive at the venue in the next 1 – 30 minutes. Potential weather conditions that will trigger the site to issue a Code Yellow may include:

Lightning

Lightning that is expected or reported to be within 20 miles of the site.

Hail

The National Weather Service predicts 1-inch hail or bigger within 20 miles of the site.

Tornado

The National Weather Service has issued a tornado watch/warning in the vicinity of the site.

Winds of 30MPH or greater

The National Weather Service has issued a high-wind warning in the vicinity of the site.

Heat

The National Weather Service has issued a Heat Advisory in the vicinity of the site.

Code Yellow – Department Preparation & Action Plan

When a Code Yellow is issued, the EventManagers will be called to the Command Post (Operations HQ) to monitor weather and ready any communication needed. The EventManagers will work with outside agencies to confer on next steps. Decisions will be made based on the time of day and total number of people at the site regarding any type of evacuation plan in anticipation of a potential Code Red situation.

- Production

- Ready PA, bullhorn, and video announcements at stages

- Site Operations

- Secure equipment

- Clear viewing towers

- Lower light towers (in the event of high wind)

- It is important to note that in order to prevent panic and keep patrons safe, every effort shall be made to maintain lighting during emergency conditions.*

- Ready bullhorns at all entrances and exits.

Red – Management is suspending or canceling ALL activities

When a Code Red has been issued, bad weather has been detected at the site and all activities are suspended, delayed or canceled. Potential weather conditions that will trigger the site to issue a Code Red include:

Lightning

Lightning that is expected and/or reported to be within 8 miles of the site.

Hail

The National Weather Service has confirmed 1-inch hail or greater within 8 miles of the site.

Tornado

The National Weather Service has confirmed that a tornado is expected to reach the site.

Winds of 50MPH or greater

The National Weather Service has confirmed that high winds will reach the site.

Heat

The National Weather Service has confirmed an Excessive Heat Warning in the vicinity of the site.

Code Red – Department Preparation & Action Plan

When a Code Red is issued, communication will be made to guests and staff about shelter and evacuation plans via 2-way radios, bullhorns at the stages and gates, and PA announcements and video

messages at the stages.

Evacuation

NOTE: It should be noted that there may be times when it is safer to stay in place inside the site, instead of evacuating to the outside. The EventManagers will make this decision based on information that he/she obtains.

Shelter

Shelter-in-Place for EventPatrons is to evacuate to their vehicles or nearby businesses.

Shelter-in-Place for EventStaff is in the production office / Room / or backstage.

Shelter-in-Place for Artists is in Dressing Room Trailers / Tour Buses or backstage.

Determination to Evacuate

Determination to evacuate will be made by the EventManagers after communicating with law enforcement, production manager, promoter representative, site manager, and Event Owners.

Phases

If there is a potential for an evacuation, the following Evacuation Phases will be implemented:

- Emergency Response Preparation Phase
- Staff Preparation Phase
- Partial Evacuation
- Total Evacuation (to safer areas on the site property or off the property)

Emergency Response Preparation Phase

Designated Emergency Personnel will report to the Incident Command Center. All relevant Personnel and stakeholders will assess conditions and determine if incident warrants advancing to evacuation phases.

Staff Preparation Phase

Emergency Team will determine when an incident progresses to a point when an evacuation may be imminent.

- The Event Managers will notify all necessary parties (per the Communication Plan)
- The Event Managers will communicate via radio and/or telephone to the Operations, Security, and all deployed supervisors and personnel in need of evacuation.
- Operations, Security, and all deployed supervisors and personnel will:

Ensure that Event Staff is aware of the potential need to evacuate.

Ensure that all evacuation routes are clear and that all gates and means of egress are open.

Pay particular attention to the requirements/needs of evacuating persons with disabilities.

If/When the order to evacuate is made, event Security and Site Operations will ensure

that the exit routes and gates remain unobstructed, instructing people of the need to keep moving.

When all persons have been evacuated, event Security and other designated personnel will perform a sweep of the property.

When the property is found to have been evacuated all gates will be closed and locked.

Partial Evacuation (“Shelter-in-Place”)

- To a safer area within the site property, depending on physical location at the time Evacuation is called.

Patrons – safe exit to vehicles OR first level of parking garage

Staff – To offices, office or dressing room trailers, personal vehicles or Operations HQ

Total Evacuation

- Should total evacuation be deemed necessary, Event Management will turn operations over to local emergency response agencies having jurisdiction.
- To outside the site property

Patrons – to their vehicles, if able. If not able, please exit the site.

Event Staff – Immediately exit the site, and proceed to their vehicles.

Concessions Bar, and Security Staff – To their vehicles, and per above.

Artists – Proceed to tour buses and / or tour vehicles and prepare to exit the site via direction of local emergency officials.

Evacuation Responsibilities

In order for the safe evacuation of the site property, all event staff personnel must remain calm, follow directions, and function as a team. The responsibilities of the following units during an evacuation are as follows:

Public Address Announcer

- At the discretion of the Event Managers, an announcement will be made announcing the need for an evacuation.
- Announcements will be made from the PA systems at the performance stages, via video screens (where applicable), and at all stages and gates via bullhorn.
- Where possible / appropriate, if there is an artist currently performing on a stage, they should give the evacuation announcement. This seems to have a positive impact on the patrons, and encourages them to take the evacuation seriously.

General Event Staff

- Ensure that all gates and exits are fully opened and free of any obstructions.

- Direct guests to the closest exit in a CALM and ORDERLY MANNER.
- Prohibit re-entry in the site property.
- Look for and assist guests with disabilities. Staff who escort guests or other staff with disabilities shall stay with them until they are safely removed from the property and out of harm's way.
- Be the last to leave their assigned areas.
- After clearing the area, re-assemble with their supervisor at the location of their pre-event meeting
- Follow instructions of their supervisor until the emergency is declared over

Concessions / Vendors

Upon receiving the signal to evacuate, all concessionaire and vendor supervisors will instruct employees to evacuate the site property. Upon receiving this directive:

- All concessionaires and vendors shall immediately cease all sales.
- Direct any public to exits.
- All stands shall immediately close the stand, turn off all equipment, secure any monies in the stand, and lead their crew to the nearest exit.
- Report to employee muster / assembly point as directed by their supervisor.
- Upon completion, Incident Command Center shall be notified that all retail areas are closed and all staff are exiting the property to muster point.

Operations

The personnel assigned to Operations shall be under the supervision of the Site Operations Manager. During an emergency the Site Operations Manager shall coordinate the response of their employees to the scene.

If necessary, these staff shall:

- Shut down utilities as needed.
- It is important to note that in order to prevent panic, every effort shall be made to maintain lighting during emergency conditions.***
- Open fence emergency exit panels.
 - Remove entry bike rack from the Event entrance to assist with crowd control.
 - Assist other departments as available and needed.

Production

- Communicate with artists & crew and secure them on their buses or in dressing rooms, if safe to do so.
- Secure lights, lower the PA to the Stage deck, and secure video equipment as appropriate for storms.

Administrative Personnel

- Ensure that all Administrative areas are secured and remain locked.
- Restrict entrance to this area only to staff and emergency response personnel.
- Only leave their position when or if they are in imminent danger or when directed to do so by their supervisor or emergency response personnel.

Evacuating Persons with Disabilities

The notification, protection, evacuation, transportation, and medical attention of persons with disabilities will be given the highest priority in all emergencies.

In cases of evacuation, the EventManagers should be notified immediately for assistance.

Ask if the patron would like assistance before helping.

Every effort should be made to allow for advance warning (at least 20 minutes, if possible) prior to general all-call for evacuation to safely accommodate patrons with disabilities.

Blind, but mobile, persons

Should first be moved out of the rush of traffic. Then, they should be assisted to the nearest exit.

Deaf, but mobile, persons

May be unaware of the need to evacuate. They should be calmly advised of the need to evacuate and then guided to the nearest exit.

Temporarily Immobilized Persons

(Including those people wearing casts and/or using canes or crutches). Should be given assistance as needed based on their ability to maneuver to an exit or to a safer area.

Permanently Immobilized Persons

(Includes those individuals who have either limited or no use of their legs and must rely on crutches, wheelchairs or walkers for transport). Should be assisted as follows:

- As soon as an emergency is known, one event staff person should remain with and assist the person with the disability.
- The person with disabilities should be quickly moved to an exit if one is located nearby. If an exit is not close, then the person with disabilities should be moved to a safer area until it is safe to evacuate them.

Evacuee Assembly Areas

The goal is to move evacuees toward vehicles as fast and as safely as possible.

Re-Entry

- The Event Managers will communicate via radio and/or telephone for all staff to re-enter, assess and repair any damages, and to prepare for the venue to re-open.
- The EventManagers will communicate via radio and/or telephone to all departments to prepare for Patron re-entry.

EventDispatch will check in with each department via radio on their status prior to giving the go-ahead for re-entry.

Patron Re-Entry Procedure:

- VIP patrons will have their wristbands verified, be researched (including bag search), and be re-admitted.
- GA patrons will have their ticket verified (usually a visual verification), be re-searched (including bag search), and be re-admitted.

Cancellation of Event and/or Suspension of Activities

Cancellation of the event and/or suspension of all activities will be decided by the appointed person as per the following succession based on information and recommendations provided by the Event Management Team.

1st	Niko Costas	904-861-8128	Owner - RTEAM
2nd	TBD	TBD	TBD
3rd	TBD	TBD	TBD

Media Policy

Staff, volunteers, and site vendors are not permitted to answer any questions or inquiries from any media representative at any time. If you are approached, contacted, or asked to make a statement by a media representative, politely decline comment and direct them to your immediate supervisor, who will then direct them to the Event Management.

Concert Radio Channels - TBD

1. RTEAM
2. Production
3. Site Ops
4. Police / EMS
5. F&B
6. Parking
7. Security
8. Bar Operations
9. and more tbd

Bomb Threat Checklist

Bomb Threat Call Procedures

Most bomb threats are received by phone. Bomb threats are serious until proven otherwise. Act quickly, but remain calm and obtain information with the checklist on the reverse of this card.

If a bomb threat is received by phone:

1. Remain calm. Keep the caller on the line for as long as possible. DO NOT HANG UP, even if the caller does.
2. Listen carefully. Be polite and show interest.
3. Try to keep the caller talking to learn more information.
4. If possible, write a note to a colleague to call the authorities or, as soon as the caller hangs up, immediately notify them yourself.
5. If your phone has a display, copy the number and/or letters on the window display.
6. Complete the Bomb Threat Checklist (reverse side) immediately. Write down as much detail as you can remember. Try to get exact words.
7. Immediately upon termination of the call, do not hang up, but from a different phone, contact FPS immediately with information and await instructions.

If a bomb threat is received by handwritten note:

Call _____

Handle note as minimally as possible.

If a bomb threat is received by email:

Call _____

Do not delete the message.

Signs of a suspicious package:

No return address •

Poorly handwritten

Excessive postage •

Misspelled words

Stains •

Incorrect titles

Strange odor •

Foreign postage

Strange sounds •

Restrictive notes

Unexpected delivery

DO NOT:

Use two-way radios or cellular phone; radio signals have the potential to detonate a bomb.

Evacuate the building until police arrive and evaluate the threat.

Activate the fire alarm.

BOMB THREAT CHECKLIST

Date:Time:CallerPhone Number
WhereHung Up:Call Received:

Ask Caller:

- Where is the bomb located?
(Building, Floor, Room, etc.)
- When will it go off?
- What does it look like?
- What kind of bomb is it?
- What will make it explode?
- Did you place the bomb? Yes No
- Why?
- What is your name?

Exact Words of Threat:

Information About Caller:

- Where is the caller located? (Background and level of noise)
- Loud
 - Male

Nasal

WHO TO CONTACT (select one)

Follow your local guidelines
Federal Protective
Service (FPS) Police 1-877-4-FPS-411
(1-877-437-7411)

- Estimated age:
- Is voice familiar? If so, who does it sound like?
- Other points:

Caller's VoiceBackground Sounds:Threat Language:

☐ Accent☐ Angry☐ Calm☐ Clearing throat☐ Coughing☐ Cracking voice☐ Crying☐ Deep☐ Deep breathing☐ Disguised☐ Distinct

☐ Animal Noises☐ House Noises☐ Kitchen Noises☐ Street Noises☐ Booth☐ PA system☐ Conversation☐ Music☐ Clear☐ Static

☐ Incoherent☐ Message read☐ Taped☐ Irrational☐ Profane☐ Well-spoken

☐ Excited☐ Female☐ Laughter☐ Lisp

☐ Office machinery☐ Factory machinery☐ Local☐ Long distance

Normal

RapidRaspySlowSlurredSoftStutter

Active Shooter – Quick Guide

COPING WITH AN ACTIVE SHOOTER SITUATION	PROFILE OF AN ACTIVE SHOOTER
• Be aware of your environment and any possible dangers • Take note of the two nearest exits in any facility you visit • If you are in an office, stay there and secure the door • Attempt to take the active shooter down as a last resort	An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area, typically through the use of firearms.
<i>Contact your building management or human resources department for more information and training on active shooter response in your workplace.</i>	CHARACTERISTICS OF AN ACTIVE SHOOTER SITUATION • Victims are selected at random • The event is unpredictable and evolves quickly • Law enforcement is usually required to end an active shooter situation
ALL 911 WHEN IT IS C 	
HOW TO RESPOND WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY	HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES
1. EVACUATE • Have an escape route and plan in mind • Leave your belongings behind • Keep your hands visible 2. HIDE OUT • Hide in an area out of the shooter's view Block entry to your hiding place and lock the doors • Silence your cell phone and/or pager 3. TAKE ACTION As a last resort and only when your life is in imminent danger • Attempt to incapacitate the shooterAct with physical aggression and throw items at the active shooter	• Remain calm and follow instructions • Put down any items in your hands (i.e., bags, jackets) • Raise hands and spread fingers • Keep hands visible at all times • Avoid quick movements toward officers such as holding on to them for safety • Avoid pointing, screaming or yelling • Do not stop to ask officers for help or direction when evacuating
ALL 911 WHEN IT IS	INFORMATION YOU SHOULD PROVIDE TO LAW ENFORCEMENT OR 911 OPERATOR • Location of the active shooter • Number of shooters • Physical description of shooters • Number and type of weapons held by shooters • Number of potential victims at the location

LADIES & GENTLEMEN

THERE IS SEVERE WEATHER APPROACHING.
PLEASE IMMEDIATELY SEEK SHELTER.

PLEASE REMAIN CALM AND PROCEED TO SHELTER

PLEASE DO NOT RUN, PUSH, OR SHOVE.

DO NOT SEEK SHELTER BENEATH A TENT.

LADIES & GENTLEMEN

THERE IS SEVERE WEATHER APPROACHING.

PLEASE IMMEDIATELY EXIT THE VENUE AND SEEK
SHELTER.

PLEASE DO NOT RUN, PUSH, OR SHOVE.

ONCE OUTSIDE THE GATES, PLEASE RETURN TO
YOUR VEHICLE AND SEEK SHELTER.

LADIES & GENTLEMEN

IT IS NECESSARY THAT EVERYONE IMMEDIATELY
EXIT THE VENUE AND SEEK SHELTER.
PLEASE REMAIN CALM AND EXIT THE VENUE IN
AN ORDERLY MANNER.

PLEASE DO NOT RUN, PUSH, OR SHOVE.

DO NOT STAY IN THE FESTIVAL VENUE.

**ONCE OUTSIDE THE GATES,
PLEASE FOLLOW THE
DIRECTIONS OF EVENT &
SECURITY STAFF, AND LAW
ENFORCEMENT OFFICIALS TO
SEEK SHELTER**



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/27/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Olivier VanDyk Insurance Agency, Inc 2780 44th St SW Wyoming MI 49519	CONTACT NAME: PHONE (A/C, No, Ext): 616-454-0800 FAX (A/C, No): 616-454-7100 E-MAIL ADDRESS:
INSURED Real Time Entertainment & Management LLC 1601 6th Ave N Jacksonville Beach FL 32250	INSURER(S) AFFORDING COVERAGE INSURER A: Hiscox Insurance Co Inc INSURER B: Cincinnati Specialty Underwriters Ins Co INSURER C: Lloyd's Of London INSURER D: INSURER E: INSURER F:
License#: 0007645 REALTIM-01	NAIC # 13037

COVERAGES**CERTIFICATE NUMBER:** 1252100919**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			P100.855.361.3	1/11/2024	1/11/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			P100.855.361.3	1/11/2024	1/11/2025	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			CSU 0198616	10/31/2023	10/31/2024	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Professional Liability			PSM0139804959	10/31/2023	10/31/2024	Claim Aggregate Deductible 2,000,000 4,000,000 10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

* For Informational Purposes Only *

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Expense	2026 Estimates	2026 Actuals	Description / Notes	Revenue	Notes	2025 Potentials
Police	\$7,500.00		Crowd / Traffic Support	Sponsorship		\$100,000.00
City of Jax Beach	\$4,500.00		Venue Rental	Vendors		\$10,000.00
City of Jax Beach Deposit	\$2,000.00		Venue Security Deposit	Food Truck		\$10,000.00
Fire / EMS	\$6,000.00		JFRD	GA Tickets	5000 @ \$50	\$250,000.00
Charity Donation	TBD			VIP Tickets	750 @ \$99	\$75,250.00
Weather Insurance	\$7,500.00			Premium VIP Tickets	100 @ \$250	\$25,000.00
Event Insurance	\$5,000.00		Additional GL policy	Net Beer & Wine Sales		\$100,000.00
Liquor License	\$25.00			Merch Revenue		\$15,000.00
Tickets / Landyard / Braclets	\$2,500.00			Tourism Grant		\$30,000.00
Fence / Bike Rack	\$15,000.00					
Heavy Equipment	\$10,000.00		Generators, Cable Ramp, Fork Lifts			
Tents / Decor	\$25,000.00					
Banners	\$10,000.00		A Frame Signage, Banners, Posters			
Ice	\$1,500.00					
Toilets	\$6,000.00					
Dumpster	\$1,050.00					
Production	\$45,000.00		Staging, Audio, Lighting, Video			
iPads for POS	\$4,000.00					
Wifi	\$2,625.00					
Radios	\$1,000.00					
Backline	\$5,000.00					
Advertising	\$25,000.00		Digital, Flyering, Street Banners			
Content	\$5,000.00		Video / Photo Coverage			
Water	\$1,000.00					
Staff Food	\$1,000.00					
Sponsor Party Shacks	\$10,000.00		(2) Party Shacks for VIP			
VIP Food & Beverage	\$2,500.00					
Hospitality & Supplies	\$1,500.00		Headliner RV + Supplies			
Staff	\$50,000.00		Onsite staffing			
Talent & Entertainment	\$250,000.00					
Second Stage Entertainment	\$10,000.00					
Security	\$10,000.00					
Side Stage Viewing	\$5,000.00					
Site Supplies	\$5,000.00					
RTEAM Planning Fees	\$70,000.00					
Trucking	\$2,500.00					
Miscellaneous	\$5,000.00					
Subtotal	\$614,700.00			Subtotal		\$615,250.00
				Cost		\$614,700.00
				Revenue		\$615,250.00
				Profit / Loss		\$550.00

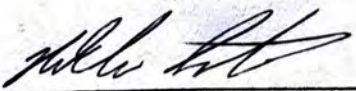
SECTION E: FORMS

FORM 1: PROPOSAL TENDER FORM

RFP #: 01-2425
TITLE: Ticketed Special Event
DATE: DECEMBER 19, 2024
TO: THE CITY OF JACKSONVILLE BEACH, FLORIDA
PURCHASING AND PROCUREMENT DIVISION

NOTE: Respondent is solely responsible for developing / determining / verifying for this project all plans / all methods / all quantities / all measurements and all manufacturers' requirements / recommendations necessary to provide a satisfactory fully completed project under the provisions of the RFP, to the CITY's satisfaction, to include costs for all labor, all equipment, all materials, all rental / leasing / purchasing of equipment and materials, all preparations, all repairs, all safety work, all quality control work, all disposal work, all mobilization and demobilization work, all sub-contractor work, all taxes, all insurance, all bonding if required, all inspection work, all verification work, all warranty work, all permitting at all levels of government, all contractor overhead, all contractor profit, and any / all other project related work and/or cost/expense that is not listed, and all of which shall be the basis for the respondent's proposal for this RFP.

SUBMITTED BY: NIKO COSTAS
Printed Name of Authorized Submitter
COMPANY NAME: REAL TIME ENTERTAINMENT & MANAGEMENT (RTEAM)
ADDRESS: 1601 6th ^{AVE} N
CITY, STATE & ZIP: JACKSONVILLE BEACH, FL 32250
TELEPHONE NUMBER: (904) 861-8128
EMAIL ADDRESS: NIKO@RTEAM.NET

By: 
Signature of Authorized Submitter

FOUNDER & CEO
Title (typed or neatly printed)

FORM 1: PROPOSAL TENDER FORM

RFP DOCUMENT TURN-IN CHECKLIST

The following documents are to be completed, signed and submitted as part of the Submittal Package in response to this RFP. Failure to provide the listed documents may be cause for the CITY to consider rejection of the submitted RFP. This consideration will be at the sole discretion of the CITY.

INITIAL Check-Off	#	SECTION TITLE
[NC]	1.	FORM 1: PROPOSAL TENDER FORM (Page 29-30)
[NC]	2.	FORM 2: RFP AWARD NOTICE (Page 31)
[NC]	3.	FORM 3: REQUIRED DISCLOSURE (Page 32)
[NC]	4.	FORM 4: DRUG-FREE WORKPLACE COMPLIANCE (Page 33)
[NC]	5.	FORM 5: NON-COLLUSION AFFIDAVIT (Page 34)
[NC]	6.	FORM 6: NON-BANKRUPTCY AFFIDAVIT (Page 35)
[NC]	7.	FORM 7: CERTIFICATION PURSUANT TO FLORIDA STATUTE §287.135 (Page 36)
[NC]	8.	FORM 8: SUSPENSION & DEPARMENT PURSUANT TO FLORIDA STATUTE §287.1351, EXECUTIVE ORDERS 12549 AND 12689, 2 C.F.R. PART 180 (Page 37)
[NC]	9.	FORM 9: ANTI HUMAN TRAFFICKING (Page 38)
[NC]	10.	W-9 (Attach completed and signed form, which can be obtained from www.irs.gov) (Page 39)

NOTE: Please INITIAL Check-Off of each *document / activity / requirement* that is attached to the Proposal Tender Form and/or is required by the RFP and/or Addenda.

ADDENDA RECEIPT VERIFICATION

Respondent shall acknowledge receipt of all addenda, if any, to the RFP, by filling in Addenda Numbers and dates below.

Addendum #: _____ Dated: _____	Addendum #: _____ Dated: _____
Addendum #: _____ Dated: _____	Addendum #: _____ Dated: _____

FORM 2: RFP AWARD NOTICE

City of Jacksonville Beach

1460A Shetter Avenue, Jacksonville Beach, FL 32250, (904) 247-6229

NOTICE: Items 1 to 6 are to be completed by the respondent. The respondent is to submit the form to the CITY along with the Proposal Tender Form and other required documents.

1. Company Name: REAL TIME ENTERTAINMENT & MANAGEMENT (RTEAM)
2. Address: 1601 6TH ST N
3. City, State & Zip: JACKSONVILLE BEACH, FL 32250
4. Attention: NIKO COSTAS
5. Phone: (904) 861-8128
6. E-mail address: NIKO@RTEAM.NET
PLEASE PRINT CLEARLY

ITEMS BELOW TO BE COMPLETED BY THE CITY OF JACKSONVILLE BEACH

Proposals were received and evaluated, and the following recommendation will be presented to the City Manager for award of **RFP No. 01-2425** per the attached Proposal Tabulation form(s).

A written notice of intent to file a protest must be filed with the Purchasing Administrator within three (3) days after receipt by the respondent of the Notice of Intent to Submit RFP for Approval and Award by City Council from the Purchasing Administrator in accordance with the procedures set forth in Section XII K., City of Jacksonville Beach Purchasing Manual.

If awarded RFP, please do not proceed with any work prior to receiving an official City of Jacksonville Beach Purchase Order and/or Notice-to-Proceed letter.

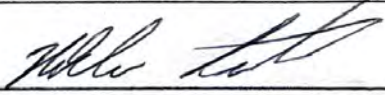
Thank you for your proposal.
Sincerely,

CITY OF JACKSONVILLE BEACH
/s/Luis F. Flores
Property and Procurement Division

FORM 3: REQUIRED DISCLOSURE

The following disclosure is of all material facts pertaining to any felony conviction or any pending felony charges in the last three (3) years in this State or any other state or the United States against (1) respondent, (2) any business entity related to or affiliated with respondent, or (3) any present or former owner of respondent or of any such related or affiliated entity. This disclosure shall not apply to any person or entity which is only a stockholder, which person or entity owns twenty (20) percent or less of the outstanding shares of a respondent whose stock is publicly owned and traded:

NOT APPLICABLE

Signed: 

Title: FOUNDER & CEO

Contractor: NIKO COSTAS

FORM 4: DRUG-FREE WORKPLACE COMPLIANCE

IDENTICAL TIE PROPOSALS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals, which are equal with respect to price, quality and service, are received by the State or by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie proposals will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under contract a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under contract, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.



Vendor's Signature

FORM 5: NON-COLLUSION AFFIDAVIT

Nikolas Costas, being first duly sworn deposes and says
that:

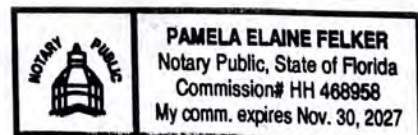
1. He (it) is the owner & CEO of RTEAM
the respondent that has submitted the attached proposal;
2. He is fully informed respecting the preparation and contents of the attached proposal and
of all pertinent circumstances respecting such proposal;
3. Such proposal is genuine and is not a collusive or sham proposal;
4. Neither the said respondent nor any of its officers, partners, owners, agents,
representatives, employees, or parties in interest, including this affidavit, have in any
way, colluded, conspired, connived or agreed, directly or indirectly, with any other
respondent, firm or person to submit a collusive or sham proposal in connection with the
Contract for which the attached proposal has been submitted; or to refrain from
responding in connection with such Contract; or have in any manner, directly or
indirectly, sought by agreement or collusion or communication, or conference with any
respondent firm, or person to fix the price or prices in the attached proposal or of any
other respondent or to fix any overhead, profit, or cost elements of the proposal price or
the proposal price of any other respondent, or to secure through any collusion,
conspiracy, connivance, or unlawful agreement any advantage against other respondents,
or any person interested in the proposed Contract;
5. The price or prices quoted in the attached proposal are fair and proper and are not tainted
by any collusion, conspiracy, connivance, or unlawful agreement on the part of the
respondent or any other of its agents, representatives, owners, employees or parties in
interest, including his affidavit.

By: 

Sworn and subscribed to before me this 30th day of December, 2024
in the State of Florida, County of Duval.

Pamela Elaine Felker Notary Public

My Commission Expires: Nov. 30, 2027



FORM 6: NON-BANKRUPTCY AFFIDAVIT

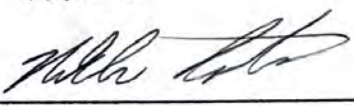
RFP #: 01-2425

STATE OF FLORIDA)

COUNTY OF DUVAL)

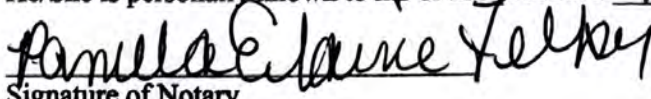
Nikolas Costas is an officer and member of
the firm of RTEAM, being first duly sworn, deposes and
states that;

1. The subsequent certification statement is a true and accurate statement as of the date shown below.
2. The affiant understands that the intentional inclusion of false, deceptive or fraudulent statements on this Non-Bankruptcy Affidavit constitutes fraud; and, that the City of Jacksonville Beach, Florida, considers such action on the part of the affiant to constitute good cause for denial, suspension, revocation, disqualification, or rejection of affiant's participation in **RFP No. 01-2425**
3. Certification Statement: This is to certify that the aforementioned firm has not filed for bankruptcy in the past seven (7) years and that no owner/officer or principal of the aforementioned firm has filed for bankruptcy personally in the past seven (7) years or has been an owner/officer or principal of a firm which has filed for bankruptcy in the past seven (7) years.


Affiant Signature

Sworn to before me this 30th day of December, 2024 by Nikolas Costas
(Name of affiant)

He/She is personally known to me or has produced FL DR. LIC. as identification.


Signature of Notary

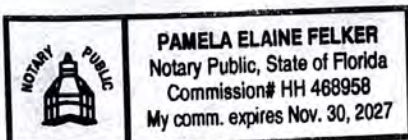
Notary's Printed Name

Pamela Elaine Felke

Expiration of Notary's Commission

Affix Seal Here:

Nov. 30, 2027



FORM 7: CERTIFICATION PURSUANT TO FLORIDA STATUTE §287.135

I, NIKO COSTAS, FOUNDER & CEO on behalf of REAL TIME ENTERTAINMENT & MANAGEMENT certify
Print Name and Title Company Name

that REAL TIME ENTERTAINMENT & MANAGEMENT:
Company Name

- a. is not on the Scrutinized Companies that Boycott Israel List or engaged in a boycott of Israel. Pursuant to section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Company is found to have submitted a false certification; or if the Company is placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.
- b. If this Agreement is for more than one million dollars, the Company certifies that it is also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in section 287.135, F.S. Pursuant to section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Company is found to have submitted a false certification; or if the Company is placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.
- c. As provided in subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions, then they shall become inoperative.

**FORM 8: SUSPENSION & DEPARTMENT PURSUANT TO FLORIDA
STATUTE §287.1351, Executive Orders 12549 and 12689, 2 C.F.R. Part 180**

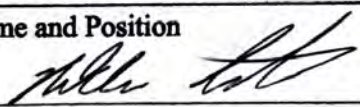
I, NIKO COSTAS, FOUNDER & CEO on behalf of REAL TIME ENTERTAINMENT & MANAGEMENT certify
Print Name and Title Company Name

That REAL TIME ENTERTAINMENT & MANAGEMENT :
Company Name

- A. The prospective Vendor certifies that it and its principals (subcontractors and suppliers):
- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or involuntarily excluded by any Federal, State, County, City of Town or other government agency;
 - b. Have not within (36 months) period preceding this time, been convicted of or had a civil judgement entered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal or State, City or Town of other local agency) transaction or contract; violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - c. Are not presently indicated for otherwise criminally or civilly charged by a government entity (Federal, State or local) within commission of any of the offenses enumerated in paragraph (A)(2) of this certification; and
 - d. Have not within (36) months period preceding this time, had one or more public contracts (Federal, State, City, or Town or other agency) terminated for cause or default.
- B. Where the prospective Vendor is unable to certify to any of the statements in this certification, an authorized signatory to this proposal shall complete, sign and attach a detailed explanation.

NIKO COSTAS, FOUNDER & CEO
Name and Position

DECEMBER 19, 2024
Date


Signature

REAL TIME ENTERTAINMENT & MANAGEMENT

Company Name

1601 6TH ST N

Street Address

JACKSONVILLE BEACH, FL 32250

City, State and Zip Code

FORM 9: ANTI HUMAN TRAFFICKING

**AFFIDAVIT OF COMPLIANCE WITH SECTION 787.06(13)
FLORIDA ANTI-HUMAN TRAFFICKING PROVISIONS**
(To be used when a contract is executed, renewed or extended)
(Required only for non-governmental vendors)

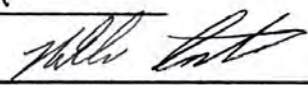
STATE OF FLORIDA

COUNTY OF DUVAL

I, {full legal name} Nikolas Bruce Costas, swear and affirm that I am
an officer or a representative of the Contractor and that REAL TIME ENTERTAINMENT & MANAGEMENT does
not use coercion for labor or services as those terms are defined in Section 787.06(13), Fla. Stat.

AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE
STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 12/30/24

Signature of Affiant: 

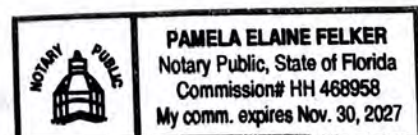
Sworn to or affirmed and signed before me on December 30, 2024 by

Nikolas Costas who is personally known to me or presented

FL LLC, as identification.

Notary Public, State of FL Florida

My commission expires: Nov. 30, 2027



**Request for Taxpayer
Identification Number and Certification**

Go to www.irs.gov/FormW9 for instructions and the latest information.

**Give form to the
requester. Do not
send to the IRS.**

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) REAL TIME ENTERTAINMENT & MANAGEMENT LLC	
	2 Business name/disregarded entity name, if different from above.	
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☒ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) S Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions ☐	
	5 Address (number, street, and apt. or suite no.). See instructions. 1601 6TH AVE N	Requester's name and address (optional)
	6 City, state, and ZIP code JACKSONVILLE BEACH, FLORIDA 32250	
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
			-				-		
or									
Employer identification number									
4	6		-	4	2	4	9	8	2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person <i>Nikolas Costas</i>	Date 6/20/2024
------------------	--	---------------------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they



CITY OF JACKSONVILLE BEACH
SPECIAL EVENT APPLICATION

An application for a Special Event must be submitted at least 90 days in advance of the requested event. This application is **not** a permit to conduct a Special Event.

Required Information:

1. Name of Event:
RTEAM SPRING FLING
2. Name of Event producer:
NIKO COSTAS
3. Name of company/organization associated with the Event:
REAL TIME ENTERTAINMENT & MANAGEMENT
4. Full address:
1601 6TH AVE N, JACKSONVILLE BEACH, FL 32250
5. Producer's email and phone number:
NIKO@RTEAM.NET 904-861-8128

Billing information:

1. Is the billing address and information the same as the above? If not, please provide the proper address. This will be where the deposit refund is mailed to, if applicable:
SAME

Event Information:

1. Date(s) requested:
MARCH 27 & 28, 2026

2. Hours of Event (not including set-up and clean-up):
5:00 PM to 10:00 PM ET March 27th and 12:00 PM to 10:00 PM ET March 28th

3. Date & time frame for Event set-up:
Tuesday March 24 -27, 2026

4. Date and time for clean-up completion:
March 28 - 30, 2026

5. Requested event location(s). Please use the attached map to specify which locations will be in use:
A, B, & C

6. Brief Event description:

RTEAM is excited to propose "Spring Fling," a first-of-its-kind ticketed event at the Seawalk Pavilion designed to enhance community safety and showcase the benefits of managed attendance. This event celebrates Florida's rich history while prioritizing a secure and enjoyable experience for all attendees and the surrounding community.

7. How many people do you anticipate being in attendance at any one point?
5000

8. How many people do you anticipate being in attendance in total?
7000

9. Will there be alcohol sold or served at your event?
Yes

10. Approximately how many tent vendors will be present at your event?
<12

11. Approximately how many food trucks will be present at your event?
<5

Entertainment:

1. If there will be entertainment, please list all entertainers, DJ's, bands, or musicians that will be performing:
TBD

2. Will there be carnival games/rides? If so, what type?
No

3. Will there be inflatables? If so, what type?

No

4. Will your event have paid priority seating?

Yes

5. Is this a fully ticketed event?

Yes

Facility Requirements:

1. How many porta-potties will be on site?

approx 25

Recommendation: One

toilet is recommended for every 300 people attending the event. One ADA accessible toilet is required for the first 300 people, and a minimum of 5% of the restrooms must be ADA accessible. If there is alcohol being served at the event, the recommended ratio for toilets is 1 per every 150 people.

2. Will you be renting a dumpster?

Yes

3. If not, what are your plans for trash disposal?

n/a

4. What are your plans for providing security at the event?

Contract security provider TBD will be the on-site security contractor at the event. They will be located in numerous positions throughout the facility and will liaise with emergency services representatives Jacksonville Beach PD as required.

Beach Events:

Any organized activities taking place on the beach must have a permit. This includes runs/walks, surf contests, sports tournaments, etc. If you are not having activity on the beach, please skip ahead.

1. What type of Event will take place on the beach?

None

2. Do you need Ocean Rescue Lifeguards to staff your Event?

No

3. Will you be setting up any structures/scaffolding on the beach?

No

4. Will you need a vehicle on the beach?

No

5. What is the approximate location on the beach in which your activities will span?

n/a

6. What are your plans for trash generated from the event?

n/a

Confirmation:

I understand that this is an application only and does not obligate the City in any fashion to reserve any facility or approve any event. I understand that my event is not permitted until all documents and payments have been submitted and a final permit has been granted.

Signature:

Niko Costas

Printed Name: NIKO COSTAS

Date: 1/8/26

I have received and read a copy of the Special Events Policy.

Signature:

Niko Costas

Event Contact Information:

Please provide the name of the contact person who will be available on-site at all times. Depending on the length/scope of the Event, this may require several people.

Contact name and phone number:

1. Niko Costas 904-861-8128

2. Josue Cruz 305-803-4722

3. Chris Anderson 239-564-0629

Type text here



















PRETZELS

HOT SOFT DRINKS

HOTBOX
WE CATCH



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RTEAM SPRING FLING PROPOSAL

RFP #: 01_2425

CONTENTS:

- I. SECTION D: EVALUATIONS AND AWARDS PROCEDURE
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- II. SECTION E: FORMS
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- III. CITY OF JACKSONVILLE BEACH SPECIAL EVENTS APPLICATION
 - A. ALL REQUIRED FORMS COMPLETE & SIGNED





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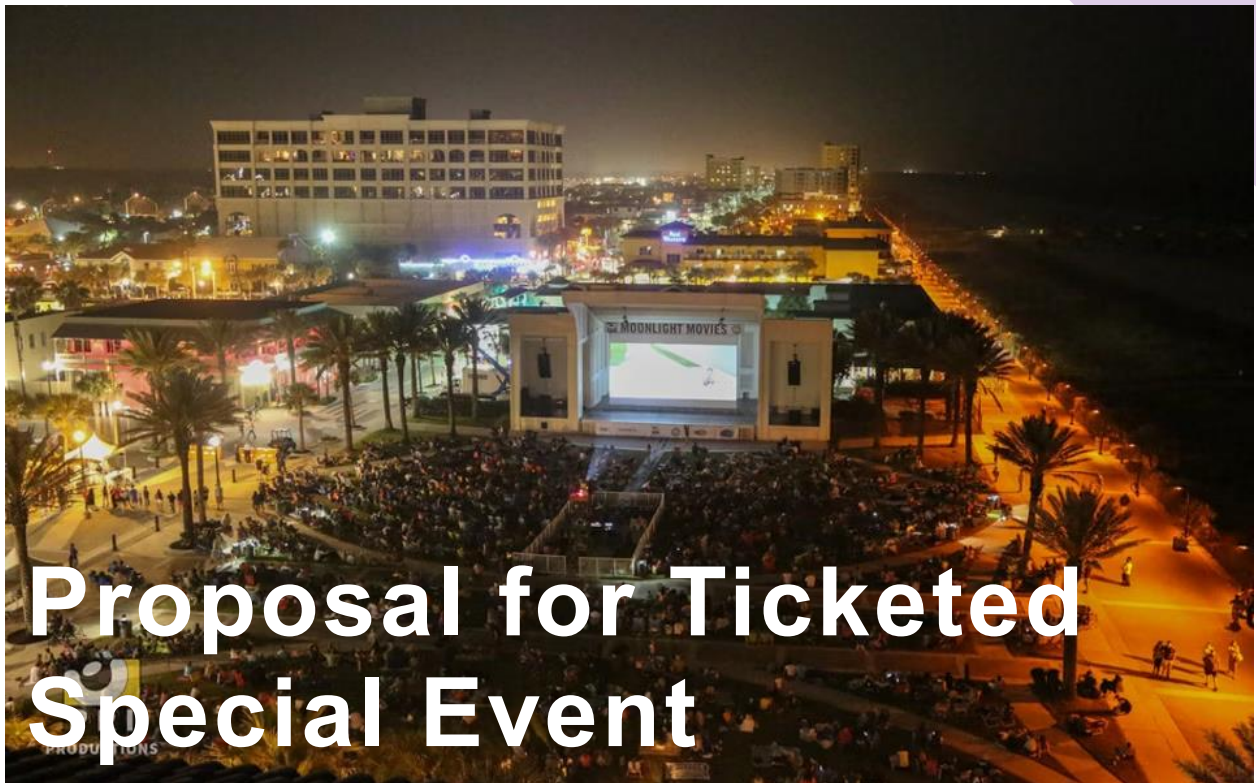
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Proposal for Ticketed Special Event

Submitted to Parks & Recreation, City of Jacksonville Beach



January 15, 2025

January 15, 2025

Parks and Recreation,
City of Jacksonville Beach
2508 S Beach Parkway,
Jacksonville Beach, FL 32250

Subject: Proposal for RFP: Ticketed Special Event (RFP #01-2425)

To Whom It May Concern:

Picture hundreds of mothers and families strolling through gardens of colorful tulips as live music floats through the ocean breeze – this is Tunes & Tulips by the Beach, a premier Mother's Day celebration that A & B Creative Events envisions for Jacksonville Beach's Seawalk Pavilion. As a response to this RFP, we are honored to present our proposal for an innovative festival that aligns seamlessly with the City of Jacksonville Beach's vision to foster community engagement, boost tourism, and create memorable experiences for residents and visitors alike.

Leading this initiative is **Latasha Brooks**, the Event Producer and Project Manager, who brings a personal connection to this project as a *Jacksonville native*. Born and raised in Jacksonville, Latasha has a deep understanding of the city's culture, history, and community needs. Though currently based in Virginia, she can leverage this understanding of the community, combined with over 15 years of experience in event planning and business consulting, to design and deliver a successful, community-centered event. Moreover, the rest of the team is also locally situated (Jacksonville, Florida) except for the marketing and promotions specialist who is based out of Maryland. The core event team bring over 70 years of cumulative experience to the City, thereby ensuring a successful execution of the program. With most of our team based in Jacksonville, we are deeply invested in supporting local businesses, creating job opportunities, and fostering community partnerships. Our team's combined expertise ensures that the proposed event will be professionally executed with the local community at its core.

Since our founding in 2016, A & B Creative Events has established itself as a leader in planning and executing large-scale, high-impact events for government agencies, private corporations, and nonprofit organizations. Our successful projects include:

- The Annual Crab and Seafood Festival in North Carolina, which attracted over 50,000 attendees, booked 264 hotel rooms, and generated over 200,000 social media impressions, significantly boosting tourism and local business revenue.
- The Fredericksburg Chamber of Commerce Annual Gala, revitalized with record-breaking attendance and revenue through strategic programming.
- The Minority GovCon Business Summit, engaging over 175 business leaders in networking and business development opportunities.
- The Launch Loudoun Small Business Summit, supporting rural, women-owned, and minority-owned businesses through strategic event execution.
- The newly developed Vintage, Visions, & Vibes event for James City County, designed to enhance tourism and community engagement.

- The successful launch of the Score Central Virginia Small Business Pitch Competition, now expanding in 2025 due to overwhelming success.

Tunes & Tulips by the Beach builds upon this legacy of excellence. This two-day festival will celebrate mothers and families through diverse and engaging experiences, including:

- Live Music Performances featuring Jazz, R&B, Soul, and Acoustic artists, highlighted by a special "Mothers of Music" tribute segment and evening headline acts.
- A dynamic Mother's Day Fashion Experience with the "Generations of Style" runway show, boutique pop-ups, and mother-daughter makeovers.
- Wellness & Pampering Zones offering spa treatments, yoga sessions, and health workshops.
- Gourmet Culinary Offerings with a premium food court, the "Mom's Mimosa Garden", and exclusive Mother's Day brunches.
- Family-Friendly Activities such as interactive craft stations, family game zones, and children's entertainment.
- An Exclusive VIP Experience with premium viewing areas, private lounges, spa services, performer meet-and-greets, and luxury gift bags.

With an anticipated attendance of 3,000–4,000 people daily, this event is positioned to become a signature cultural and economic driver for Jacksonville Beach. The ticketing model will ensure an enhanced experience while remaining accessible to the community, drawing local and regional visitors and generating increased revenue for local businesses.

The **total proposed budget for Tunes & Tulips by the Beach is \$369,150**, with projected revenue of \$399,000 at 70% capacity, ensuring financial sustainability and a net income of \$29,850. Revenue sources include ticket sales, food vendor fees, beverage commissions, merchandise, and sponsorships, with a 7% contingency fund to mitigate unforeseen costs.

At A & B Creative Events, we are passionate about delivering a memorable and impactful event for Jacksonville Beach. Our experience managing large-scale, high-profile events, paired with our local roots and strategic approach, uniquely positions us to make Tunes & Tulips by the Beach a hallmark celebration.

Thank you for considering our proposal. We look forward to the opportunity to collaborate and bring this exciting vision to life.

Yours Sincerely,

Latasha Brooks,
CEO

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Experience & Track Record

About A & B Creative Events

Established in 2016, A & B Creative Events is a premier event planning and consulting firm dedicated to delivering exceptional experiences to our diverse clientele. We proudly serve federal, state, and local government agencies, as well as private for-profit and nonprofit organizations.

At A & B Creative Events, we prioritize customer satisfaction and strive for excellence in every aspect of our service. Our commitment to quality drives us to embrace industry best practices, ensuring continuous improvement, process optimization, collaborative teamwork, and unparalleled performance. By exceeding our clients' expectations and operational goals, we establish enduring relationships based on trust and mutual success.

As specialists in event management, we possess extensive expertise in all facets of event planning and execution, including strategic planning, marketing, logistics, vendor coordination, and on-site management. Our comprehensive approach ensures that every detail is meticulously addressed, resulting in seamless and memorable experiences for attendees while achieving the client's objectives.

We are incredibly proud of our remarkable growth over the years, and our unwavering dedication to delivering exceptional service remains unchanged. A & B Creative Events is firmly committed to transforming our clients' visions into reality, breathing life into their dreams.

List of events produced over last 5 years

Over the past five years, A & B Creative Events has built a strong reputation for organizing impactful, large-scale events that drive tourism, foster community engagement, and contribute to economic development. Our extensive experience spans a variety of event types, showcasing our versatility and ability to deliver exceptional results. Notable successes include revitalizing the Fredericksburg Chamber of Commerce Annual Gala (2022–2024) with record-breaking attendance and revenue through innovative programming and targeted marketing strategies. We also produced the Annual Crab and Seafood Festival in North Carolina, which attracted over 50,000 attendees, filled 264 hotel rooms, and generated over 200,000 social media impressions, significantly boosting local economic activity. Our work with the Minority GovCon Business Summit in Washington D.C. and Atlanta has brought together over 175 business leaders for networking, workshops, and strategic partnerships that support minority-owned businesses. Additionally, our leadership in organizing the FTM Fashion Week in Onslow and Stafford Counties has elevated local tourism by attracting influencers, celebrities, and out-of-town guests, resulting in fully booked hotels and increased business for local vendors.

More recently, A & B Creative Events has led several high-impact initiatives that align closely with the goals of the proposed Tunes & Tulips by the Beach event. In 2024, we started planning the Vintage, Visions, & Vibes festival for James City County in Virginia, successfully introducing a signature cultural event designed to draw visitors to the area's newest park. This event is scheduled to take place on April 11th & 12th! We also managed the Launch Loudoun Small Business Summit, providing strategic support to rural, women-owned, and minority-owned businesses through

educational seminars and networking opportunities. Additionally, we created and executed the Score Central Virginia Small Business Pitch Competition, securing funding for multiple prize winners and ensuring the event's expansion into 2025. These projects exemplify our ability to design, market, and execute dynamic, large-scale events that engage communities, attract visitors, and drive economic growth. Our proven expertise in managing complex events with diverse programming makes us exceptionally well-suited to deliver a successful and impactful experience with Tunes & Tulips by the Beach.

Below are details of some of our marquee events:

Annual Crab and Seafood Festival

- **Venue:** Multiple counties across North Carolina, including Onslow and Craven Counties.
- **Crowd Size:** Over 50,000 attendees
- **Budget:** \$55,000
- **Overview:** This festival played a key role in boosting tourism and economic development across participating counties. The event attracted local and out-of-state visitors, generated substantial social media engagement, and supported Black-owned businesses by providing them a platform to showcase their offerings.
- **Key Outcomes:**
 - Booked 264 overnight hotel rooms, boosting local hospitality.
 - Generated over 200,000 impressions on social media.
 - Encouraged expansion to other counties due to its success.
- **Event Pics:**

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FTM Fashion Week

- **Venue:** Onslow County and Stafford County, VA
- **Crowd Size:** Over 250 attendees, including celebrities and influencers.
- **Budget:** \$35,000
- **Overview:** Partnered with FTM Fashion Week to organize a fashion show that engaged the local community, boosted tourism, and showcased local businesses. The event demonstrated our ability to align with nonprofit goals while delivering an upscale experience that drove economic growth.
- **Key Outcomes:**
 - Generated 50,000 social media impressions.
 - Fully booked 50 hotel rooms and increased spending at local businesses.
 - Provided a platform for local businesses to be part of the event's organization.
- **Event Pics:**



Fredericksburg Chamber of Commerce Annual Awards Gala

- **Venue:** Fredericksburg Regional Chamber of Commerce, Fredericksburg, VA
- **Crowd Size:** Over 600 attendees
- **Budget:** \$70,000
- **Overview:** Organized the 30th and 31st Annual Awards Gala, addressing declining attendance by introducing innovative strategies, such as a silent auction and sponsorship opportunities. The event achieved record-breaking attendance and revenue, enhancing the Chamber's visibility and engagement with its members.
- **Key Outcomes:**
 - Generated the highest revenue in the Chamber's history.
 - Attracted a record number of attendees.
 - Created a positive perception of the Chamber among its members.
- **Event Pics:**



Launch Loudoun Small Business Summit

- **Venue:** The Lodge at Hanson Park, 23394 Endeavor Drive, Aldie, VA 20105
- **Date:** April 30, 2024
- **Crowd Size:** 250
- **Budget:** \$100,000
- **Overview:**
A & B Creative Events partnered with Loudoun Economic Development (DED) to organize the **Launch Loudoun Small Business Summit**, a key initiative funded by the American Rescue Plan Act (ARPA) to support rural, women-owned, and minority-owned businesses in Loudoun County. This event was designed to empower small business owners through educational sessions, networking opportunities, and direct access to resources.
- **Event Pics:**





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Minority GovCon Business Summit

- **Venue:** Washington DC (Marriott) and Atlanta, GA (Westin Peachtree Plaza & Embassy Suites)
- **Crowd Size:** Over 175 business leaders per event
- **Budget:** 40,000
- **Overview:** A nationwide event focused on bridging the gap in minority government contracting opportunities. A & B Creative Events managed end-to-end promotion and logistics, hosting workshops and connecting small businesses with prime contractors to foster growth and knowledge sharing.
- **Key Outcomes:**
 - Facilitated networking opportunities between 175+ attendees and 20 prime contractors.
 - Conducted 6 workshops and hosted 7 industry experts as keynote speakers.
 - Secured sponsorships from 9 organizations, ensuring the event's success and sustainability.
- **Event Pics:**

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Proposal for Ticketed Special Event, City of
Jacksonville Beach (RFP # RFP #: 01-2425)



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References

Reference #1

Name of firm	Fredericksburg Regional Chamber of Commerce
Address of firm	2300 Fall Hill Ave Suite 240, Fredericksburg, VA 22401, USA
Name, title, address, email address, telephone and fax numbers of a contact for the firm	Charley Walker Ph: (858) 883-1387 Email: cwalker@fxbgchamber.org
Brief summary of scope of services provided to the firm	Organized a Fashion Show and the Chamber's 30 th & 31st Gala

Reference #2

Name of firm	City of Fredericksburg
Address of firm	715 Princess Anne Street, Room 201, Fredericksburg, VA 22401
Name, title, address, email address, telephone and fax numbers of a contact for the firm	Siera Rogers Ph: (858) 883 - 1387 Email: ssrogers@fredericksburgva.gov
Brief summary of scope of services provided to the firm	Organized Minority GovCon Summit

Reference #3

Name of firm	SCORE
Address of firm	300 Preston Ave #206
Name, title, address, email address, telephone and fax numbers of a contact for the firm	Cathy Taylor Ph: (240) 394-2149 Email: cathy.taylor@scorevolunteer.org
Brief summary of scope of services provided to the firm	Organized the Score Central Virginia Small Business Pitch Competition

Production Team



Latasha Brooks

Event Producer and Project Manager

Lead the overall planning and execution of the event.

Responsibilities:

- Oversee the development of the event plan and timeline.
- Coordinate between the city, vendors, and internal team.
- Ensure compliance with Jacksonville Beach's Special Event Policy.
- Monitor the budget and ensure cost-effective solutions.

Credentials:

- Over 15 years of experience in organizational consulting, business development, and event production.
- Proven expertise in planning and executing large-scale events, including:
 - **Fredericksburg Chamber of Commerce Annual Awards Gala:** Led two consecutive galas with over 600 attendees, achieving record-breaking revenue and attendance.
 - **Annual Crab and Seafood Festival:** Attracted over 50,000 attendees and boosted tourism in Onslow and Craven Counties, NC.
 - **FTM Fashion Week:** Organized fashion events in Stafford and Onslow Counties, drawing over 250 attendees and driving economic growth.
 - **Minority GovCon Business Summit:** Hosted this nationwide event twice a year, connecting over 175 business leaders per event and securing sponsorships from nine organizations.
 - **Launch Loudoun Small Business Summit:** Strategically managed and executed this key event to support small businesses in Loudoun County, VA.
- Owner and operator of Vinyl 2 Vinyl, LLC DBA A&B Creative Events Center,
- Extensive certifications in Business Entrepreneurship, Management, Operations, and Specialist.
- Bachelor's degree in Entrepreneurship – Florida State College A Jacksonville
- Recognized SCORE workshop Presenter, helping over 1500 business owners achieve their goals through coaching programs.

- Expertise in leadership, staff development, customer service, and DEI (diversity, equity, and inclusion) training.



Myown Holmes

Role: Marketing and Promotions Specialist

Develop and execute the marketing and ticket sales strategy.

Responsibilities:

- Design promotional materials and manage social media campaigns.
- Partner with local media and influencers to boost visibility.
- Track ticket sales and analyze audience engagement.
- Implement outreach strategies to attract diverse attendees.

Credentials:

- Over a decade of experience in leadership communication, content development, and strategic communications.
- Chief Marketing Officer at Socially Polished, overseeing media relations and integrated marketing campaigns since 2017.
- Expertise in developing and implementing comprehensive communication strategies that drive visibility and engagement.
- Proven success in managing digital marketing campaigns, crafting press releases, and coordinating public relations efforts for organizations such as the United States Capitol Police and Smith Center for Healing & Arts.
- Strong background in public and media relations, with experience building partnerships and maintaining cohesive brand messaging.
- Educational background includes a **BA in Communications** and ongoing pursuit of an **MBA** (expected 2025).

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Tonda Jordan

Logistics Coordinator

Handle all on-site logistics and vendor management.

Responsibilities:

- Arrange permits, vendor contracts, and venue setup.
- Manage event flow, including stage production, security, and crowd management.
- Coordinate with local services like police, EMS, and parking authorities.
- Troubleshoot on-site issues to ensure smooth operations.

Credentials:

- Certified Event Planning Professional (CEPP) with a strong background in corporate and nonprofit event management.
- Expertise in event planning, project management, stakeholder management, and needs assessment.
- Successfully planned and executed over 50 events, ranging from small gatherings to large corporate functions.
- Proven ability to implement project management systems, achieving a 30% improvement in efficiency and a 15% reduction in costs.
- Demonstrated consistent excellence with a 95% client satisfaction rate.

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Cheya Thousand

Community Engagement Coordinator

Build and maintain relationships with local stakeholders.

Responsibilities:

- Engage with local businesses, community groups, and sponsors.
- Ensure the event aligns with community values and expectations.
- Organize volunteer programs and outreach initiatives.
- Gather post-event feedback to refine future events.

Credentials:

- 12+ years of experience in strategy consulting, public relations, and community engagement with organizations like Deloitte, Nike, Acosta, and Macy's.
- Certified Emotional Intelligence Leadership Coach through STAR Factor Coaching, recognized by Yale University and NYC Department of Education.
- Former Amazon Diversity Champion, where she streamlined hiring processes and built impactful community partnerships.
- Founder and CEO of CT Wellness Co., specializing in workplace enhancement through training, stress management, and emotional intelligence coaching.
- Certified in Mental Health First Aid and a sought-after speaker on emotional intelligence, self-care, and workplace culture, featured at events like WomenEmpowerX and Alltech One Conference.
- Author of books such as "Holding Space for Self" and "I Am More Than A Conqueror," focusing on self-care and emotional intelligence.
- Educational background includes a BA from Cornell University and an MBA in Human Resource Management from Capella University.

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Rafael Alvarez
Financial Manager

Oversee financial planning, reporting, and cost management.

Responsibilities:

- Prepare and track the event budget.
- Negotiate contracts with vendors and service providers.
- Manage ticket revenue, sponsorships, and post-event financial reporting.

Credentials:

- Over 20 years of experience managing P&L for various business units, with a proven ability to drive financial growth and operational excellence.
- Skilled leader with expertise in lending, collections, and compliance, managing high-performing sales teams and delivering consistent results.
- Extensive event management experience, scaling events from small gatherings to large-scale productions, with a focus on operational efficiency and exceptional attendee experiences.
- Successfully led a high-performance branch, doubling growth from \$7.6M to \$14.6M in receivables, showcasing strategic leadership and financial acumen.
- Mentor and trainer, instrumental in building the careers of over 50 team members and fostering high-performing teams.
- Proven track record in securing sponsorships and financial support, ensuring fiscal responsibility and compliance for large-scale events.
- Exceptional communicator and results-driven professional, dedicated to delivering world-class customer experiences and fostering strong community connections.
- Strong commitment to community impact, helping individuals reach financial goals and creating meaningful, memorable experiences through well-executed events.

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Tonya Barge

Legal and Compliance Advisor

Ensure all aspects of the event comply with legal, regulatory, and contractual obligations.

Responsibilities:

- Review and negotiate contracts with vendors, sponsors, and partners.
- Ensure compliance with Jacksonville Beach's Special Event Policy, permits, and local laws.
- Handle risk management and liability concerns, including insurance and safety protocols.
- Provide legal guidance on ticketing terms and conditions, intellectual property, and event disclaimers.

Credentials:

- Over 10 years of experience as a litigation attorney and business strategist with expertise in business law, compliance, risk management, and strategic planning.
- Proven ability to navigate complex legal and operational challenges, including developing compliance frameworks and risk mitigation strategies for businesses.
- Extensive experience in litigation, including over 50 jury trials and successful representation of clients in civil cases involving contract disputes, employment issues, and business startups.
- Expertise in business strategy, providing consulting services in market research, competitive analysis, and performance optimization to drive growth.
- Former Supervisor of the Special Victim's Unit at the Office of the State Attorney, managing high-profile cases and overseeing legal operations.
- Educational background includes a Juris Doctor (JD) from Florida Coastal School of Law (Governor's Scholarship Recipient and Dean's List honors) and a Bachelor of Science from the University of North Florida (multiple Dean's List honors).

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Scope of Proposed Ticketed Event

Proposed Event Overview

Event Name: Tunes & Tulips by the Beach

Event Date: May 11–12, 2024 (Mother's Day Weekend)

Event Duration: Two-day festival from 10:00 AM to 8:00 PM each day

Location: Seawalk Pavilion, Jacksonville Beach, including the adjacent municipal parking lot and Latham Plaza.



Expected Attendance: We anticipate welcoming 3,000 to 4,000 attendees per day, with a total attendance of 6,000–8,000 over the course of the event.

Target Demographic: The event is designed for families, with a primary focus on women aged 25–65. It aims to attract mothers, their families, and the broader Jacksonville Beach community, creating a welcoming and inclusive atmosphere for all.

Event Description

Tunes & Tulips by the Beach is a premier two-day Mother's Day festival set to transform Jacksonville Beach's Seawalk Pavilion into a vibrant celebration of motherhood. Taking place on **May 11–12, 2024**, the event offers a rich combination of live music, wellness activities, fashion, gourmet cuisine, and family-friendly entertainment, creating an unforgettable experience for families and honoring mothers in a truly unique way.

The event is designed to welcome **3,000–4,000 attendees per day**, with a target demographic of families, particularly women aged **25–65**. Through a dynamic range of experiences, the festival shall ensure something special for everyone, making it the ultimate destination to celebrate Mother's Day in style.

Highlights of the Event

- **Music & Entertainment**
 - Main stage performances featuring local and regional artists.

- Genre mix of Jazz, R&B, Soul, and Acoustic to captivate all musical tastes.
- Special "Mothers of Music" tribute segment, honoring women in music.
- Evening headline performances by renowned artists, ensuring a spectacular end to each day.
- **Mother's Day Fashion Experience**
 - The debut "Generations of Style" runway show, featuring mother-daughter pairs.
 - Local boutique pop-up shops and professional styling sessions.
 - Mother-daughter makeover experiences and a vintage fashion exhibit celebrating maternal fashion through the decades.
- **Wellness & Pampering Zone**
 - Indulgent mini spa treatments (massages, facials, manicures) to pamper mothers.
 - Yoga and meditation sessions for relaxation and rejuvenation.
 - Health and wellness workshops and personalized beauty consultations.
 - A serene relaxation lounge for unwinding and enjoying the festival atmosphere.
- **Culinary Excellence**
 - A gourmet food court featuring dishes from local restaurants and live cooking demonstrations by top chefs.
 - The "Mom's Mimosa Garden", offering premium beverages.
 - Special Mother's Day brunch experiences and dessert and chocolate tasting stations.
- **Family Activities**
 - Interactive craft stations for families and children.
 - Professional photo opportunities to capture lasting memories.
 - Children's entertainment area and a family game zone for all-day fun.
 - A Mother's Day card creation station for a personal, creative touch.
- **VIP Experience**
 - Premium viewing areas for main stage performances.
 - Access to an exclusive lounge with complimentary spa treatments.
 - Priority seating for the fashion show and meet-and-greet opportunities with performers.
 - Luxury gift bags filled with curated surprises for VIP ticket holders.

Timeline and Implementation

Phase	Date	Task/Activity
Pre-Event Planning (90+ Days Out)	January 15, 2025	Submit completed proposal package
	January 30, 2025	Expected contract award and negotiation period
	February 15, 2025	Begin vendor and performer contract negotiations
	March 1, 2025	Launch early-bird ticket sales
	March 15, 2025	Begin marketing and promotional campaigns
	March 30, 2025	Finalize major vendor contracts
	April 1, 2025	Begin weekly planning committee meetings
60 Days Before Event	March 11, 2024	Submit detailed site plans
	March 15, 2024	Begin local business outreach
	March 20, 2024	Launch social media campaign
	March 25, 2024	Confirm all entertainment lineup
	March 30, 2024	Begin volunteer recruitment
45 Days Before Event	March 27, 2024	Submit final payment to vendors
	April 1, 2024	Begin weekly safety committee meetings
	April 5, 2024	Confirm all vendor participation
	April 10, 2024	Initiate community awareness campaign
20 Days Before Event	April 21, 2024	Submit all additional permits and insurance documents
	April 25, 2024	Conduct initial volunteer training
	April 30, 2024	Finalize production schedule
	May 1, 2024	Begin daily planning committee meetings
15 Days Before Event	April 26, 2024	Notify local businesses of road closures
	April 28, 2024	Complete beach driver training
	May 1, 2024	Conduct final vendor briefings
	May 3, 2024	Finalize security protocols
10 Days Before Event	May 1, 2024	Receive final signed Special Event Permit
	May 3, 2024	Conduct final safety walkthrough

	May 5, 2024	Hold final production meeting
	May 8, 2024	Begin site preparation
Event Days (May 11-12, 2024)	May 10, 2024	Site setup and vendor load-in
	May 11, 2024	Day 1 operations (10 AM - 4 PM)
	May 12, 2024	Day 2 operations (10 AM - 4 PM)
	May 12, 2024	Site cleanup and vendor load-out
Post-Event (Within 15 Days)	May 15, 2024	Submit post-event report to the City
	May 20, 2024	Conduct stakeholder debrief
	May 25, 2024	Complete final financial reconciliation

Elevated Event Experience and Community Benefits via Ticketing

Leveraging a ticketing model for the event shall enable a well-organized and elevated event experience, offering premium features and ensuring a safe, comfortable, and memorable celebration for all attendees. Ticketing shall provide the necessary resources and structure to deliver a world-class event that exceeds expectations.

- **Exclusive and Premium Offerings**

- Reserved seating for headline performances and premium viewing zones shall provide attendees with an enhanced experience of the diverse musical acts.
- VIP access shall include exclusive amenities such as luxury lounges, complimentary spa treatments, meet-and-greets with performers, and personalized gift bags, elevating the overall event experience.

- **Improved Safety and Comfort**

- Regulated attendance through ticket sales shall ensure optimal crowd sizes, creating a comfortable, family-friendly atmosphere.
- Ticketing revenue shall fund professional security, emergency response teams, and high-quality facilities, enhancing safety and attendee satisfaction.

- **Better Resource Allocation**

- Ticket revenue shall enable the procurement of top-tier entertainment, infrastructure, and amenities, ensuring a high-quality event.
- Detailed attendance tracking through ticketing shall inform logistical planning, helping to allocate resources effectively and optimize the attendee experience.

- **Personalized Experiences**

- The ticketing model shall facilitate tailored experiences, such as exclusive spa treatments, mother-daughter makeover sessions, and priority access to curated activities like the “Generations of Style” fashion show.

Benefits to Attendees and the Public

The ticketing model shall not only enhance the individual experience for attendees but also deliver broader cultural, social, and economic benefits to the Jacksonville Beach community.

- **Unique Value to Attendees**

- Attendees shall enjoy a diverse range of offerings, from high-quality musical performances to wellness and relaxation zones.
- Family-friendly activities such as craft stations, photo opportunities, and children’s entertainment areas shall create memorable moments for all ages.
- Culinary and cultural enrichment through gourmet food offerings, cooking demonstrations, and fashion showcases shall provide attendees with a unique and engaging event experience.

- **Community and Cultural Enrichment**

- The event shall serve as a platform for showcasing local talent, including musicians, chefs, and artisans, reinforcing Jacksonville Beach’s cultural vibrancy.
- Partnerships with local businesses and organizations shall strengthen community ties and encourage collaboration.

- **Economic Impact**

- Ticket sales and increased foot traffic shall directly support local vendors, restaurants, and service providers, boosting the local economy.
- Temporary employment opportunities for event staff, security personnel, and other roles shall create additional income for local residents.

- **Tourism and Visibility**

- A successful ticketed event shall attract regional visitors, promoting Jacksonville Beach as a destination for large-scale, family-friendly events.
- Positive attendee experiences and media coverage shall elevate the city’s reputation and cultural significance.

Sustainable Financial and Operational Benefits

- **High-Quality Event Production**

- Ticket revenue shall support the procurement of top-tier entertainment, premium amenities, and high-quality event infrastructure, ensuring a memorable experience.

- The financial model shall make the event scalable and sustainable, potentially serving as a template for future ticketed events.
- **Data-Driven Insights**
 - Ticketing shall facilitate the collection of detailed attendance metrics, enabling accurate measurement of economic impact, audience demographics, and event performance.
- **Potential for Recurring Events**
 - The success of this pilot ticketed event shall demonstrate the viability of ticketed celebrations in Jacksonville Beach, paving the way for future annual or seasonal events.

Socio-Economic Impact

Tunes & Tulips by the Beach is poised to deliver significant socio-economic benefits to Jacksonville Beach by stimulating the local economy, fostering community engagement, and promoting sustainable practices. This two-day festival will not only provide cultural enrichment but also create meaningful economic opportunities for local businesses and residents, positioning Jacksonville Beach as a premier destination for large-scale, family-friendly events.

Economic Impact and Tourism Growth

The event is strategically designed to drive increased tourism and economic activity throughout Jacksonville Beach, directly benefiting local businesses and the hospitality sector. Drawing from our success with similar large-scale events, we anticipate:

- 30–35% of attendees will travel from outside Jacksonville Beach, bringing fresh spending power to the area.
- An estimated 400–500 hotel room nights booked over the event weekend, boosting hotel occupancy rates.
- An average visitor spends of \$275 per day at local restaurants, shops, and entertainment venues.
- Extended stays as many visitors arrive on Friday and depart on Sunday, creating a full weekend of economic engagement.

To maximize local economic impact, we will:

- Partner with local hotels to offer exclusive "Tunes & Tulips Weekend Packages" to encourage overnight stays.
- Provide a Digital Local Dining Guide in all ticket confirmation emails, promoting local restaurants and cafés.
- Highlight Jacksonville Beach businesses in a dedicated section of our event app.

- Launch a "Show Your Ticket" discount program with participating local shops and restaurants.
- Collaborate with the Jacksonville Beach Chamber of Commerce to promote pre- and post-event activities, encouraging visitors to explore more of the city.

Economic Growth and Local Business Support

Tunes & Tulips by the Beach will serve as a catalyst for economic growth by creating direct and indirect revenue opportunities for local businesses and entrepreneurs.

- **Revenue Boost for Local Businesses:** With an expected attendance of **6,000–8,000 attendees** over two days, local restaurants, retail stores, and service providers will experience increased foot traffic and higher sales.
- **Employment Opportunities:** The event will generate temporary jobs for security personnel, event staff, vendors, and local service providers, contributing to short-term income growth for Jacksonville Beach residents.
- **Vendor Participation:** Local food vendors, artisans, and small businesses will have opportunities to showcase their products, expand their customer base, and increase brand visibility.

Tourism Development and City Branding

This event will position Jacksonville Beach as a dynamic coastal destination capable of hosting large-scale, high-quality events, offering long-term benefits for the city's tourism and economic development.

- **Regional Attraction:** The event's diverse entertainment lineup, wellness experiences, and family-friendly activities will draw visitors from surrounding cities and states, boosting local tourism.
- **Strengthened City Branding:** Successfully executing this pilot ticketed event will enhance Jacksonville Beach's reputation as a vibrant, culturally rich destination, encouraging future events and ongoing tourism.

Long-Term Cultural and Economic Impact

Tunes & Tulips by the Beach is designed to create lasting cultural and economic value for Jacksonville Beach.

- **Establishing an Annual Tradition:** A successful event could evolve into an annual celebration, providing a consistent and dependable economic boost to the city year after year.
- **Attracting Future Events:** Demonstrating the city's ability to host a premium, large-scale event will open the door for Jacksonville Beach to attract similar high-profile events, expanding economic and cultural opportunities.

Community Engagement and Cultural Enrichment

Community involvement and cultural celebration are at the heart of this event, offering inclusive and enriching experiences for residents.

- **Showcasing Local Talent:** The **"Generations of Style" runway show** will exclusively feature local boutiques and designers, highlighting Jacksonville Beach's creative community. Local salons and beauty professionals will lead **mother-daughter makeover stations**, creating immediate business opportunities and fostering long-term customer relationships.
- **Inclusive Programming:** While ticketed, the event will maintain **free and open-access areas**, ensuring that all community members can participate in select activities, promoting inclusivity and shared community pride.
- **Enhanced Quality of Life:** By offering engaging entertainment, wellness activities, and family-centered programming, the event will contribute to Jacksonville Beach's livability and community cohesion.

Environmental Sustainability Initiatives

Tunes & Tulips by the Beach is committed to environmentally responsible practices that align with Jacksonville Beach's sustainability goals. The event will prioritize eco-friendly operations to minimize its environmental impact.

- **Waste Reduction and Recycling:** Strategically placed recycling and waste stations will reduce landfill waste and encourage proper waste disposal.
- **Digital Ticketing:** All ticket sales will be conducted digitally, eliminating paper waste and streamlining event access.
- **Eco-Friendly Vendors:** All food and merchandise vendors will be encouraged to use biodegradable packaging and sustainable materials.
- **Water Refill Stations:** Free water refill stations will be available throughout the event site to minimize the use of single-use plastics.
- **Sustainable Décor and Materials:** Event decorations and materials will prioritize reusable and recyclable options to reduce waste.

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Attendance and Economic Data Collection Methodology

A robust data collection strategy shall be implemented to accurately measure attendance and assess the economic impact of the proposed event. This methodology shall utilize advanced tools, proven strategies, and collaborative efforts with vendors and stakeholders to ensure comprehensive and actionable insights.

Tools and Strategies for Capturing Attendance Data

Tool/Strategy	Description
Digital Ticketing System	Tracks real-time attendance data, including ticket sales, demographic breakdowns, and entry times.
Scanning Devices at Entry	Ensures precise headcounts and monitors peak attendance periods using digital ticket scans.
On-Site People Counters	Automated counters and staff-operated clickers at entry/exit points to capture non-ticketed attendance.
Geolocation & Mobile Analytics	Uses mobile geolocation tools to estimate total foot traffic within the event vicinity.
Volunteer & Staff Observations	Trained staff and volunteers visually count attendees in free zones and non-ticketed areas.

Approaches to Assess Economic Impact

- **Attendee Surveys**
 - Post-event surveys shall be distributed via email and QR codes displayed at the event to gather information on attendee spending habits, travel details, and overall satisfaction.
 - Key metrics shall include average spending on food, beverages, merchandise, and accommodations.
- **Vendor Sales Data**
 - Participating vendors shall be required to report their total sales during the event. This data shall be aggregated to estimate the overall financial impact of vendor participation.
 - A percentage-based revenue-sharing agreement shall provide additional insights into the economic contributions of food and beverage sales.
- **Regional Spending Estimates**

- Collaborations with local businesses, including restaurants and hotels, shall help capture data on increased revenue attributed to the event.
- **Ticketing Metrics Analysis**
 - Advanced reporting tools from the ticketing platform shall offer insights into sales trends, revenue generated, and attendee demographics, helping to estimate the economic reach of the event.

Comprehensive Reporting

All attendance and economic data shall be compiled into a detailed post-event report for the City of Jacksonville Beach, including:

- Total attendance and demographic breakdown.
- Direct economic contributions, such as vendor sales and ticket revenue.
- Indirect benefits, including increased foot traffic and regional spending.
- Recommendations for future events based on collected insights.

This methodology shall ensure a thorough understanding of the event's success and its broader socio-economic contributions, helping to guide the city's event policies and future planning initiatives.

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Site Plan and Layout

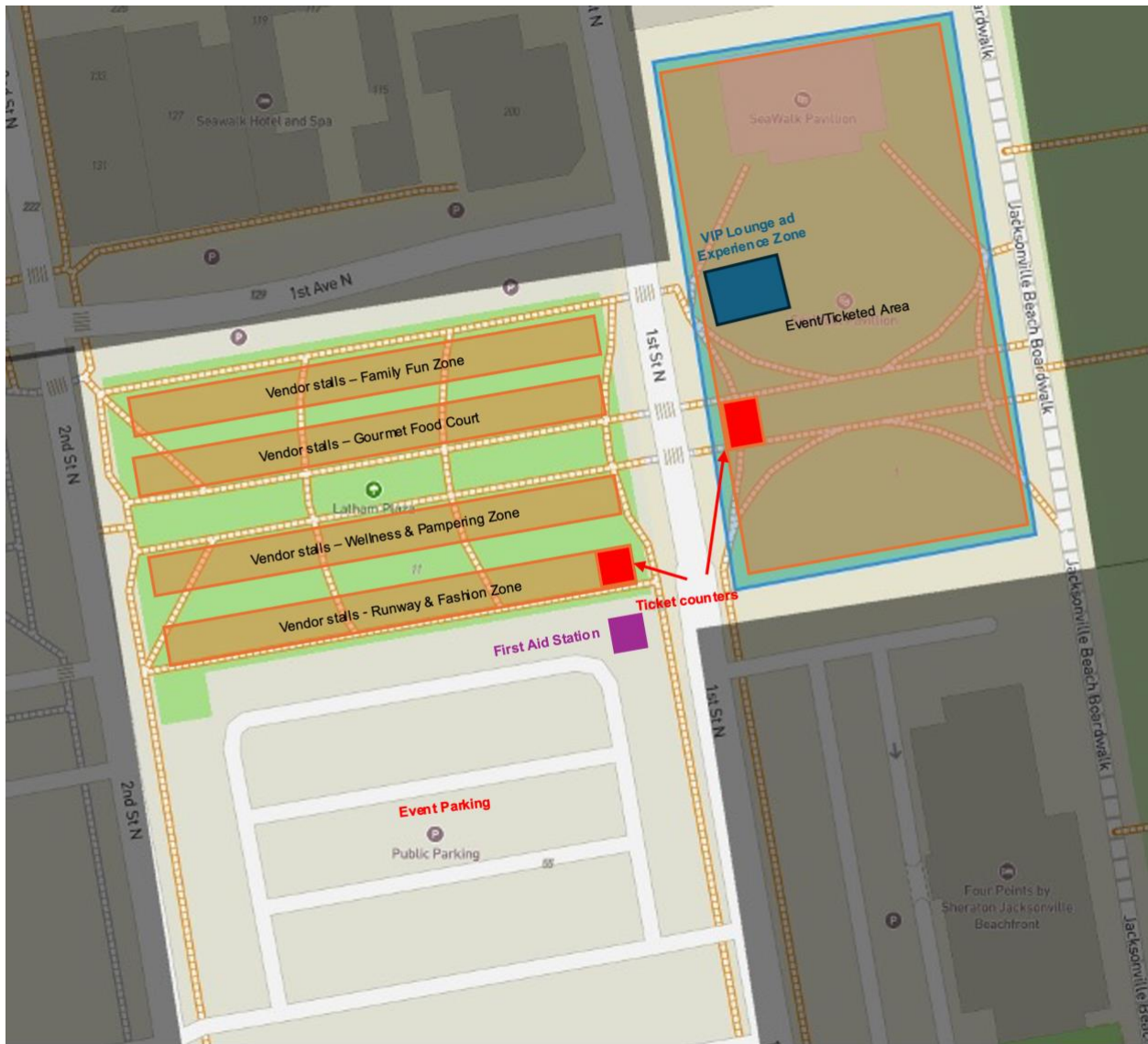


Figure 1 Indicative Site Plan For The Event

The layout for the proposed event includes the following key areas and features:

- **Main Stage Area:** Reserved premium viewing zones for ticketed attendees and open public lawn areas for non-ticketed guests.
- **Runway and Fashion Zone:** Includes the "Generations of Style" runway show, boutique pop-ups, styling sessions, and vintage fashion exhibits.
- **Wellness and Pampering Zone:** Mini spa treatments, yoga and meditation sessions, health workshops, beauty consultations, and relaxation lounges.

- **Gourmet Food Court:** Features local restaurants, live cooking demonstrations, Mom's Mimosa Garden, and brunch/dessert tasting areas.
- **Family Fun Zone:** Interactive craft stations, Mother's Day card creation station, family game zone, children's entertainment area, and photo booths.
- **VIP Lounge and Experience Zone:** Premium viewing areas, private lounge access, meet-and-greet opportunities, and luxury amenities for VIP ticket holders.
- **Transportation Access Points:** Shuttle stops, bicycle valet, and ride-share pickup/drop-off zones.
- **Safety and Emergency Areas:** First-aid stations, emergency exits, and designated safety zones for quick access.

Transportation Plan

We propose a comprehensive transportation plan for Tunes & Tulips by the Beach that prioritizes convenience, safety, and efficiency for all attendees. By incorporating shuttle services, eco-friendly options, and a designated ride-share zone, supported by clear directional signage, this plan shall ensure seamless access to the event while reducing traffic congestion around the Seawalk Pavilion.

Shuttle Service

- A dedicated shuttle service shall operate from designated parking areas to the event site.
- The shuttles shall run at regular intervals to provide consistent and timely transportation for attendees.
- Drop-off and pickup zones shall be located close to the main event entrance, ensuring ease of access for all guests.

Bicycle Valet

- An eco-friendly bicycle valet service shall encourage attendees to use sustainable transportation options.
- Secure bike racks and attendants shall ensure the safety and organization of bicycles throughout the event.
- The valet station shall be prominently located near the main entrance for maximum convenience.

Ride-Share Pickup/Drop-Off Zone

- A designated ride-share zone shall be established close to the event site to accommodate services like Uber and Lyft.
- The zone shall be marked with clear signage to guide both drivers and attendees, streamlining the drop-off and pickup process.

Directional Signage

- Clear and strategically placed directional signage shall guide attendees to parking areas, shuttle stops, the bicycle valet station, and the ride-share zone.
- Event-branded signs shall be positioned along major routes leading to the event, and digital maps shall be made available online to assist with pre-event planning.

Emergency Action Plan

We shall incorporate an Emergency Action Plan (EAP) for the proposed event prioritizing the safety and well-being of all attendees, staff, and vendors. Comprehensive safety measures and emergency response strategies shall be implemented to address potential incidents effectively. Coordination with local law enforcement, medical services, and event staff shall ensure a seamless and efficient response to any emergencies.

Safety Measures

- **Emergency Exits and Routes**
 - Clearly marked and unobstructed emergency exits shall be established throughout the event site.
 - Emergency evacuation routes shall be designed to accommodate large crowds and shall be communicated to all staff and volunteers during pre-event training sessions.
- **First Aid Stations**
 - Fully equipped first aid stations shall be strategically placed across the venue.
 - Trained medical staff shall be on-site to address minor injuries and medical concerns promptly.
- **Fire Safety**
 - Fire extinguishers shall be placed at key locations, including vendor booths and high-traffic areas.
 - All event structures, including tents and stages, shall comply with fire safety regulations.
- **Security Screening**
 - Entry points shall include bag checks and security screenings to prevent prohibited items from entering the venue.
 - Security personnel shall be stationed throughout the site to monitor activity and enforce safety protocols.

Emergency Response Strategies

- **Incident Command Structure (ICS)**
 - A centralized command center shall oversee all emergency operations, ensuring rapid communication and coordination among all stakeholders.
 - Key personnel, including the event manager, security lead, and medical coordinator, shall be identified and equipped with communication devices.
- **Response Teams**
 - Designated response teams, including security, medical, and volunteer staff, shall be trained in crowd control, evacuation procedures, and first aid.
 - Each team shall have assigned roles and responsibilities to avoid confusion during an emergency.
- **Evacuation Protocols**
 - Evacuation drills shall be conducted during the setup phase to familiarize staff and volunteers with procedures.
 - Public announcements shall be made through a robust PA system to guide attendees during an emergency.

Coordination with Local Law Enforcement and Medical Services

- **Law Enforcement Collaboration**
 - Jacksonville Beach Police Department (JBPD) shall provide on-site support, including crowd management, traffic control, and incident response.
 - Regular briefings shall be conducted with law enforcement to address potential risks and contingency plans.
- **Emergency Medical Services (EMS)**
 - Local EMS providers shall be engaged to station ambulances on-site for quick response to medical emergencies.
 - Communication lines with nearby hospitals shall be established to facilitate patient transport if necessary.
- **Event Staff and Volunteer Training**
 - All event staff and volunteers shall undergo safety training, including identifying and reporting hazards, assisting with evacuations, and responding to medical incidents.
 - Emergency response procedures shall be rehearsed during pre-event meetings to ensure preparedness.

Risk Management

- **Comprehensive Insurance Coverage:** Ensures financial protection and compliance with city requirements.
- **Inclement Weather Contingency Plans:** Detailed plans in place to address weather-related disruptions and protect attendees.
- **Clear Emergency Protocols:** Pre-established procedures for evacuations, medical emergencies, and crowd control.
- **Professional Security and Medical Staff:** On-site personnel to manage safety and health-related incidents efficiently.
- **Regular Safety Briefings and Training:** Staff and volunteers shall undergo training to ensure preparedness and effective execution of safety measures.

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Special Event Application



CITY OF JACKSONVILLE BEACH SPECIAL EVENT APPLICATION

An application for a Special Event must be submitted at least 90 days in advance of the requested event. This application is **not** a permit to conduct a Special Event.

Required Information:

1. Name of Event:
Tunes & Tulips by the Beach
2. Name of Event producer:
Latasha Brooks
3. Name of company/organization associated with the Event:
Vinyl 2 Vinyl, LLC
4. Full address:
5012 Southpoint Parkway, Fredericksburg, VA 22407
5. Producer's email and phone number:
E: contactus@eventsabcreate.com Ph: (904) 576-4912 / 540-915-0778

Billing information:

1. Is the billing address and information the same as the above? If not, please provide the proper address. This will be where the deposit refund is mailed to, if applicable:

Yes

Event Information:

1. Date(s) requested:
May 11, 2024, May 12, 2024

2. Hours of Event (not including set-up and clean-up):
10:00 AM to 8:00 PM each day
3. Date & time frame for Event set-up:
10am
4. Date and time for clean-up completion:
4pm
5. Requested event location(s). Please use the attached map to specify which locations will be in use:
Seawalk Pavilion, Jacksonville Beach, including the adjacent municipal parking lot and Latham Plaza.
6. Brief Event description:
Tunes & Tulips by the Beach is a two-day Mother's Day celebration designed to honor mothers and families at Jacksonville Beach's Seawalk Pavilion. The event features live music performances, a Mother's Day fashion show, wellness and pampering zones, gourmet culinary experiences, and family- friendly activities.
7. How many people do you anticipate being in attendance at any one point?
3000-4000 per day
8. How many people do you anticipate being in attendance in total?
6000-8000
9. Will there be alcohol sold or served at your event?
Yes
10. Approximately how many tent vendors will be present at your event?
20
11. Approximately how many food trucks will be present at your event?
20

Entertainment:

1. If there will be entertainment, please list all entertainers, DJ's, bands, or musicians that will be performing:
Yes, the performers will be decided after awarding the contract.
2. Will there be carnival games/rides? If so, what type?
No, but there will be attractions including wellness and pampering zones, a
Mother's Day fashion show, gourmet culinary experiences, interactive family activities, and
an exclusive VIP experience to create a vibrant and memorable

3. Will there be inflatables? If so, what type?

No

4. Will your event have paid priority seating?

Yes

5. Is this a fully ticketed event?

Yes

Facility Requirements:

1. How many porta-potties will be on site?

10

Recommendation: One toilet is recommended for every 300 people attending the event. One ADA accessible toilet is required for the first 300 people, and a minimum of 5% of the restrooms must be ADA accessible. If there is alcohol being served at the event, the recommended ratio for toilets is 1 per every 150 people.

2. Will you be renting a dumpster?

Yes

3. If not, what are your plans for trash disposal?

4. What are your plans for providing security at the event?

Deploying a professional security team in collaboration with Jacksonville Beach Police Department (JBPD), implementing a clear bag policy, setting up controlled entry and exit points, and establishing an on-site emergency response team to ensure the safety and well-being of all attendees. Crowd management protocols and regular safety briefings will also be conducted to maintain a secure environment throughout the event.

Beach Events:

Any organized activities taking place on the beach must have a permit. This includes runs/walks, surf contests, sports tournaments, etc. If you are not having activity on the beach, please skip ahead.

1. What type of Event will take place on the beach?

NA

2. Do you need Ocean Rescue Lifeguards to staff your Event?

NA

3. Will you be setting up any structures/scaffolding on the beach?

NA

4. Will you need a vehicle on the beach?

NA

5. What is the approximate location on the beach in which your activities will span?

NA

6. What are your plans for trash generated from the event?

NA

Confirmation:

I understand that this is an application only and does not obligate the City in any fashion to reserve any facility or approve any event. I understand that my event is not permitted until all documents and payments have been submitted and a final permit has been granted.

Signature:

Printed Name: Latasha Brooks Date: 15 January 2025

I have received and read a copy of the Special Events Policy.

Signature:

Event Contact Information:

Please provide the name of the contact person who will be available on-site at all times. Depending on the length/scope of the Event, this may require several people.

Contact name and phone number:

1. Latasha Brooks, (904) 576-4912

2. Tonya Barge 904-728-6764

3. Cheya Thousand 646-320-7010

Marketing and Promotion

The marketing and promotion strategy for **Tunes & Tulips by the Beach** shall leverage a multi-channel approach to maximize outreach and engagement while maintaining transparency and oversight for the City of Jacksonville Beach. By combining digital platforms, traditional media, and community engagement efforts, the plan shall ensure robust visibility and ticket sales for the event.

Digital Marketing

Our data-driven marketing approach leverages strategic partnerships and digital channels to ensure robust ticket sales and event awareness. At the core of our strategy is our **proven artist-influencer model**, which has consistently delivered strong attendance results at our previous events, wherein each performing artist will be contractually engaged in a comprehensive promotional schedule:

- Minimum of 6 social media posts across their platforms (Instagram, Facebook, TikTok)
- Exclusive behind-the-scenes content creation leading up to the event
- Instagram Live sessions featuring event previews and special announcements
- Cross-promotion with other festival artists to expand reach
- Custom ticket discount codes for each artist's fanbase

Based on our previous events, this artist-driven promotion strategy typically results in:

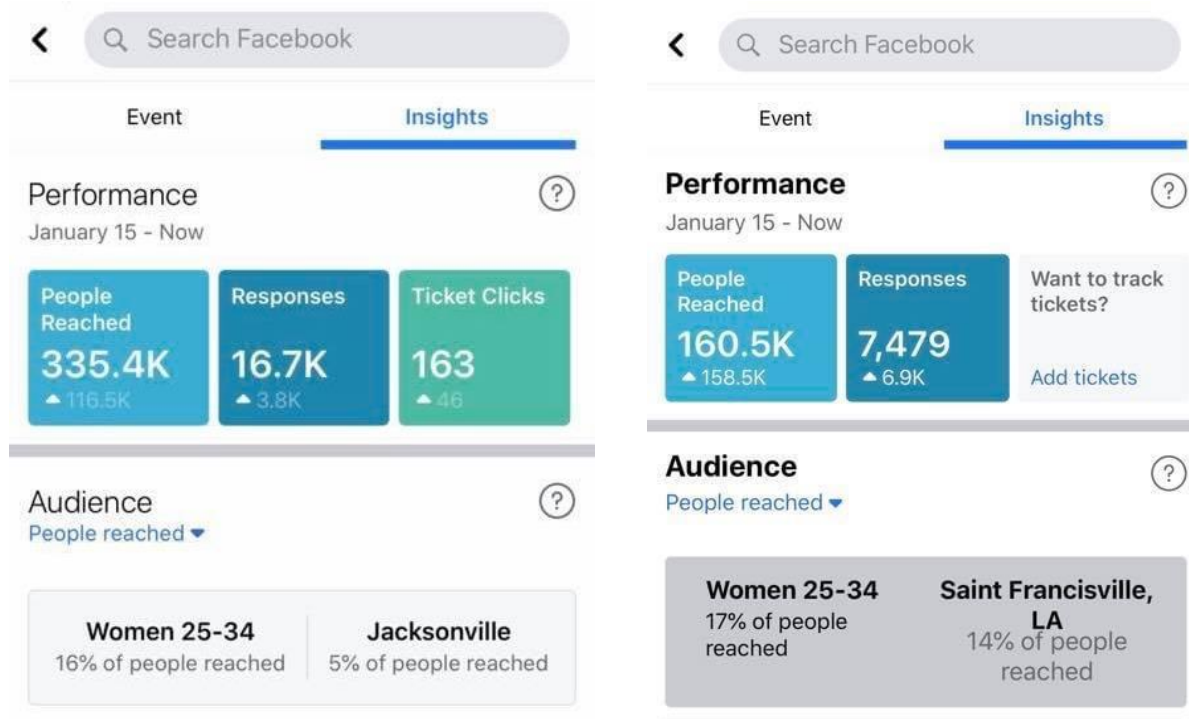
- 45-50% of ticket sales directly attributed to artist promotions
- 200,000+ social media impressions per artist
- 30% higher engagement rates compared to traditional advertising

Integrated Digital Campaign

Our digital marketing strategy will focus on precision-targeted campaigns designed to engage our core audience and convert interest into ticket sales. We will strategically combine paid advertising, email marketing, content creation, and geo-targeted promotions to maximize outreach. We will implement highly targeted campaigns to ensure optimal results.

- **Platforms:** Facebook, Instagram, TikTok, and Twitter will be used for broad and niche audience targeting.
- **Primary Audience:** Women aged 25–65 within a 100-mile radius of Jacksonville Beach.
- **Secondary Audience:** Family-focused audiences across the Southeast region seeking family-friendly and wellness-centered events.
- **Geo-fenced mobile advertising** will target high-traffic areas in regional markets to capture interest from nearby communities.

The effectiveness of this strategy was demonstrated at our Annual Crab and Seafood Festival, where artist-driven promotions generated over 200,000 impressions and contributed to attracting 50,000+ attendees. For Tunes & Tulips by the Beach, we project achieving similar engagement rates while maintaining a highly targeted focus on our core demographic. Please see below the social media analytics of the event.



Email Marketing Campaigns

- A series of curated email campaigns targeting local databases, including Jacksonville Beach residents, past event attendees, and regional interest groups.
- Early-bird ticket promotions to create urgency and drive early sales.
- Progressive artist lineup reveals and exclusive previews to sustain interest.
- Highlighting VIP package benefits and Mother's Day gift promotions to encourage premium purchases.
- Retargeting strategies to re-engage audiences who have shown prior interest in the event.

Additional digital marketing strategies

- **Influencer Marketing:** Collaborate with local and regional influencers to create content, host giveaways, and share sneak peeks to expand the event's reach.
- **Ticket Promotion:** Offer exclusive ticket promotions, including family packages and early bird specials, on the official event website and partner platforms to encourage early engagement and group attendance.

- **Virtual Event Preview:** Share a virtual preview event or behind-the-scenes content on social media platforms and the event website to generate excitement and showcase major attractions.

Traditional Media

While digital strategies are central to our outreach, traditional media remains a powerful tool to engage broader demographics.

Media Partnerships:

- Collaborations with **local radio stations** and **TV channels** for event coverage, interviews, and live broadcasts.
- Advertisements and editorial features in regional newspapers and **lifestyle magazines** to reach traditional audiences.
- **Billboard advertising** in high-traffic commuter areas to increase local visibility.
- Inclusion in **Jacksonville Beach's community calendar** and event directories for widespread community awareness.

Community Engagement

- **Partnerships with Local Businesses:** Collaborations with local businesses shall foster community involvement and cross-promotional opportunities. Businesses may offer discounts to event ticket holders or host pre-event pop-up activities to drive awareness and participation.
- **School and Community Organization Outreach:** Partnerships with local schools and community organizations shall engage families and residents through newsletters, community outreach events, and ticket giveaways. These initiatives aim to create a strong connection between the event and the local community.
- **Early Bird Promotions and Group Discounts:** Limited-time early bird promotions shall incentivize early ticket sales and generate initial excitement. Additionally, group discount packages shall be offered to encourage attendance from schools, organizations, and corporate groups, making the event accessible to larger audiences.

Please note:

- The City of Jacksonville Beach shall have full access to all marketing materials, including digital assets, advertisements, and schedules, for review and approval before publication.
- A dedicated marketing liaison shall coordinate with city representatives to provide updates, insights, and reports on the progress and effectiveness of the promotional strategy.
- Regular briefings shall ensure that the City remains informed about campaign performance, community feedback, and adjustments to marketing efforts.

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Budget Proposal

Proposed Ticket Pricing

The ticket pricing for Tunes & Tulips by the Beach has been carefully structured to ensure accessibility while maximizing revenue potential. The pricing strategy includes options for general admission, VIP experiences, and family packages, with additional discounts available for early bird purchases. Below is the detailed ticket pricing structure:

Ticket Type	Details	Price
General Admission	Single Day	\$40
	Weekend Pass	\$65
	Children (12 and under)	N/A
VIP Tickets	Single Day	\$110
	Weekend Pass	\$180
Family Packages	Weekend Family Pack (4 people)	\$180
	Single Day Family Pack (4 people)	\$120
Early Bird Special	Weekend Pass	\$55

Additional Revenue Sources

Revenue Source	Details	Projected Revenue
Food Vendor Fees	Considering participation fees from 20 food vendors	\$20,000
Beverage Sales Commission	Percentage of beverage sales, including premium offerings like Mom's Mimosa Garden	\$50,000
Merchandise Sales	Revenue from branded event merchandise	\$8,000
Sponsorships	Confirmed sponsorships from local and regional businesses	\$50,000
Total		\$128,000

Expense Allocation

Expense Category	Details	Amount
Venue and Infrastructure	City permits, stage and sound equipment, tents, furniture, portable facilities	\$82,000
Entertainment and Programming	Musical acts, fashion show production, activities, and children's entertainment	\$107,000
Staff and Services	Security, medical services, event staff, production team	\$83,000
Marketing and Promotion	Digital campaigns, traditional advertising, public relations	\$37,000
Operations	Insurance, transportation, supplies, permits	\$36,000
Contingency Fund	Reserved for unforeseen costs (7% of total expenses)	\$24,150
Total		\$369,150

Budget Narrative

The revenue is projected for the proposed event – Tunes & Tulips by the Beach – is coming to \$399,000 based on 70% attendance capacity, with the potential to reach \$570,000 at full capacity. The budget balances accessible ticket pricing with additional revenue streams, ensuring a diversified and sustainable financial plan.

Projections

- **Ticket Sales:** Expected to generate \$271,000, with tiered pricing for general admission, VIP tickets, family packages, and early bird discounts.

Ticket Type	Details	Tickets Sold	Price	Revenue
General Admission	Single Day	1,200	\$40	\$48,000
	Weekend Pass	1,000	\$65	\$65,000
	Children (12 and under)	Free	N/A	N/A
VIP Tickets	Single Day	150	\$110	\$16,500
	Weekend Pass	350	\$180	\$63,000
Family Packages	Weekend Family Pack (4 people)	250 packages	\$180	\$45,000
	Single Day Family Pack (4 people)	150 packages	\$120	\$18,000
Early Bird Special	Weekend Pass	200	\$55	\$11,000

- **Additional Revenue Sources:**

- **Food Vendor Fees:** \$20,000 from 20 participating vendors.
- **Beverage Sales Commission:** \$50,000 from sales, including premium options like **Mom's Mimosa Garden**.
- **Merchandise Sales:** \$8,000 from branded event merchandise.
- **Sponsorships:** \$50,000 from confirmed sponsorships.
- **Expenses:** The total projected expenses for the event are coming to \$369,150, covering venue and infrastructure, entertainment and programming, staff and services, marketing and promotion, operations, and a 7% contingency fund for unforeseen costs.
- **Net Income:** The event is projected to yield a net income of **\$29,850** at 70% capacity.

Our approach on diversified revenue streams, combined with a contingency fund, reduce financial risks and ensure sustainability.

Key Notes and Assumptions

- Venue and infrastructure expenses cover city permits, stage and sound equipment, tents, furniture, and portable facilities, ensuring accessibility and safety.
- Entertainment and programming costs include high-profile musical acts, a professionally produced fashion show, and interactive family activities.
- Staff and services expenses cover security, medical staff, event personnel, and production team members.
- Marketing and promotion costs include digital campaigns, traditional advertising, and public relations to maximize event visibility and ticket sales.
- Operations costs include insurance, transportation, supplies, and required permits for smooth execution.
- A contingency fund of 7% of total expenses provides a buffer for unforeseen costs.
- The break-even point is estimated at 60% attendance capacity, minimizing financial risk.
- Vendor participation assumes full involvement of food and beverage vendors as planned.
- Marketing assumes effective outreach across platforms to drive engagement and ticket sales.
- All vendors are required to provide their own insurance and permits, reducing liability for the organizers.
- Revenue projections are conservative, ensuring financial feasibility even with slight variances in attendance or vendor participation.
- The event prioritizes local talent and businesses to manage costs while fostering community support.

- The contingency fund safeguards against unexpected challenges, ensuring the event's overall success.

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Required Forms

Please refer to the forms required as per RFP from the following page onwards.

- Form 1: Proposal Tender Form
- Form 2: RFP Award Notice
- Form 3: Required Disclosure
- Form 4: Drug-Free Workplace Compliance
- Form 5: Non-Collusion Affidavit
- Form 6: Non-Bankruptcy Affidavit
- Form 7: Certification Pursuant To Florida Statute §287.135
- Form 8: Suspension & Department Pursuant To Florida Statute §287.1351, Executive Orders 12549 And 12689, 2 C.F.R. Part 180
- Form 9: Anti Human Trafficking
- W-9

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FORM 1: PROPOSAL TENDER FORM

RFP #: **01-2425**

TITLE: **Ticketed Special Event**

DATE: 15 January 2025

TO: **THE CITY OF JACKSONVILLE BEACH, FLORIDA
PURCHASING AND PROCUREMENT DIVISION**

NOTE: Respondent is solely responsible for developing / determining / verifying for this project all plans / all methods / all quantities / all measurements and all manufacturers' requirements / recommendations necessary to provide a satisfactory fully completed project under the provisions of the RFP, to the CITY's satisfaction, to include costs for all labor, all equipment, all materials, all rental / leasing / purchasing of equipment and materials, all preparations, all repairs, all safety work, all quality control work, all disposal work, all mobilization and demobilization work, all sub-contractor work, all taxes, all insurance, all bonding if required, all inspection work, all verification work, all warranty work, all permitting at all levels of government, all contractor overhead, all contractor profit, and any / all other project related work and/or cost/expense that is not listed, and all of which shall be the basis for the respondent's proposal for this RFP.

SUBMITTED BY: Latasha Brooks
Printed Name of Authorized Submitter

COMPANY NAME: Vinyl 2 Vinyl, LLC

ADDRESS: 5012 Southpoint Parkway

CITY, STATE & ZIP: Fredericksburg, VA 22407

TELEPHONE NUMBER: (904) 576-4912 / 540-915-0778

EMAIL ADDRESS: contactus@eventsabcreate.com

By: Latasha Brooks
Signature of Authorized Submitter

CEO
Title (typed or neatly printed)

FORM 1: PROPOSAL TENDER FORM

RFP DOCUMENT TURN-IN CHECKLIST

The following documents are to be completed, signed and submitted as part of the Submittal Package in response to this RFP. Failure to provide the listed documents may be cause for the CITY to consider rejection of the submitted RFP. This consideration will be at the sole discretion of the CITY.

INITIAL Check-Off	#	SECTION TITLE
[☒]	1.	FORM 1: PROPOSAL TENDER FORM (Page 29-30)
[☒]	2.	FORM 2: RFP AWARD NOTICE (Page 31)
[☒]	3.	FORM 3: REQUIRED DISCLOSURE (Page 32)
[☒]	4.	FORM 4: DRUG-FREE WORKPLACE COMPLIANCE (Page 33)
[☒]	5.	FORM 5: NON-COLLUSION AFFIDAVIT (Page 34)
[☒]	6.	FORM 6: NON-BANKRUPTCY AFFIDAVIT (Page 35)
[☒]	7.	FORM 7: CERTIFICATION PURSUANT TO FLORIDA STATUTE §287.135 (Page 36)
[☒]	8.	FORM 8: SUSPENSION & DEPARMENT PURSUANT TO FLORIDA STATUTE §287.1351, EXECUTIVE ORDERS 12549 AND 12689, 2 C.F.R. PART 180 (Page 37)
[☒]	9.	FORM 9: ANTI HUMAN TRAFFICKING (Page 38)
[☒]	10.	W-9 (Attach completed and signed form, which can be obtained from www.irs.gov) (Page 39)

NOTE: Please INITIAL Check-Off of each *document / activity / requirement* that is attached to the Proposal Tender Form and/or is required by the RFP and/or Addenda.

ADDENDA RECEIPT VERIFICATION

Respondent shall acknowledge receipt of all addenda, if any, to the RFP, by filling in Addenda Numbers and dates below.

Addendum #: <u>1</u> Dated: <u>01/07/2025</u>	Addendum #: _____ Dated: _____
Addendum #: _____ Dated: _____	Addendum #: _____ Dated: _____

FORM 2: RFP AWARD NOTICE

City of Jacksonville Beach

1460A Shetter Avenue, Jacksonville Beach, FL 32250, (904) 247-6229

NOTICE: Items 1 to 6 are to be completed by the respondent. The respondent is to submit the form to the CITY along with the Proposal Tender Form and other required documents.

1. Company Name: Vinyl 2 Vinyl, LLC
2. Address: 5012 Southpoint Parkway
3. City, State & Zip: Fredericksburg, VA 22407
4. Attention: Latasha Brooks
5. Phone: (904) 576-4912 / 540-915-0778
6. E-mail address: contactus@eventsabcreate.com
- PLEASE PRINT CLEARLY

ITEMS BELOW TO BE COMPLETED BY THE CITY OF JACKSONVILLE BEACH

Proposals were received and evaluated, and the following recommendation will be presented to the City Manager for award of **RFP No.01-2425** per the attached Proposal Tabulation form(s).

A written notice of intent to file a protest must be filed with the Purchasing Administrator within three (3) days after receipt by the respondent of the Notice of Intent to Submit RFP for Approval and Award by City Council from the Purchasing Administrator in accordance with the procedures set forth in Section XII K., City of Jacksonville Beach Purchasing Manual.

If awarded RFP, please do not proceed with any work prior to receiving an official City of Jacksonville Beach Purchase Order and/or Notice-to-Proceed letter.

Thank you for your proposal.
Sincerely,

CITY OF JACKSONVILLE BEACH
/s/Luis F. Flores
Property and Procurement Division

FORM 3: REQUIRED DISCLOSURE

The following disclosure is of all material facts pertaining to any felony conviction or any pending felony charges in the last three (3) years in this State or any other state or the United States against (1) respondent, (2) any business entity related to or affiliated with respondent, or (3) any present or former owner of respondent or of any such related or affiliated entity. This disclosure shall not apply to any person or entity which is only a stockholder, which person or entity owns twenty (20) percent or less of the outstanding shares of a respondent whose stock is publicly owned and traded:

NA

Signed: Lafayette Brooks
Contractor: Vinyl 2 Vinyl, LLC

Title: CEO

FORM 4: DRUG-FREE WORKPLACE COMPLIANCE

IDENTICAL TIE PROPOSALS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals, which are equal with respect to price, quality and service, are received by the State or by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie proposals will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under contract a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under contract, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.



Vendor's Signature

FORM 5: NON-COLLUSION AFFIDAVIT

LaTasha R. Brooks, being first duly sworn deposes and says that:

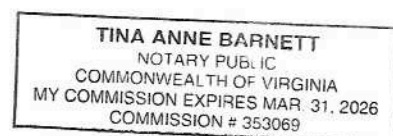
1. He (it) is the CEO, of _____ the respondent that has submitted the attached proposal;
2. He is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;
3. Such proposal is genuine and is not a collusive or sham proposal;
4. Neither the said respondent nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affidavit, have in any way, colluded, conspired, connived or agreed, directly or indirectly, with any other respondent, firm or person to submit a collusive or sham proposal in connection with the Contract for which the attached proposal has been submitted; or to refrain from responding in connection with such Contract; or have in any manner, directly or indirectly, sought by agreement or collusion or communication, or conference with any respondent firm, or person to fix the price or prices in the attached proposal or of any other respondent or to fix any overhead, profit, or cost elements of the proposal price or the proposal price of any other respondent, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against other respondents, or any person interested in the proposed Contract;
5. The price or prices quoted in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the respondent or any other of its agents, representatives, owners, employees or parties in interest, including his affidavit.

By: _____

Sworn and subscribed to before me this 10th day of January, 2025,
in the State of Virginia, County of DeWitt Spotsylvania

Tina Anne Barnett Notary Public

My Commission Expires: 03/31/2026



FORM 6: NON-BANKRUPTCY AFFIDAVIT

RFP #: 01-2425

STATE OF Virginia

COUNTY OF Spotsylvania

Latasha R. Brooks is an officer and member of
the firm of Vinyl 2 Vinyl LLC, being first duly sworn, deposes and
states that;

1. The subsequent certification statement is a true and accurate statement as of the date shown below.
2. The affiant understands that the intentional inclusion of false, deceptive or fraudulent statements on this Non-Bankruptcy Affidavit constitutes fraud; and, that the City of Jacksonville Beach, Florida, considers such action on the part of the affiant to constitute good cause for denial, suspension, revocation, disqualification, or rejection of affiant's participation in **RFP No. 01-2425**
3. Certification Statement: This is to certify that the aforementioned firm has not filed for bankruptcy in the past seven (7) years and that no owner/officer or principal of the aforementioned firm has filed for bankruptcy personally in the past seven (7) years or has been an owner/officer or principal of a firm which has filed for bankruptcy in the past seven (7) years.

Latasha Brooks
Affiant Signature

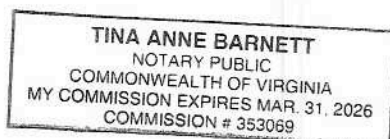
Sworn to before me this 10th day of January, 20 25 by Latasha R. Brooks
(Name of affiant)

He/She is personally known to me or has produced US Military ID as identification.

Tina Anne Barnett
Signature of Notary

Notary's Printed Name Tina Anne Barnett Expiration of Notary's Commission 03/31/2026

Affix Seal Here:



FORM 7: CERTIFICATION PURSUANT TO FLORIDA STATUTE §287.135

I, Latasha Brooks, CEO on behalf of Vinyl 2 Vinyl, LLC certify
Print Name and Title Company Name

that Vinyl 2 Vinyl, LLC :
Company Name

- a. is not on the Scrutinized Companies that Boycott Israel List or engaged in a boycott of Israel. Pursuant to section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Company is found to have submitted a false certification; or if the Company is placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.
- b. If this Agreement is for more than one million dollars, the Company certifies that it is also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in section 287.135, F.S. Pursuant to section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Company is found to have submitted a false certification; or if the Company is placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.
- c. As provided in subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions, then they shall become inoperative.

**FORM 8: SUSPENSION & DEBARMENT PURSUANT TO FLORIDA
STATUTE §287.1351, Executive Orders 12549 and 12689, 2 C.F.R. Part 180**

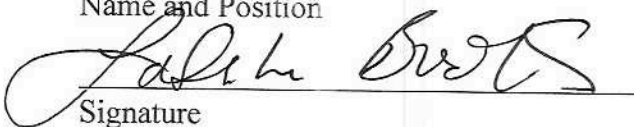
I, Latasha Brooks, CEO on behalf of Vinyl 2 Vinyl, LLC certify
Print Name and Title Company Name

That Vinyl 2 Vinyl, LLC :
Company Name

- A. The prospective Vendor certifies that it and its principals (subcontractors and suppliers):
- Are not presently debarred, suspended, proposed for debarment, declared ineligible, or involuntarily excluded by any Federal, State, County, City of Town or other government agency;
 - Have not within (36 months) period preceding this time, been convicted of or had a civil judgement entered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal or State, City or Town or other local agency) transaction or contract; violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - Are not presently indicated for otherwise criminally or civilly charged by a government entity (Federal, State or local) within commission of any of the offenses enumerated in paragraph (A)(2) of this certification; and
 - Have not within (36) months period preceding this time, had one or more public contracts (Federal, State, City, or Town or other agency) terminated for cause or default.
- B. Where the prospective Vendor is unable to certify to any of the statements in this certification, an authorized signatory to this proposal shall complete, sign and attach a detailed explanation.

Latasha Brooks, CEO
Name and Position

1/15/2025
Date


Signature

Vinyl 2 Vinyl, LLC
Company Name

5012 Southpoint Parkway
Street Address

Fredericksburg, VA 22407
City, State and Zip Code

FORM 9: ANTI HUMAN TRAFFICKING

**AFFIDAVIT OF COMPLIANCE WITH SECTION 787.06(13)
FLORIDA ANTI-HUMAN TRAFFICKING PROVISIONS**
(To be used when a contract is executed, renewed or extended)
(Required only for non-governmental vendors)

STATE OF Virginia

COUNTY OF Spotsylvania

I, {full legal name} LATASHA R. Brooks, swear and affirm that I am an officer or a representative of the Contractor and that Vinyl 2 Vinyl LLC does not use coercion for labor or services as those terms are defined in Section 787.06(13), Fla. Stat.

AFFIANT HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT THE STATEMENTS AND FACTS IN THIS AFFIDAVIT AND IN ANY ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dated: 1/10/2025

Signature of Affiant: LATASHA BROOKS

Sworn to or affirmed and signed before me on January 10, 2025 by

LATASHA R. BROOKS who is personally known to me or presented

US Military ID, as identification.

Notary Public, State of Virginia

My commission expires: 03/31/2026

Tina Anne Barnett

TINA ANNE BARNETT
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES MAR. 31, 2026
COMMISSION # 353069

CITY COUNCIL AGENDA ITEM	
TO:	Michael Staffopoulos, City Manager
FROM:	William Rieger, Chief Information Officer
DATE:	02/14/2025
SUBJECT:	WinCC Upgrade for Water Reclamation Facility

BACKGROUND

The Jacksonville Beach Water Reclamation Facility (WRF) relies on a critical software system, WinCC, to monitor and control essential wastewater treatment operations. This system serves as the interface between plant operators and the complex network of equipment that ensures safe and efficient wastewater treatment. This system is responsible for tracking and managing key processes, including:

- Monitoring wastewater treatment stages, such as filtration, disinfection, and pumping
- Providing real-time data on flow rates, chemical levels, and system alerts
- Allowing operators to quickly respond to issues and optimize performance

The current version of WinCC is aging and in need of an upgrade to maintain reliability, efficiency, and security. Without this upgrade, the WRF is at risk of system slowdowns, data inaccuracies, and potential disruptions in plant operations. This investment will ensure continued compliance with operational and environmental standards while improving system performance and reliability.

At the April 3, 2023 regular meeting, the City Council approved a software upgrade to ensure the continued effectiveness of the system. However, following that approval, the city parted ways with its existing technology partner, Archimedes, creating a gap before a new agreement was established with the current partner, AWC. Once AWC came on board and assessed the system, it was determined that the existing hardware was inaccessible and outdated, making a hardware replacement necessary to complete the upgrade.

FINANCIAL IMPACT

The total cost for the upgrade, including hardware and services, is **\$142,993.00**. Funding is available in the Water Sewer reserve, and the budget in account 420-07-0706-535-63-563000 will be adjusted at mid-year.

REQUESTED ACTION

1. Approve/Disapprove the proposal from AWC for the upgrade to WinCC at the Water Reclamation Facility;
2. Authorize the Mayor and City Manager to execute the proposal from AWC for the upgrade to WinCC at the Water Reclamation Facility; and
3. Declare AWC a Sole Source Provider

ATTACHMENTS



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach, FL 32250

1. AWC Quote 2984790 Dated 02-03-25
2. AWC Sole Source



Great Technology
Passionate People
BETTER SOLUTIONS

Confidential: To be used by recipient's organization only

Shipping Method:

Carrier: UPS

Service: Ground

Terms: Prepay and Add

**Check Availability,
 Update Quote or
 Order Online
 (Registration Required)**

To:	From:	Reference:	COJB WINCC SERVER	Bill To:	Ship To:	Subtotal:	\$ 142,993.00
Joel Taylor	Sam Hope	Quote Date:	02/03/2025	CITY OF JACKSONVILLE BEACH	CITY OF JACKSONVILLE BEACH	Est. Freight:	TBD
CITY OF JACKSONVILLE BEACH	AWC - JAX AUTOMATION Local Support	Valid Until:	03/05/2025	CENTRAL SERVICES DEPT.	CENTRAL SERVICES DEPT 1460 A SHETTER AVE	Est. Tax:	\$ 0.00
jtaylor@jaxbchfl.net	sam.hope@awc-inc.com	AWC Quote #:	2984790	1460 A SHETTER AVE JACKSONVILLE BEACH, FL 32250	JACKSONVILLE BEACH, FL 32250	Quote Total:	\$ 142,993.00
	(813) 386-1023	Quote Version:	001				
		AWC Account #:	7C0764				
		Payment Terms:	Net 30				

* Lead times may vary due to unforeseen supply chain constraints.

LI #	Part # / Mfg. Name / Description	Qty.	Price	Ext. Price	Availability (ARO)
001	COJB WINCC SERVERS COJB WINCC SERVERS Line Item Notes: Scope: Provide Qualified Program Engineer to setup two Siemens redundant WinCC servers at the COJB WWTP server room. Servers will include the following items listed below. AWC will upgrade from WinCC v7.5 to Current V8.1 1.Server descriptions- SIMATIC IPC1047E (rack PC, 19", 4 U); 2x Gbit Ethernet, IPMI, RJ45; 1x VGA, 1x COM 1, 2x USB 3.0, 2x USB on the rear side; 2x USB 3.0 front; temperature and fan monitoring; SW RAID onboard; 2x Intel Xeon SP Silver 4210 10C/ 20T - 2.2 GHz/ 3.2 GHz; 1x SSD 1 TB M.2 NVMe and 1x HDD 4 TB 3.5" SATA; 128 GB 2933 MHz DDR4; without graphics card (VGA onboard); without plug-in cards; Windows Server 2022 - for Xeon Silver 4210 (20C) 860 W power supply unit with power supply cord USA; holder for 4x 3.5" SSD/HDD or 8x 2.5" SSD/HDD, internal Siemens Part number 6BK18011AC100HC0 2. Install Client provided CP1623 in each server. 3. Provide and Install Internal SSD Card - Samsung Electronics 870 EVO 2TB 2.5 inch SATA III Internal SSD 4. Provide and install cables as needed for the local servers as it pertains to the WinCC install. 5. Provide and install Software upgrade packages from WinCC v7.5 to WinCC v8.1	1	\$142,993.00	\$142,993.00	8 Weeks

LI #	Part # / Mfg. Name / Description	Qty.	Price	Ext. Price	Availability (ARO)
	COJB provided Items: 1. All work is to be performed within AWC normal working Business hours. 2. Provide time to coordinate with the AWC Programing Engineer with 48hrs prior notice for any on-site visits. 3. Provided access and scheduled down time for work to be performed within normal AWC working business hours. 4.. Any work performed that is not detailed in the Project Scope described above will be charged extra using the attached AWC Inc. Rate sheet. AWC will advise and seek approval from ABB for any additional work to be performed that is not within the scope of work. 5. COJB provide all external conduit, wire and wire terminations regarding the WinCC related install. 6. COJB to provide server passwords and any cyber related software to be installed. AWC Exclusions and conditions: a. AWC will be held harmless for any current or future safety systems implemented on the above-described project and its associated components and its Parts. b. AWC is not responsible for any existing physical parts and components as it pertains to the above-described project. c. AWC not responsible for any SCADA programming. D. AWC not responsible for any IT related external communications with the new WinCC servers. E. AWC will not be responsible for any corrupted files that may reside on the existing COJB servers, nor will AWC be obligated to upgrade software versions if the existing files are corrupted or otherwise prevent upgrade. Furthermore, if AWC cannot fully access the project for any reason, a new scope of work and corresponding quote will be required to rewrite the project.				
				Subtotal:	\$ 142,993.00
				Est. Freight:	TBD
				Est. Tax:	\$ 0.00
				Quote Total:	\$ 142,993.00

Notes

1. If tax exempt, please provide a tax-exempt certificate with purchase order.
2. Estimated delivery is based upon availability at time of quotation. Click [Update Quote](#) for current availability.
3. All stock subject to prior sale. Stock material generally ships the same day if purchase orders are received by 2:00PM EST.
4. Unless otherwise agreed to in writing by both parties, all sales resulting from this quote are subject to AWC's [Terms & Conditions](#).
5. The quoted subtotal does not include import/export duties or credit card processing fees.
6. Credit card payments are acceptable if made at time of order placement, subject to a maximum of \$10,000.
A credit card processing charge of up to 3% of the order amount may be added to the order total.
7. We are unable to estimate the freight. We apologize for the inconvenience. Freight will be determined at time of purchase order.
8. Online access is limited to registered users. Please contact your AWC representative to register.
9. Images shown above are for illustration purposes only.

Sole Source Request

Pursuant to Section VII and XII of the City of Jacksonville Beach Purchasing Manual, when requesting a sole source purchase from a vendor, please complete this form to justify your request and submit to the Property and Procurement Division with applicable attachments.

"Sole Source items are any materials, supplies, or services that can only be obtained from one vendor or manufacturer, eliminating any possibility of securing a second competitive quote.

When it is determined that certain materials, supplies, or services are only available from a sole source, every effort must be made by the Department to secure documentation of sole source availability from the supplier, vendor, or manufacturer."

Requesting agency (Department/Division): Public Works/Water Reclamation Facility

Name of Vendor or Supplier: AWC Inc.

Amount of purchase/project (attach quote): \$142,993.00

Provide a summary (brief description) of the scope of goods/services to be provided and detailed justification as to why the requested goods/services can only be efficiently and effectively procured through the recommended sole source provider:

AWC Inc. has submitted a quote to provide a qualified program engineer to set up two Siemens redundant WinCC servers in the COJB WWTP server room. The equipment we provide complete control over program logic and allows plant personnel to access the HMI interface to analyze gauges, meter/flow readings, alerts, and historical data for operational and maintenance decisions.

Assert that you have researched the availability of the requested goods/services from other sources in applicable markets and have discussed and evaluated the same with COJB's property and procurement division (attach sole source letter – signed, on company letterhead):

After conducting research on the desired good/service, we discovered that AWC Inc. is our sole full-line, Tier 3 distributor of industrial automation, motion control, SCADA, industrial controls, and process instrumentation in Jacksonville, Florida, with a Siemens Certified Training Instructor.

Submitted by: Robert Delgado Utility Plant Deputy Superintendent
Name Title

Date: 02/25/2025

Requesting Agency Director's Signature: _____

Property and Procurement Approval: _____

Any purchase in excess of the \$25,000 Bid Threshold Amount must have prior City Council approval or must be approved and signed by the City Manager

City Manager: _____ Date _____

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Allen Putnam, Director of Beaches Energy Services
DATE:	02/14/2025
SUBJECT:	Purchase of (11) 26kV Breakers from Myers Controlled Power, LLC, and Declaration of Myers Controlled Power, LLC, as a Sole Source Provider

BACKGROUND

A circuit breaker is a crucial component of power distribution systems, designed to interrupt the flow of electricity in a circuit. Its primary function is to ensure the safe and reliable operation of electrical networks during maintenance, repairs, or emergencies. By opening or closing a breaker, specific sections of the power distribution system can be isolated, enhancing safety, preventing widespread outages, and minimizing damage to electrical equipment. Circuit breakers also facilitate routine maintenance work.

Currently, 51 circuit breakers operate at 26.4kV across our electric distribution system. However, five of these breakers are out of service in the northern section of our distribution network. As a result, the electrical load from these breakers has been redistributed across other circuits, increasing strain on electrical components, complicating operations, and reducing safety for grid maintenance personnel. This setup ensures continued power delivery. However, this is not an ideal long-term solution. Two breakers at the Penman Substation have failed and nine are at end-of-life and showing operational signs of failure.

The circuit breakers produced by Myers Controlled Power, LLC, fit inside the breaker/bus enclosure located at the Penman Substation. The enclosed bus is unique to Penman Substation. While multiple manufacturers produce circuit breakers, only Myers Controlled Power, LLC, manufactures circuit breakers that fit the existing enclosure. More expensive options for retrofit circuit breakers or new complete enclosures exist from other manufacturers of circuit breakers, but these options are not cost or time-effective. The total cost of the breakers is \$351,367. The budgetary estimate for the accompanying relays is \$59,000, bringing the total funding required to just under \$411,000.

Administration has approved an internal budget modification to reallocate funds for the replacement of the failed, and failing, breakers at the Penman Substation. \$411,000 will be transferred from the Transmission Line Hardware Renewal and Replacement project planned for FY2025 to fund the long lead time items including the breakers and relays that will start the Penman Substation project. Council approval is being sought for the sole source purchase of the breakers.

Once ordered, the breakers are expected to be received in October 2025.

FINANCIAL IMPACT

\$410,000 will be reallocated and utilized for the Penman Substation 26kV Breaker & Relay Upgrade project in this fiscal year, accelerating the work from the planned FY2028 start. The funding offset will come from the FY2025 CIP-Transmission Line Hardware Renewal and



Replacement project that will be re-budgeted in the FY2026-2030 CIP plan. The remainder of the Penman Substation work will be included in the FY2026 budget, when the materials are estimated to be received. An internal budget modification will be processed to reflect this change. There is no impact to the overall Electric Fund budget.

REQUESTED ACTION

1. Approve/Disapprove the purchase of (11) 26kV Breakers from Myers Controlled Power, LLC; and
2. Declare Myers Controlled Power, LLC, a Sole Source Provider

ATTACHMENTS

1. Myers Controlled Power LLC - Breaker Quotes - 2-24-2025
2. Sole Source Request - Myers
3. Meyers Breaker
4. PENMAN Metal Clad Switchgear Enclosure



HVF 1200A/2000A Spare Replacement Breaker
MCP Estimate No. E3384 (Rev. 1)

2/24/2025

Beaches Energy

Reference: HVF Spare Circuit Breakers
Quote #: E3384 REV 1

Per our understanding of your request and associated correspondence, Myers Controlled Power, LLC is pleased to provide the following proposal for your consideration.

This quotation is valid for thirty (30) days. Orders received after this period may be subject to price adjustment by Myers Controlled Power, LLC.

Price and Payment

Myers Controlled Power, LLC will supply the components identified in this proposal for the following price breakdown:

Pricing

QTY.	Description	Price \$ (EACH)	Extended Price
7	Circuit Breaker, HVF, 38kV, 31.5kA, 1200A – breaker only	\$30,217.00	\$211,519.00
4	Circuit Breaker, HVF, 38kV, 31.5kA, 2000A – breaker only	\$34,962.00	\$139,848.00

Terms and Conditions

Any orders based on this quotation are subject to Myers Controlled Power LLC Terms and Conditions, enclosed. All other terms and conditions will require review prior to order acceptance.

Terms of Payment: Net 30 Days from date of invoice (Pending Credit Approval); payment due prior to shipment of the circuit breakers

Terms of Delivery: FOB Factory, Prepay & Add

Warranty: Twelve (12) Months from date of shipment

Taxes: Federal, State, and Local taxes are not included

Estimated Delivery

Shipment is approximately 32-34 weeks after receipt of manufacturing release. At time of order entry a firm ship date will be provided.

The final schedule shall be reviewed before order placement. Estimated dates are based on factory loading at time of quotation. Customers with specific delivery needs should contact the factory with actual order and release dates to obtain Committed Ship Schedules based on their specific needs and reviewed against current factory loading.

The seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic.



HVF 1200A/2000A Spare Replacement Breaker
MCP Estimate No. E3384 (Rev. 1)

Proposal Acceptance

This proposal is valid for a period of thirty (30) days from the date of issue. Should this proposal be accepted, please send the Purchase Order to:

Myers Controlled Power LLC
219 E. Maple St. Suite 100/200E
North Canton, OH 44720
ohspbkr-quotes@controlledpower.com

Attn: Karen Tolbert
Reference: E3384 REV 1

Intellectual Property Notice

The information on this document is created by Myers. It is disclosed in confidence and it is only to be used for the purpose in which it is supplied.

All proposals, reports, drawings, specifications, data, information, or other material, and Intellectual Property contained therein, whether accompanying this notice, or separately supplied in furtherance of this proposal, are the property of Myers Controlled Power LLC, are disclosed by Myers Controlled Power LLC in confidence, and, except as Myers Controlled Power LLC may otherwise permit in writing, are to be used, disclosed, or copied only to the extent necessary for the evaluation thereof by recipient, or by the end user customer, or higher tier contractor, or subcontractor, between said customer and recipient, in furtherance of the purposes for which this proposal is made by Myers Controlled Power, LLC. The foregoing shall not apply to any of such material to the extent the contents (i) are now, or subsequently become, available to the public without payment, (ii) were previously known to recipient, or (iii) subsequently become otherwise known to the recipient without restriction. All such material, together with all copies thereof, is to be returned to Myers Controlled Power, LLC when it has served its purpose, or shall be otherwise disposed of as directed by Myers Controlled Power, LLC.

www.myerspwr.com



General Terms and Conditions of Sale

MYERS POWER PRODUCTS, INC. is referred to herein as "Seller". The person, firm, or corporation to whom or which these Standard Terms and Conditions of Sale apply is called "Purchaser". The MYERS products covered by these terms are referred to herein as the "Products". These Standard Terms and Conditions of Sale are referred to herein as "Terms and Conditions" and shall remain in full force and effect unless superseded by "Special Terms and Conditions" as submitted by Myers Power Products.

(1) **TERMS OF OFFER (QUOTATION)** - This quotation constitutes an offer to sell according to the terms set forth herein. Unless otherwise indicated this offer shall remain open for thirty (30) days only from the date of this quotation, and shall be deemed accepted by the purchaser only upon receipt and acceptance by the seller of a purchase order from the purchaser. Acceptance of this offer by the purchaser is expressly limited to the terms hereof and in the event that the purchase order from the purchaser states terms additional to or different from those set forth herein, this offer shall be deemed a notice of objection to such additional or different terms and rejection thereof. Any acknowledgment sent by the seller to the purchaser subsequent to the seller's receipt of a purchase order from the purchaser shall not be deemed to be an acceptance by the seller of any offer by the purchaser, and shall not alter the Terms and Conditions of this offer.

(2) **PRICES AND TERM** - These products are sold F.O.B. point of shipment. If FOB destination required, add 2% to sell price. Purchaser shall be responsible to ensure free and clear unfettered access by common carrier and any/all necessary traffic control to be secured by Purchaser.

1. Published prices cover standard domestic packing only.
2. Unless otherwise indicated, terms of payment are net thirty (30) days from date of shipment.
3. Payments not made when due shall bear interest at 2% per month until payment is made.
4. Minimum charge on any order is five hundred dollars (\$500.00) plus transportation costs.
5. When drawings for approval are required for any Product(s), the drawings applicable to those Products must be returned within 30 calendar days from the date of the original mailing of the drawings by Seller. The return drawings must be released for manufacture and shipment and must be marked "APPROVED" or "APPROVED AS NOTED." Drawing re-submittals which are required for any other reason than to correct Seller errors will not extend the 30-day period.
6. If the Buyer initiates or in any way causes delays in shipment, provision of Services or return of approval drawings beyond the periods stated above, the price of the Products or Services shall be increased a minimum of 1% per month or fraction thereof up to a maximum of 18 months from the date of the Buyer's order. For delays resulting in shipment or provision of Services beyond 18 months from the date of the Buyer's order, the price must be renegotiated.
7. A \$100 lift gate fee will be charged for each delivery requiring a lift gate.

Prices may be subject to escalation for shipments made beyond proposed delivery times. Should Purchaser place purchase order on hold or delay any critical path item (e.g. drawing approval, owner furnished material, acceptance testing delay, etc.) price escalations may apply, as determined by Seller at the time of delay/or release from hold.

(3) **PAYMENTS** - Unless otherwise indicated, pro rata payments shall become due as shipments are made. If shipments are delayed by the purchaser, then payments shall become due on the date that the seller is prepared to make shipment. If the work to be performed hereunder is delayed by the purchaser, payments shall be made based on the purchase price and the percentage of completion. Equipment held for the purchaser shall be at the risk and expense of the purchaser. If the financial condition of the purchaser at any time does not, in the judgment of the seller, justify continuance of the work to be performed by the seller hereunder on the terms of payment as agreed upon, the seller may require full or partial payment in advance or shall be entitled to cancel any order then outstanding and shall receive reimbursement for its reasonable and proper cancellation charges, and in the event of bankruptcy or insolvency of the purchaser or in the event any proceeding is brought against the purchaser, voluntarily or involuntarily, under the bankruptcy or any insolvency laws, the seller shall be entitled to cancel any order then outstanding at any time during the period allowed for filing claims against the estate and shall receive reimbursement for its reasonable and proper cancellation charges.

(4) **DELAYED PAYMENT** - If payments are not made in accordance with these terms, a service charge will without prejudice to the right of Seller to immediate payment, be added in an amount equal to the lower of 2% per month or fraction thereof or the highest legal rate on the unpaid balance. A grace period for the first month is 15 days.

(5) **FINANCIAL CONDITION OF BUYER** - If the financial condition of the Buyer at any time is such as to give the Seller, in its sole judgment, reasonable grounds for insecurity concerning Buyer's ability to perform its obligations under this Agreement, Seller may require full or partial payment in advance and suspend performance hereunder, until such payment has been received. Failure to furnish such payment within ten (10) days of demand by Seller shall constitute a breach of this Agreement.

(6) **COLLECTION COSTS** - Buyer shall pay to Seller reasonable costs of collection of money due and unpaid, including reasonable attorney's fees.

(7) **TAXES** - The amount of any federal, state or municipal tax applicable to the product, which the seller shall be required to pay, either on its behalf or on behalf of the purchaser, shall be added to the prices contained herein and paid by the purchaser unless stated otherwise.

(8) **DRAWING APPROVAL** - Seller will design the Products in line with, in Seller's judgment, good commercial practice. If at drawing approval Buyer makes changes outside of the design as covered in their specifications, Seller will then be paid reasonable charges and allowed a commensurate delay in shipping date based on the changes made.

(9) **DELIVERY** - Delivery dates are estimates of approximate dates of delivery, not a guarantee of a particular day of delivery, and are based on the prompt receipt of all necessary information from the purchaser and return of approval drawings within two (2) weeks after submittal when applicable. Furthermore, delivery dates are based on an assumed ration of acceptances. If this assumption should prove incorrect, the seller may have to allocate its production time and thereby adjust the delivery dates. Customer's failure to receive goods within a reasonable period of time may result in a price increase at the discretion of Seller.

(10) **PREPAID FREIGHT DELIVERY** - The method and route of all prepaid freight shipments are optional with the seller. Where the purchaser specifies that shipment be made other than the usual method and route of shipment, the additional expense will be borne by the purchaser.

If destination may be reached in part by boat shipment only, water shipment will be made at the purchaser's expense collect. In addition to the water shipping charges, cartage to the boat will be made at purchaser's expense. If shipment is accepted by the purchaser at one destination and re-forwarded by him, the re-forwarding is at the purchaser's expense. No allowance will be made for freight if purchaser accepts shipments at the factory or if collect shipments are requested.

(11) **TITLE AND INSURANCE** - Title to the product(s) and risk of loss or Damage shall pass to Purchaser at the F.O.B. point, except that a security interest in the product(s) and proceeds and any replacement shall remain in Seller, regardless of mode of attachment to realty or other property, until the full price has been paid in cash. Purchaser agrees to do all acts necessary to perfect and maintain said security interest, and to protect Seller's interest by adequately insuring the product(s) against loss or damage from any external cause with Seller named as insured or co-insured.

(12) **FORCE MAJEURE** - The seller shall not be liable to the purchaser for any failure or delay in complying with the Terms and Conditions of this agreement if such failure or delay shall be due to any act of God, nature or the public enemy, accident, explosion, operation malfunction or interruption, fire, storm, earthquake, flood, drought, perils of the sea, strikes, lockouts, labor disputes, riots, sabotage, embargo, war (whether or not declared and whether or not the United States is a participant), federal, state, or municipal legal restriction or limitation or compliance therewith, failure or delay of transportation, shortage of, or inability to obtain raw materials, supplies, equipment, fuel, power, labor or other operational necessities, interruption or curtailment of power of other energy or fuel supply or any other circumstances of a similar nature beyond the reasonable control of the seller. In this connection, the seller shall not be required to resolve labor disputes or disputes with supplier of raw materials, supplies, equipment, fuel or power, but may in accordance with its best interest do so. This section shall be cumulative with the provisions of the applicable section of the Uniform Commercial Code, or similar laws, enacted in the state described in the paragraph captioned "Governing Laws", relating to excuse of seller by reason of the failure of presupposed conditions.

(13) **CLAIMS FOR SHORTAGES OR SHIPPING DAMAGES** - Any material received damaged must be so noted on the delivery receipt by the delivering carrier at time of delivery and reported to the seller no later than twenty-four (24) hours after receipt of shipment. Concealed damage claims must be reported and confirmed in writing to the delivering carrier no later than ten (10) days from the date shipment was originally received in accordance with ICC regulations. Claims for shortage material, in writing, must be made to the seller within twenty (20) days after receipt of shipment. For any claims



General Terms and Conditions of Sale

under this Paragraph (13) for which the seller may be liable, the purchaser's exclusive remedy shall be the repair or replacement, F.O.B. factory, as the seller may elect, of such material and NO in and out charges are allowed.

(14) **CONCEALED DAMAGE** - Except in the event of F.O.B. destination shipments, Seller will not participate in any settlement of claims for concealed damage.

When shipment has been made on an F.O.B. destination basis, the Buyer must unpack immediately and, if damage is discovered must:

1. Not move the Products from the point of examination.
2. Retain shipping container and packing material.
3. Notify the carrier in writing of any apparent damage.
4. Notify Seller representative within 72 hours of delivery.
5. Send Seller a copy of the carrier's inspection report.

(15) **RETURN OF MATERIAL** - The seller's permission must be obtained in writing before any products are returned to it by the purchaser for any reason whatsoever. If products are returned without such permission, purchaser authorizes the seller, in addition to such other remedies as it may have, to hold the returned products at purchaser's sole risk and expense. When the purchaser requests authorization to return material for reasons of his own, the purchaser will be charged for placing the returned goods in salable condition, restocking charges and for any outgoing and incoming transportation paid by the seller.

(16) **STORAGE** - Any item of the product(s) on which manufacture or shipment is delayed by causes within Purchaser's control, or by causes which affect Purchaser's ability to receive the product(s), may be placed in storage for an agreed upon amount by Seller for Purchaser's account and risk.

(17) **WARRANTY** - Seller warrants title to the product(s) and, except as noted below with respect to items not of Seller's manufacture, also warrants the product(s) on date of shipment to Purchaser, to be of the kind and quality described herein, merchantable, and free of defects in workmanship and material.

THIS WARRANTY IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES, INCLUDING BUT NOT LIMITED TO IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS, AND CONSTITUTES THE ONLY WARRANTY OF SELLER WITH RESPECT TO THE PRODUCT(S).

If within one year from date of delivery Purchaser discovers that such Item was not as warranted above and promptly notifies Seller in writing thereof, Seller shall remedy such non conformance by, at Seller's option, adjustment or repair or replacement of the item and any affected part of the product(s). Purchaser shall assume all responsibility and expense for removal, reinstallation, and freight in connection with the foregoing remedies. The same obligations and conditions shall extend to replacement parts furnished by Seller hereunder. Seller shall have the right of disposal of parts replaced by it.

ANY SEPARATELY LISTED ITEM OF THE PRODUCT(S) WHICH IS NOT MANUFACTURED BY SELLER IS NOT WARRANTED BY SELLER, and shall be covered only by the express warranty, if any, of the manufacturer thereof.

THIS STATES PURCHASER'S EXCLUSIVE REMEDY AGAINST SELLER AND ITS SUPPLIERS RELATING TO THE PRODUCT(S), WHETHER IN CONTRACT OR IN TORT OR UNDER ANY OTHER LEGAL THEORY, AND WHETHER ARISING COST OF WARRANTIES, REPRESENTATIONS, INSTRUCTIONS, INSTALLATIONS OR DEFECTS FROM ANY CAUSE. Seller and its suppliers shall have no obligation as to any product which has been improperly stored or handled, or which has not been operated or maintained according to instructions in Seller or supplier furnished manuals.

(18) **WARRANTY FOR SERVICES** - Seller warrants that the Services performed by it hereunder will be performed in accordance with generally accepted professional standards.

The Services, which do not so conform shall be corrected by Seller upon notification in writing by the Buyer within one (1) year after completion of the Services. Unless otherwise agreed to in writing by Seller, Seller assumes no responsibility with respect to the suitability of the Buyer's equipment or with respect to any latent defects in the same. This warranty does not cover damage to Buyer's equipment, components or parts resulting in whole or in part from improper maintenance or operation or from their deteriorated condition. Buyer will, at its cost, provide Seller with unobstructed access to the defective Services, as well as adequate free working space in the immediate vicinity of the defective Services and such facilities and systems, including, without limitation, docks, cranes and

utility disconnects and connects, as may be necessary in order that Seller may perform its warranty obligations. The conducting of any tests shall be mutually agreed upon and Seller shall be notified of, and may be present at, all tests that may be made.

Extended Warranties may be purchased prior to shipping for a fee. Fees for Extended Warranties are calculated on a project analysis basis but in no case shall be less than 3% per year for each year the warranty is extended up to a maximum of 5 years.

(19) **CANCELLATIONS** - Cancellations or modifications of an order by the purchaser will only be accepted by the seller in writing and on the basis that the seller will be paid for expenses incurred up to the time that the cancellation or modification is accepted by the seller. See additional provisions in attached Cancellation Policy Document.

(20) **LIQUIDATED DAMAGES** - Contracts which include liquidated damage clauses for failure to meet shipping or job completion promises are not acceptable or binding on Seller unless such clauses are specifically accepted in writing by an authorized representative of the Seller at its headquarters office. Seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future pandemic.

(21) **BACKCHARGES AND ALTERATIONS** - The seller will not be responsible for any back charges to correct any possible manufacturing error, or any modifications to meet existing conditions or for any reason whatsoever unless authorized by the seller in writing. Any field problem should be reported to MYERS POWER PRODUCTS.

(22) **LIMITATION OF LIABILITY** - The purchaser's exclusive remedy on any claim of any kind for any loss or damage arising out of, connected with, or resulting from this contract, or from the performance or breach thereof, or from the design, manufacture, sale, delivery, resale, or repair or use of any products covered by or furnished under the contract, including but not limited to any claim of negligence or other tortious breach, shall be the repair or replacement, F.O.B. factory, as the seller may elect, or the product or part thereof giving rise to such claim, except that the seller's liability for such repair or replacement shall in no event exceed the contract price allocable to the products or part thereof which gives rise to the claim. THE SELLER SHALL IN NO EVENT BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.

(23) **GENERAL** - Any assignment of the order, or any rights hereunder, by the purchaser without written consent of the seller shall be void. The provisions of any contract resulting from the order are for the benefit of the parties thereto and not for any other person. No waiver, alteration, or modification of any of the provisions hereof shall be binding unless in writing and signed by a duly authorized representative of the seller. ANY PURCHASE ORDER PURSUANT TO THE ACCOMPANYING QUOTATION SHALL BE SUBJECT TO THE APPROVAL OF SELLER'S CREDIT DEPARTMENT AND SHALL NOT RESULT IN A CONTRACT UNTIL IT IS ACCEPTED AND ACKNOWLEDGED BY SELLER AT SELLER'S FACILITY.

(24) **AUTHORITY OF SELLER'S AGENTS** - No agent, employee or representative of the seller has any authority to bind the Seller to any affirmation, representation or warranty concerning the goods sold under this Agreement, and unless the affirmation, representation, or warranty made by an agent employee or representative is specifically included herein, it has not formed a part of the basis of this bargain and shall not in any way be enforceable.

(25) **PROPRIETARY RIGHTS** - The sale of the goods hereunder to Buyer shall in no way be deemed to confer upon Buyer any right, interest or license in any patents or patent applications Seller may have covering the goods by Seller retains for itself all proprietary rights in and to all designs, engineering details and other data and materials pertaining to any goods supplied Seller and to all discoveries, inventions, patents, and other proprietary rights arising out of the work done in connection with the goods or with any and all products developed as a result thereof, including the sole right to manufacture any and all such products. Buyer warrants that he will not divulge, disclose, or in any way make use of such information (as built drawings, software and design information), and that it will not manufacture or engage to have manufactured such products.

(26) **GOVERNING LAW** - Any contract formed pursuant to this quotation shall be governed by and construed in accordance with the laws of the State of California.

(27) These Terms & Conditions shall remain in full force and effect and shall be deemed as accepted upon receipt of Purchase Order from Purchaser unless superseded by a modified T&C, specified and agreed in writing by an Officer of the Company of both Purchaser and Seller.



Cancellation Policy

An order may be canceled by the purchaser only upon the written notice and upon payment to the company of reasonable and proper cancellation charges. The expenses to be covered by these charges would include an unrecoverable cost incurred by the company. In addition, a one-time charge will be made to compensate for lost profits, disruptions in schedules, planned production and other indirect costs. It is recognized that it is impossible to determine exactly these indirect costs. As such, it is agreed that the one-time charge is acceptable and proper. Total cancellation charges will be calculated as follows:

Order Entry:

After receipt of an order at the factory and order processing, but prior to the start of engineering, there will be a one-time 5 percent charge, with a minimum of \$1,000.00 for any one order.

Release for Engineering:

After an order has been released for engineering, there will be a one-time 10 percent charge for cancellation plus any actual costs incurred including vendor cancellation charges, engineering labor expended plus costs associated with engineering overhead, selling, general and administrative expenses.

Release for Manufacture:

After an order has been released for manufacture and scheduled for production, there will be a one-time 10 percent charge for cancellation plus any actual costs incurred including, but not limited to, vendor cancellation charges, all materials received or expended, shop and engineering labor plus costs associated with manufacturing and engineering overhead, selling, general and administrative expenses.

Cancellation Scheduled as follows:

- **5% of Contract Value After Receipt of Order**
- **Plus 10% After Release to Engineering for Submittals**
- **Plus 50% After Release to Purchasing**
- **Plus 25% After Release to Production**
- **Up to 100% of Contract Value based on POC (percentage of completion)**

In addition to the above charges, a reasonable profit of 10 percent will be allowed and payable against all identified costs incurred by the time of cancellation. Cancellation costs will be due and payable within 30 days of submittal of a proper invoice for such costs. Any amount not paid within 30 days will be subject to late charges of 1 ½ percent per month for each fraction of a month that payment is received late at MPP.



Power Systems • RYCO Switchgear • Power Pedestals • Inverters & Rectifiers • Abacus Controls

MYERS POWER PRODUCTS, INC.

Standard Switchgear Limited Warranty

Myers Power Products, Inc., warrants to the original purchaser that the complete switchgear, together with all parts included in the original purchase (the "Switchgear"), has been designed in accordance with the specifications of the original purchaser, and that the Switchgear will be free from defects in material and workmanship under normal use and service for a period of one (1) year from date of delivery of the Switchgear at its destination from the factory. Myers Power Products, Inc.' liability under this limited warranty does not extend to defects/or damage caused by vandalism, improper installation, improper maintenance, alterations by purchaser, purchaser-furnished materials, or improper operation for this limited warranty to be valid.

Should defects in material and / or workmanship during the standard limited warranty period occur, Myers Power Products, Inc.' liability and purchaser's remedies under this limited warranty shall be limited solely to repair or replacement of defect. Purchaser shall give Myers Power Products, Inc. prompt written notice of any claim hereunder. Myers Power Products, Inc. shall be given a reasonable opportunity to investigate all claims, and no parts may be returned to Myers Power Products, Inc. without advance authorization and instructions from the Customer Service Department.

THIS LIMITED WARRANTY IS EXCLUSIVE AND IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. MYERS POWER PRODUCTS, INC., SHALL NOT BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES OR EXPENSES OF ANY KIND, INCLUDING, WITHOUT LIMITATION, LOSS OF PROFITS.

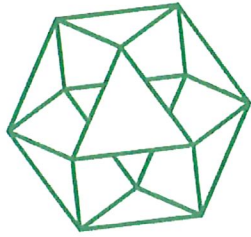
Myers Power Products, Inc. • 2950 E. Philadelphia Street, Ontario, California 91761 • (909) 923-1800

Contact Vendor: Myers Power Products by phone at 866-MY-MYERS or email Repairs@MyersPower.com

Provide Product Serial Number _____

Corporate Headquarters: 2950 E. Philadelphia Street, Ontario, California 91761 • Tel: (909) 923-1800 • Fax: (909) 923-1806

www.myerspowerproducts.com



NSAI

Certificate of Registration of Quality Management System to ISO 9001:2015

The National Standards Authority of Ireland Inc. certifies that:

Myers Controlled Power, LLC
219 East Maple Street
Suite 100/200
North Canton, OH 44720
USA

has been assessed and deemed to comply with the
requirements of the above standard in respect of the scope of
operations given below:

**Design, Manufacture, and Servicing of AC & DC Electrical
Switchgear and Switchboards, Circuit Breakers, Bus
Duct, Relay Panels, Power Control Centers, Metered
Service Pedestals, Panel Boards, Battery Analysis,
Enclosures, Rectifiers, Inverters, and Related Equipment.**

Geraldine Larkin
Chief Executive Officer

Lisa Greenleaf
Technical Operations Officer

Registration Number: 19.4209
Certification Granted: January 23, 2006
Effective Date: January 23, 2024
Expiry Date: January 22, 2027



National Standards Authority of Ireland Inc., 20 Trafalgar Square, Nashua, New Hampshire, NH 03063, USA T +1 603 882 4412

Sole Source Request

Pursuant to Section VII and XII of the City of Jacksonville Beach Purchasing Manual, when requesting a sole source purchase from a vendor, please complete this form to justify your request and submit to the Property and Procurement Division with applicable attachments.

"Sole Source items are any materials, supplies, or services that can only be obtained from one vendor or manufacturer, eliminating any possibility of securing a second competitive quote."

"When it is determined that certain materials, supplies, or services are only available from a sole source, every effort must be made by the Department to secure documentation of sole source availability from the supplier, vendor, or manufacturer."

Requesting agency (Department/Division): Beaches Energy Services

Name of Vendor or Supplier: Myers Controlled Power, LLC

Amount of purchase/project (attach quote): \$351,367.00 (7 @ \$30,217.00 & 4 @ \$34,962.00)

Provide a summary (brief description) of the scope of goods/services to be provided and detailed justification as to why the requested goods/services can only be efficiently and effectively procured through the recommended sole source provider:

Circuit Breakers produced by Meyers Controlled Power, LLC fit inside the breaker/bus enclosure located at Penman Substation. This enclosed bus is unique to Penman Substation. While multiple manufacturers produce circuit breakers, only Meyers Controlled Power, LLC manufactures circuit breakers that fit the existing enclosure. More expensive options for retrofit circuit breakers or new complete enclosures exist from other manufacturers of circuit breakers but these options are not cost effective nor more effective timelines.

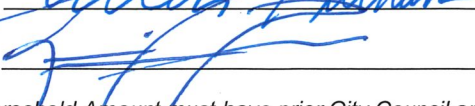
Assert that you have researched the availability of the requested goods/services from other sources in applicable markets and have discussed and evaluated the same with COJB's property and procurement division (attach sole source letter – signed, on company letterhead):

No other manufacturers produce a like for like replacement of the circuit breakers found at Penman Substation for the 26.4kV enclosure.

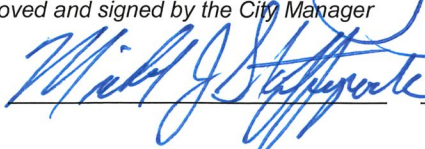
Submitted by: Nicholas Johnson Electrical Engineer
Name Title

Date: 2/18/2025

Requesting Agency Director's Signature:  2-25-25

Property and Procurement Approval: 

Any purchase in excess of the \$25,000 Bid Threshold Amount must have prior City Council approval or must be approved and signed by the City Manager

City Manager:  02/25/2025
Date





CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Director of Planning and Development
DATE:	02/04/2025
SUBJECT:	Ordinance No. 2025-8220 Repealing and Replacing Chapter 34 - Land Development Code of the City's Code of Ordinances

BACKGROUND

In 2021, as part of the development of the City's first Strategic Plan, City Council identified the need to update the City's Land Development Regulations, which include the Comprehensive Plan and Chapter 34 of the City's Code of Ordinances, the Land Development Code. The Planning and Development Department (P&D) began the process of updating these documents in 2022, working with a professional consultant on the project. Beginning in 2022, P&D staff hosted five public workshops to collect information from the public, businesses, board members, and City Council members. In conjunction with the first round of public workshops, a project website was developed and documents posted for public review, including Frequently Asked Questions, Common Planning Terms, and Abbreviations and Acronyms. Five workshops were held in October and November 2022 to gather information from the community to guide the update of the land development regulations. The project website provided an additional opportunity to submit comments to the project team through a series of questions.

From February to May 2023, staff hosted three topic specific workshops with the City Council to discuss parking standards, zoning district standards, and supplemental standards contained within the Land Development Code to focus on specific details contained within each and discuss changes proposed within each of those sections. Updated zoning and future land use maps were posted to the project website for public review. A second round of public workshops with the public, businesses, board members and City Council were held from May to June 2023. Proposed changes to the City's land development regulations were presented and discussed at these workshops.

In January 2024, a draft of the 2050 Comprehensive plan was posted to the project website for review, and workshops were held with board members and City Council members to review and discuss the draft. In April, City Council was updated on project status, and on April 22, 2024, the Planning Commission considered and recommended to City Council that the 2050 Comprehensive Plan be transmitted to the State for review. On May 20, 2024, the City Council voted to transmit the 2050 Comprehensive Plan to State Agencies for review pursuant to Florida Statutes. Staff transmitted the 2050 Comprehensive Plan to the State for review in June, and comments were received by the 30-day deadline in July. The State had no objections, but did preview six technical assistance comments, which staff coordinated with the reviewing planner to address to the State's satisfaction.

In August 2024, a final round of three public workshops was held to present and discuss specific proposed changes to the Land Development Code and solicit feedback and input from the community, board members and the City Council. Final Topics were discussed with the City Council at a briefing in November and a draft new Land Development Code was finalized by the

Consultant in coordination with P&D Staff. The draft was posted on the project website and city website for public review. Staff and the consultant are now ready to move forward with the adoption of the new updated Chapter 34 Land Development Code.

The 2050 Comprehensive Plan was adopted by the City Council on December 16, 2024. At a regular meeting held on January 27, 2025, staff requested a recommendation from the Planning Commission to the City Council for the adoption of the Land Development Code. The Planning Commission recommended to adopt the new Land Development Code with the following two recommendations:

Recommendation #1: Remove proposed term limits (2) for the Planning Commission and Board of Adjustment.

Staff have no objection to recommendation #1 due to the improved process to select, maintain, and remove board members with greater Council participation than was past practice. This change has been made in the Draft LDC.

Recommendation #2: Defer the first reading of the Ordinance to February 18th to allow for additional public outreach.

At the February 3rd City Council meeting, Council voted 5-1 to defer the first reading of the ordinance to March 3rd, and the second reading to March 17th, to allow time for one additional public workshop. A public workshop was subsequently scheduled and held on Thursday, February 20th.

Issues brought up by the public at the February 3rd Council Meeting and February 20th public workshop include:

1. Frequency of changeable digital message signs

- Staff has reset the frequency to 24 hours, and recommends that City Council consider amending the frequency to once per hour.

2. Accessory Dwelling Units (ADUs)

- Staff recommends no changes to proposed ADUs in multiple-family zoning districts in conjunction with a single-family dwelling under specific conditions.

3. Lot Coverage and Setbacks on residential lots.

- Staff recommends no changes to the proposed residential lot coverage and setbacks.

The version of the LDC provided to Council for consideration has been amended to correct typos and formatting issues. Content amendments are tracked in underline and include additional definitions.

FINANCIAL IMPACT



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach, FL 32250

Undetermined.

REQUESTED ACTION

Approve/Disapprove Ordinance No. 2025-8220 on the first reading repealing and replacing Chapter 34 - Land Development Code of the City Code of Ordinances, and schedule a second reading for March 17, 2025

ATTACHMENTS

1. Comprehensive Plan-LDC Update Project Timeline
2. Ordinance No. 2025-8220 Repealing and Replacing Ch. 34 - Land Development Code
3. Ordinance No. 2025-8220 Attachment A - Ch. 34 - Land Development Code

Comprehensive Plan/LDC Update Project Timeline

2022 – Workshops (5) designed to collect a broad range of public input on a variety of topics

Website Live www.cojbupdate.com to provide information, collect comments and post resources

October 13 - Citizens Workshop Presentation

October 27 - BOA, PC, and CRA Workshop Presentation

November 3 - Business Owners Workshop Presentation

November 17 – City Council Workshop Presentation

December 1 – Staff Workshop / Discussion

2023 – Workshop (7) designed to summarize initial workshops, present concepts and collect input

February 23 – Parking Standards Workshop with Council

March 28 – Supplemental Standards Workshop with Council

May - Updated Zoning Map Posted to Website

May - Updated Future Land Use Map Posted to Website

May 1 – Zoning District Standards Workshop with Council

May 18 - Citizens Workshop Round II Presentation

May 24 - Business Owners Workshop Round II Presentation

May 31 - City Boards Workshop Round II Presentation

June 6 - City Council Workshop Round II Presentation

2024 – Workshops (2) designed to review draft document, answer questions and collect input

January - Updated DRAFT 2050 Comprehensive Plan Available on Website

January 10 - BOA, PC, and CRA Workshop Presentation on Draft

January 24 - City Council Workshop Presentation on Draft

February to March – Final Changes Made to Comprehensive Plan

April 8 – City Council Briefing Update

April 22 – Planning Commission Public Hearing

May 20 – City Council Public Hearing

June 4 – Transmitted to the State (10 working days from transmittal hearing)

July 4 – Deadline for State Response (30 days from transmittal)

2024 - Final Workshops designed to discuss detailed changes to the Land Development Code

August 14 – Citizen and Business Owner Workshop

August 22 – Board Members Workshop

August 28 – City Council Workshop

November 12 – City Council Briefing to discuss final LDC Amendment items

December 16 – Final Adoption of 2050 Comprehensive Plan

December 16 – “Zoning in Progress” Ordinance to suspend certain applications

2025 – Final Adoption of 2050 Comprehensive Plan and Land Development Code

January 8 – Draft LDC posted to Project website and sent to PC and Council and posted on City website

January 13 – Planning Commission Workshop to discuss final LDC Amendment items

January 20 – Public Notice of hearings posted on city website and the Daily Record

January 27 - Planning Commission Recommendation to City Council on adoption of the LDC

February 3 – City Council First Reading of Ordinance to Adopt the LDC – *Deferred to March 3rd*

February 20 – FINAL LDC PUBLIC WORKSHOP

March 3 - City Council First Reading of Ordinance to Adopt the LDC - *Scheduled*

March 17 - City Council Second Reading of Ordinance to Adopt the LDC - *Scheduled*

April – Staff and Board Member Training on new LDC

May – Resume processing suspended applications

Introduced by: _____
1st Reading: _____
2nd Reading: _____

ORDINANCE NO. 2025-8220

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, REPEALING AND REPLACING CHAPTER 34 – LAND DEVELOPMENT CODE OF THE CITY’S CODE OF ORDINANCES IN ITS ENTIRETY; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, SCRIVENER’S ERRORS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach (“City”) has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes; and

WHEREAS, the City’s Land Development Code exists to establish comprehensive and consistent standards, regulations, and procedures for the review and approval of all proposed development of land within the City; and

WHEREAS, the City finds it necessary to periodically review and make amendments to the adopted Land Development Code to make improvements to the City’s required land development regulations; and

WHEREAS, the City held a series of public workshops to discuss the concurrent updates to the adopted Comprehensive Plan and the Land Development Code; and

WHEREAS, the City adopted the 2050 Comprehensive Plan on December 16, 2024, via Ordinance Number 2024-8214; and

WHEREAS, the City’s 2050 Comprehensive Plan adoption ordinance takes effect on the 46th day following its adoption; and

WHEREAS, the City desires to maintain consistency between the 2050 Comprehensive Plan and the Land Development Code; and

WHEREAS, the City’s Land Development Code has not been reviewed and updated in its entirety since 1991; and

WHEREAS, on January 27, 2025, the City’s Planning Commission, acting as the Local Planning Agency, at an advertised public hearing, unanimously recommended approval of the proposed updated Land Development Code, as presented, to the City Council of the City of Jacksonville Beach.

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

SECTION 1. RECITALS AND LEGISLATIVE FINDINGS. The above recitals and legislative findings are ratified, correct and made a part of this Ordinance.

SECTION 2. REPEAL AND REPLACE CITY CODE OF ORDINANCES CHAPTER 34 – LAND DEVELOPMENT CODE. Chapter 34 of the City's Code of Ordinances is hereby repealed and replaced and as such shall henceforth be read as presented in Attachment A hereto.

SECTION 3. CONFLICTING ORDINANCES. That all ordinances or parts of ordinances previously adopted by the City in conflict with this Ordinance are repealed to the extent inconsistent herewith.

SECTION 4. SEVERABILITY. If any section, subsection, clause, or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this ordinance.

SECTION 5. SCRIVENER'S ERRORS. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager without the need for a public hearing or further action by the City Council.

SECTION 6. CODIFICATION. The City Council intends that this Ordinance will be made a part of the City of Jacksonville Beach Code of Ordinances, and it shall entirely replace the current Chapter 34 in the City Code with Attachment A.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect and be enforceable in all aspects immediately upon final reading and approval by the City Council for the City of Jacksonville Beach.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2024.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

David Migut, City Attorney

PART II - CODE OF ORDINANCES
Chapter 34 - LAND DEVELOPMENT CODE
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ARTICLE I. GENERAL PROVISIONS

Sec. 34-1. General.

- (a) *Title and citation.* This chapter shall be known as the "Jacksonville Beach Land Development Code" and may be cited and referred to herein as the LDC.
- (b) *Authority.* The City Council of the City of Jacksonville Beach ("the City") has the authority to adopt the LDC pursuant to the Fl. Const. Article VIII, Sec. 2, F.S. § 166.21, et seq., the Jacksonville Beach Charter, F.S. § 163.3161, et seq., Florida Administrative Code (F.A.C.) Rule 9J-5 and Rule 9J-24, and such other authorities and provisions that are established in the statutory or common law in the State of Florida.
- (c) *Findings.* The City Council of Jacksonville Beach, Florida, hereby makes the following findings:
 - (1) Jacksonville Beach, pursuant to F.S. § 163.3161, et seq., the Florida Local Government Comprehensive Planning and Land Development Regulation Act (hereinafter the "Act"), is required to prepare and adopt a Comprehensive Plan.
 - (2) After adoption of the Comprehensive Plan, the Act, and in particular F.S. § 163.3202(1), mandates that Jacksonville Beach adopt Land Development Regulations that are consistent with and implement the adopted Comprehensive Plan.
 - (3) F.S. § 163.3194(1)(b), requires that all Land Development Regulations enacted or amended by Jacksonville Beach shall be consistent with the adopted Comprehensive Plan, and any Land Development Regulations existing at the time of adoption which are not consistent with the adopted Comprehensive Plan, shall be amended so as to be consistent.
 - (4) F.S. § 163.3194(1)(a), mandates that after a Comprehensive Plan has been adopted in conformity with the Act, all development undertaken by, and all actions taken in regard to development orders by governmental agencies in regard to land under the jurisdiction of the Comprehensive Plan shall be consistent with the Comprehensive Plan.
 - (5) Pursuant to F.S. § 163.3194(3)(a), a development order and Land Development Regulations shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the visions, strategies, land uses, and densities or intensities in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.
 - (6) F.S. § 163.3194(3)(b), states that a development approved or undertaken by a local government shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of development are compatible with and further the visions, strategies, land uses, densities or intensities in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.
 - (7) On October 15, 1990, the City of Jacksonville Beach adopted the Jacksonville Beach Comprehensive Plan as its Comprehensive Plan pursuant to the requirements of F.S. § 163.3161 et seq., and FAC Rule 9J-5 which was then amended to the 2050 Comprehensive Plan and readopted on December 16, 2024.

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ARTICLE I. GENERAL PROVISIONS

- (8) The LDC is adopted to implement the Comprehensive Plan. It is consistent with the Comprehensive Plan, in part, because the land uses, densities, or intensities, capacity or size, timing, and other aspects of development permitted, further the visions, intents, strategies, land uses, and densities and intensities in the Comprehensive Plan, and meet all other criteria enumerated in the Comprehensive Plan.
 - (9) The LDC is also adopted to preserve and enhance the present advantages that exist in Jacksonville Beach; encourage the most appropriate use of land, water, and natural resources, consistent with the public interest; overcome present handicaps, and deal effectively with future problems that may result from the use and development of land; prevent the overcrowding of land and avoid undue concentration of population; facilitate the adequate and efficient provision of transportation, water, sewage, drainage, solid waste, parks, schools, fire and police facilities; conserve, develop, utilize, and protect natural resources; protect human, environmental, social, and economic resources; and maintain, through orderly growth and development, the community character and stability of present and future land uses and development in Jacksonville Beach.
- (d) *Purpose and intent.*
- (1) *Implementation of Comprehensive Plan.* It is the purpose of the City Council that the LDC implement and ensure that all development orders approved in Jacksonville Beach are consistent with the Comprehensive Plan.
 - (2) *Comprehensive and consistent regulations.* It is also the purpose of the City Council that the LDC establish comprehensive and consistent standards, regulations and procedures for the review and approval of all proposed development of land in the City of Jacksonville Beach.
 - (3) *Efficient and effective regulations.* It is the further purpose of the City Council that the development process under the LDC be efficient, in terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and consideration of the interests of the citizens of Jacksonville Beach. Through this intent, these regulations shall promote the health, safety, morals, and general welfare of the public.

(Ord. No. 7500, § 1.3, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-2. Relationship to Comprehensive Plan.

The adoption of the LDC is consistent with, compatible with and furthers the vision, intents, strategies, land uses, and densities or intensities in the Comprehensive Plan.

(Ord. No. 7500, § 1.2, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

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ARTICLE I. GENERAL PROVISIONS

Sec. 34-3. Applicability.

The provisions of the LDC shall apply to the development of all land in the total area of the City of Jacksonville Beach, except as expressly and specifically provided otherwise in the LDC. No development shall be undertaken without prior authorization pursuant to the LDC.

(Ord. No. 7500, § 1.3, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-4. Minimum requirements.

The provisions of the LDC are the minimum requirements necessary to accomplish the purposes of the LDC and implement and ensure consistency with the Comprehensive Plan. As such, when these regulations impose a greater restriction upon the use of buildings or land, or upon height of buildings, or require larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Chapter shall control.

(Ord. No. 7500, § 1.4, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-5. Exceptions.

Unless otherwise stated in Article IX, Adequate Public Facility Standards, the following development orders shall be exempt from the terms of the LDC.

- (a) *Planned Unit Development and Redevelopment District.*
 - (1) The provisions of the LDC and any amendments hereto shall not affect the validity of any lawfully approved preliminary development plan for a planned unit development (PUD) or redevelopment district (RD) approved prior to the effective date of the LDC.
 - (2) The provisions of the LDC and any amendments hereto shall not affect the validity of any lawfully approved final development plan approved prior to the effective date of the LDC.
- (b) *Site plan.* The provisions of the LDC and any amendments hereto shall not affect the validity of any lawfully approved site plan approved prior to the effective date of the LDC if a building permit is issued for the site plan within six (6) months of the date of approval of the site plan.
- (c) *Special exception, variance, or conditional use.* The provisions of the LDC and any amendments hereto shall not affect the validity of any lawfully approved special exception, variance, or conditional use approved prior to the effective date of the LDC if a development order or occupational license is issued for the special exception or conditional use within six (6) months of the date of approval of the special exception, variance, or conditional use.
- (d) *Previously issued building permits.* The provisions of the LDC and any amendments hereto shall not affect the validity of any lawfully issued and effective building permit issued prior to the effective date of the LDC if:
 - (1) The development authorized by the permit has commenced prior to the effective date of the LDC or any amendment hereto, or will commence after the effective date of the LDC but prior to the permit's expiration or termination; and

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- (2) The development continues without interruption in good faith until development is complete. If the building permit expires, any further development shall be in conformance with the requirements of the LDC or any amendment.
- (e) *Existing uses.* All uses existing on the effective date of the LDC that are not permitted in the LDC shall be considered nonconforming under the terms of the LDC.
- (f) Buildings in existence or with approved construction permits or located in an adopted Planned Unit Development PUD Zoning District on or before the November 3, 2004 amendment to Section 52 of the Jacksonville Beach City Charter, may be completed, repaired or rebuilt to a height not to exceed the previously existing height, within the same building footprint, subject to any other applicable state, federal or local laws. The height limits are not intended to restrict or otherwise adversely affect a property owner's vested rights under constitutional, statutory or common law. If it is determined by a court of competent jurisdiction that a landowner has vested rights, the landowner can elect to proceed with development under the Land Development Code in effect on the date of adoption of said Charter amendment.

(Ord. No. 7500, § 1.5, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2005-7899, § 1, 4-4-05)

Secs. 34-6—34-199. Reserved.

ARTICLE II. INTERPRETATION OF THE LAND DEVELOPMENT CODE

Sec. 34-200. Interpretations.

- (a) *Authority.* The Planning and Development Director or designee shall have the authority to make all interpretations of the text of the LDC and the official Zoning Map.
- (b) *Initiation.* An interpretation may be requested by any resident, landowner or any person having a contractual interest in land in Jacksonville Beach.
- (c) *Procedures.*
 - (1) *Submission of request for interpretation.* Before an interpretation shall be provided by the Planning and Development Department, a request for interpretation shall be submitted to the Planning and Development Department in a form established by the Planning and Development Department and made available to the public.
 - (2) *Determination of sufficiency.* Within fifteen (15) working days after a request for interpretation has been received, the Planning and Development Department shall determine whether the request is complete. If the Planning and Development Department determines that the request is not complete, a written notice shall be served on the applicant specifying the deficiencies. The Planning and Development Department shall take no further action on the request for interpretation until the deficiencies are remedied.
 - (3) *Rendering of interpretation.* Within fifteen (15) working days after the request for interpretation has been determined complete, the Planning and Development Department shall review and evaluate the request in light of the Comprehensive Plan, the LDC, and the official Zoning Map, whichever is applicable, consult with the City attorney, and then render an interpretation.
 - a. If there are any inconsistency between this Land Development Code and other enacted documents, the more restrictive regulations carry.
- (d) *Form.* The interpretation shall be in writing and shall be sent to the applicant by email or certified mail.
- (e) *Appeal.*
 - (1) Within thirty (30) days after issuance of a written interpretation by the Planning and Development Department, an applicant with standing may appeal the interpretation to the Circuit Court of appeals of Duval County, Florida.
- (f) *Official record.* The Planning and Development Department shall maintain an official record of the interpretations in the Planning and Development Department, which shall be available for public inspection during normal business hours.

(Ord. No. 7500, § 2.1, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2020-8133 , § 2, 3-2-20)

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Sec. 34-201. Rules of development and redevelopment.

Within the Land Development Code (LDC), the regulations herein shall be observed unless such regulation(s) would be inconsistent with the intent of the City's current Comprehensive Plan.

- (a) *Generally.*
- (1) All provisions, terms, phrases and expressions contained in the LDC shall be liberally construed for the true intent and meaning of the City Council, as established in the Comprehensive Plan, may be fully carried out. Terms used in these regulations, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of the State of Florida and Florida Building Code for the same terms.
 - (2) In the interpretation and application of any provision of the LDC it shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Where any provision of the LDC imposes greater restrictions upon the subject matter than a general provision imposed by the Comprehensive Plan or another provision of the LDC, the provision imposing the greater restriction or regulation shall be the enforceable regulation.
- (b) *Text.* In case of any difference of meaning or implication between the text of the LDC and any figure, the text shall take precedence.
- (c) *Computation of time.* Computation of time means the time within which an act is to be completed. Computation of time shall be computed by excluding the first and including the last day of said time frame. If the last day is a Saturday, Sunday or legal holiday, that day shall be excluded.
- (d) *Delegation of authority.* Whenever a provision appears requiring the head of a department or some other City officer or employee to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate and authorize professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.
- (e) *Non-technical and technical words.* Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- (f) *Exclusivity of uses in Zoning Districts.* The permitted uses, special exceptions, and conditional uses in the Zoning Districts established in Article VI, Zoning Districts, are exclusive, and shall be permitted subject to the standards and procedures of the LDC. If a use is not listed as permissible in a Zoning District, it is considered not permitted.
- (g) *Interpretation of uses in Zoning Districts.* The North American Industry Classification System (as amended) shall be used in interpreting whether a use not expressly identified as a permitted use or a conditional use in a Zoning District is sufficiently similar to those uses identified and should be considered as a permitted use or conditional use in the Zoning District.
- (h) *Interpretation of Zoning District boundaries.* Where uncertainty exists concerning boundaries of Zoning Districts as shown on the official Zoning Map, the following rules shall be used in the interpretation of the Zoning District boundaries.

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- (1) *Center lines.* Boundaries indicated as approximately following the center lines of streets, alleys or highways shall be construed as following such center lines.
- (2) *Lot, section and tract lines.* Boundaries indicated as approximately following platted lot lines, section or tract lines shall be construed as following such lines.
- (3) *Political boundaries.* Boundaries indicated as approximately following political boundaries shall be construed as following such political boundaries.
- (4) *Shorelines.* Boundaries indicated as approximately following shorelines shall be construed as following such shorelines and, in the event of change in the shoreline, shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.
- (5) *Parallel lines.* Where boundaries are approximately parallel to a street, highway, road, alley or railroad right-of-way, the distance of such boundaries from the property line of such street, highway, road alley or railroad right-of-way, shall be, unless otherwise shown by dimensions, one lot depth on lots facing said street, highway, road, alley or railroad right-of-way, or approximately one hundred fifty (150) feet, on acreage and tracts or on parallel lots, to the nearest lot line between lots to conform to adjacent district lines.
- (6) *Bisecting lines.* Where boundaries approximately bisect blocks, the boundaries are the median line of such blocks, between the center lines of boundary streets.
- (7) *Uncertainties.* Where the physical or cultural features existing on the ground are at variance with those shown on the official Zoning Map, or in case any other uncertainty exists, the Planning and Development Department shall interpret the intent of the official Zoning Map as to the location of boundaries.
- (8) *Street abandonments.* Where a public road, street or alley is officially vacated or abandoned, the regulations applicable to the land to which it reverted shall apply to such vacated or abandoned road, street, or alley.
- (9) *Excluded areas.* Where parcels of land and water areas have been inadvertently excluded from a Zoning District classification in any manner, said parcels shall be given a classification by the City Council that is consistent with the Comprehensive Plan. Such cases shall be processed in the same manner as petitions for amendments to the official Zoning Map.

(Ord. No. 7500, § 3.1, 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Secs. 34-203—34-299. Reserved.

ARTICLE III. DEFINITIONS

Sec. 34-300. General.

Terms in the LDC shall have the following definitions.

Abandon shall mean to discontinue a use for more than a specified period of time.

Abandoned sign means a sign that is not operated or maintained for a period of one hundred eighty (180) calendar days or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (1) the sign displays advertising for a product or service which is no longer available, (2) the sign displays advertising for a business which is no longer licensed, or (3) the sign is blank. An *abandoned sign* includes a sign on which is advertised a business that no longer has a certificate of occupancy or that is no longer doing business on the parcel where the sign is located. An *abandoned sign* includes a sign for a purpose for which the purpose has lapsed. If the abandoned sign is on a freestanding sign structure conforming with the city's Land Development Code (LDC) and in compliance with the Florida Building Code, then only the sign face shall be considered abandoned and only the sign face shall be removed. Any replacement sign face must comply with the city's LDC. However, if the abandoned sign is on a freestanding sign structure that is nonconforming with the City's LDC, then both the sign face and the sign structure shall be removed.

Abandoned vehicle shall mean any junked, discarded, or inoperable motor vehicle, including any boat, motorcycle, trailer and the like, with a mechanical or structural condition that precludes its ability for street travel or its intended use, or one that is dismantled, discarded, wrecked, demolished or not bearing current license tags. No such vehicle shall be parked or stored openly in any zoning district unless expressly permitted within that zoning district.

Abutting property shall mean any property that is immediately adjacent to or contiguous to the subject property.

Access, point shall mean a driveway or other opening for vehicles to enter from or exit to a right-of-way. An access point may include multiple ingress and egress lanes and a divider median provided that all features utilize the same apron.

Accessory building means a building which is detached from the main building on the lot and the use of which is subordinate or incidental to that of the main building. For residential districts and land uses, any structure containing a dwelling unit or units shall be considered a principal structure.

Accessory Dwelling Unit shall mean a detached accessory building, or portion thereof, that is used as an ancillary residential unit and is located on the same lot as the principal single-family dwelling. It has a separate kitchen, bathroom, and sleeping area, and it is intended for use by a separate family of occupants.

Accessory use or structure means a use incidental and subordinate to the principal use of a lot or building located upon the same lot. On the same premises with respect to accessory uses and structures shall be construed as meaning on the same lot or on a contiguous lot in the same ownership. Where a building is attached to the principal building by an air-conditioned hallway of no more than 15 feet in length, it shall be considered a part thereof, and not an accessory building.

Acre, gross, means 43,560 square feet.

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Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Adequate public facilities means compliance with Article X, Adequate Public Facility Standards.

Adjacent shall mean next to or adjoining something else.

Adjacent landowner means an owner of land sharing a boundary with another parcel of land.

Adjoining in the context of land shall mean a lot or parcel of land, when the lot or parcel share all or a part of a common lot line. Adjoining in the context of structures shall mean two or more structures sharing all or part of a common wall.

Administration commission means the governor and the cabinet.

Administrator shall mean the City of Jacksonville Beach City Manager, or an administrative official of the City of Jacksonville Beach government designated by the City Manager to administer and enforce the provisions of this chapter.

Adult Living Facility (ALF) means any building or buildings, section of building, or distinct part to a building, residence, private home, boarding home, home for the aged, or other place, whether operated for profit or not, which undertakes through its ownership or management to provide, for a period exceeding 24 hours, housing, food service, and one or more personal services for four or more adults, not related to the owner or administrator by blood or marriage, who require such services; or to provide extended congregate care, limited nursing services, or limited mental health services, when specifically licensed to do so pursuant F.S. § 400.407. A facility offering personal services, extended congregate care, limited nursing services, or limited mental health services for fewer than four adults is within the meaning of this definition if it formally or informally advertised to or solicits the public for residents or referrals and holds itself out to the public to be an establishment which regularly provides such services. This type of facility could be deemed to include Community Residential Homes, Group Homes, Residential Treatment Homes, etc.

Adult day care services means any building, whether operated for profit or not, which undertakes through its ownership or management to provide, for a part of a twenty-four (24)-hour day, the basic services which may include but are not limited to providing a protective setting, social activities, leisure-time activities, self-care training, rest, and nutritional services, to three (3) or more adults, not related to the owner/operator by blood or marriage, who require such services.

Adult entertainment or service facility means an adult bookstore, adult massage parlor, adult motion picture theater or adult dancing establishment.

Advertising means any commercial sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, sales event, activity, entertainment, of real or personal property.

Affected person means persons owning property, residing, or owning or operating a business within the City of Jacksonville Beach, and local governments adjoining Jacksonville Beach that can demonstrate that an amendment of the comprehensive plan as proposed would produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas

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designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written objections during Jacksonville Beach's consideration of a comprehensive plan amendment.

Affidavit attesting to subsequent receipt of certificate of public facilities reservation means an affidavit signed by the applicant that defers the application for a certificate of public facilities reservation until receipt of a final development order for the proposed development, acknowledging that future rights to develop the land are subject to the receipt of a certificate of public facilities reservation and acknowledging that no vested rights are granted by the City of Jacksonville Beach, or acquired by the applicant as it relates to the adequate public facilities standards of Article X, Adequate Public Facility Standards.

Aggrieved or adversely affected person means any person or local government which will suffer an adverse effect to an interest protected or furthered by the comprehensive plan, including interests related to health and safety, police and fire protection systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, or environmental or natural resources. The alleged adverse effect may be shared in common with other members of the community at large but shall exceed in degree the general interest in common good shared by all persons.

Alcoholic beverage means (as provided in F.S. § 561.01) distilled spirits and all beverages containing one-half of one percent or more alcohol by volume.

Alcoholic beverage establishment means any establishment devoted primarily to the sale of alcoholic beverages for consumption on or off-premises, which is licensed by the State of Florida to dispense or sell alcoholic beverages.

Alley means a roadway dedicated to public use or an approved private way, which affords only a secondary means of access to abutting property that is not intended for general traffic circulation.

Alteration means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or moving of a building or structure from one location to another. In the case of a sign, alteration shall include any change of size, shape, illumination, position, construction, or supporting structure.

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, dredging or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Animal hospital. See "Veterinary Service."

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs using electronic ink, signs set in motion by movement of the atmosphere, or made up of a series of sections that turn, including any type of screen using animated or scrolling displays, such as an LED (light emitting diode) screen or any other type of video display.

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Appeal (Flood Zone). A request for a review of the floodplain administrator's interpretation of any provision of this ordinance or a request for a variance.

Applicant shall mean the title owner of record, or his/her authorized representative, of lands that are the subject of a request for a change in zoning classification, a use-by-exception, conditional use, a variance, an appeal, a waiver, a plat, an administrative variance, or any development permit.

Application for development permit means an application submitted to the City of Jacksonville Beach requesting the approval of a development permit.

Appraised value shall mean the value to an improvement or property as determined by the Duval County Property Appraiser or a licensed private appraiser in the manner provided by Florida law.

Approved street means any local street, constructed according to the specifications in Article IX, Subdivision Standards, and accepted by resolution of the City Council of the City of Jacksonville Beach for maintenance purposes.

Aquifer means a groundwater bearing geologic formation, or formations, that contain enough saturated permeable material to yield significant quantities of water.

Arbor shall mean a landscape element solely to support vines, branches or landscape elements, and which does not contain any type of solid roof.

Architectural detail or embellishment means any projection, relief, change of material, window or door opening, exterior lighting, inlay, or other exterior building features not specifically classified as a sign. The term includes, but is not limited to, relief or inlay features or patterns that distinguish window or door openings, exterior lighting that frames building features, and changes in façade materials to create an architectural effect.

Area of shallow flooding means a designated AO or AH Zone on the Jacksonville Beach Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of sign means the square foot area within a continuous perimeter enclosing the extreme limits of the sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of the actual surface area. In the case of painted wall signs composed of letters, shapes, or figures, or skeleton letters mounted without a border, the sign area shall be the area of the smallest rectangle or other geometric figure that would enclose all of the letters, shapes and figures. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than twenty-four (24) inches apart.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in an art form but does not convey the name of the business or a commercial message. All outdoor artwork shall conform to the maximum height restrictions in any particular zone in which it is located. All outdoor artwork shall also conform to any applicable building code and safety standards.

ASCE 24. A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

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Assessed value shall mean the value of an improvement or property as determined by the Duval County Property Appraiser or licensed appraiser in the manner provided by Florida law.

Attached sign means any sign attached to, on, or supported by any part of a building (e.g., walls, awning, windows, or canopy), which encloses or covers useable space.

Attraction, means an indoor or outdoor spectator event or event which includes the sale of tickets and which is held at one or more facilities.

Automatic irrigation system shall mean an artificial watering system with a programmable controller or timing mechanism designed to automatically transport and deliver water to plants.

Automobile wrecking yard ("junkyard") means a lot or group of contiguous lots used for the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or lots of two (2) or more motor vehicles, which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or resale shall constitute prima facie evidence of an automobile wrecking yard.

Automotive Service Station shall mean any facility that performs any type of automotive service or repair with more than two (2) work bays, or any facility that performs the rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles, regardless of work bays.

Auto Laundry means a structure used for the purposes of cleaning or reconditioning the exterior and interior surfaces of automotive vehicles, but not including an incidental one-bay washing facility in a service station where washing facilities are purely incidental to the operation of said service station. A self-operated vehicular laundering facility not requiring attendants or employees, regardless of capacity is also considered to be an auto laundry.

Auxiliary dwelling unit means a one family dwelling unit subordinate in area to, and attached to a structure containing a listed permitted or approved listed conditional use. Minimum floor area of auxiliary dwelling unit is subject to Section 34-615: Residential, multiple family: RM-2 standards for multiple family dwellings.

Available school capacity means that portion of total public school capacity that remains available for the development proposal after the following are subtracted: Current student enrollment; those student stations reserved by a finding of available school capacity; and those student stations reserved for exempt development.

Awning means any secondary covering attached to the exterior wall of a building. It is typically composed of canvas woven of acrylic, cotton or polyester yarn, or vinyl laminated to polyester fabric that is stretched tightly over a light structure of aluminum, iron or steel, or wood.

Awning sign or *canopy sign* means any sign that is a part of or printed, stamped, stitched or otherwise applied onto a protective awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Balcony shall mean a platform enclosed by a wall or balustrade on the outside of a building, with access from an upper-floor window or door.

Bandit sign means the same as a *snipe sign*. See *Snipe sign*.

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Banner shall mean a temporary sign made of wind and weather resistant cloth or other lightweight material, intended to hang either with or without frames or in some other manner as not to be wind activated, and possessing characters, letters, illustrations, or ornamentations applied to paper, plastic or fabric of any kind. Flags shall not be considered banners for the purpose of this definition.

Banner, vertical streetlight means a temporary government sign made of wind and weather resistant cloth or other lightweight material, displaying government speech and hung in the public right-of-way from rods and brackets attached to a government-owned streetlight pole.

Base flood means the flood having a one (1) percent chance of being equaled or exceeded in any year.

Base flood elevation (BFE) shall mean the elevation shown on the FEMA flood insurance rate map for zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AO, V1-V30, AND VE that indicates the water surface elevation resulting from a flood that has a one-percent chance of equaling or exceeding that level in any given year.

Basement means any portion of a building having its floor sub-grade (below ground level) on all sides.

Beacon sign means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar governmental agency. This definition does not apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

Bedroom shall be as defined in F.S. § 381.0065, as may be amended, and means:

- (1) A room that can be used for sleeping and that:
 - a. For site-built dwellings, has a minimum of seventy (70) square feet of conditioned space;
 - b. For manufactured homes, is constructed according to the standards of the United States Department of Housing and Urban Development and has a minimum of fifty (50) square feet of floor area;
 - c. Is located along an exterior wall;
 - d. Has a closet and a door or an entrance where a door could be reasonably installed; and
 - e. Has an emergency means of escape and rescue opening to the outside in accordance with the Florida Building Code.
- (2) A room may not be considered a bedroom if it is used to access another room except a bathroom or closet.
- (3) "Bedroom" does not include a hallway, bathroom, kitchen, living room, family room, dining room, den, breakfast nook, pantry, laundry room, sunroom, recreation room, media/video room, or exercise room.

Bed and breakfast means a limited occupancy visitor accommodation facility consisting of a residential building or group of residential buildings containing a total of not less than four (4) and not

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greater than ten (10) guest rooms and a manager's residence, where visitor occupancy is limited to a maximum of seven (7) consecutive days, where such lodging and a daily meal or meals are provided for compensation, and said meals are served only to resident guests of the inn. Bed and breakfast inns are limited to the adaptive conversion and reuse of, or reproductions of, historically or architecturally unique residential structures, which are compatible with the surrounding neighborhood.

Beer, wine and liquor are defined as provided in F.S. §§ 563.01, 564.01, 565.01, as those Sections may be amended or renumbered from time to time.

Best management practice (BMP) shall mean that methods that have been determined to be the most effective, practical and sound means to achieve an objective related to water supply, stormwater, vegetative, conservation or environmental resource management.

Billboard means an advertising sign or other commercial sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed.

Block means a parcel of land usually bounded on all sides by streets or other transportation routes such as railroad lines, or by physical barriers such as water bodies or public open space, and not traversed by a through street.

Board of adjustment means the Jacksonville Beach Board of Adjustment.

Boarding (lodging) house means a building other than a hotel, where rooms are rented and meals may be provided for compensation. Please also see *Rooming and Boarding House*.

Boatyard means a facility for the construction or major repair of watercraft, including overhaul of hull, engines and other major components.

Bona-fide agricultural production means good faith commercial or domestic agricultural use of the land, any such determination of which shall be based upon, but not limited solely to, the following factors:

- (1) The length of time the land will be so utilized;
- (2) Size of the land, as it relates to specific agricultural use;
- (3) Whether such land is subject to a lease, and if so the effective length, terms and conditions of the lease;
- (4) The intent of the landowner to sell or convert the land for or to nonagricultural purposes;
- (5) The productivity of land in its present use;
- (6) The classification placed upon such lands by the Property Appraiser pursuant to F.S. § 193.461;
- (7) The current zoning classification of such lands.

Bond shall mean any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in any amount and form satisfactory to the City Council. All bonds shall be approved by the City Council wherever a bond is required by this chapter.

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- (1) *Maintenance bond*: Upon issuance of the certificate of occupancy, or when required improvements are installed prior to recording the plat, surety may be required to be posted in the amount of one hundred (100) percent of the original engineer's estimate of the cost of improvements. The condition of this obligation is such that the city will be protected against any defects resulting from faulty materials or workmanship of the aforesaid improvements for a period of one (1) year from the date of any certificate of occupancy or completion.
- (2) *Performance bond*: When required improvements are installed after recording the plat, surety may be required to be posted in the amount of one hundred and twenty-five (125) percent of the engineer's estimate of costs.

Borrow pit means an excavation in the earth from which natural materials are removed for use off-site and a hole or pit is thereby created which has a depth greater than 15 feet as measured from the mean elevation of the uppermost rim of the excavation. An operation where earth materials are moved from one location to another on the same site shall not be construed to be a borrow pit usage even though a permanent pit may remain.

Boutique shall mean any retail and dining establishments selling clothing, specialty food goods, gifts, coffees and antiques, located in a freestanding building not more than two (2) stories in height and not containing more than two thousand (2,000) square feet on either floor.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Buffer shall mean the required treatment of areas between different classifications of uses or incompatible uses. Buffers may incorporate the combinations of landscaping, open space or fences.

Buffer strip means a strip of land, identified on a site plan or by zoning ordinance requirement, established to protect one type of land use from another land use that may be incompatible. The area is landscaped, maintained and kept in open space.

Buffering. See "Screening."

Buildable area means that portion of a lot remaining after required yards have been provided. Buildings may be placed in any part of the buildable area but limitations on the percentage of the lot which may be covered by buildings may require open space within the buildable area.

Building means a structure having a roof supported by columns or walls, that is designed or built for support, enclosure, shelter or protection of any kind.

Building code means the Florida Building Code.

Building height means the vertical distance between the elevation of the crown of the road of the nearest adjacent roadway at the center of the front of the building; and either the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge for hip, gable, and gambrel roofs.

Building line means a line across a parcel of land that is the distance a structure must be set back from a lot boundary line, street center line or right-of-way, as defined in Article VII, Zoning Districts, for the zoning district in which the parcel is located.

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Building official means the appointed individual in charge of the Building Division of the Jacksonville Beach Planning and Development Department.

Building permit means a permit required by the Florida Building Code for the construction of or addition to a structure, the installation of a mobile home, or a final development order for those improvements to land not requiring building permits or permits for mobile home installation. Building permits shall include those permits which allow the installation for location of a mobile home or a recreational vehicle to a site or lot.

Building, principal shall mean a building within which is conducted the principal use of the lot or property upon which the building is situated.

Building restriction line (BRL) shall mean the line(s) extending across the front, sides and/or rear of a lot or the property, as depicted on a platted lot of record. Buildings shall be contained within building restriction lines. Building restriction lines, which may require a greater building setback than the minimum yard requirement of the applicable zoning district, and which have been recorded upon a final subdivision plat approved and accepted by the City, shall be enforceable by the City.

Bus stop informational sign means a freestanding or attached noncommercial government sign erected by a public transit agency, which is located at an official bus stop and providing information as to the route, hours or times of service.

Bus Terminal means any premises for the storage or parking of buses or the loading or unloading of passengers, excluding public transportation service offered by a public entity.

Business or professional office means an office for such operations as real estate agencies, advertising agencies (but not sign shops), insurance agencies, travel agencies and ticket sales, chambers of commerce, credit bureaus, abstract and title insurance companies, management consultants, stockbrokers and the like; or an office for the use of a person generally classified as a professional such as an architect, engineer, attorney, accountant, doctor, dentist, bail bond agent or agency, psychiatrist, psychologist and the like, building trades contractor or a business office for corporation headquarters and administrative functions of a business as long as the office limits its equipment to standard office equipment such as copiers, furniture, telecommunications equipment and the like and provided there is no on-site storage of nonoffice equipment, machinery, materials, vehicles or any equipment not associated with the office function of the business. No materials shall be used by the business other than office products. For the purpose of this Code, a barber or beauty shop shall not be deemed a business or professional office.

Cabinet sign means a sign that contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be illuminated.

Caliper means the trunk diameter of existing or planted trees. Caliper shall be measured six inches above the ground for trees up to and including four inches in caliper, and measured 12 inches above the ground for trees exceeding four inches in caliper. If the tree has a very enlarged irregular base, then the caliper measurement shall be taken up where the trunk has a more regular circumference, but in no case higher than four and one-half feet above the ground. If the tree forks between ground level and two feet above ground level, then the tree shall be considered a multi-trunked tree. Caliper for multi-trunked trees shall be determined by measuring each trunk immediately above the fork and adding the total caliper of all trunks.

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Camp or RV Park means a duly licensed camp, park or other area established to carry on the business of parking or otherwise servicing travel trailers (recreational vehicles or motor homes). The development plan and all sanitary facilities of a travel park must conform to the requirements of the state and county health authorities.

Canopy means an overhead roof or structure that is able to provide shade or shelter.

Capital improvement shall mean physical assets constructed or purchased to provide, improve, or replace a public facility or public infrastructure. The cost of a capital improvement is generally nonrecurring and may require multiyear budgeting and financing. For these Land development regulations, physical assets which have been identified as existing or projected needs in the Capital Improvement Element in the City's Comprehensive Plan shall be considered capital improvements.

Capital improvement element ("CIE") means the capital improvement element of the comprehensive plan.

Car wash shall mean a facility used principally for the cleaning, washing, polishing, or waxing of motor vehicles, but shall not include any type of repair or servicing of motor vehicles or the dispensing of automotive fuels. Any parcel containing a car wash shall provide a minimum setback of 100 feet from the lot line of any parcel that is residentially zoned or used and shall be treated as a vehicle use area requiring landscaping in accordance with this code.

Carport means a roofed structure providing space for parking or storage of motor vehicles enclosed on not more than two (2) sides.

Cemetery shall mean land used or intended to be used for the burial of animal or human remains and dedicated for cemetery purposes and may include mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

CERCLA means the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended.

Certificate of occupancy or certificate of completion shall mean that certificate issued by the City of Jacksonville Beach subsequent to final inspection by the building official verifying that all improvements have been completed in conformance with the requirements of this chapter, any final subdivision plat, and the approved construction plans and the Florida Building Code.

Certificate of public facilities reservation means a written determination, issued by the planning and development director, verifying the current availability of a minimum level of road, potable water, sanitary sewer, solid waste collection, stormwater management, and recreation and open space facilities to serve the proposed project concurrent with the development of that project pursuant to the requirements of Art. X, Adequate Public Facilities Standards.

Certified survey shall mean a survey, sketch plan, map or other exhibit containing a written statement regarding its accuracy or conformity to specified standards certified and signed by the registered surveyor under whose supervision said survey was prepared. Certified survey is inclusive of all types of surveys as may be required by these Land development regulations.

Changeable copy sign means a sign with the capability of content change by means of manual or remote input, including the following types:

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- (1) *Manually activated.* Changeable sign whose message copy can be changed manually on a display surface.
- (2) *Electronically activated.* Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices, or may be from an external light source designed to reflect off of the changeable component display. See also *Electronic message sign.*

Change of occupancy means a discontinuance of an existing use and the substitution therefor of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

Change of Use shall mean discontinuance of an existing use and the substitution of a different use as classified by these Land development regulations. In the case of question regarding use, such use shall be determined based upon the Standard Industrial Classification (SIC) Code Manual issued by the United States Office of Management and Budget.

Character means any symbol, mark, logo, or inscription.

Child day care services means an establishment, licensed by the DCF, which provides non-resident day or night care for more than six (6) children on a fee basis. The term includes day nurseries, day care centers, day care agencies, nursery schools, or play schools, but not foster homes or community-based residential facilities.

Church means a building used principally as a place wherein persons regularly assemble for religious worship, including sanctuaries, chapels and cathedrals and on-site buildings adjacent thereto, such as parsonages, friaries, convents, fellowship halls, Sunday schools and rectories, but not including day care centers, community recreation facilities, and private primary and/or secondary educational facilities.

City means the City of Jacksonville Beach.

City council means the City Council of the City of Jacksonville Beach, Florida.

Clinic, medical or dental means an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one (1) person or a group of persons practicing any form of medical care, whether such persons are medical doctors, chiropractors, osteopaths, chiropodists, naturopath, optometrists, dentists or any such profession, the practice of which is lawful in the State of Florida.

Cluster housing means a residential development pattern with structures arranged in closely related groups such as around cul-de-sac, instead of spreading housing uniformly over a tract, where the remainder of the land is commonly maintained open space. Control takes place through zoning by density.

Coastal construction control line (CCCL) shall mean the line as determined by the Florida Department of Environmental Protection (FDEP) and regulated under authority of the Beach and Shore Preservation Act, Chapter 161, Florida Statutes, which is administered by the FDEP.

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Coastal construction setback line means a line landward of the mean high water line at any riparian coastal location fronting the Atlantic coast shoreline, exclusive of bays, inlets, rivers, bayous, creeks, passes and the like. No construction in this area shall be allowed unless a permit is obtained from the DEP.

Coastal High Hazard Area (CHHA) - The Coastal High Hazard Area (CHHA) for Jacksonville Beach shall consist of the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model (Sec. 163.3178(2)(h), F.S.) as depicted in the 2050 CHHA Map.

Code shall mean the Municipal Code of Ordinances for the City of Jacksonville Beach, Florida.

Code enforcement board means the board appointed and vested with the authority to enforce local codes and ordinances pursuant to F.S. Ch. 162.

Code enforcement officer, official or inspector means any designated employee or agent of the City of Jacksonville Beach whose duty it is to enforce codes and ordinances enacted by the City of Jacksonville Beach.

Collective registration means a short-term vacation rental registration certificate issued by the City of Jacksonville Beach to a licensed agent who represents a collective group of short-term vacation rental units found on separate locations. A collective registration may not be issued for more than seventy-five (75) short-term vacation rental units per registration certificate.

Color means any distinct tint, hue or shade including white, black or gray.

Commercial fertilizer applicator, except as provided in F.S. § 482.1562(9), means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicator.

Commercial message means any sign wording, copy, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, commodity, service, sale, sales event, activity, entertainment or other commercial activity.

Commercial recreational facility means a licensed business for recreational facilities such as a shooting gallery, outdoor skating rink, amusement park, go kart track, miniature golf course and similar uses.

Commercial vehicle means any motor vehicle licensed by the state as a commercial vehicle, any vehicle designed for a commercial or industrial function, or any vehicle marked with commercial advertising.

Common ownership means a shared interest in real property by the same person, or any persons related by marriage or blood within an immediate family including parents, spouses, siblings and children.

Communication tower means a tower which supports communication equipment (such as Radio, TV or Telecommunications for either transmission or receiving). The term "communication tower" shall include amateur radio operators' equipment, including citizen's band (CB), VHF and UHF Aircraft/Marine, and other similar operators. Design examples of communication towers are described as follows: (i) self-supporting lattice; (ii) guyed; and (iii) monopole.

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Community center means a building or land open to the public and used for recreational, social; educational, and cultural activities, usually owned and operated by a public or nonprofit group or agency.

Compatibility shall mean a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Compatibility setback ("buffer") means a strip of land used to visibly separate one (1) use from another or to shield or block noise, light, or other nuisances.

Completely enclosed building means a building separated on all sides from adjacent open space or from other buildings or structures by a permanent roof and by exterior walls or party walls which are pierced only by windows and normal entrance or exit doors.

Comprehensive Plan - The comprehensive plan is the guiding document of the City, required per State Statutes, that establishes the visions, intents and strategies for the future economic, social, physical, environmental and fiscal development of the City that reflects community commitments to implement the plan and its elements.

Computation of time. Computation of time means the time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded.

Concurrency service area or CSA means the area within the corporate limits of the City of Jacksonville Beach, Florida.

Conditional Letter of Map Revision (CLOMR). A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Conditional use means a use which is generally not compatible with the other land uses permitted in a zoning district, but with individual review and control of its location, design, configuration and intensity and density of use, buildings and structures, and the imposition of conditions pertinent thereto in order to ensure the appropriateness of the use at a particular location, may be permitted in the zoning district as a conditional use pursuant to the procedures and standards of Section 34-546, et seq.

Condominium means a building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all of the owners on a proportional, undivided basis.

Conservation-Protected – All undeveloped estuarine wetland areas, any undeveloped area within a fifty-foot strip upland of the designated estuarine wetland area, the sandy portion of the beach, and any areas landward of the sandy beach designated by the Federal Emergency Management Agency as lying within a V or velocity coastal hazard zone.

Conservation-restricted land means all designated palustrine or upland wetland areas and any areas designated by the Federal Emergency Management Agency as lying within an A or special flood hazard area.

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Construction, actual or start includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Construction plans shall mean the construction and engineering drawings, specifications, tests and data necessary to show plans for construction of the proposed improvements to land and shall be in sufficient detail to permit evaluation of the proposals and to determine compliance with the Florida Building Code and City's Code of Ordinances.

Construction sign means a temporary sign erected or placed on premises on which construction is taking place during the period of such construction indicating the names of owners, architects, engineers, landscape architects, contractors, artisans, financial supporters, or others having a role or interest with respect to the structure or project.

Contiguous means a sharing of a common border at more than a single point of intersection.

Contributing structure means a building or structure which is:

- (1) At least 50 years old;
- (2) Within the boundaries of a designated Historic District;
- (3) Contributing to the historic or architectural character of the district; and
- (4) Identified by the City Council in its designation of the Historic District.

Convenience store shall mean an establishment of no less than 2,000 square feet and no more than five thousand (5,000) square feet of conditioned space used for the retail sale of consumable goods and may include sit-down restaurant areas.

Copy means the linguistic or graphic content of a sign.

Corner lot. See "lot, corner."

Cost per student station estimate means, for each type of public school facility, an estimate of the cost of providing public school facilities for a public school student, as established in the school district's work program. "Cost per student station estimates" shall include all costs of providing instructional and core capacity including land, design, buildings, equipment and furniture, and site improvements. The cost of ancillary facilities that generally support the school district and the capital costs associated with the transportation of students shall not be included in the cost per student station estimate used for proportionate share mitigation.

Covenants shall mean various forms of agreements and deed restrictions recorded in the public records that restrict the use of property.

Cul-de-sac shall mean a street terminated at the end in a vehicular turnaround.

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Cultivated landscape area means planted areas that are frequently maintained by mowing, irrigating, pruning, fertilizing, etc.

Curb level means the permanently established elevation or grade of the curb top in front of a lot.

Current student enrollment means the number of students enrolled in all existing public school facilities operated by the school district in a given school year.

Dancing entertainment establishment has the exact same meaning as set forth in Section 151.103 (Definitions), Ordinance Code.

Day. Day means a working weekday unless otherwise stated.

D.C.A. or Department of Community Affairs means the Florida Department of Community Affairs and its successor the Florida Department of Economic Opportunity.

DCF or Department of Children and Families.

D.E.P. means the Florida Department of Environmental Protection.

Decoration means any decoration visible from a public area that does not include lettering or text and is not displayed for commercial advertising.

Delegation of authority. Whenever a provision appears requiring the head of a department or some other city officer or employee to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate and authorize professional-level subordinates to perform the required act or duty unless the terms of the provision or Section specify otherwise.

Density means the number of dwelling units divided by the gross area of the land on which such dwelling units are located. Where used in the LDC, density shall mean gross density. Gross density includes all the land within a particular area excluding nothing.

Department means the Planning and Development Department.

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet. [Also defined in FBC, B, Section 1612.2.]

Detention and retention ponds mean basins designed to temporarily store stormwater runoff. Detention ponds attenuate and slowly release stormwater into the outfall boundaries. Retention ponds attenuate 100% of the captured runoff and release it into the ground via percolation or infiltration over time.

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Developed area shall mean any platted or occupied section of the city abutting a public right-of-day in which twenty-five (25) percent of the lots in a block or tract have been developed by the building of a residential or commercial structure.

Developer means the legal or beneficial owner of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land, including a governmental agency undertaking any development.

Development means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land or the dividing of land into three (3) or more parcels.

- (1) The following activities or uses shall be taken for the purposes of these regulations to involve "development:"
 - a. A reconstruction, alteration of the size, or material change in the external appearance of a structure on land or water.
 - b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
 - c. Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including "coastal construction" as defined in F.S. § 161.021.
 - d. Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
 - e. Demolition of a structure.
 - f. Clearing of land as an adjunct of construction.
 - g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- (2) For the purpose of these regulations the following operations or uses shall not be taken to involve "development:"
 - a. Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.
 - b. Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewer mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracts, or the like.
 - c. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
 - d. The use of any structure or land devoted to dwelling units for any purpose customarily incidental to enjoyment of the dwelling.

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- e. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the class.
- f. A change in the ownership or form of ownership of any parcel or structure.
- g. The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land unless otherwise specifically required by law.

Development agreement means an agreement entered into between the City of Jacksonville Beach and a person associated with the development of land pursuant to F.S. § 163.3220.

Development order means any order granting or granting with conditions an application for development permit.

Development parcel, or development site (see also definition for single development parcel) shall mean the contiguous or adjacent lands, lots or parcels for which a unified development project is proposed. In the case where more than one (1) parcel, platted lot or lot of record has been combined and developed as a single development parcel, such lots shall not later be developed as single lots unless all requirements for development as single lots shall be met including, but not limited to, lot area, lot width, impervious surface ratio limitations, and provision of all required yards for all structures. The construction of a fence does not constitute the creation of single lots.

Development permit means an amendment to the official zoning atlas, a planned unit development (PUD) zoning district classification, a redevelopment district (RD) zoning district classification, a conditional use, a development plan, subdivision approval, a variance, a building permit or any other official action of the city having the effect of permitting the development of land.

Development plan shall mean a planning document that integrates plans, orders, agreements, designs, and studies to guide development as herein defined and may include, as appropriate, authorized land uses, authorized amounts of horizontal and vertical development, and public facilities, including local and regional water storage for water quality and water supply.

Development proposal means an application for any approval of the following types of residential development, or a phase thereof or amendments thereto: (1) final subdivision plat approval; or (2) development plan approval.

Development of regional impact ("DRI") means any development, exceeding the thresholds established by the State of Florida pursuant to F.S. Ch. 380.06, which because of its character, magnitude or location would have a substantial effect on the health, safety, or welfare of the citizens of more than one county.

Diameter breast height (DBH) means the trunk diameter of an existing tree measured four and one-half (4½) feet above the average ground level at the tree base. If the tree forks between four and one-half (4½) and two (2) feet above ground level, it shall be measured below the swell resulting from the fork. Trunks that fork below two (2) feet above ground level, shall be considered multi-trunk trees. DBH for multi-trunk trees shall be determined by adding together the DBH of the two (2) largest trunks four and one-half (4½) feet above the ground.

Directional or directing sign means an on-premise incidental sign not exceeding a maximum of four square feet in area designed to guide or direct pedestrian or vehicular traffic for information only. Such

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signs shall not contain any form of advertisement and shall not be included in calculating the maximum area or the number of signs under the Ordinance Code.

Director means the planning and development director or the director's designee.

Discontinued sign means a sign that is not operated or maintained for a period of one hundred eighty (180) calendar days or longer, and the intent of the owner of the sign shall not be a consideration in whether or not the sign is a *discontinued sign*. The following conditions shall be conclusively considered as the failure to operate or maintain a sign: (1) a sign displays advertising for a product or service which is no longer available, or (2) a sign displays advertising for a business which is no longer licensed, or (3) the sign is blank. A *discontinued sign* includes a sign advertising a business that no longer has a certificate of occupancy or that no longer does business at the location at which the sign is located. A *discontinued sign* includes a sign for a purpose for which the purpose has lapsed. If the discontinued sign is on a freestanding sign structure that is conforming with the city's Land Development Code (LDC) and in compliance with the Florida Building Code, then only the sign face will be considered discontinued; however, if the discontinued sign is on a freestanding sign structure that is either nonconforming with the city's LDC or out of compliance with the Florida Building Code, then freestanding sign structure shall be removed.

District shall mean zoning district classifications as established by the official zoning district boundary map and as set forth within Article 3 of this chapter.

Double-faced sign means a sign which has two display surfaces backed against the same background, one face of which is designed to be seen from one direction and the other from the opposite direction, every point on which face being either in contact with the other face or in contact with the same background.

Drainage, where appropriate, shall include, but not be limited to, swales, ditches, storm sewers, seepage basins, culverts, side drains, retention or detention basins, cross drains and canals.

Drip line means a vertical line extending from the outermost branches of a tree to the ground.

Drive-in establishment means a business establishment wherein patrons are usually served while seated in parked vehicles on the same lot. This definition shall be deemed to include "drive-in restaurants," which are more completely described in this Section, as well as drive-in service establishments, including banks, carwashes, and dry cleaners that provide this service, and automobile service stations.

Drive-through lane sign shall mean a sign oriented to vehicles utilizing a drive-through lane at an establishment.

Driveway means a short private road that leads to a house or garage and maintained by an individual or group.

Dwelling means a building or portion thereof designed exclusively for residential occupancy, including single family, two-family or duplex, townhouses, and multiple family dwellings, but not including hotels, boarding or lodging houses, or mobile homes, whether such mobile homes are movable or anchored in a stationery fashion.

Dwelling, attached means a housing unit connected to another housing unit, generally with a shared wall, that provides living space for one household or family. Attached houses are considered

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single-family houses as long as they are not divided into more than one housing unit [per lot](#), and they have an independent outside entrance. A single-family house is contained within walls extending from the ground floor to the roof. Townhouses, rowhouses, and duplexes are considered single-family attached housing units, as long as there is no household living above another one within the walls extending from the ground floor to the roof to separate the units.

Dwelling, multiple family means a structure containing two (2) or more dwelling units.

Dwelling, single-family means the use of land for only one (1) dwelling unit, other than a mobile home, that is developed with open yards on all sides of the dwelling unit. This use includes manufactured single-family units certified by the Florida Department of Community Affairs to be in compliance with the Florida Manufactured Building Act of 1979, Part 4, F.S. Ch. 553. [Urban single-family refers to the location of the dwelling within the city's boundaries.](#)

Dwelling, townhouse means a structure of two (2) or more single-family units separated by party walls in which each unit has its own front and rear access to the outside and no unit is located over another unit. The party walls separating the dwelling units shall be fire resistant and shall extend to the roof line of the structure and shall have no openings therein.

Dwelling unit means a building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people; no portion of which building interior, including any kitchen, shall be designed, arranged or closed off in a manner that eliminates interior access to or exit therefrom. This use includes manufactured single-family units certified by the Florida Department of Community Affairs to be in compliance with the Florida Manufactured Building Act of 1979, Part 1, Ch. 553, F.S. Buildings with more than one (1) kitchen or set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are located outside of any building and are clearly accessory, such as an outdoor grill.

Dwelling, zero (0) lot line detached means the use of land for only one dwelling unit, which is not attached to any other dwelling unit that has one (1) wall located on one (1) interior side lot line.

Easement means a grant of the use of land by the land owner to any person, or to the general public for a specified purpose.

Eaves means the lowest horizontal line of a sloping roof.

Educational services means different establishments providing a variety of academic or technical instruction on the elementary, secondary, junior college, college, university, professional, or vocational level.

Egress means an exit.

Electric charging station shall mean a parking space or portion of a property containing a device used to transmit electricity to the batteries of motor vehicles.

Electric vehicle (EV) shall mean a type of vehicle that is powered entirely or partially by electricity. Instead of a traditional internal combustion engine that runs on gasoline, EV's use an electric motor to draw power from batteries or fuel cells.

Electric vehicle (EV) parking space shall mean a parking spot reserved for electric vehicles. EV parking spaces are often marked with signs and have EV chargers nearby.

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Electronic message sign means an electronically activated changeable copy sign whose variable message capability can be electronically programmed.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

Elevation certificate shall mean a survey of the elevation of the lowest finished floor and adjacent ground in the local floodplain datum as required by Federal Emergency Management Agency (FEMA). Elevation certificates shall be prepared and certified by a land surveyor, engineer, or architect who is authorized by the state or local law to certify elevation information.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Engineer means a professional engineer registered to practice by the State of Florida.

Enlargement or expansion shall mean an increase in size of any development that requires a development permit.

Environmental assessment shall mean a study and a written report prepared in accordance with the State of Florida's approved methodology for wetlands determination in accordance with Section 373.421, F.S. and Section 62-340.300, FAC for verification and identification of environmental and habitat characteristics.

Environmentally sensitive areas shall include lands, waters or areas within the City of Jacksonville Beach which meet any of the following criteria:

1. Wetlands determined to be jurisdictional, and which are regulated by the Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers, or the St. Johns River Water Management District (SJRWMD);
2. Estuaries or estuarine systems;
3. Outstanding Florida Waters as designated by the State of Florida and natural water bodies;
4. Areas designated pursuant to the Federal Coastal Barrier Resource Act (PL97-348), and those beach and dune areas seaward of the coastal construction control line;
5. Areas designated as conservation on the future land use map;
6. Essential habitat to listed species as determined by approved methodologies of the Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, the U.S. Fish & Wildlife Service, and the FDEP.

E.P.A. means the United States Environmental Protection Agency.

Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any way bring into being or establish: but it does not include any of the foregoing activities when performed as an incident to the change of message or customary maintenance or repair of a sign.

Erosion and sediment control measures mean techniques and best practices that are implemented during construction of land improvements to prevent/minimize erosion and the transport of sediment

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into stormwater systems and surface waters. Examples include silt fences, hay bales, sediment basins, and floating turbidity curtains.

Essential public services means the erection, construction, alteration, or maintenance of underground, surface or overhead utility installations of water, sewer, gas, telephone and electrical systems and the equipment and appurtenances such as substations and lift stations necessary for such systems to furnish an adequate level of service.

Excavation means the digging, stripping or removal by mechanical process from their normal location of natural earth materials, including rock, stone, minerals, shell, sand, clay, marl, muck and soil, creating a hole, including borrow pits. The excavation may not include any type of processing; manufacturing or other activity that converts the natural materials into a product, unless the activity is a permitted use in the district or is specifically approved by exception.

Exceptional specimen tree means any tree which is determined by the city council to be of unique and intrinsic value to the general public because of its size, age, historic association, or ecological value, or any tree designated a Florida State Champion by the American Forestry Association. The planning and development director shall keep a record of all specimen trees and their location.

Exempt development means a development that creates additional impact on public school facilities, but which is not required to receive a finding of available school capacity because it received site plan or final subdivision approval prior to the effective date of this ordinance, and the approval has not expired and remains valid. Approved developments of regional impact are exempt development. Developments of regional impact that submitted applications prior to May 1, 2005, or received approvals are also exempt development.

Existing building and existing structure. Any buildings and structures for which the "start of construction" commenced before March 15, 1977. [Also defined in FBC, B, Section 1612.2.]

Existing grade means the elevation of the ground in its natural state, before man-made alterations, including the deposition of fill, adjacent to and within two (2) feet of the proposed exterior walls of a structure.

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before March 15, 1977.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Façade means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Family means any number of individuals related by blood, marriage or legal adoption, and no more than four (4) persons not so related living together as a single housekeeping unit.

Family day care home means an occupied residence in which child care is regularly provided for children and which receives a payment, fee, or grant for any of the children receiving care, whether or

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not operated for profit. A family day care home shall be allowed to provide care for one of the following groups of children:

1. A family day care home may care for a maximum of five preschool children from more than one unrelated family and a maximum of five elementary school siblings of the preschool children in care after school hours. The maximum number of five preschool children includes preschool children in the home and preschool children received for day care who are not related to the resident caregiver. The total number of children in the home may not exceed ten under this paragraph; or
2. When the home is licensed and provisions are made for substitute care, a family day care home may care for a maximum of five preschool children from more than one unrelated family, a maximum of three elementary school siblings of the preschool children in care after school hours, and a maximum of two elementary school children unrelated to the preschool children in care after school hours. The maximum number of five preschool children includes preschool children in the home and preschool children received for day care who are not related to the resident caregiver. The total number of children in the home may not exceed ten under this paragraph; or
3. When the home is licensed and provisions are made for substitute care, a family day care home may care for a maximum number of seven elementary school children from more than one unrelated family in care after school hours. Preschool children shall not be in care in the home. The total number of elementary school children in the home may not exceed seven under this paragraph.

Feather sign or flutter sign means a sign extending in a sleeve-like fashion down a telescoping or fixed pole that is mounted in the ground or on a building or stand. A feather sign or flutter sign is usually shaped like a sail or feather and attached to the pole support on one vertical side.

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Fence means an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Finding of available school capacity means a determination by the school district designee that public school concurrency has been achieved based on the projected impacts of the development proposal. A finding of available school capacity may be based upon an executed proportionate share mitigation agreement.

Finding of no available school capacity means a determination by the school district designee that public school concurrency has not been achieved based on the projected impacts of the development proposal and the failure of the applicant to proffer an acceptable proportionate share mitigation agreement.

Finished floor elevation (FFE) shall mean the surface elevation of the lowest finished floor of a building. Minimum required finished floor elevation is established by the FEMA insurance rate map (FIRM) and expressed as the minimum elevation of the top of the first floor of a building.

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Finished grade or finished elevation means the elevation of the ground surface upon the completion of any construction, immediately adjacent to and within two (2) feet of the exterior walls of a structure.

Fixed aerial advertising sign means any aerial advertising medium that is tethered to or controlled from the ground.

Flag means a temporary sign consisting of a piece of cloth, fabric or other non-rigid material.

Flag pole means a pole on which to raise a flag.

Flashing sign means any illuminated sign, on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purposes of this definition, any moving illuminated sign affected by intermittent lighting shall be deemed a flashing sign.

Flat sign. See *wall sign*.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry lands from the overflow of inland or tidal water or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
 1. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the floodplain manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

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Floodway means the channel of a river or other watercourse and the adjacent lands that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway encroachment analysis. An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Floor means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area means, except as specifically indicated in relation to particular districts and uses, the sum of the gross horizontal areas of several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, excluding attic areas with a headroom of less than seven feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating, heating or other building machinery and equipment, parking structures and basement space where the ceiling is not more than an average of 48 inches above the general finished and graded level of the adjacent portion of the lot.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Footprint means everything under a roof including the eave.

Foster care home means any facility, licensed by the DCF, which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet residents' physical, emotional, and social life needs of the residents. The family foster care home is a service designed to provide substitute family and parenthood relationships to foster care children. Delinquent children, alcohol and drug abusers, and dangerous mentally ill persons are excluded from this definition.

Fraternal club or lodge means those associations and organizations of a civic, fraternal or social character not operated or maintained for profit, for which there is restricted public access or use.

Free-standing (ground) sign means a detached sign which shall include any signs supported by uprights or braces placed upon or in or supported by the ground and not attached to any building. A free-standing (ground) sign may be a pole sign or a monument sign.

Frontage, building means the maximum width of a building measured in a straight line parallel with the abutting street, public parking lot, or pedestrian walkway.

Frontage, lot means the horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. All sides of a lot that abut a street shall be considered lot frontage.

Functionally dependent facility means a facility that cannot be used for its intended purpose unless it is located or carried out close to water, such as a docking or port facility necessary for the loading and

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unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufactured sales, or service facilities.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Future land use map means the figure entitled "Future Land Use Map 2010, City of Jacksonville Beach, Florida" included as part of the future land use element of the Jacksonville Beach Comprehensive Plan, adopted pursuant to F.S. § 163.3161, et seq., as amended.

Garage means an accessory building or part of the main building used for the parking or storage of four (4) automobiles or less, used by the occupants of the main building.

Garage, apartment building shall mean a building, designed and intended to be used for the housing of vehicles, belonging to the occupants of an apartment building on the same property.

Garage, public shall mean a building or portion thereof, other than a private garage, designed or used for the parking, storage and hiring of motor vehicles.

Gas station shall mean establishments used for the retail sale of gasoline, diesel, propane, hydrogen or other fuels intended for use in motor vehicles.

Gender. Words importing the masculine gender shall be construed to include the feminine and neuter.

Governing body means the City Council of the City of Jacksonville Beach, Florida.

Government sign shall mean any temporary or permanent sign erected by or on the order of a public official or quasi-public entity at the federal, state or local government level in the performance of any duty including, but not limited to, noncommercial signs identifying a government building or service, traffic control signs, street name signs, street address signs, warning signs, safety signs, informational signs, traffic or other directional signs, public notices of events, public notice of government actions, proposed changes of land use, any proposed rezoning, or any other government speech.

Government use means any use which aids in the function of local, state and federal government. Such uses shall include but not be limited to branch government, government owned buildings, post offices, and community centers.

Grade, calculated average shall mean the average elevation of a site calculated prior to: any development; redevelopment; or any future topographic alteration of a site.

Grade, established shall mean the elevation of a site after any duly authorized and approved fill, excavation or topographic alterations have been completed.

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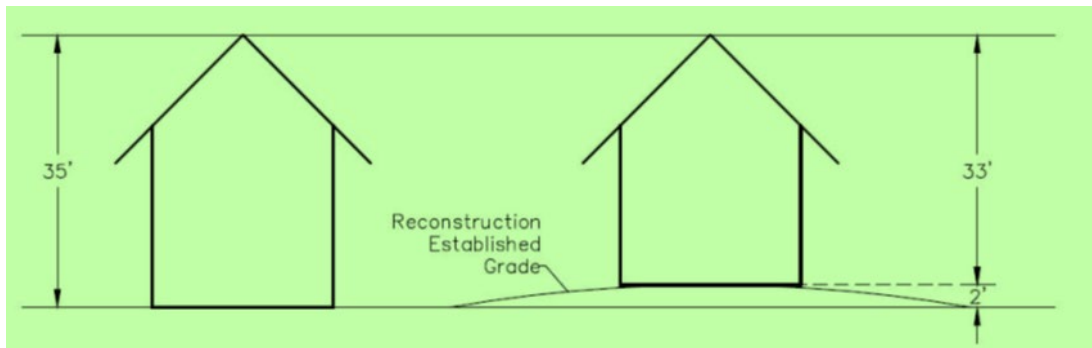


Figure 34-300.1: Grade, established

Grade, preconstruction shall mean the elevation of a site prior to development, redevelopment, or any topographic alterations.

Gross area means an entire area without exception.

Ground cover means a low-growing herbaceous or woody plant other than turf, not over two (2) feet high, planted in such a way as to cover the ground. Native ground cover such as dune sunflower are the preferred material.

Groundwater means water that fills all the unblocked voids of underlying material below the natural ground surface, which is the upper limit of saturation, or water which is held in the unsaturated zone by capillarity.

Group home, developmentally or physically disabled means a dwelling unit licensed to serve clients of DCF, providing a living environment for residents who operate as the functional equivalent of a family, including supervision and care by support staff as may be necessary to meet the physical, emotional, and social life needs of residents. A developmentally-disabled resident is a person with a disorder or syndrome which is attributable to retardation, cerebral palsy, autism or spina bifida and which constitutes a substantial handicap that can reasonably be expected to continue indefinitely. A physically-disabled resident is a person who has a physical impairment which substantially limits one (1) or more major life activities, or who has a record of having, or is regarded to have such physical impairment.

Group home, elderly-oriented means a dwelling unit licensed to serve clients of the DCF, providing a living environment for elderly residents who operate as the functional equivalent of a family, including supervision and care by support staff as may be necessary to meet the physical, emotional, and social life needs of residents. An elderly resident is any person age sixty (60) and over who is currently a resident of the state and who, because of a functional impairment, requires personal assistance with the activities of daily living but does not require nursing home or institutional care.

Halfway house means a licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Hedge means a landscape barrier consisting of a continuous, dense planting of shrubs.

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Height, Building means the vertical distance between the elevation of the crown of the road of the nearest adjacent roadway at the center of the front of the building; and either the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge for hip, gable, and gambrel roofs.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic landmark means a building or structure which is at least 50 years old and meets at certain criteria that has been so designated by the City Council, and shall include the location of any significant archeological features or an historical event.

Historic landmark site means the land on which a historic landmark and related buildings and structures are located and the land that provides the grounds, the premises or the setting for the historic landmark.

Historical structure means any of the nine (9) structures identified by the Jacksonville Historical Landmark Commission in the City of Jacksonville Beach, Florida's Comprehensive plan document.

Holographic display sign means an advertising display that creates a three-dimensional image through projection, OLED (organic light emitting diode), or any similar technology.

Home for the aged, see nursing or personal care [facility](#)

[*Home based business* means a business that operates in whole, or in part, from a residential property and meets the criteria in Florida Statutes Section 559.955.](#)

~~*Home occupation, type I* means a home occupation use in which no persons other than members of the family residing on the premises are engaged in the occupation, which has no visible exterior evidence of the conduct of the occupation, which does not create need for off-street parking beyond normal dwelling needs, which does not generate additional traffic, and in which no equipment is used other than that normally used in household, domestic or general office use.~~

~~*Home occupation, type II* means a home occupation use in which not more than one (1) person other than members of the family residing on the premises is employed on the premises, which has not more than one (1) unilluminated sign not exceeding one (1) square foot in area as visible exterior evidence of conduct of the occupation, and which accommodates both dwelling and home occupation parking needs off the street.~~

Hospital means a building or group of buildings having facilities, including beds, for overnight care of one or more human patients and providing services to inpatients and medical care to the sick and injured, which may include as related facilities laboratories, outpatient services, training facilities, central service facilities and staff facilities; provided, that a related facility shall be incidental and subordinate to the principal hospital use and operation. Only those buildings licensed as a hospital under the laws of the state shall be included within this definition. A hospital is an institutional use under this Zoning Code.

Hotel or motel means a building or other structure kept, used, maintained, advertised as or held out to the public to be a place where sleeping accommodations are supplied for pay to transient guests or tenants, in which four (4) or more rooms are furnished for the accommodation of such guests; whether or not having one (1) or more dining rooms, restaurants or cafes where meals are served. Such

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sleeping accommodations and dining rooms, restaurants or cafes, and accessory uses such as gift shops, barber shops or other services primarily intended for the use of the hotel guests, being conducted in the same building or accessory buildings in connection therewith.

Housing for the elderly means a facility in the nature of a multiple-family dwelling, the occupancy of which is limited to persons of an elderly age, but where the occupants are generally able to care for themselves and do not require regular personal maintenance or nursing care. The housing may include a medical or nursing facility for the convenience of the occupants. Where this Zoning Code permits housing for the elderly, the housing shall be used only for these purposes and shall not be converted to multiple-dwelling use unless all requirements of this Zoning Code are met for the conversion.

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light (including but not limited to plasma or laser), whether or not the source of light is directly affixed as part of the sign, and shall also include signs with reflectors that depend upon sunlight or automobile headlights for an image.

Impervious surface [ratio \(ISR\)](#) shall mean [a measurement of](#) those surfaces that prevent the entry of water into the soil. Common impervious surfaces include, but are not limited to, rooftops, sidewalks, patio areas, driveways, parking lots, and other surfaces made of concrete, asphalt, brick, plastic, or any surfacing material with a base or lining of an impervious material. Wood decking elevated two (2) or more inches above the ground shall not be considered impervious provided that the ground surface beneath the decking is not impervious. Pervious areas beneath roof or balcony overhangs that are subject to inundation by stormwater and which allow the percolation of that stormwater shall not be considered impervious areas. The water surface area of swimming pools shall not be calculated as an impervious surface.

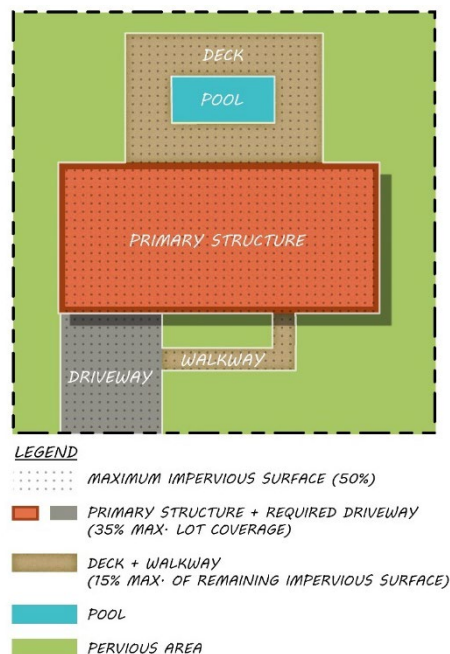


Figure 34-300.2: Impervious Surface Ratio (ISR)(same as Lot Coverage exhibit)

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Improvements shall include, but not be limited to, structures, buildings, fences, street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, lift stations, storm sewers or drains, signs, street lights, landscaping, monuments, or any other improvement to land.

In compliance means consistent with the requirements of F.S. §§ 163.3177, 163.3178 and 163.3191, the Northeast Florida Regional Policy Plan, the State Comprehensive Plan and Rule 9J-5, F.A.C., where such rule is not inconsistent with F.S. Ch. 163, Part II.

Indirect lighting means the illumination of a sign by a light source that is not a component part of the sign.

Indirectly illuminated sign means any sign, the facing of which reflects light from a source intentionally directed upon it.

Inflatable or balloon sign means a sign consisting of a flexible envelope of nonporous materials that gains its shape from inserted air or other gas.

Ingress means an access or entry.

Ingress and egress sign shall mean a sign at the entrance to or exit from a parcel necessary to provide directions for vehicular traffic and provide a warning for pedestrian and/or vehicular traffic safety.

Inlet structures mean structures located at the surface level that capture stormwater into the collection and conveyance system. Inlet structures typically include catch basins, curb inlets, and grates.

Institutional use shall mean a use intended for social services, non-profits, or quasi-public institutions. Design standards for each institutional use may vary and should be considered on a case-by-case basis.

Intermittent means more frequently than once per day.

Internally illuminated sign means any sign which has the source of light not visible to the eye and entirely enclosed within the sign.

Intensity shall mean an objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on, or below ground; the measurement of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services.

Intertidal zone (or littoral zone) is the area along a shore that lies between the high and low tide marks, bridging the gap between land and water. At high tide, the intertidal zone is submerged beneath the water, and at low tide it is exposed to air.

Irrigation means the mechanical application of water to plant material in order to sustain plant life.

Irrigation system means a permanent, artificial watering system designed to transport and distribute water to plants.

Irrigation zone shall mean the grouping together of any type of watering emitter and irrigation equipment operated simultaneously by the control of a timer and a single valve.

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Junk yard means a place, structure, or lot where junk, waste, discarded, salvaged, or similar materials are bought, sold, exchanged, baled, packed, disassembled, stored, or handled.

Junked vehicle shall mean any abandoned, discarded, or inoperable motor vehicle, including any boat, motorcycle, trailer and the like, with a mechanical or structural condition that precludes its ability for street travel or its intended use, or one that is dismantled, discarded, wrecked, demolished or not bearing current license tags.

Karate and martial arts shall be deemed to be the expressive art form of self-defense.

Kennel, pet means any structure or premises where four (4) or more animals over six (6) months of age, not owned by the occupants of the premises, are kept for sale or for the purpose of breeding or temporary boarding, except in an animal hospital, animal grooming parlor or pet shop.

Kitchen means any room or space used or intended and designed to be used for cooking or the preparation of food. The installation of a cooking appliance constitutes a kitchen within the meaning of this definition, and where such a kitchen is installed or maintained in a room or suite of rooms said room or suite of rooms shall constitute a dwelling unit.

Kitchenette shall mean an area within a building containing limited kitchen facilities such as a bar sink, microwave oven, refrigerator/freezer not exceeding ten (10) cubic feet.

Lake or pond means an excavation in the earth from which natural materials are removed for use elsewhere and a hole or pit is thereby created which has a depth of 15 feet or less as measured from the mean elevation of the uppermost rim of the excavation and which is designed for and actually used for:

- (1) Boating, swimming, fishing, educational or other recreational purposes, or
- (2) The watering of livestock, commercial production of fish or other bona fide agricultural activity.

Land means the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land. The word "land" includes the words "marsh" or "swamp."

Land Development Regulations shall mean this chapter and any other ordinances enacted by the City for the regulation of any aspect of land use and development and includes zoning, rezoning, subdivision, building, construction, or sign regulations or other regulations controlling the use and development of land.

Land Development Regulation Commission means the agency designated to prepare and review the land development regulations in the City of Jacksonville Beach. In Jacksonville Beach, the land development regulation commission is the city council.

Land use shall mean any development that has occurred, any development that is proposed by an applicant, or the use that is permitted or permissible pursuant to the adopted Comprehensive Plan or element or portion thereof, or land development regulations, as the context may indicate.

Landfill means a disposal site employing an engineering method of disposing of solid waste (includes garbage, refuse, yard trash and clean debris) in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume and applying cover material over all exposed waste at the end of each operating day.

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Landscape plant shall mean any native or exotic tree, shrub, or groundcover (excluding turf).

Landscaped area shall mean the vegetated area of a lot or parcel including planted and natural areas.

Landscaping means any of the following materials or combinations thereof; grass, ground covers, shrubs, hedges, trees, rocks, pebbles, decorative mulch, walls or fences but not paving, synthetic plant material or synthetic lawns.

Laundry shall mean a business that provides noncommercial clothes washing and drying or ironing machines to be used by customers on the premises.

LED display sign means any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro luminescence (OEL), or any similar technology.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F). A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Level of service (LOS), public school facilities means the comparison of public school enrollment to school capacity in a given concurrency service area.

Level of service (LOS) - An indicator of the extent or degree of service provided by or proposed to be provided by a facility based on and relative to the operational characteristics of the facility. LOS shall indicate the capacity per unit of demand for road, potable water supply, sanitary sewer, solid waste collection, stormwater management, or recreation and open space facilities.

Licensed agent means the operator of a management company that has been licensed by the dwelling or unit owner, through a rental agreement or contract between the two (2) parties, to hold out the dwelling or unit for rent on a transient basis. A licensed agent is not required to hold a license from the division of real estate.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at eight thousand five hundred (8,500) pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of six

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thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or
3. Available with special features enabling off-street or off-highway operation and use.

Liquor license means, for the purpose of this Part of this Chapter, a license issued by the state for the retail sale, service and consumption of liquor.

Live-aboard vessel shall mean:

1. Any vessel used solely as a residence and not for navigation; or
2. Any vessel represented as a place of business, a professional or other commercial enterprise; or
3. Any vessel for which a declaration of domicile as a legal residence has been filed with the clerk of the circuit court of Duval County, Florida in accordance with F.S. § 222.17.

A commercial fishing boat is expressly excluded from the term live-aboard vessel, and this definition shall not be construed to include watercraft or cruising vessels that are engaged in recreational activities or navigation and traveling along the intracoastal waterway from anchoring temporarily or overnight.

Live entertainment includes, but is not limited to, singers, pianists, musicians, musical groups, bands, vocal or instrumental dances, theatrical shows, magicians, performers, comedians and all fashions, forms and media of entertainment carried on and conducted in the presence of and for the entertainment and amusement of others and as distinguished from records, tapes, pictures and other forms of reproduced or transmitted entertainment. Live entertainment, as used within these land development regulations, shall not include adult entertainment establishments as defined by F.S. § 847.001(2).

Living area, minimum, shall mean conditioned space within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes.

Loading space, off-street means an all-weather surfaced area, other than a public street or approved private street, logically and conveniently located for loading, unloading, pickups or deliveries by motor vehicles or trailers and accessible to the vehicles when any required off-street parking spaces are filled.

Local planning agency means the planning commission.

Lot means a parcel, tract, or area of land of varying size established by plat, subdivision, or as otherwise permitted by law, which is designated as a single unit which is intended to be occupied by one building, or group of buildings, and its accessory uses. Means a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area and to provide the yards and other open spaces herein required; provided, that the portion of a lot lying within a street or other right-of-way or access easement shall not be included in determining whether the lot meets minimum lot area

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requirements. The lot shall have frontage upon a publicly maintained or approved private street and may consist of:

- (1) A single lot of record.
- (2) A portion of a lot of record.
- (3) A combination of complete lots of record, of complete lots of record and portions of lots of record or of portions of lots of record.
- (4) A parcel of land described by metes and bounds; provided, that, in no case of division or combination, shall a residual lot or parcel be created which does not meet the requirements of this Zoning Code.

Lot area shall mean the area formed by the horizontal plane within the lot lines.

Lot, corner means a lot abutting upon two (2) or more streets at their intersection

Lot coverage means the percentage of a lot's total area that is covered by the primary structure. This does not include unenclosed or unroofed decks, landings, or balconies.

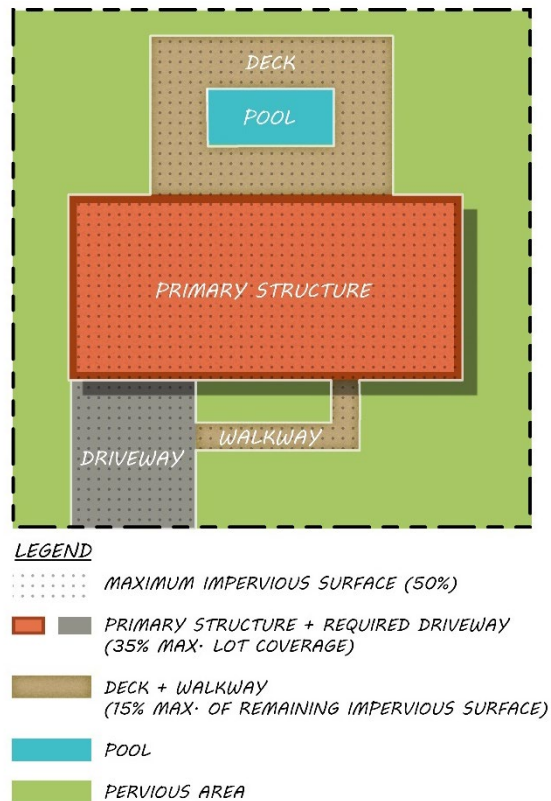


Figure 34-300.3: Lot Coverage (same as ISR exhibit)

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Lot depth means the distance measured in a mean direction of the side lines of the lot from the midpoint of the front line to the midpoint of the opposite rear line of the lot.

Lot frontage means the front of an interior lot construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as set out in this Zoning Code.

Lot, interior means a lot other than a corner lot with frontage on only one (1) street.

Lot line means the lines of record bounding a lot which divides one (1) lot from another lot or from a public or private street or any other public space.

Lot measurement, depth means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

Lot of record means a lot that is part of a subdivision, the map or plat of which has been recorded in the office of the Duval County Clerk of Circuit Court, or a lot or parcel of land, the deed of which has been recorded in the office of the Duval County Clerk of Circuit Court.

Lot, through means a lot other than a corner lot having frontage on two (2) streets.

Lot types mean:

- (1) *Corner lot*: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. See lots marked A(1) in Diagram 656-1.
- (2) *Interior lot*: A lot other than a corner lot with only one frontage on a street.
- (3) *Through lot*: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots. A lot developed with a single family dwelling which would otherwise be classified as a through lot, and which meets the following criteria shall not be considered a through lot, but rather shall be classified as a corner or interior lot, as applicable: (i) the lot has frontage but no driveway access along the roadway classified as a collector or higher, and (ii) the single family dwelling faces and has driveway access to only the local road.
- (4) *Reversed frontage lot*: A lot on which the frontage is at right angles or approximately right angles (interior angle of less than 135 [degrees]) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in Diagram 656-1), an interior lot (B-D in Diagram 656-1) or a through lot (C-D in Diagram 656-1).

Figure 34-300.4 illustrates terminology used in this Zoning Code with reference to corner lots, interior lots, reversed frontage lots and through lots:

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- (2) A commercial or office development containing thirty thousand (30,000) or more square feet of floor area,
- (3) Any combination of land uses which will generate one thousand (1,000) or more vehicle trips per day, and
- (4) Any combination of land uses that will generate an increase of one hundred (100) or more new peak hour trips. Trip generation shall be based on the ITE Trip Generation Manual, current edition.

Major life activity. See "disabled person."

Mansard or mansard roof means a style of hip roof characterized by two (2) slopes on each of its four (4) sides with the lower slope being much steeper, almost a vertical wall, while the upper slope, usually not visible from the ground, is usually pitched at the minimum needed to shed water. A mansard roof may combine a steep lower slope with a flat roof.

Manual Car Wash means a commercial automobile wash facility, either temporary or permanent, where vehicles are primarily washed by hand by individual persons. This definition shall not apply to *bona fide* automobile dealerships, rental car facilities or to temporary one-day fundraising events by civic, religious, or non-profit entities where volunteers wash vehicles by hand, and the number of fundraising events does not exceed six (6) events per year, and the monetary proceeds from which are used to support the activities or mission of the civic, religious or non-profit entity.

Manufactured building means a closed structure, building assembly, or system of assemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection, with or without specified components, as a finished building or part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, or industrial structures. Manufactured building may also mean, at the option of the manufacturer, any building of open construction made or assembled in manufacturing facilities away from the building site for installation, or assembly and installation, on the building site.

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Manufactured home park or subdivision (New). A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 15, 1977.

Marina means an establishment with a waterfront for the purpose of storing watercraft and pleasure boats on land, in buildings, in slips or on boat lifts, including accessory facilities for purposes such as refueling, minor repair and launching. The marina may include accessory facilities such as

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launching, refueling, minor repair services such as lubrication and tune ups, not involving removal of the watercraft from the water or removal of inboard or outboard engines from the watercraft, a snack bar/restaurant, bathroom, showers, laundry, sundries store and other customary accessory facilities.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.

Marquee means any permanent wall or roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather. A marquee is not an awning or canopy.

Marquee sign means any sign painted or printed onto or otherwise attached to a marquee.

Massing is an architectural term that refers to the perception of shape, form and size of a building.

May. May means permissive.

Mean high water shall mean the average height of the high waters over a 19-year period. For shorter periods of observations, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean 19-year value, as defined in F.S. § 177.27.

Mean high water line shall mean the intersection of the tidal plane of mean high water with the shore, as defined in F.S. § 177.27 and is generally recognized as the boundary between state sovereignty lands and uplands subject to private ownership.

Mean sea level (MSL) means the average height of the sea for all stages of the tide. For the purposes of the LDC, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Medical marijuana treatment center means a facility licensed by the Florida Department of Health that can cultivate, process, transport, or dispense marijuana or marijuana related products.

Medical marijuana treatment center dispensing facility means a facility or business operated by a medical marijuana treatment center (MMTC), or other organization or business holding all necessary state licenses and permits and where marijuana and products derived therefrom are dispensed at retail in accordance with all other applicable local, state and federal laws.

Medical product manufacturing shall mean facilities that manufacture prosthetic appliances, dentures, eyeglasses, hearing aids and similar medical products.

Microbrewery means an establishment which produces, packages, and stores beer or other cereal beverages within an enclosed building, and which produces no more than eight thousand (8,000) barrels or two hundred forty-eight thousand (248,000) gallons of beverages per year, and which may or may not include a tasting room on premises.

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Minerals means all solid minerals, including clay, gravel, phosphate rock, lime shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state.

Mini-warehouses or personal storage facilities shall include all those businesses, which are utilized for the sole purpose of storage of tangible personal property other than motor vehicles. No business activity shall be conducted within mini-warehouses or personal storage facilities.

Mining means the process or business of extracting ore, minerals or materials from the earth.

Mixed Use means a development or redevelopment project containing a mix of compatible uses intended to support diversity in housing, walkable communities, the need for less automobile travel and a more efficient use of land. Uses within a particular mixed-use project shall be consistent with the future land use designations set forth in.

Mobile Car Detailing Services means the performance of thorough cleaning, and restoration of the finish of an automobile, both inside and/or out, to produce a show-quality level of detail where the service provider travels to a location for the purpose of detailing a vehicle(s), and is temporary in nature, and shall not remain at the same location in excess of 48 hours. Such services are prohibited in all residential zoning districts.

Mobile food dispensing vehicle means any vehicle that is a public food service establishment and that is self-propelled or otherwise moveable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

Mobile food vendor means any person or business selling food from a mobile food dispensing vehicle from which food items are sold to the general public.

Mobile home means the use of land for a structure, including the plumbing, heating, air conditioning, and electrical components contained therein, transportable in one (1) or more sections which structure is eight (8) feet or more in width and over (40) feet in length, or which, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. If fabricated after June 15, 1976, each section should bear a HUD label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards, 42 USC 5401 and 24 CFR 3282 and 3283. This use does not include manufactured buildings meeting the criteria contained in the definition of a single-family dwelling. A travel trailer is not to be considered as a mobile home.

Mobile home park, existing means premises existing as of March 6, 1995 (ref. Ord. No. 95-7617), with required improvements and utilities where mobile home spaces are rented or leased for use by mobile homes for residential occupancy which may include services and facilities for the residents.

Mobile home park, expansion to existing means an increase in the number of mobile home sites to an existing mobile home park.

Mobile home park, new means premises approved for development after March 6, 1995 (ref. Ord. No. 95-7617), with required improvements and utilities where mobile home spaces are rented or leased for use by mobile homes for residential occupancy which may include services and facilities for the residents.

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Mobile home park means premises with required improvements and utilities where mobile home spaces are rented or leased for use by mobile homes for residential occupancy which may include services and facilities for the residents.

Mobile home site means land within a mobile home park or subdivision designated for the accommodation of not more than one (1) mobile home.

Mobile home subdivision means a parcel of land subdivided into lots and City maintained or privately maintained streets where lots are sold or leased for the purpose of placing mobile homes therein for nontransient living or sleeping purposes and including common facilities and land for use by occupants of mobile homes on the premises.

Monopole means a vertical self-supporting structure, not guyed, made of spin-cast concrete, concrete, steel or similar material, presenting a solid appearance.

Month means a calendar month.

Monument sign means a type of freestanding sign that is not supported by a pole structure and is placed upon the ground independent of support from the face of a building and that is constructed of a solid material such as wood, masonry or high-density urethane.

Motel means a group of attached or detached buildings containing individual sleeping units, with automobile storage or parking space provided in connection therewith, designed for use primarily by transients.

Mulch means nonliving organic materials customarily used in landscape design to retard erosion and retain moisture.

Multi-prism or tri-vision sign means a sign made with a series of triangular sections that rotate and stop, or index, to show multiple images or messages in the same area at different times.

Multi-use building means a structure that serves three (3) or fewer uses that share common parking areas, signage and other necessary infrastructure. These buildings can include a variety of uses, such as residential, commercial, retail, medical, recreational, or industrial.

National Geodetic Vertical Datum (NGVD) means the vertical control, as corrected in 1929, used as a reference for establishing varying elevations within the flood plain.

Natural event means an unusual, extraordinary, sudden, unavoidable or unexpected manifestation of the forces of nature beyond control of any person which may include, but not be limited to, hurricanes, windstorms, floods, storms, fire, acts of war (declared or undeclared), acts of terrorism, failure of energy sources and other catastrophes. An event shall not be considered a natural event if it results from the intentional or deliberate act of the owner.

Neighborhood Park – A smaller park that serves as a social and recreational focal point for a neighborhood. Neighborhood parks are generally 1 to 5 acres in size and accessible by foot or bicycle with a service radius of about 0.5 miles. Typically serves a population of up to 5,000 persons.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after March 15, 1977 and includes any subsequent improvements to such structures.

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Newspaper of general circulation means a newspaper of local origin published at least on a weekly basis, but does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.

Nightclub means an establishment with the service of liquor, and at least one of the following characteristics: 1) a set-aside area for dancing; 2) live performance of amplified music after 12:00 midnight; 3) a disc jockey or DJ; or 4) other form of amplified live on-site entertainment.

Non-commercial message means any message which is not a commercial message.

Nonconforming building or structure means any building or other structure which was lawfully constructed but which does not comply with all applicable provisions of the LDC, including size and dimensional standards, off-street parking standards, landscape standards, performance standards, or height standards either on the effective date of the LDC or as a result of any subsequent amendment. Such noncomplying building or structure shall be referred to as a nonconformity.

Nonconforming lot of record means a lot which conformed to the relevant land use standards at the time of the creation of the lot, but which does not comply with applicable regulations of the LDC for width and area.

Nonconforming sign means any sign that was validly installed under laws or ordinances in effect prior to the effective date of the LDC or subsequent amendments, but which is in conflict with the provisions of the LDC.

Nonconforming use means any use of a building or structure which, at the time of the commencement of the use, was a permitted use in the zoning district until the effective date of the LDC, but which does not, on the effective date of the LDC or amendment thereto, conform to any one of the current permitted uses of the zoning district in which it is located. Such nonconforming use may be referred to as a nonconformity.

Nonresidential activity means any activity which occurs in any building, structure, or open area which is not used primarily as a private residence or dwelling.

Non-technical and technical words. Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing. The use of the plural number shall be deemed to include any single person or thing.

Nursing home or personal care facility means any institution, building or buildings, residence, private home, boarding home, home for the aged or other place, whether operated for profit or not, which undertakes through its ownership or management to provide, for a period exceeding twenty-four (24) hours, one (1) or more personal services for adults who by reason of illness, physical infirmity, or advanced age are unable to care for themselves and are not related to the owner or administrator by blood or marriage, and who require such services. Only those homes, buildings or places licensed under the laws of the state as nursing homes shall be included within this definition.

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Occupancy frontage means the length of that portion of a building occupied by a single office, business or enterprise abutting a street, alley, parking area, or other means of customer access such as an arcade, mall, or walkway.

Occupied means arranged, designed, built, altered, converted to or intended to be used or filled.

Oceanfront lots means lots fronting or parallel to the ocean.

Office, business or professional means a place, a building or portion of building in which business services are preformed involving predominantly administrative, professional or clerical operations.

Office use shall mean customary administrative functions associated with a business and uses involving professional services conducted within the business that do not involve on-premises production, manufacture, storage or retail sale of products.

Offsite commercial advertising means a nonaccessory billboard or sign which directs attention to a business, commodity, service, entertainment, or attraction that is sold, offered or existing elsewhere than upon the same lot where such sign is displayed.

Offsite commercial sign means a nonaccessory billboard or sign that displays offsite commercial advertising.

Off-site sign/advertising means any combination of structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, advertising structure, advertising logos, symbol or other form, whether placed individually on or a V-type, back-to-back, side-to-side, stacked or double-faced display, designed, intended or used to advertise or inform, any part of the advertising message or informative contents of which is visible from any place on the main or traveled way and which sign relates in its subject matter to offices, products, accommodations, services or activities which are sold, produced, available, conducted or rendered at locations other than on the premises where the sign is located. The term does not include an official traffic control sign, official marker, specific information panel erected, or other form of public information caused to be erected or approved by any government upon its property or right-of-way.

On-site sign means any commercial sign which directs attention to a commercial or industrial occupancy, establishment, commodity, good, product, service or other commercial or industrial activity conducted, sold or offered upon the site where the sign is maintained. The on-site/off-site distinction applies only to commercial message signs. For purposes of Article VIII, Division 4, Sign Standards of this chapter, all signs with noncommercial speech messages shall be deemed to be "on-site," regardless of location.

Open space shall mean an area open to the sky, which may be on the same lot with a building. The area may include, along with the natural environmental features, landscaping elements, stormwater retention facilities, swimming pools, tennis courts, or similar open air recreational facilities. Streets, structures and screened or impervious roofed structures shall not be allowed in required open space.

Outdoor area shall mean an area not enclosed in a building and which is intended or used as an accessory area to a public food service establishment which provides food and/or drink to patrons for consumption in the area.

Outdoor restaurant or bar means any restaurant or bar, or portion thereof, which exists outside of the permanent exterior walls of the principal building(s) on a lot and has, in place, tables and chairs set

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up to accommodate patrons for seating during all hours of operation. This definition includes any deck or other area constructed and/or utilized on the roof of a structure.

Outside storage means an area used for the storage of materials not able to be stored in a completely enclosed building for more than 24 hours.

Owner means any part or joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety with legal or beneficial title to whole or part of a building or land.

Package liquor store means any establishment devoted primarily to the sale of alcoholic beverages for consumption off-premises, which is licensed by the State of Florida to dispense or sell alcoholic beverages for consumption off-premises.

Pain Management Clinics shall mean any publicly or privately owned facility that advertises in any medium for any type of pain-management service or where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain, pursuant to State Statutes.

Painted wall sign means any sign painted on any surface or roof of any building.

Parapet means the extension of a false front or wall above a roof line and may not exceed 50 percent of one existing floor.

Parcel of land means any quantity of land and water capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit. It may be described by metes and bounds or by recorded plat. The terms "*lot*," "*parcel*," "*land*," "*site*," "*development parcel*" may be used interchangeably within this Code as appropriate to the context.

Park means an area designed to include a combination of passive recreation (activities not requiring any formal layout such as picnicking, fishing, hiking, walking, etc.) as well as active recreation (organized activities such as tennis, basketball, defined playground areas, jogging trails, etc.) attracting visitors from the community and beyond a one-mile radius.

Parking, accessible shall mean parking spaces designed in compliance with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design ("2010 Standards"), as may be amended.

Parking bay means a parking module consisting of one (1) or more rows of parking spaces and the aisle from which motor vehicles enter and leave the spaces.

Parking lot means an off-street, ground level area or plot of land used for the storage or parking of vehicle.

Parking space means a space for the parking of a motor vehicle within a public or private parking area.

Parking space, off-street means an all-weather surfaced off-street storage space, either outside or within a building, for the parking of motor vehicles. Adequate room for parking a standard-size automobile with ample room for the opening of doors on both sides must be provided. In addition, the parking space shall have proper access to a public or approved private street, as well as ample on-site maneuverability so that access to the parking space does not require maneuvering on a public or approved private street except off-street parking areas for two cars or less.

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Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in Section 320.01, F.S.]

Patron shall mean any guest or customer of a public food service establishment.

Pennant means any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, which will flutter or swing in the wind.

Perimeter landscape means a continuous area of land which is required to be set aside along the perimeter of a lot in which landscaping is used to provide a transition between and to reduce the environmental, aesthetic, and other impacts of one type of land use upon another.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Permanent sign means any sign which is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall or building. Unless otherwise provided for herein, a sign other than a temporary sign shall be deemed a permanent sign unless otherwise indicated elsewhere in this Land Development Code.

Permitted use shall mean the uses and activities that are allowed within a particular zoning district as described within this chapter. In the case of a question regarding a typical or similar use, such use shall be determined based upon the North American Industry Classification System (NAICS).

Person means any person, individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer or any other entity whatsoever or any combination of such, jointly or severally.

Personal wireless service means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access facilities and those defined by the Communications Act, including but not limited to, the transmission and reception of radio microwave signals used for communication, data, cellular phone, personal communication services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.

Personal wireless service facility or personal wireless service facilities means facilities used for the provision of personal wireless service including any freestanding facility, antennae, distributed antennae system, and/or small cell technology. Personal wireless service facilities include, but are not limited to, utility poles, towers, monopoles, communications facilities, and other facilities, equipment, and appurtenances that are used in the delivery or transmission of personal wireless services,

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Personal wireless service provider means a company licensed by the Federal Communications Commission (FCC) that provides personal wireless service. A builder or owner of a personal wireless service facility is not a personal wireless service provider unless licensed to provide personal wireless services.

Pervious parking means a land surface which allows for the penetration of water which includes, but is not limited to gravel, mulch, stabilized sod and pervious paving materials and meets a 50 percent runoff co-efficient for gravel or any lesser percentage of run-off.

Pervious paving materials means a porous asphaltic or concrete surface and a high-void aggregate base which allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.

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

Pharmacy means a retail store where prescription and other medicines and related products are dispensed and sold retail as the principal use, and where the retail sale of other miscellaneous goods may also be permitted.

Planned Unit Development means a development of land that is under unified control and is planned for and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features or improvements.

Planning agency shall mean the Planning Commission, or any other agency designated by the City Council, to serve those functions as the City's local planning agency, pursuant to chapter 163, Florida Statutes as well as other functions as directed by the City Council.

Planning and Development Director means the person appointed to direct the Planning and Development Department of the City of Jacksonville Beach.

Planning Commission means the Jacksonville Beach Planning Commission.

Plant community means a natural association of plants that are dominated by one or more prominent species, or a characteristic physical attribute.

Plant nurseries means an agricultural endeavor devoted exclusively to the raising of ornamental plants or trees for sale or transplanting, does not include the sale of firewood or lumber.

Plat means a map or drawing upon which an exact representation of a subdivision and other information is presented in compliance with the requirements of Article IX, Subdivision Standards.

Plat, final means the plat to be recorded in accordance with engineering plans, specifications and calculations; certification of improvements, as-built drawings, or performance guarantee; and other required certifications, bonds, agreements, approvals, and materials for a development or a phase of a development or the entire parcel of land proposed for development as required pursuant to Section 34-505 of this chapter.

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Pocket park means a park designed to provide green space and attract visitors from within the immediate area which is passive in nature, accessed by pedestrians only, and which contains amenities such as landscaping with benches, public art, fountains and sculptures, etc. A pocket park should be no more than one acre in size.

Pole sign means a ground sign that is supported by one or more poles and otherwise separated from the ground by air. A *pole sign* is not a *monument sign*, another type of *ground sign*.

Porch means a roofed-over space, with the roof impervious to weather, attached to the outside of an exterior wall of a building which has no enclosure other than the exterior walls of the building. Open-mesh screening shall not be considered an enclosure.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or to a structure that is attached to the ground or a sign capable of being transported, including, but not limited to, signs designed to be transported by means of wheels or carried by a person, and signs converted to an A-Frame sign or a T-frame sign. For purposes of this division, a cold air inflatable sign shall be considered to be a portable sign.

Porte-cochere means a porch or portico-like structure at a main or secondary entrance to a building, through which it is possible for a vehicle to pass, in order for the occupants to enter or exit under cover, protected from the weather.

Potable water facilities means the planning of, engineering for, acquisition of land for, or construction of potable water facilities necessary to meet the LOS for potable water facilities.

Poultry means fowl normally raised as food for consumption or used to raise food for consumption.

Preserve area means vegetative areas required to be preserved under the jurisdiction of DER, SJRWMD or other governmental regulatory agencies.

Prevailing setback shall mean the most common distance between buildings and the street and property boundaries in a specific development area.

Principal building shall mean a building within which is conducted the main or principal use of the lot or property upon which the building is situated.

Principle use means any use specifically identified as a permitted or permissible use in a given zoning district.

Privacy structures shall mean vertical improvements such as trellises, screens, partitions or walls, that are intended for the purpose of creating privacy for a rear yard, as opposed to a fence which encloses or separates land.

Private well means a shallow aquifer, Hawthorne, or Florida well that is not a public potable water well.

Professional surveyor and mapper shall mean a surveyor and mapper registered under Chapter 472, Florida Statutes, who is in good standing with the Board of Professional Surveyors and Mappers.

Projecting sign means any sign affixed perpendicular, or at any angle to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall.

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Property line shall mean the exterior lot lines of a single parcel or a group of lots when two (2) or more lots are considered together for the purposes of development.

Proportionate share mitigation means an applicant's voluntary provision of public school facilities proportionate to a development proposal's impact on school capacity. Proportionate share mitigation options may include contribution of or payment for land acquisition; construction or expansion of, or payment for construction of public school facilities; or the creation of mitigation banking based on the construction of public school facilities, in exchange for the right to sell capacity credits to other residential development affecting those facilities. Proportionate share mitigation must be identified in a work program, unless the school district has committed itself in a proportionate share mitigation agreement to include the mitigation in the work program during the next annual update to the work program.

Proportionate share mitigation agreement means a voluntary, legally-binding commitment to provide proportionate share mitigation to ensure public school concurrency can be achieved, where school capacity would not otherwise be adequate to support the demand resulting from approval of a development proposal at the time the development proposal is being considered. The applicant, school district and the city shall be parties to a proportionate share mitigation agreement.

Protected tree means any tree, except those which are hereinafter exempted in Section 34-744(b), with a DBH of six (6) inches or more.

Public facilities shall mean major capital improvements, including without limitation transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities.

Public food service establishment and food service establishment shall mean any building, restaurant, vehicle, place, or structure, or any room, division, or area in or adjacent to a building, vehicle, place or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared prior to being delivered to another location for consumption.

Public notice shall mean notice required by F.S. § 166.041. The public notice procedures required in this chapter are established as minimum public notice procedures for the City of Jacksonville Beach.

Public open space shall mean open space, land or water areas, available for public use, not restricted to members or residents.

Public potable water well means any water well completed into the Floridan Aquifer, which supplies potable water to a community water system or to a nontransient, noncommunity water system, as those terms are defined in Rule 63-521.200, Florida Administrative Code.

Public potable water supply well means a well withdrawing potable water from the surficial aquifer that serves and is operated by public utilities. For the purposes of Section 34-773 public utility shall mean any municipal system that provides service to the public and utilities required to obtain a SJRWMD individual water use permit.

Public protected tree means any tree, except those which are hereinafter exempted in Section 34-744(b), with a DBH of six (6) inches or more located on lands owned by the city, its agencies or authorities, or any land upon which easements are imposed for the benefit of the city, its agencies or authorities, or upon which other ownership control may be exerted by the city, its agencies or

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authorities, including rights-of-way, parks, public areas and easements for drainage, sewer, water and other public utilities.

Public school concurrency means, as provided in F.S. § 163.3180(13)(e), the necessary public school facilities to maintain level of service standards are in place or are scheduled in the work program to be under actual construction within three (3) years of approval of a development proposal.

Public school facilities means permanent public school buildings provided by the school district, as defined by the most current edition of the Florida Inventory of School Houses (FISH), published by the Florida Department of Education, Office of Educational Facilities, or land for a public school facility.

Public school facilities, existing means public school facilities that are already constructed and operational at the time that the school district designee makes a finding regarding school capacity.

Public school facilities, planned means public school facilities in the school district's work program that will be in place or under actual construction within three (3) years after the approval of the development proposal.

Public school facilities, total means existing public school facilities and planned public school facilities.

Public schools interlocal agreement means the interlocal agreement between the county, non-exempt municipalities, and the school district, pursuant to F.S. § 163.31777, which establishes standards and procedures for a coordinated, uniform public school concurrency program throughout Duval County and which ensures the level of service standards for public school facilities are achieved and maintained.

Public water supply utility means the owner of a public potable water well or wellfield.

Real estate sign means a temporary sign advertising the real estate upon which the sign is located as being for sale or rent.

Reasonable use means the appropriate and fair use of one's property that does not unreasonably interfere with another person's use of the property.

Recreation and open space facilities means the planning of, engineering for, acquisition of land for or construction of park and recreation facilities necessary to meet the LOS for recreation and open space facilities.

Recreational vehicle means a vehicle that is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Recreational vehicles shall not include airplanes.

Redevelopment District means an area designated by the city council as blighted and in need of redevelopment pursuant to F.S. Ch. 163, Part III. When indicated as a redevelopment district or RD zone district, reference is made to an area classified in accordance with Section 34-621 of the LDC.

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Regulated area means that area within the zone of protection surrounding each public potable water supply well.

Regulated substances mean:

- (1) Substances which have one (1) or more of the following characteristics:
 - a. They are listed as a priority toxic pollutant and hazardous substance by the EPA in 40 CFR 122.21;
 - b. They are an EPA Designation Reportable Quantities and Notification Requirements for Hazardous substances under CERCLA (40 CFR 302);
 - c. They are a degradation product which is toxic, which includes petroleum based products;
 - d. They are on a restricted use pesticide list promulgated pursuant to F.S. Ch. 487, set forth in Chapters 5E-2 and 5E-9, F.A.C.
- (2) As well as the following physical characteristics:
 - a. They are prone to be persistent in the environment;
 - b. They are water soluble or prone to pass downward through surface soils, to enter into and mix with groundwater, and be transported by the movement of groundwater.

Religious organization means a structure or place in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held.

Restaurant means an establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

Restaurant, drive-in means an establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food to customers who are not in motor vehicles, for consumption either on or off the premises.

Retail establishments shall mean those businesses that provide goods for the surrounding community including, but not limited to, the sale of lumber, hardware, building materials, photo supplies, sporting goods, hobby supplies, pet supplies, home furnishings, and office equipment as well as low intensity commercial establishments.

Right-of-way means the area of a highway, road, street, way, parkway, electric transmission line, gas pipeline, water main, storm or sanitary sewer main, or other such strip of land reserved for public use, whether established by prescription, easement, dedication, gift, purchase, eminent domain or any other legal means.

Road facilities mean the planning of, engineering for, acquisition of land for or construction of roads necessary to meet the LOS for road facilities.

Roof line means the highest continuous horizontal line of a roof. On a sloping roof, the roof line is the principal ridge line, or the highest line common to the principal slope or slopes of the roof. On a flat roof, the roof line is the highest continuous line of the roof or parapet, whichever is higher.

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Roof sign means any sign which is mounted on the roof of a building or which extends above the top edge of the wall of a flat roofed building, the eave line of a building with a hip, gambrel, or gable roof.

Rooming and Boarding house means a building in which sleeping accommodations are offered to the public where rentals are for a period of a week or longer, occupancy is generally by resident rather than transient, rentals are for use of a bedroom with shared access to the primary kitchen and/or bathroom(s) shared with occupants of other rented bedrooms, and where residents do not operate as a family. Existing rooming houses shall be identified by one or more of the following existing conditions, each of which shall create a rebuttable presumption that a building is a rooming house:

- 1) Signs that indicate rooms, beds, or living spaces for rent;
- 2) Interior locks, partitions, hasps, appliances such as electric fry pans, toaster ovens, refrigerators, etc.;
- 3) Individual storage of food;
- 4) Alphabetical, numeric, or other labeling of bedrooms or living areas;
- 5) Alterations to structures which enhance or facilitate its use as a rooming house.

Rotating sign (or revolving sign) means an animated sign that revolves or turns or has external sign elements that revolve or turn. Such sign may be power-driven or propelled by the force of wind or air.

Salvage yard shall mean a place where discarded or salvaged materials, are bought, sold, exchanged, stored, baled, packed, disassembled or handled. Salvage yards shall include automobile wrecking, house wrecking and structural steel materials and equipment yards, but shall not include places for the purchase or storage of used furniture and household equipment, used cars in operable condition, or used or salvaged materials from manufacturing operations or for any type of automotive repair.

Sand dunes mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Sanitarium means a facility for the recuperation and treatment of physical or mental disorders without provision for major surgery.

Sanitary sewer facilities means the planning of, engineering for, acquisition of land for, or construction of sanitary sewer facilities necessary to meet the LOS for sanitary sewer facilities.

Saturated soil means a soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this chapter, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

School means a private or public educational institution offering students an academic curriculum, including kindergartens, elementary schools, high schools, colleges and universities.

School bus means a motor vehicle regularly used for the transportation of prekindergarten through grade 12 students of the public schools to and from school or to and from school activities, and owned, operated, rented, contracted, or leased by any school board, as defined in F.S. § 234.051.

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School capacity means the demand that can be accommodated by a public school facility at the level of service standard, as determined by the school district.

School concurrency allocation means a reservation of school capacity made by the school district after a finding of available school capacity, upon the city's approval of a development proposal. The reservation shall be indicated on the school concurrency schedule.

School concurrency application means an application for the school district to make a finding of available school capacity and issue a school concurrency allocation.

School concurrency schedule means a schedule maintained by the school district that tracks the availability of school capacity over time.

School district means Duval County Public Schools.

School district designee means a person or committee designated to act on behalf of the school district, and to make determinations regarding whether public school concurrency has been achieved for school concurrency applications submitted to the school district by the director.

Screen enclosure means a structural network of metal or wood members with open mesh panels for both walls and roof.

Screening shall mean improvements that conceal the existence of something by obstructing the view of it.

Seat shall mean, for the purpose of determining the number of required off-street parking spaces, the number of chairs. In the case of benches or pews, each linear twenty-four (24) inches of seating shall count as one (1) seat. For areas without fixed seating such as standing areas, dance floors or bars, each seven (7) square feet of floor space shall constitute a required seat.

Service establishments shall mean those businesses that serve the routine and daily needs of the community in which it is located including, but not limited to, low intensity service establishments, barber or beauty shops, shoe repair shops, laundry or dry cleaners, funeral homes, electronics repair shops, lawn care service, pest control companies, and similar service uses but not including manufacturing, warehousing, storage, or high intensity commercial services of a regional nature.

Service island sign means a sign mounted permanently on, under, or otherwise mounted on a service island canopy.

Service station means any building, structure or land used for the dispensing, sale or offering for sale at retail, and any automobile fuel, oils, or accessories in connection with which is performed general automotive servicing, such as tire servicing and repair, and including engine and transmission repair, but excluding body work, straightening of frames, painting, or welding. All work must be done inside of an enclosed building.

Setback shall mean the required distance between the lot line and the building or structure. Unless otherwise provided for within this chapter, setbacks shall be measured from the property line to the exterior vertical wall of a building or structure as opposed to the foundation. See also definition for building setback. When two (2) or more lots under single or unified ownership are developed as a single development parcel, the exterior lot lines of the combined parcel(s) shall be used to determine required building setbacks. Building setback and building restriction line may have the same meaning and may be used interchangeably where such lines are recorded on a final subdivision plat.

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Shade tree means a tree with a mature crown spread of at least fifteen (15) feet.

Shall. Shall means mandatory.

Shopping center means a group of four (4) or more retail stores, service establishments or any other business not necessarily owned by one (1) person nor by a single land ownership that is adjacent to and utilizing a common off-street parking area.

Short-term vacation rental means:

- (1) Any individually or collectively owned single-family, two-family, townhouse, or multi-family dwelling unit that is also a transient public lodging establishment.
- (2) Single-family, two-family, townhouse, or multi-family dwellings subject to deed restrictions and covenants of a home-owners association, condominium units, timeshare projects, and owner-occupied dwelling units renting fifty (50) percent or less shall not be subject to the regulations of this code.

Shrub means a self-supporting woody perennial plant characterized by multiple stems and branches continuous from the base, naturally growing to a mature height between two (2) and twelve (12) feet.

Sight triangle shall mean the area within the limits described by the two (2) intersecting center lines of a street and a line drawn between them from points on each center line that are a prescribed number of feet from the intersection of the center lines.

Sign means any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which is to be viewed from any public street, road, highway, right-of-way or parking area (collectively referred to as a "public area"). For the purposes of these regulations, the term "sign" shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship of the components, each such component shall be considered to be a single sign. The term "sign" for regulatory purposes shall not include the following objects: Grave yard and cemetery markers visible from a public area, vending machines or express mail drop-off boxes visible from a public area, decorations that do not constitute advertising visible from a public area, artwork that does not constitute advertising or a building's architectural features visible from a public area, or a manufacturer's or seller's markings on machinery or equipment visible from a public area. The foregoing objects are not signs for purpose of regulation herein.

Sign area computation means the method by which the area of each surface of a sign is computed. For signs with fixed boundaries, frames or edges, it shall be computed by calculating the area within and including the exterior boundaries, frames or edges enclosing the letters or graphic matter which composes each sign surface. For signs with fixed boundaries, frames or edges, such as where a sign is composed of separate letters which are placed or painted upon or against a building or upon or through a window or other similar surface no designed, framed or edged specifically for sign presentation, the sign area shall be computed on the basis of the smallest regular geometric shape, such as a triangle, rectangle, square or circle encompassing the outermost exteriors of the outermost individual letters,

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words or numbers which yields the least total square footage of area. Computation of sign area shall include border trim.

Sign height means the vertical distance from the average finished grade of the ground below the sign excluding any filling, berming, mounding or excavating solely for the purposes of increasing the height of the sign, to the top edge of the highest portion of the sign. The base or structure erected to support or adorn a monument, pole or other freestanding sign is measured as part of the sign height.

Sign size means *area of sign*.

Sign visibility triangle shall mean the triangle described in Section 34-745(b)(4)a.

Site development plan shall mean a plan of development including surveys, maps, drawings, notations and other information as may be required depicting the specific location and design of improvements proposed to be installed or constructed in accordance with the requirements of this chapter.

Snipe sign means a sign made of any material when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to or placed on public property such as but not limited to a public utility pole, a public street sign, a public utility box, a public fire hydrant, a public right-of way, public street furniture, or other public property; except for A-frame and T-frame signs that are temporarily placed on public property under such limitations and constraints as may be set forth in the Land Development Code.

Solid waste facilities mean the planning of, engineering for, acquisition of land for or construction of solid waste facilities necessary to meet the LOS for solid waste facilities.

Soundproof means that sound attenuation shall not exceed 50 dbn through the outside of the structure.

Special Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permissible in the zoning district as special exceptions if specific provision for the special exception is made in the Zoning Code and the uses are found by the Commission and the Council to be in conformity with the standards and criteria set forth in this code.

Special flood hazard area. An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, AI—A30, AE, A99, AH, VI—V30, VE or V. [Also defined in FBC, B Section 1612.2.]

Spot zoning means when a small piece of land has different zoning than surrounding areas.

Start of construction. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within one hundred eighty (180) days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

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Statutory sign means a sign the city is required to erect by any statute of the State of Florida or the United States for safety, directional, or traffic control purposes.

Storm drains mean underground pipes or open channels that collect and convey stormwater from streets, parking lots, and other surfaces to a designated discharge point, such as a ditch, canal, or river.

Stormwater management facilities mean the planning of, engineering for, acquisition of land for or the construction of stormwater management facilities necessary to meet the LOS for stormwater management facilities.

Stormwater Management System shall mean the system, or combination of systems, designed to treat stormwater, or collect, convey, channel, hold, inhibit, or divert the movement of stormwater on, through and from a site or area.

Stormwater runoff means the portion of the stormwater that flows from the land surface of a site either naturally, in manmade ditches, or in a closed conduit system.

Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor or roof next above.

Street means a right-of-way for vehicular traffic, designated as an alley, avenue, boulevard, court, drive, expressway, highway, lane, road, street, or thoroughfare (also referred to as roadway). A street may be dedicated to the public or maintained in private ownership, but open to the public. For the purposes of the LDC, "streets" are divided into the following categories:

- (1) Arterial street means a road which is used to move large volumes of traffic rapidly between population centers, around population centers, or from one section of the urban area to another.
- (2) Collector street means a road designed primarily to connect local streets with arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry a significant volume of traffic.
- (3) Cul-de-sac means a minor road of short length having one end open to traffic and one end terminating in a vehicular turn-around.
- (4) Local street means a road used primarily for access to abutting properties within a subdivision.
- (5) Approved private street means a street or road that meets the design standards set forth herein corresponding to its intended functional use, that is not dedicated to the City of Jacksonville Beach.
- (6) Approved street means any local street, constructed according to the specifications in Article IX, Subdivision Standards, and accepted by resolution of the city council of the City of Jacksonville Beach for maintenance purposes.

Street address sign means any sign denoting the street address of the premises on which it is attached or located.

Street frontage means the property line of a lot abutting the right-of-way line of public or approved private streets, excluding alleys to which such property has the legal right of access.

Street line means the line separating the street and abutting property.

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Street right-of-way line shall mean the dividing line between a lot or parcel of land and the contiguous street.

Structural alterations mean any change, except for repair or replacement, in the supporting members of a building, such as bearing walls, columns, beams or girders, floor joists or roof joists; or in the dimensions or configurations of the roof or exterior walls.

Structure means anything constructed, installed or portable, the use of which requires location on land. It includes a movable building which can be used for housing, business, commercial, agricultural or office purposes, either temporarily or permanently. It also includes roads, walkways, paths, fences, swimming pools, tennis courts, poles, tracks, pipelines, transmission lines, signs, cisterns, sheds, docks, sewage treatment plants and other accessory construction.

Subdivider means a person developing a subdivision, or that person's agent.

Subdivision means the division of land into three (3) or more parcels for the purpose of sale or lease, including the addition to or re-subdivision of land, if not exempted by the terms of the LDC.

Subdivision identification sign means a sign located at the intersection of two street rights-of-way. The only lettering shall be the name of the subdivision. Such sign may be illuminated only when the sign is abutting a right-of-way which is classified a collector street or higher on the Functional Highway Classification Map of the Comprehensive Plan.

Submerged land means land below the mean high tide or mean high water line.

Substantial damage means damage to a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

- Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Section 34-772(a)(7) of this ordinance.

Surety device means an agreement with the City for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

Surface water means water on the surface of the ground whether or not flowing through definite channels, including the following:

1. Any natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernible shoreline;

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2. Any natural or artificial stream, river, creek, channel, ditch, canal, conduit culvert, drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite direction, either continuously or intermittently and which has a definite channel, bed or banks; or
3. Any wetland.

Surveyor, land, means a land surveyor registered under Chapter 472, Florida Statutes who is in good standing with the Florida State Board of Engineer Examiners and Land Surveyors.

Tasting room means the portion of a microbrewery/winery that is located on the premises of the production facility at which guests may purchase and consume beer and wine on-site. Tasting rooms are limited to eight hundred (800) square feet in area, or twenty-five (25) percent of the microbrewery or winery total area of the facility, whichever is less. The hours of operation of a tasting room may not extend past 10:00 p.m. on Sunday through Thursday, and 12:00 a.m. on Friday and Saturday.

Temporary and portable buildings and structures means any building or structure constructed or erected to not require permanent location on the ground.

Temporary embellishment means an embellishment placed on the facing of a sign for a period not to exceed six months.

Temporary sign means a sign intended for a use not permanent in nature. Unless otherwise provided for in this Code, a sign with an intended use for a period of time related to an event shall be deemed a temporary sign. A flag shall be deemed a temporary sign.

Temporary structure means any non-habitable structure for ancillary use which does not require a permanent foundation or connection to the ground for its support, and has no permanent connection to or provisions for municipal utilities, and can be disassembled without the use of destructive force for relocation or removal.

Tense. Words used in the past or present tense include the future as well as the past or present.

Text. In case of any difference of meaning or implication between the text of the LDC and any figure, the text shall control.

Textile Recycling Bin means any stationary or free-standing bin, container, receptacle or similar device made of steel or other durable metal that is located outdoors within the city and is used for the collection of Textile Materials.

Theater means an establishment offering dramatic presentations or showing motion pictures to be viewed in an auditorium accommodating three or more persons.

Threatened or endangered species shall mean species so listed by the Florida Fish and Wildlife Conservation Commission, Florida Department of Agriculture and Consumer Services, and [the] U.S. Fish and Wildlife Service.

Tiny house means a dwelling that is 400 square feet (37 square meters) or less in gross floor area, excluding lofts.

Tower site means a parcel on which a communication tower and related accessory structures are located, which may be smaller than the minimum size required in the zoning district.

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Townhouse shall mean a single-family dwelling unit not exceeding three stories in height constructed in a group of two or more attached units by a common wall or breezeways for townhomes built prior to February 2025 with property lines separating such units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Traffic control device sign means any government sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those government signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Trailer, boat, horse, or utility shall mean a conveyance drawn by other motive power and use for transporting a boat, animal, equipment or general goods. See also "Recreational Vehicle".

Trailer, travel or camping. See recreational vehicle.

Transient occupancy means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is not the sole residence of the guest, the occupancy is transient.

Transient public lodging establishment means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

[*Transitional Housing* means a short term housing option that provides support services to help residents move into permanent housing.](#)

Transportation Network Company or "TNC" means an entity operating in this state pursuant F.S. § 627.748 to using a digital network to connect a rider to a TNC driver, who provides prearranged rides. A TNC is not deemed to own, control, operate, direct, or manage the TNC vehicles or TNC drives that connect to its digital network, except where agreed to by written contract, and is not a taxicab associate or for-hire vehicle owner.

Travel trailer (recreational vehicle) means a portable structure built on a chassis, designed as a temporary dwelling for travel, recreation and vacation purposes. It is not more than nine (9) feet in width and up to forty (40) feet in length.

Tree means a self-supporting woody plant having a single trunk or a multiple trunk of lower branches, growing to a mature height of at least twelve (12) feet in northeast Florida.

Tree, palm means an evergreen plant of the Palmaceae species cold hardy in northeast Florida having a single trunk and terminal crown of large pinnate or fan-shaped leaves.

Turf means continuous plant coverage consisting of grass species suited to growth in the City of Jacksonville Beach.

Umbrella sign means a sign printed on umbrellas used for legal outdoor seating area at a business establishment, which is made of a lightweight fabric or similar material.

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Under canopy sign means a sign suspended beneath a canopy, ceiling, roof or marquee.

Understory means assemblages of natural low-level woody, herbaceous, and ground cover species which exist in the area below the canopy of the trees.

Unsafe sign means a sign posing an immediate peril or reasonably foreseeable threat of injury or damage to persons or property, or is in eminent danger of collapse or falling, with or without potential damage to others or property.

Upland buffer shall mean areas of uplands adjacent to a delineated jurisdictional wetland boundary restricted from development.

Urban landscape means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants.

Use means the purpose for which land or water or a structure thereon is designated, arranged, or intended to be occupied or utilized or for which it is occupied or maintained.

Utilities means, but is not necessarily limited to, water systems, electrical power, energy, natural gas, sanitary sewer systems, stormwater management systems, and telephone, internet or television cable systems; or portions, elements, or components thereof.

Value means, as applied to a building, the estimated cost to construct or replace the building in kind, or in the correct context, may mean the fair market value of a structure.

Variance means deviations from the terms of the LDC which would not be contrary to the public interest when owing to special circumstances or conditions, the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Vegetation, native means any plant species with a geographic distribution indigenous to all or part of the State of Florida.

Vehicle sign means a sign which covers more than twenty (20) square feet of the vehicle, which identifies a business, products, or services, and which is attached to, mounted, pasted, painted, or drawn on a motorized or drawn vehicle, and is parked and visible from the public right-of-way; unless said vehicle is used for transporting people or materials in the normal day to day operation of the business.

Vehicular use area means any ground surface area except public rights-of-way used by any type of vehicle for driving, parking, loading, unloading, storage or display. Vehicular use areas shall include new and used car lots, drive-in areas for banks, restaurants, service stations, grocery and dairy stores and other open lot uses, but shall not include areas on, under or within buildings. In any calculations of area, a vehicular use area shall include interior landscaped area but shall not include perimeter landscaped area.

Vested use shall mean a proposed development project or an existing structure or use, which in accordance with applicable Florida law or the specific terms of this chapter, is exempt from certain requirements of these land development regulations and/or the Comprehensive Plan.

Vested right means that a right is vested when it has become absolute and fixed and cannot be defeated or denied by subsequent conditions or change in regulations, unless it is taken and paid for. There is no vested right to an existing zoning classification or to have zoning remain the same forever.

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However, once development has been started or has been completed, there is a right to maintain that particular use regardless of the classification given the property. There can be no vested right in a sign permit if a sign permit is applied for under a sign ordinance that is later partially or wholly adjudicated to be unconstitutional by a court of competent jurisdiction.

Veterinary services means any building or portion thereof designed or used for veterinary care, surgical procedures or treatment of animals, but not the boarding of well animals.

Violation, for the purpose of floodplain regulation, means the failure of a structure or other development to be fully compliant with the floodplain regulations of the Jacksonville Beach Land Development Code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in the Jacksonville Beach Land Development Code is presumed to be in violation until such time as that documentation is provided.

Waiver means a method of granting relief from the provisions of the Zoning Code

Walkway means any hard surfaced passage for walking and providing pedestrian access, often to a building or dwelling unit entrance, public sidewalk or driveway.

Wall sign means any sign attached parallel to, but within twelve (12) inches of a wall; painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.

Wall wrap sign means a sign composed of fabric, plastic, vinyl, mylar or a similar material that drapes or hangs over the side of a building, wall or window.

Warning sign or *safety sign* means a sign which provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Watercraft shall mean every type of boat or vessel or craft intended to be used or capable of being used or operated, for any purpose, on waters within the City of Jacksonville Beach.

Water-dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Wayfinding sign means a non-commercial government sign that shows route designations, destinations, directions, distances, services, points of interest, or other geographical, recreational, or cultural information for the aid of the traveling public, for facilitating a safe and orderly traffic flow and preventing sudden stops.

Week. Week means seven (7) calendar days.

Well means a pit or hole sunk into the earth to reach a resource supply such as water.

Wellfield means more than one (1) public potable water well owned by a public water supply utility in close proximity to each other.

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Wellfield protection area means an area of setback distance around a public potable water well or wellfield where the most stringent measures are provided to protect the ground water sources for a potable water well and includes the surface and subsurface area surrounding the well.

Wellfield protection area map means a map showing the location of the boundary of each of the wellhead protection areas in the City.

Wetland means hydrologically sensitive areas which are identified by being inundated or saturated by surface or groundwater with a frequency or duration sufficient to support, and under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wetland Buffer means a designated area contiguous or adjacent to a wetland that is required for the continued maintenance, function, and ecological stability of the wetland.

Wetland, estuarine means the area of mixing of saline, marine waters with freshwater drainage from upland areas, and is subject to tidal inundation with a range of frequencies. The estuarine wetlands include the salt marsh and the estuarine forested wetland areas of the community.

Wetland, palustrine means areas adjacent to the estuarine wetlands, which may be informally defined as freshwater drainage features which may or may not have continuous connection to tidal waters.

Wind sign means a sign which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include, pennants, ribbons, spinners, streamers or captive balloons, however, the term wind sign shall not include regulation sized flags on or affixed to permanent flag poles.

Window or door sign, permanent means any sign visible from the exterior of a building or structure which is painted, attached, glued, or otherwise affixed to a window or door.

Work program means a five-year capital improvement plan that is financially feasible, as defined by state statute, and which is adopted by the school district and the city and incorporated into the capital improvement element of the city's comprehensive plan. The work program itemizes planned public school facilities and includes the following: (a) all planned public school facilities, including new construction, expansions, and renovations that will create additional capacity, whether provided by the school district or through proportionate share mitigation; (b) existing and projected enrollment of public school facilities; (c) the year in which each planned public school facility will be undertaken; (d) the source of funding for each planned public school facility and the year in which the funding becomes available; (e) the capacity created by each planned public school facility; and (f) necessary data and analysis supporting the proposed work program.

Written. Written means any representation of words, letters or figures whether by printing or other form or method of writing.

Xeriscape means water conserving landscape design utilizing native or drought tolerant vegetation and water efficient irrigation systems.

Yard means a required open space on the same lot with a principal or accessory building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided herein.

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Yard, front means a yard across the full width of the lot, extending from the front line of the building to the front line of the lot.

Yard, rear means a yard extending across the full width of the lots measured between the rear line of the lot and the rear line of the main building.

Yard, side means an open unoccupied space on the same lot with the main building, situated between the side line of the building and the adjacent side line of the lot, extending from the rear line of the front yard to the front line of the rear yard.

Year. Year means a calendar year, unless a fiscal year is indicated, or three hundred sixty-five (365) calendar days is indicated.

Zone of protection means that area within five hundred (500) feet of a public potable water supply well.

Zoning map shall mean the official record of the City of Jacksonville Beach depicting the zoning district classifications on property within the municipal limits of the City of Jacksonville Beach.

(Ord. No. 7500, § 4.1, 8-19-91; Ord. No. 94-7607, § 1, 8-15-94; Ord. No. 95-7617, § 1, 3-6-95; Ord. No. 95-7623, § 1, 5-1-95; Ord. No. 95-7627, § 1, 7-17-95; Ord. No. 96-7681, § 1, 10-21-96; Ord. No. 96-7689, § 1, 12-16-96; Ord. No. 99-7769, § 1, 8-16-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2005-7899, § 2, 4-4-05; Ord. No. 2006-7920, § 1, 4-3-06; Ord. No. 2010-7993, § 1, 7-19-10; Ord. No. 2010-7991, § 1, 9-7-2010; Ord. No. 2011-8008, § 1, 11-7-11; Ord. No. 2014-8042, § 1, 2-3-14; Ord. No. 2015-8064, § 1, 12-7-15; Ord. No. 2017-8101, § 1, 1-16-18; Ord. No. 2018-8104, § 2, 2-19-18; Ord. No. 2019-8115, § 2, 2-4-19; Ord. No. 2019-8118, § 2, 9-16-19; Ord. No. 2020-8131, § 2, 2-3-20; Ord. No. 2020-8133, § 3, 3-2-20; Ord. No. 2020-8145, § 3, 9-21-20; Ord. No. 2021-8168, § 2, 2-7-22)

Secs. 34-301—34-399. Reserved.

ARTICLE IV. DECISION MAKING AND ADMINISTRATIVE BODIES

DIVISION 1. GENERALLY

Sec. 34-400. General.

City Council, Planning Commission, Board of Adjustment, and other Officials are responsible for the short- and long-term growth and development of the City of Jacksonville Beach. The following Divisions outline their specific responsibilities.

Secs. 34-401—34-410. Reserved.

DIVISION 2. CITY COUNCIL

Sec. 34-411. Powers and duties.

In addition to any authority granted the City Council by general or special law, the City Council shall have the following powers and duties under the provisions of the LDC:

- (a) To initiate, hear, consider and approve, approve with conditions, or deny applications to amend the text of the Comprehensive Plan;
- (b) To initiate, hear, consider and approve, approve with conditions, or deny applications to amend the Future Land Use Map of the Comprehensive Plan;
- (c) To initiate, hear, consider and approve, approve with conditions, or deny applications for development permits to amend the text of the Code;
- (d) To initiate, hear, consider and approve, approve with conditions, or deny applications for development permits to amend the official Zoning Map of the Code;
- (e) To hear, consider and approve, approve with conditions, or deny applications for development permits for a planned unit development (PUD);
- (f) To serve as the Land Development Regulation Commission as required by F.S. § 163.3194;
- (g) To designate and appoint hearing officers to make decisions as the City Council may deem appropriate;
- (h) To take such other action not delegated to the Planning Commission, Board of Adjustment, Code Enforcement Board, hearing officer or heads of City Departments, as the City Council may deem desirable and necessary to implement the provisions of the Comprehensive Plan and the LDC.

(Ord. No. 7500, § 5.1(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Secs. 34-412—34-420. Reserved.

DIVISION 3. PLANNING COMMISSION

Sec. 34-421. Establishment and purpose.

There is hereby established a Planning Commission.

(Ord. No. 7500, § 5.2(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-422. Powers and duties.

The Planning Commission shall have the following powers and duties under the provisions of the LDC:

- (a) To serve as the Local Planning Agency (LPA), as required by F.S. § 163.3174;
- (b) To initiate the preparation of or cause to be prepared the Comprehensive Plan, or any element or portion thereof;
- (c) To initiate the preparation or cause to be prepared the LDC;
- (d) To initiate, review, hear, consider and make recommendations to the City Council to approve, approve with conditions, or deny applications for development permits to amend the text of the Comprehensive Plan;
- (e) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications to amend the Future Land Use Map of the Comprehensive Plan;
- (f) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications to amend the text of the LDC;
- (g) To initiate, review, hear, consider, and make recommendations to the City Council on applications for development permits to approve, approve with conditions, or deny amendments to the official Zoning Map of the LDC;
- (h) To hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications for development permits for a Planned Unit Development or Redevelopment District;
- (i) To hear, consider, and approve, approve with conditions, or deny applications for development permits for conditional uses;
- (j) To make its special knowledge and expertise available upon written request and authorization of the City Council to any official, department, board, commission or agency of the City, state or federal governments;
- (k) To adopt or amended Bylaws to establish meeting procedures not inconsistent with this Section to govern the Planning Commission's proceedings; and
- (l) To initiate studies of the resources, possibilities and needs of the City and to report its findings and recommendations, with reference thereto, from time to time, to the City Council.

(Ord. No. 7500, § 5.2(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

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Sec. 34-423. Commission membership.

- (a) *Qualifications.* Members of the Planning Commission shall be a resident of the City for two (2) years prior to appointment, and a qualified elector. No member of the City Council or a City employee shall serve on the Planning Commission. Although no specific experience requirements shall be necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.
- (b) *Appointment.* The Planning Commission shall be composed of five (5) members, to be appointed by the City Council. The City Council shall also appoint two (2) alternate members, a first alternate and a second alternate. The alternate members shall vote only in the absence of regular members. The first alternate member shall have priority to vote in the absence of the first regular member's absence. When any of the two (2) alternate members are in attendance they may participate throughout the meeting, however they are only allowed to vote during an absence of a regular member.

(Ord. No. 7500, § 5.2(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-424. Terms of office.

- (a) *Member.* All members serving on the Planning Commission on the effective date of the LDC shall complete their terms according to their prior appointments. The term of office of each member appointed under the LDC shall be for four (4) years. When a person is appointed to fill out the term of a departing member, that person's term shall end at the time the departing member's term would have ended.
- (b) *Alternate member.* The term of an alternate member of the Planning Commission shall be for four (4) years. When a person is appointed to fill out the term of a departing alternate member, that person's term shall end at the time the departing member's term would have ended.

~~(c) No board member shall serve more than two (2) consecutive terms.~~

(Ord. No. 7500, § 5.2(D), 8-19-91; Ord. No. 94-7603, § 1, 6-20-94; Ord. No. 2001-7810, § 1, 7-16-01)

Sec 34-425. Removal from office.

- (a) In the event that any member is no longer a qualified elector or is convicted of a felony, or an offense involving moral turpitude while in office, the City Council shall terminate the appointment of such person as a member of the Planning Commission, and appoint a new member.
- (b) If any member of the Planning Commission fails to attend three (3) regular Planning Commission meetings without a valid or justifiable reason over a six-month period, the Planning and Development Department shall notify the City Council, who ~~shall~~may declare the member's office vacant, and appoint a new member.

(Ord. No. 7500, § 5.2(E), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

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Sec. 34-426. Vacancy.

Whenever a vacancy occurs on the Planning Commission, the full time member's position shall be served by an alternate member until a permanent member can be appointed by the City Council. The City Council shall appoint the new member within thirty (30) days of the vacancy or may appoint an alternate to the position of full member.

(Ord. No. 7500, § 5.2(F), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-427. Officers; quorum; rules of procedure.

- (a) ~~*Chair and vice-chair Officers.*~~ At an annual organizational meeting, which is set by the Planning Commission Bylaws, the members of the Planning Commission shall elect a chair, ~~and vice-chair and other officers as deemed necessary for proper function of the Commission~~ from among its members. The ~~chair and vice-chair's officer's~~ term shall be for one (1) year. No member shall serve as chair for more than two (2) consecutive terms. The Chair ~~or other officer acting in the Chair's capacity~~ shall be in charge of all proceedings before the Planning Commission and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Planning Commission. ~~In the absence of the chair, the vice-chair shall act as chair.~~ Specific rolls and procedures for officers are outlined within the Planning Commission Bylaws.
- (b) *Staff.* The Planning and Development Department shall be the professional staff of the Planning Commission.
- (c) *Quorum and voting.* The presence of three (3) or more members of the Planning Commission shall constitute a quorum of the Planning Commission necessary to take action and transact business. All actions shall require a simple majority of the quorum present.
- (d) *Rules of procedure.* The Planning Commission shall, by a majority vote of the entire membership, adopt Bylaws and shall keep a record of meetings, resolutions, findings and determinations. The Planning and Development Department may provide for transcription of such hearings and proceedings, or portions of hearings and proceedings, as may be deemed necessary.

(Ord. No. 7500, § 5.2(G), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-428. Meetings.

- (a) *General.* Meetings of the Planning Commission shall be held twice a month to dispense of matters properly before the Planning Commission. If there is no new business on the agenda, the meeting will be cancelled, and a notice posted at City Hall along with social media outlets. Additionally, meetings may be called by the chair or at the request of three (3) members of the Planning Commission in writing. The location of all Planning Commission meetings shall be in the City of Jacksonville Beach in a place accessible to the public.
- (b) *Meetings open to public.* All meetings and public hearings of the Planning Commission shall be open to the public in a place accessible to the public.
- (c) *Notice.* Public hearings shall be set for a time certain after due public notice.

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(Ord. No. 7500, § 5.2(H), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-429. Compensation.

The members of the Planning Commission shall serve without compensation, but may be reimbursed for such travel, mileage and/or per diem expenses as may be authorized by the City Council.

(Ord. No. 7500, § 5.2(I), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Secs. 34-430—34-440. Reserved.

DIVISION 4. BOARD OF ADJUSTMENT

Sec. 34-441. Establishment.

There is hereby established a Board of Adjustment.

(Ord. No. 7500, § 5.3(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-442. Powers and duties.

The Board of Adjustment shall have the following powers and duties under the provisions of the LDC:

- (a) To hear, review, consider and approve, approve with conditions, or deny variances to the terms of Site Development Standards of Article VII of the LDC. Variances shall only be granted from the dimensional standards of Article VI and the off-street parking or landscape standards of Article VII, except that a height variance or density variance shall not be permitted in any Zoning District. Variances shall not be granted to permit a use not generally allowed in the Zoning District in which it is located;
- (b) To make its special knowledge and expertise available upon written request and authorization of the City Council to any official, department, board, or commission of the City; and
- (c) To adopt or amended Bylaws to establish meeting procedures not inconsistent with this Section to govern the Board of Adjustment's proceedings.

(Ord. No. 7500, § 5.3(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-443. Board membership.

- (a) *Qualifications.* Members of the Board of Adjustment shall be a registered voter of the City of Jacksonville Beach for two (2) years prior to appointment, and qualified electors. No member of the City Council or a City employee shall serve on the Board of Adjustment. Although no specific experience requirements shall be necessary as a pre-requisite to appointment, consideration shall be given to applicants who have experience in planning, the law, architecture, natural resource management, real estate and related fields.

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- (b) *Appointment.* The Board of Adjustment shall be composed of five (5) members appointed by the City Council. The City Council shall also appoint two (2) alternate members, a first alternate and a second alternate. The alternates shall serve a four (4) year term. The alternate members shall vote only in the absence of regular members. The first alternate shall have priority to replace the first regular member who is absent.

(Ord. No. 7500, § 5.3(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2020-8133, § 4, 3-2-20)

Sec. 34-424. Terms of office.

- (a) *Member.* All members serving on the Board of Adjustment on the effective date of the LDC shall complete their terms according to their prior appointments. The term of office of each member appointed under the LDC shall be for four (4) years. When a person is appointed to fill out the term of a departing member, that person's term shall end at the time the departing member's term would have ended.
- (b) *Alternate member.* The term of an alternate member of the Planning Commission shall be for four (4) years. When a person is appointed to fill out the term of a departing alternate member, that person's term shall end at the time the departing member's term would have ended.

~~(c) No board member shall serve more than two (2) consecutive terms.~~

(Ord. No. 7500, § 5.2(D), 8-19-91; Ord. No. 94-7603, § 1, 6-20-94; Ord. No. 2001-7810, § 1, 7-16-01)

Sec 34-425. Removal from office.

- (a) In the event that any member is no longer a qualified elector or is convicted of a felony, or an offense involving moral turpitude while in office, the City Council shall terminate the appointment of such person as a member of the Planning Commission, and appoint a new member.
- (b) If any member of the Planning Commission fails to attend three (3) regular Planning Commission meetings without a valid or justifiable reason over a six-month period, the Planning and Development Department shall notify the City Council, who ~~shall~~may declare the member's office vacant, and appoint a new member.

(Ord. No. 7500, § 5.2(E), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-444. Officers; quorum; rules of procedure.

- (a) Officers. At an annual organizational meeting, which is set by the Board of Adjustment Bylaws, the members of the Board of Adjustment shall elect a chair, vice-chair and other officers as deemed necessary for proper function of the Board from among its members. The officer's term shall be for one (1) year. No member shall serve as chair for more than two (2) consecutive terms. The Chair or other officer acting in the Chair's capacity shall be in charge of all proceedings before the Board of Adjustment and shall take such action as shall be necessary to preserve order and the integrity of

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all proceedings before the Board. Specific rolls and procedures for officers are outlined within the Board of Adjustment Bylaws.

~~*Chair and vice chair.* At an annual organizational meeting as established by Bylaws, the members of the Board of Adjustment shall elect a chair and vice chair from among its members. The chair and vice chair's term shall be for one (1) year. No member shall serve as chair for more than two (2) consecutive terms. The Chair shall be in charge of all procedures before the Board of Adjustment and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Board of Adjustment. In the absence of the chair, the vice chair shall act as chair.~~

- (b) *Staff.* The Planning and Development Department shall be the professional staff for the Board of Adjustment.
- (c) *Quorum and voting.* The presence of three (3) or more members of the Board of Adjustment shall constitute a quorum of the Board of Adjustment necessary to take action and transact business. All actions shall require a simple majority of the quorum present.
- (d) *Disqualification.* If a member of the Board of Adjustment determines that they have private or personal interests in an issue that comes before the Board of Adjustment, they may disqualify themselves from participation in that issue. A member of the Board of Adjustment may be disqualified from participation on an issue by a majority vote of the Board of Adjustment, on the same grounds.
- (e) *Rules of procedure.* The Board of Adjustment shall, by a majority vote of the entire membership, adopt Bylaws for the transaction of business and shall keep a record of meetings, resolutions, findings and determinations. The Planning and Development Department may provide for transcription of such hearings and proceedings, or portions of hearings and proceedings, as may be necessary.

(Ord. No. 7500, § 5.3(D), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-445. Meetings.

- (a) *General.* Meetings of the Board of Adjustment shall be held twice a month to dispose of matters before the board. If there is no new business on the agenda, the meeting will be cancelled, and a notice posted at City Hall along with social media outlets. Scheduled meetings may be moved due to a conflict and additional meetings may be added by the chair or in writing by three (3) members of the Board of Adjustment. All meetings shall be held in the City of Jacksonville Beach in a place accessible to the public.
- (b) *Continuance.* If a matter is postponed due to lack of a quorum, the chair shall continue the matter to the next scheduled meeting. In case of delays caused by other reasons, the public hearing shall be rescheduled to the next Board of Adjustment meeting. The Planning and Development Staff to the Board shall notify all members of the date of the continued public hearing and also shall notify all parties.
- (c) *Open to public.* All meetings and public hearings of the Board of Adjustment shall be open to the public.

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- (d) *Notice.* Public hearings shall be set for a time certain after due public notice.
- (e) *Compensation.* Members of the Board of Adjustment may receive such travel and other expenses while on official business for the Board of Adjustment as are made available by the City Council for these purposes.

(Ord. No. 7500, § 5.3(E), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Secs. 34-446—34-460. Reserved.

Editor's note(s)—Ord. No. 7810, adopted 7-16-01, deleted Division 5, §§ 34-101—34-107 in its entirety and is replaced by a new Div. 5 as follows. Formerly, Div. 5 pertained to the Code Enforcement Board and derived from Ord. 7500, § 5.4(B)—(G) 8-19-91.

DIVISION 5. OTHER OFFICIALS

Sec. 34-461. Planning and Development Director or designee.

- (a) *Creation and appointment.* The Planning and Development Director or designee shall be the agency head of the Planning and Development Department and shall be appointed by and serve at the pleasure of the City Manager.
- (b) *Jurisdiction, authority and duties.* In addition to the jurisdiction, authority and duties which may be conferred upon the Planning and Development Director or designee by other provisions of the City code, the City Council, the City Manager, and the Planning and Development Director or designee shall have the following jurisdiction, authorities and duties under the LDC:
- (1) To review, consider and render interpretations of the text of the LDC or the official Zoning Map;
 - (2) To hear, consider and approve, approve with conditions, or deny applications for development permits for development plans;
 - (3) To undertake the day to day administration of the LDC;
 - (4) To receive applications for development permits for processing pursuant to the terms of the LDC;
 - (5) To ensure that adequate public notice is provided for applications for development permits pursuant to the terms of the LDC;
 - (6) To initiate requests to the City attorney to institute proceedings against the violators of the LDC;
 - (7) To undertake the current and long range comprehensive planning responsibilities of the City under F.S. § 163.3161 et seq. as amended, including all planning for land use, public facilities, and environmental resources;
 - (8) To review as needed and every five (5) years the Comprehensive Plan and the LDC and recommend amendments to the Planning Commission and City Council;
 - (9) To review, in a reasonable amount of time, the LDC following any Florida Building Code updates;
 - (10) To review annually the capital improvement program and capital improvement schedule and recommend amendments or updates to the Planning Commission and the City Council; and
 - (11) To coordinate other local, regional and state planning and permitting processes affecting development in the City and to serve as liaison to such local, regional, and state planning agencies having jurisdiction over development in the City.

(Ord. No. 2001-7810, § 1, 7-16-01)

Secs. 34-462—34-499. Reserved.

ARTICLE V. DEVELOPMENT REVIEW PROCEDURES

DIVISION 1. GENERAL APPLICABILITY

Sec. 34-500. Applicability.

The provisions of this division shall apply to every application for a development permit.

(Ord. No. 7500, § 6.1(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-501. Application and fees.

Every application for a development permit shall be in a form specified by the Planning and Development Department and shall be accompanied by a nonrefundable fee as is established from time to time by the City Council to defray the actual cost of processing the application.

(Ord. No. 7500, § 6.1(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-502. Preapplication conference.

A preapplication conference is mandatory prior to submission of an application for any development permit or approval.

Sec. 34-503. Public Hearings.

The Planning and Development Department shall be responsible for ensuring all public hearings adhere to Florida State Statute Chapter 166.041.

Table 34-503.1: Public Hearing Process

Rezoning	Small-Scale (under 50 acres) Land Use Amendment	Large-Scale (over 50 acres) Land Use Amendment	Text Amendment to the Comprehensive Plan	LDC Text changes	Conditional Uses	Variances
Community Redevelopment Agency (CRA) recommendation to City Council (CC) if rezoning to RD	Planning Commission (recommendation to CC)	Planning Commission (recommendation to CC)	Planning Commission (recommendation to CC)	Planning Commission (recommendation to CC)	Planning Commission	Board of Adjustments
Planning Commission (recommendation to CC)	Introduction to CC	Transmittal to State by CC	Transmittal to State by CC	Introduction to CC	NA	NA
Introduction to CC	Final Hearing CC	State response period	State response period	Final Hearing CC	NA	NA
Final Hearing CC		Adoption by CC	Adoption by CC		NA	NA

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Section 34-504. Public Notice

Table 34-504.1: Public Notice Procedures.

	Rezoning	Small-Scale (under 50 acres) Land Use Amendment	Large-Scale (over 50 acres) Land Use Amendment	Text Amendment to the Comprehensive Plan	LDC Text Changes	Conditional Uses	Variances
Distance for Noticing Residents (Feet)	300	300	300	300	N/A	300	300
Mailing Notices to Residents (postmarked)	15 days	15 days	15 days	15 days	N/A	15 days	15 days
Postings of Signs on the Property	1 sign every 200 feet of road frontage	1 sign every 200 feet of road frontage	1 sign every 200 feet of road frontage	N/A	N/A	1 sign every 200 feet of road frontage	1 sign every 200 feet of road frontage
Public Notice/ Advertisements**	10 days*	10 days*	10 days*	10 days*	10 days*	10 days*	10 days*

* Calendar days prior to each Public Hearing.

** Newspaper Advertisement must follow FSS 166.041(3)(c).2.b.

Note: Additional application requirements provided in specific Sections below.

Sec. 34-505. Actions by decision-making persons and bodies.

- (a) *General.* All decision-making persons and bodies shall act in accord with the time limits established in this Code. Action shall be taken as promptly as possible in consideration of the interests of the citizens of the City of Jacksonville Beach.
- (b) *Findings.* All decisions shall be in writing and shall include at least the following elements:
- (1) A summary of the information presented before the decision-making body;
 - (2) A summary of all documentary evidence provided to the decision-making body on which the decision-making body considered in making its decision; and
 - (3) A clear statement of specific findings of fact and a statement of the basis upon which such facts were determined, with specific reference to the relevant standards set forth in the LDC.

Sec. 34-506. Successive applications.

Whenever any application for a development permit or an application requiring a public hearing is denied for failure to meet the substantive requirements of the LDC, an application for all or a part of the same land shall not be considered for a period of one (1) year after the date of denial.

- (a) The applicant may submit a new application within the one (1) year if the subsequent or new application is materially different from the prior request.

- (1) For the purposes of this Section, an application shall be considered materially different if it involves a change in land use, decrease in density or intensity, or the application expressly satisfies the deficiencies that were identified in the prior denial.
- (2) The Planning and Development Director or designee shall resolve any question concerning the similarity of a second application or other questions which may develop under this Section.

Sec. 34-507. Suspension of development review proceedings.

At the discretion of the Planning and Development Director or designee, any application may be suspended during the pendency of a code enforcement proceeding pursuant to Article XII, Enforcement Proceedings and Penalties, involving all or a portion of the land proposed for development.

Secs. 34-508—34-515. Reserved.

DIVISION 2 COMPREHENSIVE PLAN AMENDMENTS

Sec. 34-516. Purpose.

The purpose of this Section is to provide a means for changing the boundaries of the Future Land Use Map of the Comprehensive Plan or the text of the Comprehensive Plan. It is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Council shall consider, in addition to the factors set forth in this Section, the consistency of the proposed amendment with the intent of the Comprehensive Plan.

(Ord. No. 7500, § 6.2(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-517. Authority.

The City Council may amend the boundaries or text of the Future Land Use Map upon compliance with the provisions of this Section.

(Ord. No. 7500, § 6.2(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-518. Initiation.

The Planning and Development Director or designee, City Council and Planning Commission may request staff to prepare site specific changes, and Comprehensive Plan text amendments.

(Ord. No. 7500, § 6.2(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-519. Submission of application.

Prior to submitting an application for a development permit for an amendment to the Comprehensive Plan or the Future Land Use Map, an applicant shall request in writing a preapplication conference with the Planning and Development Director or designee.

(Ord. No. 7500, § 6.2(D), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-520. Contents of application and sufficiency.

The application shall be submitted in a form established by the Planning and Development Department and made available to the public, and may include a traffic impact study, as may be required by the Director. The Planning and Development Department will inform the applicant when the application is sufficient.

Sec. 34-521. Review, report and recommendation.

If the application is determined to be sufficient the Director or their designee shall review the application, prepare a staff report and a recommendation of approval, approval with conditions, or disapproval based on the standards in Section 34-538(c). The Planning and Development Department shall send a copy of the staff report to the applicant approximately one week before the Planning Commission hearing along with notification of the time and place the application will be considered. Public Hearings for these applications shall follow Section 34.503 above.

Sec. 34-522. Consistency with Florida Statutes.

The process for adoption of a small scale Comprehensive Plan amendment, as defined in FSS Section 163.3187 shall only require one (1) public hearing before the City Council.

The process for a Comprehensive Plan amendment that does not qualify as a small scale Comprehensive Plan amendment shall require two (2) public hearings, a transmittal public hearing and an adoption public hearing, before the City Council.

If City Council approves the amendment during the transmittal public hearing, the amendment shall be transmitted to the State reviewing agencies for comments in accordance with FSS 163.3184. Upon receipt of the reviewing agencies comments, the City and the applicant shall address the comments and the City Council shall hold the adoption public hearing within the time frame provided in FSS 163.3184. Upon adoption, the City shall transmit the adopted amendment within ten (10) working days to the state review agencies.

Secs. 34-523—34-530. Reserved.

**DIVISION 3. ZONING MAP (REZONINGS) AND LAND DEVELOPMENT CODE TEXT
AMENDMENTS**

Sec. 34-531. Purpose.

The purpose of this Section is to provide a means for changing the text of this Code, or the boundaries of the official Zoning Map. It is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions. In determining whether to grant a requested amendment, the City Council shall consider, in addition to the factors set forth in this Section, the consistency of the proposed amendment with the intent of the Comprehensive Plan.

(Ord. No. 7500, § 6.3(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-532. Authority.

The City Council may amend the text of the LDC, or the boundaries of the official Zoning Map upon compliance with the provisions of this division.

(Ord. No. 7500, § 6.3(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-533. Initiation.

The Planning and Development Director or designee, City Council and Planning Commission may request staff to prepare changes to the Zoning Map and the Text of the Land Development Code. The City Council, the Planning Commission, the Planning and Development Director or designee may initiate general amendments to the Land Development Code when needed.

(Ord. No. 7500, § 6.3(C), 8-19-91; Ord. No. 2020-8133 , § 5, 3-2-20)

Sec. 34-534. Submission of application.

Prior to submitting an application for a development permit for an amendment to the official Zoning Map, an applicant shall request in writing a preapplication conference with the Planning and Development Director or designee. Applications may be submitted by the property owner or another person having contractual interest in the property affected by the proposed rezoning or their agent.

Sec. 34-535. Contents of application and sufficiency.

The application shall be submitted in a form established by the Planning and Development Department and made available to the public, and may include a traffic impact study, as may be required by the Director. The Planning and Development Department will inform the applicant when the application is sufficient.

Sec. 34-536. Review, report and recommendation.

If the application is determined to be sufficient, the Director or their designee shall review the application, prepare a staff report and a recommendation of approval, approval with conditions, or disapproval based on the standards in Section 34-538(c). The Director or their designee shall send a copy of the staff report to the applicant approximately one week before the Planning Commission hearing along with notification of the time and place the application will be considered.

Sec. 34-537. Action by Planning Commission.

The Planning Commission shall conduct a public hearing on the application pursuant to the procedures in Sections 34-504 and 34-506, and after close of the public hearing recommend to the City Council approval, approval with conditions, or denial of the application for development permit. In reviewing and making a recommendation, the Planning Commission shall apply the standards in Section 34-538(c).

(Ord. No. 7500, § 6.3(J), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-538. Action by City Council following public hearing.

- (a) After the review and recommendation of the Planning Commission, the application shall be scheduled for consideration at two (2) public hearings by the City Council, pursuant to Section 34-503.
- (b) Due to the quasi-judicial nature of the application, the City Council shall consider the application, all relevant supporting materials, the staff report, the recommendation of the Planning Commission, and the testimony given at the public hearing.
- (c) After the close of the public hearing or hearings, whichever is appropriate, the City Council shall consider the adoption of an ordinance enacting the proposed amendment based on one (1) or more of the following factors, provided however, that in no event shall an amendment be approved which will result in an adverse community change in which the proposed development is located.
 - (1) Whether the proposed amendment is consistent with the Comprehensive Plan;
 - (2) Whether the proposed amendment is in conflict with any portion of the LDC;
 - (3) Whether and the extent to which the proposed amendment is consistent with existing and proposed land uses;
 - (4) Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether and the extent to which the proposed amendment would exceed the level of service standards established for public facilities in the Comprehensive Plan;
 - (5) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the coastal environment;
 - (6) Whether and the extent to which the proposed amendment would adversely affect the property values in the area;
 - (7) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern consistent with the definition of compatibility as defined in FSS 163.3164(9) and would not constitute spot zoning as defined in Article III;
 - (8) Whether it is impossible to find other lands in the City for the proposed use in a Zoning District that permits such use as of right.
- (d) The City Council shall adopt the proposed amendment or the proposed amendment as modified, by not less than a majority of the quorum present at the public hearing.

Secs. 34-539—34-545. Reserved.

DIVISION 4. CONDITIONAL USES

Sec. 34-546. Purpose.

Conditional uses are those uses which are generally not compatible with the other land uses permitted in a Zoning District, but with individual review and control of their location, design, configuration and intensity and density of use, buildings and structures, and the imposition of conditions pertinent thereto in order to ensure the appropriateness of the use at a particular location, may be permitted in the Zoning District as a conditional use.

(Ord. No. 7500, § 6.4(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-547. Authority.

The Planning Commission, in accordance with the procedures, standards and limitations of this Section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use after consideration of the report from the Planning and Development Department.

(Ord. No. 7500, § 6.4(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2020-8133, § 5, 3-2-20)

Sec. 34-548. Authorized conditional uses.

Only those uses which are authorized as conditional uses in Article VI, Division 2 may be approved as conditional uses. The designation of a use as a conditional use in a Zoning District in Article VI, Division 2 does not constitute an authorization of such use or an assurance that such use will be approved under the LDC; rather, each proposed conditional use shall be evaluated by the Planning and Development Department and the Planning Commission for compliance with the standards, individual criteria, and conditions set forth in this Section and the applicable Zoning District.

(Ord. No. 7500, § 6.4(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-549. Initiation.

An application for a development permit for a conditional use shall be submitted by the owner, or any other person having a written contractual interest in the land for which the conditional use is proposed, or their authorized agent.

(Ord. No. 7500, § 6.4(D), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-550. Submission of application.

An application for a development permit for a conditional use shall be submitted to the Planning and Development Department along with a nonrefundable application fee which is established by the City Council from time to time to defray the actual cost of processing the application.

If the applicant is not the owner of the property, an owner authorization form, provided by the Planning and Development Department, must be provided.

Sec. 34-551. Contents of application and sufficiency.

The application shall be submitted in a form established by the Planning and Development Department and made available to the public, and may include a traffic impact study as may be required by the Director. The Planning and Development Department will inform the applicant when the application is sufficient.

Sec. 34-552. Review, report and recommendation.

If the application is determined to be sufficient, the Planning and Development Department shall review the application, prepare a staff report and a recommendation of approval, approval with required conditions, or disapproval based on the standards in the Section below and any applicable specific standards and individual criteria in Division 4 of this Section. The Planning and Development Department shall send a copy of the staff report to the applicant approximately one week before the Planning Commission hearing along with notification of the time and place the application will be considered.

Sec. 34-553. Standards applicable to all conditional uses.

When considering an application for development permit for a conditional use, the Planning Commission shall consider whether and the extent to which:

- (a) The conditional use is consistent with the visions, intents and strategies of the Comprehensive Plan, including standards for building and commercial intensities and densities, and intensities of use;
- (b) The conditional use is compatible with existing permissible uses in the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the Zoning District in which it is proposed;
- (c) The design of the proposed conditional use minimizes adverse effects, including visual impact such as massing, of the proposed use on adjacent properties, and provides adequate screening and buffering;
- (d) The proposed conditional use will not have an adverse effect on the permitted uses of the Zoning District where it is located;
- (e) The proposed conditional use will not have a demonstrated adverse effect on the value of adjacent property;
- (f) There are adequate public facilities and services pursuant to Article IX, Adequate Public Facility Standards;
- (g) There is adequate ingress and egress to the proposed conditional use;
- (h) The proposed conditional use is consistent with the requirements of the LDC;
- (i) The applicant has guaranteed the provision of open space and other improvements, as may be required, associated with the proposed conditional use;
- (j) The proposed conditional use complies with all additional standards imposed on it by the particular provision of the Comprehensive Plan authorizing such use and all other applicable requirements of the LDC including specific conditional uses below.

(Ord. No. 7500, § 6.4(K), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-554. Conditions.

The Planning Commission may impose or amend such conditions, beyond those already required in this LDC, on a conditional use that are necessary to accomplish the purposes of the Comprehensive Plan and the LDC to prevent or minimize adverse effects upon the public and the environment in the neighborhood, including, but not limited to: limitations on size, bulk and location; requirements for landscaping, buffering, lighting, adequate ingress and egress and other on-site or off-site, project-related improvements; and hours of operation. Such conditions, if determined necessary by the Planning Commission, shall be made part of the development order for the conditional use.

(Ord. No. 7500, § 6.4(L), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-555. Assignability and transferability.

A development order for a conditional use may be assignable or transferable if the request is not a change of use or increase in intensity pursuant to the determination of the Planning and Development Department Director or designee. This Section shall not apply to the assignment or transfer of ownership of an individual dwelling unit, or multiple-family structure. The Director retains the right to request Planning Commission to review the request for transferability.

(Ord. No. 7500, § 6.4(M), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2006-7916, § 1, 4-3-06)

Sec. 34-556. Time limit.

The Planning Commission may establish a reasonable time limit within which a building permit for the conditional use must be issued. If a building permit is not issued within this time limit, the development order for the conditional use shall become null and void. Only one (1) extension for up to one (1) year in length may be granted by the Planning Commission for the conditional use, upon application to the Planning and Development Department, and a showing of good cause. No request for an extension shall be considered unless an application requesting the extension is submitted to the Planning and Development Department no later than thirty (30) working days prior to the date the development order is to expire.

(Ord. No. 7500, § 6.4(N), 8-19-91; Ord. No. 7810, § 1, 7-16-01)

Sec. 34-557. Amendments to permits for conditional uses.

A development order for a conditional use may be amended, extended, varied or altered only pursuant to the [current](#) standards and procedures established for its original approving body.

Sec. 34-558. Criteria for Specific Conditional Uses

The specific standards for certain conditional uses are below. Each Zoning District lists which uses are conditional.

(a) *Accessory Dwelling Units (ADU's).*

- (1) Accessory dwelling units are only permissible by conditional use and if located within RM-1 and RM-2 Zoning Districts.
- (2) Parcel-The subject parcel shall only contain one (1) single-family dwelling unit at the time of application.
- (3) Minimum Lot Size: 5,000 square feet.
- (4) Minimum Square Footage: the ADU size shall be limited to 350-500 square feet.
- (5) Minimum Parking Required: one (1) space for the ADU and two (2) spaces for existing single-family dwelling unit (garage not included).
- (6) Compatibility: The ADU must be compatible in design and materials as the primary structure.
- (7) Height: shall not exceed fifteen (15) feet in height.
- (8) Permanency: the structure shall be secured to the ground per Florida Building Code (as amended).
- (9) Ownership: The existing single-family residence must be owner occupied and file a notarized affidavit to that effect.
- (10) Utilities: There shall only be one (1) electrical meter and water meter for both the single-family residence and the ADU.



Figure 34-558.1: Accessory Dwelling Unit

(b) *Amusement parks.*

- (1) *Minimum Lot Size.* At least five (5) acres in size.
- (2) *Off-Street Parking.* Parking areas shall not be separated from principal structure by any public road.
- (3) *Required Spaces.* Must be in accordance with Article VII Division 1, as amended.
- (4) *Setbacks.*
 - a. *Front.* Not less than twenty-five (25) feet from front property line.
 - b. *Rear.* Not less than twenty-five (25) feet from rear property line.

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- c. *Side.* Not less than twenty (20) feet from side property lines, unless a corner lot, then setback shall be the same as the front setback.
- d. *Corner Lot.* No structure erected on a corner lot shall be closer than thirty (30) feet to the public right-of-way.

(c) *Automated Car Washes.*

- (1) The automated car wash shall be limited to no more than three vacuum machines each capable of vacuuming no more than two vehicles at any one time.
- (2) The automated car wash shall be contiguous to a street classified as minor arterial or higher classification.
- (3) The entrance and exit openings to the car wash shall be oriented away from any adjacent conforming residential uses.
- (4) A 15-foot wide buffer shall be provided between the property and any institutional use, office use, or any conforming residential use.
- (5) The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.
- (6) Lighting shall be so designed and installed so as to prevent glare or excessive light on adjacent property. No sources of illumination shall be allowed if such source of illumination would be visible from a residentially-zoned district to the extent that it interferes with the residential use of that area.
- (7) All primary structures, accessory structures, and roofs shall use consistent architectural themes and colors and shall be consistent with any adopted design guidelines.
- (8) Any signage provided on an accessory car wash shall be deducted from the allowable wall signage of the primary structure.
- (9) Car washes and vacuums shall not be located within 100 feet of any conforming residential use.

(d) *Camps and RV Parks.*

- (1) An RV park or campground shall be located so that no entrance or exit from park shall discharge traffic into a residential district. An RV park or campground fronting on a public street shall have a minimum frontage of 100 feet.
- (2) Spaces in RV parks and campgrounds may be used by RVs, pickup campers, converted buses, tent trailers, tents or similar devices used for temporary portable housing. Permanent occupancy (occupancy for more than 120 days) for dwelling purposes in this equipment is prohibited. Spaces shall be rented by the day, week or month.
- (3) Management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities and other uses and structures customarily incidental to the operation of an RV park or campground are permitted as accessory uses to the park in a district in which RV parks or campgrounds are permitted. In addition, stores, restaurants, laundry and dry cleaning agencies, beauty parlors, barbershops and other convenience establishments shall be

permitted as accessory uses in Camps and RV Parks where these uses are not allowed as principal uses, subject to the following restrictions:

- a. These establishments and the parking areas primarily related to their operation shall not occupy more than ten (10) percent of the area of the park.
 - b. These establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the park.
 - c. The structures housing these facilities shall not be located closer than 100 feet to a public street.
- (4) No space intended for occupancy under this Section shall be located so that a part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of an arterial street or within 25 feet of the right-of-way line of another street.
- (5) Twenty-five-foot front, rear and side yards shall be provided for the campgrounds and RV parks.
- (6) Entrances and exits to RV parks and campgrounds shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. Traffic into or out of the park shall be through the entrances and exits.
- (7) Each RV park or campground shall provide adequate off-street parking, loading and maneuvering space.
- (e) *Child Day Care Services.*
 - (1) Child day care services, including day nurseries, kindergartens and child care centers, shall be subject to the following conditions:
 - a. *Lot area.* The minimum lot area shall be not less than seven thousand five hundred (7,500) square feet except for lots of record platted prior to the adoption of the LDC.
 - b. *Outdoor play area.* A fenced outdoor play area, which complies with all applicable state requirements, shall be provided in the rear yard.
 - c. *Compliance with state standards.* All facilities, operation and maintenance shall meet all applicable City and state regulations for such use.
 - d. *Capacity.* An application for a conditional use shall state the maximum number of children to be accommodated, and in no case shall the number of children approved for the conditional use be exceeded.
 - e. *Parking.* An adequate number of parking spaces shall be provided for employees and business owners, as well as a sufficient drop off area for children.
- (f) *Commercial Use in Residential Zoning District.*
 - (1) There are limited commercial uses permitted within the RM-1 and RM-2 residential Zoning Districts as conditional uses. Unless listed otherwise, uses which are not residential in nature shall follow the following standards to ensure compatibility within the surrounding area. The conditional use approval may be transferrable between owners.

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- (2) *Access*- The subject parcel shall be accessed from a collector roadway or higher.
- (3) *Compatibility Buffers*- if the parcel is adjacent to an existing residential parcel, shall adhere to Section 34-745(b)(2).
- (4) *Lighting*- Illumination levels at all property lines shall not exceed one-half (.5) footcandles ("f.c.") when the building or parking areas are located adjacent to residential areas and shall not exceed one (1.0) f.c. when abutting other non-residential properties.
- (5) *Compatibility*- The commercial use shall not emit noise, smoke, fumes, dust, odor or otherwise be incompatible if located in a predominantly residential area.
- (6) *Height*- The height shall not exceed the prevailing height of the block.
- (g) *Funeral Homes*.
 - (1) The structures housing these facilities shall not be located closer than 100 feet to a public street.
 - (2) The structures housing these facilities shall not be located within 100 feet of any conforming residential use.
- (h) *Halfway Houses*.
 - (1) Notwithstanding anything to the contrary in the LDC, the occupancy of a rooming house shall not exceed any applicable occupancy limitation otherwise required by any federal, State or local law, rule or regulation.
 - a. Shall contain a ten (10) foot wide, 100% opaque buffer surrounding the property.
 - b. Chain link fences shall not be allowed in any yards along public streets (not including alleys), and must be located at least six (6) feet behind the closest vertical plane of the primary structure.
 - c. The use shall comply with all applicable City property maintenance and unsafe building codes.
 - d. Twenty-four-hour, on-site management shall be required.
- (i) *Hospitals and Freestanding Emergency Centers*.
 - (1) The structures housing these facilities shall not be located closer than 100 feet to a public street.
 - (2) The structures housing these facilities shall not be located within 100 feet of any conforming residential use.
- (j) *Hotels and Motels*.
 - (1) For hotels and motels within the CBD, the following site design standards shall apply.
 - a. *Minimum Site Size*. An area of not less than one-half (1/2) acre having a minimum width of not less than one hundred (100) feet (50 of which must be roadway frontage) and a depth of not less than two hundred (200) feet.

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- b. *Off-Street Parking.* Parking areas should not be separated from principal structure by any public road unless proper pedestrian safety standards are met. Off-site parking areas must be zoned consistent with the principal use.
 - c. *Required Spaces.* Motels/hotels shall have one (1) space per unit plus one (1) space for each two (2) employees.
 - d. *Visual Barrier.* Trash receptacles must be enclosed by a visual barrier as required to public works standards.
- (k) *Junk and Salvage Yards.*
 - (1) Junk and salvage yards shall be screened from any public road and from any residential Zoning District pursuant to Section 34-720.
 - a. Any storage or dismantling of vehicles or machinery shall be conducted in a manner that does not pollute surface or ground water resources.
 - b. This use shall be at least 1,000 feet from any unassociated water bodies, marsh, environmentally sensitive lands, wellhead protection areas, conservation-protected estuarine wetlands, and any beach and dune systems.
- (l) *Rooming and Boarding Houses.*
 - (1) Notwithstanding anything to the contrary in the LDC, the occupancy of a rooming house shall not exceed any applicable occupancy limitation otherwise required by any federal, State or local law, rule or regulation.
 - a. Shall contain a compatibility buffer as described in Section 34-745(b)(2).
 - b. Chain link fences shall not be allowed in any yards along public streets (not including alleys), and must be located at least six (6) feet behind the closest vertical plane of the primary structure.
 - c. The use shall comply with all applicable City property maintenance and unsafe building codes.
 - d. Twenty-four-hour, on-site management shall be required.
- (m) *RV and Boat Storage.*
 - (1) At least twenty (20) percent of the site shall be in open space. Landscape buffers, setbacks, wetlands and other existing and planted vegetated areas may be used to achieve these twenty (20) percent requirement.
 - (2) Drive aisles shall be paved with concrete, asphalt, asphalt millings or other material approved by the Planning and Development Director or designee. Storage areas may utilize alternative materials. All other areas shall be landscaped and/or grassed.
 - (3) All drive aisles shall be designed with one (1) ten (10) foot wide loading/unloading lane and one (1) fifteen (15) foot travel lane.
 - (4) The site shall be secured with a wall or fence that is at least six (6) feet in height. Walls must be finished or painted on the exterior side. Razor wire and electric fences are not permitted. No opacity shall be required along a boundary of the site adjacent to wetlands, platted open

space or areas subject to a conservation easement that preserves vegetation sufficient to screen the site from view across such areas. A wrought-iron fence (or fence resembling wrought iron) may be utilized in conjunction with a hedge or natural vegetation that provides for 100% opacity within two (2) years of the time of planting.

(n) *Service Stations and Gasoline Sales.*

- (1) The following regulations shall apply to the location, design, construction, operation and maintenance of a new construction automotive service stations and other gas dispensing and sales facilities. The conditional use approval may be transferrable between owners.
 - a. *Development plan.* A development plan which meets the requirements of Section 34-586 et seq., shall be required to be submitted prior to the approval of any service station or gasoline dispensing use.
 - b. *Lot frontage.* A service station or gas dispensing facility site shall be of adequate width and depth to meet any setback requirements, and in no case shall minimum frontage on a street be less than one hundred twenty-five (125) feet.
 - c. *Lighting.* All lights and lighting shall be designed and arranged to prevent any source of light from causing glare or being uncomfortably harsh when viewed from any residential window in a residential Zoning District.
 - d. *Structure, pump, and storage tank setbacks.* No main or accessory building, gasoline pump or storage tank shall be located closer than twenty-five (25) feet from any land that is in a residential Zoning District. The main service station building shall conform to all street frontage setbacks applicable to the Zoning District. Gasoline pumps, tanks and pump islands shall be located no closer than fifteen (15) feet to any street side property line. Pumps, tanks, vents, pump islands and pump island canopies shall conform to side and rear setback requirements for other structures in the Zoning District in which the station is located, provided no such pumps, tanks, vents, pump islands or pump island canopies shall be located closer than twenty-five (25) feet to any side or rear property line.
 - e. *Storage tanks.* Storage tanks shall be located below grade.
 - f. *Access driveways and curb cuts.* No more than two (2) curb cuts per one hundred twenty-five (125) feet of street frontage shall be permitted for service station and gas dispensing facilities. Curb cuts shall not exceed thirty (30) feet in width, exclusive of curb returns and shall be located no closer than thirty (30) feet from the right-of-way lines of any intersection. Curb cuts shall not be closer than fifteen (15) feet from any other property line. Any two (2) driveways providing access to a single street shall be separated by an island with a minimum width of twenty (20) feet.
 - g. *Limitations.* The permissible uses at a service station shall not include major mechanical and body work, straightening of body parts, painting, welding, storage of inoperable vehicles or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations. A service station is not a repair garage or a body shop.

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- h. *Buffers.* Where lots which are to be used for service stations or gas dispensing facilities abut any property which is in a residential Zoning District or used for residential purposes, a solid, concrete block wall with a cap shall be installed on all property lines other than street lines. The wall shall have a minimum height of six (6) feet in height and shall be continuous and unpierced, except that no wall or other obstruction shall be permitted to exceed four (4) feet in height within fifteen (15) feet of a street line.
- (o) *Shooting Galleries*
- (1) Only indoor shooting galleries are permitted.
 - (2) *Minimum Room Length.* The room length in which the actual firing range is to be built shall be at least seventy-five (75) feet long for a fifty (50) foot range, to allow eight (8) feet (minimum) each for the bullet stop and firing line, plus a nine (9) foot assembly and supervisory area.
 - (3) *Minimum Firing Point Width.* The minimum firing point width shall be 3.5 feet. The Firing Point is that part of the range immediately in the rear of the firing line from which firing takes place.
 - (4) *Off-Street Parking.* Parking areas should not be separated from principal structure by any public road.
 - (5) *Required Spaces.* Must be in accordance with Article VII Division 1, as amended.
 - (6) *Setbacks.*
 - a. *Front.* Not less than twenty-five (25) feet from front property line.
 - b. *Rear.* Not less than twenty-five (25) feet from rear property line.
 - c. *Side.* Not less than twenty (20) feet from side property lines, unless a corner lot, then setback shall be the same as the front setback.
 - d. *Corner Lot.* No structure erected on a corner lot shall be closer than thirty (30) feet to the public right-of-way.
 - (7) The following additional conditions shall be satisfied:
 - a. The range is physically secure so as to prevent unauthorized use or accidental trespassing. Warning signs identifying the use shall be displayed.
 - b. The floor or framework can support the weight of the backstop or bullet trap. Unless fire code requires emergency exit doors and windows, downrange must be permanently shut and either covered or baffled or a combination of the two with bullet-resistant material. The walls, floors, and ceiling must be modified accordingly.
 - c. A mechanical exhaust ventilation system and diffused air supply must be installed.
 - d. No metal should be placed at right angles to the line of fire.
 - e. Adequate lighting must be provided.
 - f. The walls, ceiling, and floor must be treated with effective sound-absorbent materials.

- g. Techniques of sound reduction (sound absorbing material coat, acoustic material, carpeting, or baffling) shall be implemented.

(Ord. No. 7500, § 8.2(O), 8-19-91)

Secs. 34-559—34-565. Reserved.

DIVISION 5. VARIANCES

Sec. 34-566. Purpose.

Variances are deviations from the terms of the LDC which would not be contrary to the public interest when owing to special circumstances or conditions, the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship. Variances shall not be inconsistent with the Comprehensive Plan. It is understood that the granting of a variance shall not create a precedence for future requests.

(Ord. No. 7500, § 6.6(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-567. Authority.

The Board of Adjustment, in accordance with the procedures, standards and limitations of this Section shall approve, approve with conditions, or deny an application for development permit for a variance after recommendation by the Planning and Development Department.

(Ord. No. 7500, § 6.6(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-568. Authorized variances.

Variances shall only be granted from the dimensional standards of Article VI, the off-street parking or landscape standards of Article VII, and the Subdivision Standards of Article VIII within the LDC, except that a height variance shall not be permitted in any Zoning District. Variances shall not be granted to permit a use not generally allowed in the Zoning District in which it is located.

Variances may not be requested for relief from:

- (a) Maximum building height
- (b) Residential density
- (c) Minimum lot area requirements
- (d) Maximum sign dimensional standards

(Ord. No. 7500, § 6.6(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2020-8133 , § 5, 3-2-20)Sec. 34-284. Initiation.

Sec. 34-569. Submission of application.

Prior to submitting an application for a Variance, an applicant shall request in writing a preapplication conference with the Planning and Development Director or designee. An application for a development

permit for a variance shall be submitted by the owner or other person having a written contractual interest in the land for which the variance is proposed. If the applicant is not the owner of the property, an owner authorization form, provided by the Planning and Development Department, must be provided.

An application for a development permit for a variance shall be submitted to the Planning and Development Department along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.

Sec. 34-570. Contents of application and sufficiency.

The application shall be submitted in a form established by the Planning and Development Department and made available to the public, and may include a traffic impact study as may be required by the Director. The Planning and Development Department will inform the applicant when the application is sufficient.

Sec. 34-571. Review, report and recommendation.

If the application is determined to be sufficient the Director or their designee shall review the application, prepare a staff report and a recommendation of approval, approval with conditions, or disapproval based on the standards in the Section below. The Director or their designee shall send a copy of the staff report to the applicant approximately one week before the Board of Adjustment hearing along with notification of the time and place the application will be considered.

Sec. 34-572. Standards applicable to all variances.

In order to authorize any variance from the terms of this Code, the Board of Adjustment must find that:

- (a) There are conditions or circumstances that exist which prevent compliance with site design and development standards, or which are unique to the parcel of land, building or structure;
- (b) The conditions or circumstances do not result from actions of the application and would not be considered a self-imposed hardship;
- (c) There would be no special privileges afforded to the applicant by granting a variance that is not available to other parcels of land, building or structures with similar conditions or circumstances;
- (d) Strict interpretation and enforcement of the code would deprive the applicant of rights commonly enjoyed by other parcels of land and would provide an unnecessary and undue hardship;
- (e) The variance(s) requested, if granted, will make possible a reasonable use of the parcel of land, building, or structure; and
- (f) The variance(s) request, if granted, will not result in the creation of a public nuisance.

(Ord. No. 7500, § 6.6(F), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-573. Conditions.

The Planning and Development Department may recommend, and the Board of Adjustment may impose, such conditions on variances as are necessary to accomplish the visions, intents and strategies of the Comprehensive Plan and this Code including, but not limited to, limitations on size, bulk, location,

requirements for landscaping, buffering, lighting, provisions of adequate ingress and egress, on and off-site project-related improvements, and reasonable time limits within which the variance shall be initiated and completed.

(Ord. No. 7500, § 6.6(H), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-574. Administrative variance.

Notwithstanding the other provisions of Division V, the Planning and Development Director or designee may issue an administrative variance from the dimensional standards of Article VI and the off-street parking and loading or landscape standards of Article VII of the LDC (except that a height variance shall not be permitted in any Zoning District) if the proposed application for an administrative variance complies with the standards of Section 34-592. For the purposes of this Section, an administrative variance is a variance that does not vary from the relevant dimensional, off-street parking and loading, or landscape standards by more than ten (10) percent.

Secs. 34-578—34-585. Reserved.

DIVISION 6. DEVELOPMENT PLAN REVIEW

Sec. 34-586. Purpose.

Development plans shall be required in accordance with the provisions of this Section in order to ensure that the proposed development complies with the site development standards in Article VII and other requirements of the LDC, and to otherwise protect the public health, safety and general welfare of the citizens of the City of Jacksonville Beach.

(Ord. No. 7500, § 6.5(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-587. Applicability.

A development order for a development plan is required prior to receipt of a building permit for any nonresidential development or any residential development of three (3) dwelling units or more.

Sec. 34-588. General description of development plan review.

An application for a development permit requesting approval of a development plan shall be reviewed and approved, approved with conditions, or denied by the Planning and Development Director or designee.

(Ord. No. 7500, § 6.5(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-589. Initiation.

Prior to submittal of an application, a pre-application meeting shall be completed with the Planning and Development Department and all relevant City Departments. An application for a development permit for a development plan shall only be submitted by the owner, or any other person having a contractual interest in the land, or their authorized agent.

(Ord. No. 7500, § 6.5(D), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-590. Submission of application.

An application for a development permit for a development plan shall be submitted to the Planning and Development Department along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.

Sec. 34-591. Contents of application and sufficiency.

The application shall be submitted in a form established by the Planning and Development Department and made available to the public, and may include a traffic impact study as may be required by the Director. The Planning and Development Department will inform the applicant when the application is sufficient.

Sec. 34-592. Review, report and recommendation.

If the application is determined to be sufficient, the Planning and Development Department shall prepare the application for review by the appropriate City Departments. Upon completion of the review, the Planning and Development Department will prepare a staff report and a statement of approval, approval with conditions, or disapproval based on the standards in the Section below. The Planning and Development Department shall send a copy of the staff report to the applicant at the time that the report is completed.

Sec. 34-593. Standards.

A development plan shall comply with the following standards:

- (a) *Consistency with Comprehensive Plan.* It shall be compatible with the visions, intents and strategies of the Comprehensive Plan.
- (b) *Compatible with surrounding land uses.* It shall be compatible with surrounding land uses.
- (c) *Not deter surrounding undeveloped properties.* It shall not hinder, deter, or impede development of surrounding undeveloped land in accordance with the Comprehensive Plan.
- (d) *Adequate public facilities.* It complies with Article IX, Adequate Public Facility Standards. The provision of adequate public facilities for the proposed development shall be consistent with the CIE of the Comprehensive Plan.
- (e) *Design and layout of development.* It shall be adequately designed so that the general layout of the proposed development will be compatible with surrounding permissible land uses and existing properties.
- (f) *Ingress and egress, and internal traffic circulation.* It shall provide adequate ingress and egress to the land proposed for development, provide adequate separation of automotive and pedestrian traffic, and provide adequate internal traffic circulation. If the property is located along an approved Urban Trail, every effort shall be made to incorporate the trail into the design.
- (g) *Screens and buffers.* It shall provide adequate screens and buffering to ensure compatibility with land uses internal and external to the proposed development.

- (h) *Open space.* It shall provide adequate open space and on-site recreational facilities, consistent with the citywide visions, intents, and strategies established in the Comprehensive Plan or be required to contribute to the park fund.
- (i) *Site development standards.* It shall comply with the site development standards of Article VII of the LDC.

(Ord. No. 7500, § 6.5(I), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-594. Conditions.

The Planning and Development Director or designee and City Departments such as Public Works, Fire, and Beaches Energy Services shall have the authority to impose such conditions on a development plan that are necessary to accomplish the purposes of this Section, the LDC, and the Comprehensive Plan.

(Ord. No. 7500, § 6.5(J), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-595. Effect of development order for a development plan.

Issuance of a development order for a development plan shall be deemed to authorize the applicant to submit to the City Council a final plat pursuant to the procedures and standards of Article VIII, Subdivision Standards, and then an application for a building permit. A final plat, however, cannot be submitted until the improvements for the proposed development are in place or bonded, as determined by the Public Works Department.

(Ord. No. 7500, § 6.5(L), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-596. Time limitations.

Receipt of a development order for a development plan shall expire at the end of two (2) years after the date of its initial approval if an application for a final plat and/or a building permit is not submitted. Only one (1) extension, up to one (1) year in length shall be granted for the development plan by the Planning and Development Department, upon written application to the Planning and Development Department and a showing of good cause. No request for an extension shall be considered unless a written application requesting the extension is submitted to the Planning and Development Department no later than thirty (30) working days prior to the date the development order is to expire. Failure to submit an application for a building permit within the time limits established by this Section shall render null and void the development order for the development plan.

(Ord. No. 7500, § 6.5(M), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-597. Amendments to development plan.

A development plan may be amended only pursuant to the procedures established for its original approval, or as are otherwise set forth in this Section.

Secs. 34-598—34-599. Reserved.

ARTICLE VI. ZONING DISTRICTS

DIVISION 1. GENERAL

Sec. 34-600. Purpose and intent.

In order to ensure that all development in the City of Jacksonville Beach is consistent with the Comprehensive Plan, it is necessary and proper to establish a series of Zoning Districts to ensure that each permitted and conditional use is compatible with surrounding land uses, served by adequate public facilities, and sensitive to natural and coastal resources. Each Zoning District has its own purpose and establishes permitted uses, uses accessory to permitted uses, conditional uses, dimensional standards and other land use, density and intensity regulations, sign regulations, off-street parking and loading regulations, landscaping regulations, environmental regulations and other regulations that control the use of land in each Zoning District. In no case shall any new commercial development exceed 50,000 square feet in size. All development within each Zoning District shall be consistent with the purposes stated for that Zoning District in Section 34-611 et seq.

(Ord. No. 7500, § 7.1(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-601. Zoning Districts established.

In order to carry out and implement the Comprehensive Plan, the following Zoning Districts are hereby established:

- Residential, single-family Zoning District (RS-1)
- Residential, single-family Zoning District (RS-2)
- Residential, single-family Zoning District (RS-3)
- Residential, multi-family Zoning District (RM-1)
- Residential, multi-family Zoning District (RM-2)
- Commercial, professional office Zoning District (CPO)
- Commercial, Limited Zoning District (C-1)
- Commercial, general Zoning District (C-2)
- Commercial service Zoning District (CS)
- Central business Zoning District (CBD)
- Industrial Zoning District (I-1)
- Redevelopment Zoning District (RD)
- Planned Unit Development Zoning District (PUD)

(Ord. No. 7500, § 7.1(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-602. Establishment of Official Zoning Map.

The location and boundaries of the Zoning Districts established in this Article shall be set forth on the official Zoning Map of the City of Jacksonville Beach which is incorporated by reference into this Article as if fully described and set forth herein. The official electronic GIS Zoning Map is maintained by the City's Planning and Development Department. The official Zoning Map shall be the final authority as to the current zoning of land in the City of Jacksonville Beach.

(Ord. No. 7500, § 7.1(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-603. Amendment to the Official Zoning Map.

Pursuant to the terms of this Code, amendments made to the boundaries of the official Zoning Map shall be entered into the official GIS Zoning Map by the Planning and Development Department within thirty (30) working days after amendment is approved by ordinance.

(Ord. No. 7500, § 7.1(D), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Sec. 34-604. Planning and Development Department Administrative Approval.

The Planning and Development Director or designee, reserves the right to administratively approve a modification to a front yard setback on residential properties only if there is an established prevailing setback along the immediate block. The Planning and Development Director or designee also reserves the right to determine if a use in the Sections below is similar to another use.

Sec. 34-605. Off-site advertising a prohibited use in all Zoning Districts.

The business of off-site advertising is a prohibited use in all City Zoning Districts.

(Ord. No. 7500, § 7.1(E), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01)

Secs. 34-606—34-610. Reserved.

DIVISION 2. ZONING DISTRICTS, PERMITTED USES, ACCESSORY USES,
CONDITIONAL USES, DIMENSIONAL STANDARDS, OFF-STREET PARKING AND
LOADING STANDARDS, SUPPLEMENTAL STANDARDS, LANDSCAPING STANDARDS,
SIGN STANDARDS, AND ENVIRONMENTAL STANDARDS

The Planning and Development Director or designee, reserves the right to administratively approve a modification to a front yard setback on residential properties only if there is an established prevailing setback along the immediate block. The Planning and Development Director or designee also reserves the right to determine if a use in the Sections below is similar to another use.

Sec. 34-611. Residential, single-family: RS-1.

- (a) *Purpose.* The residential, single-family (RS-1) Zoning District is intended to implement the low-density residential land use district in the Comprehensive Plan. It is intended to classify areas suitable for low density single-family residential development.
- (b) *Permitted uses.* The following uses are permitted as of right in the RS-1 Zoning District.
 - (1) Single-family dwellings.
 - (2) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.
 - (3) Home-based businesses, per Section 34-725.
 - (4) Short-term vacation rentals, per Section 34-731.
 - (5) Essential public services, per Section 34-721.
 - (6) Family Day Care Homes, per FS 166.0445
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the RS-1 Zoning District.
 - (1) Swimming pools, tennis courts, and similar recreational facilities.
 - (2) Detached garages and carports.
 - (3) Utility sheds and workshops.
 - (4) Boat houses, docks, piers and similar structures.
 - (5) Doghouses and similar structures for housing household pets.
 - (6) Gazebos, cabanas and other similar structures.
 - (7) Non-commercial television and radio antennas not exceeding a height of fifteen (15) feet above roof line.
 - (8) Outdoor kitchens.
 - (9) Vegetable gardens, non-commercial greenhouses, and similar uses.

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- (d) *Conditional uses.* The following uses are permitted as conditional uses in the RS-1 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
- (1) Religious organizations.
 - (2) Educational services, excluding trade schools.
 - (3) Cemeteries
 - (4) Government uses, excluding correctional institutions.
 - (5) Golf courses.
 - (6) Public and private parks, playgrounds and recreational facilities. Private parks, playgrounds and recreational facilities shall be for the sole use of residents living in the area where such facilities are located, and shall not be used for commercial purposes.
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the RS-1 Zoning District.
- (1) *Single-family dwelling unit.*
 - a. *Minimum lot area:* Nine thousand (9,000) square feet.
 - b. *Minimum lot width:* Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
 - c. *Minimum yards:*
 1. *Front yard:* Twenty-five (25) feet .
 2. *Side yard:* Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 3. *Rear yard:* Thirty (30) feet for primary structure and twenty (20) feet for unenclosed covered patios and enclosed screen rooms.
 - d. *Minimum floor area:* A single-family dwelling unit shall contain a minimum of one thousand four hundred (1,400) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single-family dwelling unit's minimum square footage.
 - e. *Maximum lot coverage for primary structure and required driveway:* Thirty-five (35) percent.
 - f. *Maximum Impervious Surface:* Fifty (50) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory structures:* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.

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- (2) *Public and private parks, playgrounds and recreational facilities:* There are no minimum dimensional standards for public and private parks, playgrounds and recreational facilities.
 - (f) *Off-street parking and loading standards.* The off-street parking and loading standards for the RS-1 Zoning District are found in Article VII, Division 1.
 - (g) *Supplemental standards.* The supplemental standards for the RS-1 Zoning District are found in Article VII, Division 2.
 - (h) *Landscape standards.* The landscape standards for the RS-1 Zoning District are found in Article VII, Division 3.
 - (i) *Sign standards.* The sign standards for the RS-1 Zoning District are found in Article VII, Division 4.
 - (j) *Environmental standards.* The environmental standards for the RS-1 Zoning District are found in Article VII, Division 5.
- (Ord. No. 7500, § 7.2(A), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2014-8060 , §§ 1, 2, 9-15-14; Ord. No. 2015-8065 , § 4, 12-7-15; Ord. No. 2019-8118 , § 4, 9-16-19; Ord. No. 2020-8133 , § 6, 3-2-20)

Sec. 34-612. Residential, single-family: RS-2.

- (a) *Purpose.* The residential, single-family (RS-2) Zoning District is intended to implement the low density residential land use district in the Comprehensive Plan. It is intended to classify areas suitable for low density single-family residential development.
- (b) *Permitted uses.* The following uses are permitted as of right in the RS-2 Zoning District.
 - (1) Single-family dwellings.
 - (2) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.
 - (3) Home-based businesses, pursuant to Section 34-725.
 - (4) Short-term vacation rentals, per Section 34-731.
 - (5) Essential public services, per Section 34-721.
 - (6) Family Day Care Homes, per FS 166.0445
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the RS-2 Zoning District.
 - (1) Swimming pools, tennis courts, and similar recreation facilities.
 - (2) Detached garages and carports.
 - (3) Utility sheds and workshops.
 - (4) Boat houses, docks, piers and similar structures.
 - (5) Doghouses and similar structures for housing household pets.
 - (6) Gazebos, cabanas and other similar structures.

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- (7) Non-commercial television and radio antennas not exceeding a height of fifteen (15) feet above roof line.
- (8) Outdoor kitchens.
- (9) Vegetable gardens, non-commercial greenhouses, and similar uses.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the RS-2 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Religious organizations.
 - (2) Educational services, [excluding trade schools](#).
 - (3) Libraries.
 - (4) Cemeteries.
 - (5) Government uses, excluding correctional institutions.
 - (6) Golf courses.
 - (7) Child day care services, including kindergartens when operated on the same site as and in conjunction with a religious organization.
 - (8) Public and private parks, playgrounds and recreational facilities. Private parks, playgrounds and recreational facilities shall be for the sole use of residents living in the area where such facilities are located, and shall not be used for commercial purposes.
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the RS-2 Zoning District.
 - (1) *Single-family dwelling unit.*
 - a. *Minimum lot area:* Six thousand (6,000) square feet.
 - b. *Minimum lot width:* Fifty (50) feet at the building line and a minimum of thirty-five (35) feet at the street.
 - c. *Minimum yards:*
 - 1. *Front yard:* Twenty (20) feet .
 - 2. *Side yard* Fifteen (15) feet in total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - 3. *Rear Yard:* Thirty (30) feet for primary structure and twenty (20) feet for unenclosed covered patios and enclosed screen rooms.
 - d. *Minimum floor area:* A single-family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single-family dwelling unit's minimum square footage.

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- e. *Maximum lot coverage for primary structure and required driveway:* Thirty-five (35) percent.
 - f. *Maximum Impervious Surface:* Fifty (50) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory structures and structures pursuant to Section 34-716.* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along a street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
 - (f) *Public and private parks, playgrounds and recreational facilities:* There are no minimum dimensional standards for public and private parks, playgrounds and recreational facilities.
 - (g) *Off-street parking and loading.* The off-street parking and loading standards for the RS-2 Zoning District are found in Article VII, Division 1.
 - (h) *Supplemental standards.* The supplemental standards for the RS-2 Zoning District are found in Article VII, Division 2.
 - (i) *Landscape standards.* The landscape standards for the RS-2 Zoning District are found in Article VII, Division 3.
 - (j) *Sign standards.* The sign standards for the RS-2 Zoning District are found in Article VII, Division 4.
 - (k) *Environmental standards.* The environmental standards for the RS-2 Zoning District are found in Article VII, Division 5.
- (Ord. No. 7500, § 7.2(B), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2014-8060 , §§ 3, 4, 9-15-14; Ord. No. 2015-8065 , § 5, 12-7-15; Ord. No. 2019-8118 , § 5, 9-16-19; Ord. No. 2020-8133 , § 6, 3-2-20)

Sec. 34-613. Residential, single-family: RS-3.

- (a) *Purpose.* The residential, single-family (RS-3) Zoning District is intended to implement the medium density residential land use district in the Comprehensive Plan. It is intended to classify areas suitable for medium density single-family and two-family residential development.
- (b) *Permitted uses.* The following uses are permitted as of right in the RS-3 Zoning District.
 - (1) Single-family dwellings.
 - (2) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.
 - (3) Townhouse (maximum of two (2) units).
 - (4) Elderly-oriented group homes, group homes for the developmentally- or physically-disabled, or foster homes with less than six (6) residents.
 - (5) Home-based businesses, pursuant to Section 34-725.
 - (6) Short-term vacation rentals, per Section 34-731.

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- (7) Essential public services, per Section 34-721.
- (8) Family Day Care Homes, per FS 166.0445
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the RS-3 Zoning District.
 - (1) Swimming pools, tennis courts and similar recreational facilities.
 - (2) Detached garages and carports.
 - (3) Utility sheds and workshops.
 - (4) Boat houses, docks, piers and similar structures.
 - (5) Doghouses and similar structures for housing household pets.
 - (6) Gazebos, cabanas and other similar structures.
 - (7) Non-commercial television and radio antennas not exceeding a height of fifteen (15) feet above roof line.
 - (8) Outdoor Kitchens.
 - (9) Vegetable gardens, non-commercial greenhouses, and similar uses.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the RS-3 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Religious organizations.
 - (2) Educational services, [excluding trade schools.](#)
 - (3) Cemeteries.
 - (4) Government uses, excluding correctional institutions.
 - (5) Golf courses.
 - (6) Child day care services, including kindergartens when operated on the same site as and in conjunction with a religious organization.
 - (7) Elderly-oriented group homes, group homes for the developmentally- or physically-disabled, or foster homes with more than six (6) and less than thirteen (13) residents.
 - (8) Nursing and personal care facilities.
 - (9) Civic, social and fraternal organizations.
 - (10) Public and private parks, playgrounds, and recreational facilities.
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the RS-3 Zoning District.
 - (1) *Single-family dwelling unit.*
 - a. *Minimum lot area:* Five thousand (5,000) square feet.

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- b. *Minimum lot width:* Fifty (50) feet at the building line and a minimum of thirty-five (35) feet at the street.
 - c. *Minimum yards:*
 - 1. *Front yard:* Twenty (20) feet.
 - 2. *Side yard:* Fifteen (15) feet total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - 3. *Rear yard:* Thirty (30) feet for primary structure and twenty (20) feet for unenclosed covered patios and enclosed screen rooms.
 - d. *Minimum floor area:* A single-family dwelling unit shall contain a minimum of one thousand (1,000) square feet of conditioned living area and a one (1) car garage . Garages shall not be included as part of the single-family dwelling unit's minimum square footage.
 - e. *Maximum lot coverage for primary structure and required driveway:* Thirty-five (35) percent.
 - f. *Maximum Impervious Surface:* Fifty (50) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory uses and structures pursuant to Section 34-716:* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along a street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
- (2) *Townhouse (maximum of two (2) units).*
- a. *Minimum lot area:* Six thousand (6,000) square feet (individual lots shall be a minimum of three thousand (3,000) square feet).
 - b. *Minimum lot width:* Twenty-five (25) feet at the building line for each unit.
 - c. *Minimum yards.*
 - 1. *Front yard:* Twenty (20) feet.
 - 2. *Side yard:* Zero (0) for internal. Exterior five (5) feet.
 - 3. *Rear yard:* Twenty (20) feet.
 - d. *Minimum floor area:* A townhouse dwelling unit shall contain a minimum of eight hundred (800) square feet of conditioned living area. A minimum of one car-garage as required, shall not be included as part of the unit's minimum square footage. Additionally, two spaces shall be provided in the driveway.
 - e. *Maximum lot coverage for primary structure and required driveway:* Thirty-five (35) percent.

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- f. Maximum *height*: Thirty-five (35) feet.
 - g. Impervious Surface: Fifty (50) percent.
 - h. *Accessory uses and structures pursuant to Section 34-716*: All accessory uses shall only be located in a side or rear yard (not forward of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
- (3) *Public and private parks, playgrounds and recreational facilities*. There are no minimum dimensional standards for public and private parks, playgrounds and recreational facilities.
- (f) *Off-street parking and loading*. The off-street parking and loading standards for the RS-3 Zoning District are found in Article VII, Division 1.
- (g) *Supplemental standards*. The supplemental standards for the RS-3 Zoning District are found in Article VII, Division 2.
- (h) *Landscape standards*. The landscape standards for the RS-3 Zoning District are found in Article VII, Division 3.
- (i) *Sign standards*. The sign standards for the RS-3 Zoning District are found in Article VII, Division 4.
- (j) *Environmental standards*. The environmental standards for the RS-3 Zoning District are found in Article VII, Division 5.
- (Ord. No. 7500, § 7.2(C), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2014-8060 , §§ 5, 6, 9-15-14; Ord. No. 2015-8065 , § 6, 12-7-15; Ord. No. 2019-8118 , § 6, 9-16-19; Ord. No. 2020-8133 , § 6, 3-2-20)

Sec. 34-614. Residential, multi-family: RM-1.

- (a) *Purpose*. The residential, multi-family (RM-1) Zoning District is intended to implement the low and medium density land use districts in the Comprehensive Plan located to the west of Third Street (S.R. A1A). It is intended to classify areas suitable for low and medium density residential development. Maximum densities in the RM-1 Zoning District are twenty (20) dwelling units per acre. A single-family dwelling may be permitted on a single lot of record.
- (b) *Permitted uses*. The following uses are permitted as of right in the RM-1 Zoning District.
- (1) Elderly-oriented group homes, group homes for the developmentally- or physically- disabled, or foster homes with less than six (6) residents.
 - (2) Multi-family dwellings.
 - (3) Townhouse (max of four (4) units).
 - (4) Home-based business, per Section 34-725.
 - (5) Short-term vacation rentals, per Section 34-731.
 - (6) Essential public services, per Section 34-721.
 - (7) Single-family dwellings

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- (8) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the RM-1 Zoning District.
 - (1) Swimming pools, tennis courts and similar recreational facilities.
 - (2) Detached garages and carports.
 - (3) Utility sheds and workshops.
 - (4) Boat houses, docks, piers and similar structures.
 - (5) Doghouses and similar structures for housing household pets.
 - (6) Gazebos, cabanas and other similar structures.
 - (7) Non-commercial television and radio antennas not exceeding a height of fifteen (15) feet above roof line.
 - (8) ~~Barbecue pits~~ Outdoor Kitchens
 - (9) Vegetable gardens, non-commercial greenhouses, and similar uses.
 - (10) Any use customarily accessory to the permitted and conditional uses in the RM-1 Zoning District.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the RM-1 Zoning District subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Elderly-oriented group homes, group homes for the developmentally or physically-disabled, and foster homes with six (6) or more residents.
 - (2) Transitional houses.
 - (3) Religious organizations.
 - (4) Cemeteries.
 - (5) Educational services.
 - (6) Libraries.
 - (7) Golf courses ~~(regulation golf courses only)~~.
 - (8) Government uses, excluding correctional institutions.
 - (9) Business and professional offices as follows: Landscape architects, doctors, dentists, miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services. Uses listed herein shall not exceed fifty thousand (50,000) square feet in gross floor area.
 - (10) Financial institutions, insurance and real estate offices.
 - (11) Rooming and boarding houses.
 - (12) Nursing and personal care facilities.

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- (13) Child day care services, per Section 34-718.
- (14) Adult day care services.
- (15) Civic, social and fraternal organizations
- (16) Community centers.
- (17) Public parks, playgrounds and recreational facilities.
- (18) Accessory dwelling units (on the same parcel as a single-family dwelling only)
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the RM-1 Zoning District.
 - (1) Single-family.
 - a. *Minimum lot area:* Five thousand (5,000) square feet.
 - b. *Minimum lot width:* Fifty (50) feet at the building line and a minimum of thirty-five (35) feet at the street.
 - c. *Minimum yards:*
 - 1. *Front yard:* Twenty (20) feet.
 - 2. *Side yard:* Five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - 3. *Rear yard:* Twenty (20) feet.
 - d. *Minimum floor area:* A single-family dwelling unit shall contain a minimum of one thousand (1,000) square feet of conditioned living area and a one (1) car garage. Garages shall not be included as part of the single-family dwelling unit's minimum square footage.
 - e. *Maximum lot coverage for primary structure and required driveway:* Thirty-five (35) percent.
 - f. *Maximum Impervious Surface:* Fifty (50) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory uses and structures pursuant to Section 34-716:* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along a street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
 - (2) *Townhouse (maximum of four (4) units per building).*
 - a. *Minimum lot area:* Minimum of six thousand (6,000) square feet for the first two units and three thousand (3,000) square feet for each additional unit.
 - b. *Minimum lot width:* Twenty-five(25) feet at the building line for each unit.

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- c. *Minimum yards:*
 - 1. *Front yard:* Each unit shall feature a three (3) foot staggered offset from the minimum Twenty (20) feet for three or more units. Twenty (20) feet for two units.
 - 2. *Side yard:* Zero (0) for internal. Exterior five (5) feet.
 - 3. *Rear yard:* Twenty (20) feet.
 - d. *Minimum floor area:* Each unit within a townhouse dwelling structure shall contain a minimum of eight hundred (800) square feet of conditioned living area. A minimum of one car-garage as required, shall not be included as part of the unit's minimum square footage. Additionally, two spaces shall be provided in the driveway.
 - e. *Maximum lot coverage for primary structure and required driveway:*
 - 1. Up to two (2) units per building: Thirty-five (35) percent.
 - 2. Three (3) to four (4) units per building: Fifty (50) percent.
 - f. *Maximum Impervious Surface:*
 - 1. Up to two (2) units per building: Fifty (50) percent.
 - 2. Three (3) to four (4) units per building: Sixty-five (65) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory uses and structures pursuant to Section 34-716.* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
- (3) *Multi-family dwellings.*
- a. *Minimum lot area:* Five thousand (5,000) square feet plus two thousand (2,000) square feet for each unit in excess of two (2), except that the gross density shall not exceed twenty (20) dwelling units an acre.
 - b. *Minimum lot width:* Seventy-five (75) feet at the building line. A minimum of thirty-five (35) feet at the street.
 - c. *Minimum yards:*
 - 1. *Front yard:* Twenty (20) feet.
 - 2. *Side yard:* Ten (10) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - 3. *Rear yard:* Twenty (20) feet.
 - d. *Minimum floor area:* Multi-family dwelling units shall contain the following minimum square feet of conditioned living area excluding garages, carports and breezeways.
 - 1. One bedroom unit: Six hundred (600) square feet.

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2. Two bedroom unit: Eight hundred (800) square feet.

3. Three bedroom unit: One thousand (1,000) square feet.

This square footage requirement shall also apply to units sold as condominiums.

e. *Maximum lot coverage:* Sixty-five (65) percent.

f. *Maximum height:* Thirty-five (35) feet.

g. *Accessory uses and structures pursuant to Section 34-716:* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.

(f) *Off-street parking and loading.* The off-street parking and loading standards for the RM-1 Zoning District are found in Article VII, Division 1.

(g) *Supplemental standards.* The supplemental standards for the RM-1 Zoning District are found in Article VII, Division 2.

(h) *Landscape standards.* The landscape standards for the RM-1 Zoning District are found in Article VII, Division 3.

(i) *Sign standards.* The sign standards for the RM-1 Zoning District are found in Article VII, Division 4.

(j) *Environmental standards.* The environmental standards for the RM-1 Zoning District are found in Article VII, Division 5.

(Ord. No. 7500, § 7.2(D), 8-19-91; Ord. No. 95-7623, § 2, 5-1-95; Ord. No. 99-7774, § 1, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2003-7860, § 1, 10-6-03; Ord. No. 2014-8060, §§ 7, 8, 9-15-14; Ord. No. 2015-8065, § 7, 12-7-15; Ord. No. 2019-8118, § 7, 9-16-19; Ord. No. 2020-8133, § 6, 3-2-20)

Sec. 34-615. Residential, multi-family: RM-2.

(a) *Purpose.* The residential, multi-family (RM-2) Zoning District is intended to implement the medium and high density residential land use districts in the Comprehensive Plan located in the ocean-front area east of 3rd Street (S.R. A1A). Maximum density in the RM-2 Zoning District is forty (40) dwelling units per acre.

(b) *Permitted uses.* The following uses are permitted as of right in the RM-2 Zoning District.

(1) Elderly-oriented group homes, group homes for the developmentally- or physically-disabled, or foster homes with less than six (6) residents.

(2) Multi-family dwellings.

(3) Townhouse (maximum of four (4) units).

(4) Home-based business, per Section 34-725.

(5) Short-term vacation rentals, per Section 34-731.

(6) Essential public services, per Section 34-721.

(7) Urban Single-family

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- (8) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are accessory uses and structures in the RM-2 Zoning District.
 - (1) Swimming pools, tennis courts and similar recreational facilities.
 - (2) Detached garages and carports.
 - (3) Utility sheds and workshops.
 - (4) Boat houses, docks, piers and similar structures.
 - (5) Doghouses and similar structures for housing household pets.
 - (6) Gazebos, cabanas and other similar structures.
 - (7) Non-commercial television and radio antennas not exceeding a height of fifteen (15) feet above roof line.
 - (8) Outdoor kitchen.
 - (9) Vegetable gardens, non-commercial greenhouses, and similar uses.
 - (10) Any use customarily accessory to the permitted and conditional uses in the RM-2 Zoning District.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the RM-2 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Elderly-oriented group homes, group homes for the developmentally or physically-disabled, and foster homes with six (6) or more residents.
 - (2) Transitional homes.
 - (3) Religious organizations.
 - (4) Cemeteries.
 - (5) Educational services.
 - (6) Libraries.
 - (7) Golf courses ~~(Regulation golf courses only).~~
 - (8) Government uses, excluding correctional institutions.
 - (9) Business and professional offices as follows: Landscape architects, doctors, dentists, miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services. Uses listed herein shall not exceed fifty thousand (50,000) square feet in gross floor area.
 - (10) Rooming and boarding houses.
 - (11) Nursing and personal care facilities.
 - (12) Child day care services, per Section 34-718.

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- (13) Adult day care services.
- (14) Hotels and motels.
- (15) Private membership sports clubs and recreational facilities.
- (16) Civic, social and fraternal organizations.
- (17) Community centers.
- (18) Public and private parks, playgrounds and recreational facilities.
- (19) Accessory dwelling units (on the same parcel as a single-family dwelling only)
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the RM-2 Zoning District.
 - (1) Urban single-family.
 - a. *Minimum lot area:* Three thousand, five hundred (3,500) square feet.
 - b. *Minimum lot width:* Thirty (30) feet at the building line.
 - c. *Minimum yards:*
 - 1. *Front yard:* Twenty (20) feet.
 - 2. *Side yard:* Five (5) feet.
 - 3. *Rear yard:* Twenty (20) feet.
 - d. *Minimum floor area:* A single-family dwelling unit shall contain a minimum of one thousand (1,000) square feet of conditioned living area and a one (1) car garage. Garages shall not be included as part of the single-family dwelling unit's minimum square footage. Additionally, two spaces shall be provided in the driveway.
 - e. *Maximum lot coverage for primary structure and required driveway:* Forty-five (45) percent.
 - f. *Maximum Impervious Surface:* Sixty (60) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory uses and structures pursuant to Section 34-716:* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along a street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
 - (2) *Townhouse (maximum four (4) units per building).*
 - a. *Minimum lot area:* Minimum of six thousand (6,000) square feet for the first two units and three thousand (3,000) square feet for each additional unit.
 - b. *Minimum lot width:* Twenty-five(25) feet at the building line for each unit .
 - c. *Minimum yards:*

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1. *Front yard:* Each unit shall feature a three (3) foot staggered offset from the minimum Twenty (20) feet for three or more units. Twenty (20) feet for two units.
 2. *Side yard:* Zero (0) for internal. Exterior five (5) feet.
 3. *Rear yard:* Twenty (20) feet.
 - d. *Minimum floor area:* Each unit within a townhouse structure shall contain a minimum of eight hundred (800) square feet of conditioned living area excluding garage ~~or carport~~. A minimum of one car-garage as required, shall not be included as part of the unit's minimum square footage. Additionally, two spaces shall be provided in the driveway.
 - e. *Maximum lot coverage for primary structure and required driveway:*
 1. Up to two (2) units per building: Thirty-five (35) percent.
 2. Three (3) to four (4) units per building: Fifty (50) percent.
 - f. *Maximum Impervious Surface:*
 1. Up to two (2) units per building: Fifty (50) percent.
 2. Three (3) to four (4) units per building: Sixty-five (65) percent.
 - g. *Maximum height:* Thirty-five (35) feet.
 - h. *Accessory uses and structures pursuant to 34-716.* All accessory structures shall only be located in a side or rear yard (not forwards of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
- (3) *Multi-family dwellings.*
- a. *Minimum lot area:* Five thousand (5,000) square feet, plus one thousand (1,000) square feet for each unit in excess of two (2), except that the gross density shall not exceed forty (40) units an acre.
 - b. *Minimum lot width:* Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
 - c. *Minimum yards:*
 1. *Front yard:* Twenty (20) feet.
 2. *Side yard:* Five (5) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed fifteen (15) feet.
 3. *Rear yard:* Twenty (20) feet. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
 - d. *Minimum floor area:* Multi-family dwelling unit shall contain the following minimum square feet of conditioned living area excluding garages, carports and breezeways.

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1. Studio unit – Four Hundred (400) square feet.
2. One bedroom unit—Six hundred (600) square feet.
3. Two bedroom unit—Eight hundred (800) square feet.
4. Three bedroom unit—One thousand (1,000) square feet.

This square footage requirement shall also apply to units sold as condominiums.

- e. *Maximum lot coverage:* Sixty-five (65) percent.
 - f. *Maximum height:* Thirty-five (35) feet.
 - g. *Accessory uses and structures pursuant to Section 34-716.* All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.
- (4) *Public and private parks, playgrounds and recreational facilities.* There are no minimum dimensional standards for public and private parks, playgrounds and recreational facilities.
- (f) *Off-street parking and loading.* The off-street parking and loading standards for the RM-2 Zoning District are found in Article VII, Division 1.
- (g) *Supplemental standards.* The supplemental standards for the RM-2 Zoning District are found in Article VII, Division 2.
- (h) *Landscape standards.* The landscape standards for the RM-2 Zoning District are found in Article VII, Division 3.
- (i) *Sign standards.* The sign standards for the RM-2 Zoning District are found in Article VII, Division 4.
- (j) *Environmental standards.* The environmental standards for the RM-2 Zoning District are found in Article VII, Division 5.

(Ord. No. 7500, § 7.2(E), 8-19-91; Ord. No. 99-7774, §§ 2, 3, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2002-7838, § 1, 7-15-02; Ord. No. 2003-7860, § 2, 10-6-03; Ord. No. 2005-7899, § 3, 4-4-05; Ord. No. 2006-7917, § 1, 4-3-06; Ord. No. 2014-8060, §§ 9, 10, 9-15-14; Ord. No. 2015-8065, § 8, 12-7-15; Ord. No. 2016-8069, § 1, 4-18-16; Ord. No. 2019-8118, § 8, 9-16-19; Ord. No. 2020-8133, § 6, 3-2-20)

Sec. 34-616. Commercial professional office: CPO.

- (a) *Purpose.* The commercial professional office (CPO) Zoning District is intended to implement the commercial land use district in the Comprehensive Plan. It is intended to apply to commercial areas targeted for limited commercial and office development adjacent to arterial roadways.
- (b) *Permitted uses.* The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the CPO Zoning District. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to Section 34-622 Planned Unit Development: PUD district standards and procedures.

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- (1) Business and professional offices as follows: building contractors and subcontractors (no storage of vehicles, material or equipment) landscape architects, doctors, dentists, miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services.
- (2) Financial institutions, insurance and real estate offices.
- (3) Travel agencies.
- (4) Florists.
- (5) Photographic studios.
- (6) Business services such as advertising; business and consumer credit reporting and collections; and computer programming, data processing and other computer services.
- (7) Townhouse (max of two (2) dwellings), and multi-family, subject to the provisions of Section 34-615, residential, multi-family: RM-1.
- (8) Short-term vacation rentals, per Section 34-731.
- (9) Essential public services, per Section 34-721.
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the CPO Zoning District:
 - (1) [Any use customarily accessory to the permitted and conditional uses in the CPO zoning district.](#)
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the CPO Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Personal service establishments as follows: Beauty and barber shops, funeral services, and miscellaneous personal services.
 - (2) Business services such as mailing reproduction, commercial art and photography and stenographic; and personnel supply, excluding labor and manpower pools and similar temporary help.
 - (3) Dance studios and schools.
 - (4) Educational services.
 - (5) Hospitals, nursing and personal care facilities, medical and dental laboratories, and miscellaneous health and allied services.
 - (6) Child day care services, per Section 34-718.
 - (7) Adult day care services.
 - (8) Museums and art galleries.
 - (9) Civic, social and fraternal organizations.
 - (10) Religious organizations.
 - (11) Government uses, except correctional institutions.
 - (12) Libraries.

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- (13) Cemeteries.
 - (14) Boutique retail and dining establishments.
 - (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the CPO Zoning District.
 - (1) *Minimum lot area:* None.
 - (2) *Minimum lot width:* None.
 - (3) *Minimum yards:*
 - a. *Front yard:* Ten (10) feet.
 - b. *Side yard:* None, except where adjacent to streets. If adjacent to a street ten (10) feet, for a corner lot, the side yard on the corner shall be ten (10) feet.
 - c. *Rear yard:* None.
 - (4) *Minimum floor area:* None.
 - (5) *Maximum lot coverage:* Sixty-five (65) percent.
 - (6) *Maximum height:* Thirty-five (35) feet.
 - (f) *Off-street parking and loading.* The off-street parking and loading standards for the CPO Zoning District are found in Article VII, Division 1.
 - (g) *Supplemental standards.* The supplemental standards for the CPO Zoning District are found in Article VII, Division 2.
 - (h) *Landscape standards.* The landscape standards for the CPO Zoning District are found in Article VII, Division 3.
 - (i) *Sign standards.* The sign standards for the CPO Zoning District are found in Article VII, Division 4.
 - (j) *Environmental standards.* The environmental standards for the CPO Zoning District are found in Article VII, Division 5.
- (Ord. No. 7500, § 7.2(F), 8-19-91; Ord. No. 94-7607, § 2, 8-15-94; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2015-8065, § 9, 12-7-15; Ord. No. 2019-8118, § 9, 9-16-19)

Sec. 34-617. Commercial limited: C-1.

- (a) *Purpose.* The commercial limited (C-1) Zoning District is intended to implement the commercial land use district in the Comprehensive Plan. It is intended to apply to commercial areas that can exist within close proximity to residential areas without creating an adverse effect on the development and character of such areas.
- (b) *Permitted uses.* The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the C-1 Zoning District. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to Section 34-622 Planned Unit Development: PUD district standards and procedures.

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- (1) Business and professional offices such as building contractors and subcontractors (no storage of vehicles, material or equipment); veterinary services for animal specialties; landscape architects; doctors, dentists, home health care services, and miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services.
- (2) Bakery products manufacturing, in conjunction with the retail sale of the bakery products on the same site.
- (3) Jewelry and leather products manufacturing, in conjunction with the retail sale of the manufactured products on the same site.
- (4) Travel agencies.
- (5) Business offices for communications and utility services (no storage of vehicles, materials, or equipment).
- (6) Retail trade establishments such as building materials, hardware and garden supplies; general merchandise; food; apparel and accessories; home furniture, furnishing and equipment stores; non-prescription drugs; used merchandise; miscellaneous shopping goods; fuel dealers; florists; tobacco and newsstands; optical goods; and miscellaneous retail goods.
- (7) Outdoor display of retail merchandise is limited to bicycles, plants, and outdoor furniture, limited to 200 square feet in area, and only during a business's operating hours.
- (8) Restaurants, except drive-ins; including outdoor seating less than or equal to two hundred fifty (250) square feet if alcohol is not served.
- (9) Financial institutions, insurance and real estate offices.
- (10) Hotels and motels.
- (11) Rooming and boarding houses.
- (12) Personal service establishments such as laundry, cleaning and garment services; photography studios; beauty and barber shops; shoe repair shops and shoe-shine parlors; tax preparation services; and miscellaneous personal services.
- (13) Business service establishments such as advertising; business and consumer credit reporting and collections; mailing reproduction, commercial art and photography and stenographic services; building services; medical and other equipment rental and leasing; personnel supply, excluding labor and manpower pools and similar temporary help services; computer programming, data processing and other computer services; and miscellaneous business services.
- (14) Automotive rental and leasing.
- (15) Electrical repair shops and watch, clock and jewelry repair shops.
- (16) Motion pictures theaters, except drive-in, and movie rental.
- (17) Amusement and recreation services such as dance studios and schools; bowling centers; physical fitness facilities; coin operated amusement devices; and membership sports and recreation clubs.

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- (18) Medical and dental laboratories.
- (19) Child day care services, per Section 34-718.
- (20) Adult day care services.
- (21) Museums and art galleries.
- (22) Membership organizations, including religious organizations.
- (23) Government uses.
- (24) Essential public services, per Section 34-721.
- (25) Auxiliary dwelling unit.
- (26) Miscellaneous repair shops and related services such as camera, luggage, sewing machine, musical instrument, and precision instrument repair, piano and organ tuning and repair, locksmith, gunsmith, picture framing, and china and pottery decorating and firing to individual order.
- (27) Mobile food dispensing vehicle as defined in and in accordance with the provisions of Section 12-33 Mobile Food Dispensing Vehicles of Chapter 12 Food and Food Products of this Code of Ordinances.
- (28) Short-term vacation rentals, per Section 34-731.
- (29) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.

~~(30) Essential public services, per Section 34-721.~~

- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the C-1 Zoning District.
 - (1) Any use customarily accessory to the permitted and conditional uses in the C-1 Zoning District.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the C-1 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Job or quick print commercial printing.
 - (2) Motor vehicle dealers, new and/or used; auto and home supply stores; gasoline service stations; and boat, recreational vehicle and motorcycle dealers.
 - (3) Alcoholic beverage establishment, per Section 34-717.
 - (4) Package liquor store.
 - (5) Camps and recreational vehicle parks.
 - (6) Auto-laundries and indoor automotive repair; except top, body and upholstery repair and paint shops.
 - (7) Funeral homes.
 - (8) Drive in motion picture theaters.

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- (9) Amusement parks.
- (10) Hospitals, and nursing and personal care facilities.
- (11) Educational services.
- (12) Golf courses.
- (13) Cemeteries.
- (14) Townhouse dwelling (per RM-1 dimensional standards) and multi-family dwellings, per Section 34-614 residential, multi-family: RM-1, and that for properties located east of 3rd Street, the minimum lot size and density for multi-family dwellings shall be determined in accordance with paragraph (e)(3)a. of Section 34-615.
- (15) Commercial recreation facilities such as shooting galleries, outdoor skating rinks, amusement parks, go kart tracks, miniature golf courses and similar outdoor uses.
- (16) Home-based businesses, per Section 34-725.
- (17) Microbrewery.
- (18) Outdoor Restaurants or Bars, per Section 34-727.
- (19) Miscellaneous repair shops and related services as follows: Taxidermist, lawnmower repair, and window and blind fabrication and repair.
- (20) Pharmacy.
- (21) Medical marijuana treatment center dispensing facilities.
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the C-1 Zoning District.
 - (1) *Minimum lot area:* None.
 - (2) *Minimum lot width:* None.
 - (3) *Minimum yards:*
 - a. *Front yard:* Ten (10) feet.
 - b. *Side yard:* None, except where adjacent to streets. If adjacent to a street ten (10) feet, for a corner lot, the side yard on the corner shall be ten (10) feet.
 - c. *Rear yard:* None. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
 - (4) *Minimum floor area:* None.
 - (5) *Maximum lot coverage:* Eighty-five (85) percent.
 - (6) *Maximum height:* Thirty-five (35) feet.
- (f) *Off-street parking and loading.* The off-street parking and loading standards for the C-1 Zoning District are found in Article VII, Division 1.

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- (g) *Supplemental standards.* The supplemental standards for the C-1 Zoning District are found in Article VII, Division 2.
 - (h) *Landscape standards.* The landscape standards for the C-1 Zoning District are found in Article VII, Division 3.
 - (i) *Sign standards.* The sign standards for the C-1 Zoning District are found in Article VII, Division 4.
 - (j) *Environmental standards.* The environmental standards for the C-1 Zoning District are found in Article VII, Division 5.
- (Ord. No. 7500, § 7.2(G), 8-19-91; Ord. No. 96-7681, § 2, 10-21-96; Ord. No. 96-7689, § 2, 12-16-96; Ord. No. 97-7695, § 1, 2-3-97; Ord. No. 99-7774, § 4, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2002-7838, § 2, 7-15-02; Ord. No. 2003-7860, §§ 3, 4, 10-6-03; Ord. No. 2003-7861, § 1, 10-6-03; Ord. No. 2005-7899, § 4, 4-4-05; Ord. No. 2005-7904, § 1, 6-20-05; Ord. No. 2011-7999, § 1, 5-16-11; Ord. No. 2014-8042, § 2, 2-3-14; Ord. No. 2015-8065, § 10, 12-7-15; Ord. No. 2018-8104, § 3, 2-19-18; Ord. No. 2019-8118, § 10, 9-16-19; Ord. No. 2020-8145, § 4, 9-21-20; Ord. No. 2021-8168, § 3, 2-7-22)

Sec. 34-618. Commercial general: C-2.

- (a) *Purpose.* The commercial general (C-2) Zoning District is intended to implement the commercial land use district in the Comprehensive Plan. It is intended to apply to areas appropriate for general commercial use that will meet the retail and service needs of Jacksonville Beach residents. Areas that are designated for the C-2 Zoning District should be immediately accessible to the City's major road network.
- (b) *Permitted uses.* The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the C-2 Zoning District. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to Section 34-622 Planned Unit Development: PUD district standards and procedures.
 - (1) Veterinary services and kennels, provided animals are housed in enclosed, soundproof buildings (per Florida Building Code).
 - (2) Newspaper printing and publishing and commercial printing.
 - (3) Bakery products manufacturing, in conjunction with the retail sale of the bakery products on the same site.
 - (4) Jewelry and leather products manufacturing, in conjunction with the retail sale of the manufactured products on the same site.
 - (5) Sign and specialty advertising manufacturing.
 - (6) Travel agencies.
 - (7) Business offices for communications and utility services (no storage of vehicles, material or equipment).
 - (8) Motor vehicle supplies and parts, wholesale.

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- (9) Retail trade establishments
- (10) Outdoor display of retail merchandise is limited to bicycles, plants, and outdoor furniture, limited to 200 square feet in area, and only during a business's operating hours.
- (11) Restaurants; including outdoor seating less than or equal to two hundred fifty (250) square feet if alcohol is not served.
- (12) Financial institutions, insurance, or real estate offices.
- (13) Hotels, motels, rooming, or boarding houses.
- (14) Personal service establishments such as laundry, cleaning and garment services; photography studios; beauty and barber shops; shoe repair shops and shoe-shine parlors; funeral services; and miscellaneous personal services.
- (15) Business service establishments such as advertising; business and consumer credit reporting and collections; mailing reproduction, commercial art and photography and stenographic services; building services; medical and other equipment rental and leasing; personnel supply; computer services; and miscellaneous business services.
- (16) Automotive rental and leasing, auto-laundries, and auto sales.
- (17) Electrical repair shops, and watch, clock, and jewelry repair shops.
- (18) Motion picture theaters, except drive-in.
- (19) Amusement and recreation services: Dance studios and schools; bowling centers; physical fitness facilities; coin operated amusement devices; and membership sports and recreation clubs.
- (20) Business and professional offices such as building contractors and subcontractors (no storage of vehicles, material or equipment); landscape architects; doctors, dentists, home health care services, and miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services.
- (21) Medical and dental laboratories.
- (22) Individual and family social services.
- (23) Child day care services, per Section 34-718.
- (24) Adult day care services.
- (25) Museums and art galleries.
- (26) Membership organizations, including religious organizations.
- (27) Government uses.
- (28) Miscellaneous repair shops and related services such as camera, luggage, sewing machine, musical instrument, and precision instrument repair, piano and organ tuning and repair, locksmith, picture framing, and china and pottery decorating and firing to individual order.

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- (29) Mobile food dispensing vehicle as defined in and in accordance with the provisions of Section 12-33 Mobile Food Dispensing Vehicles of Chapter 12 Food and Food Products of this Code of Ordinances.
- (30) Pharmacy.
- (31) Medical marijuana treatment center dispensing facilities.
- (32) Short-term vacation rentals, per Section 34-731.
- (33) Essential public services, per Section 34-721.
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the C-2 Zoning District.
 - (1) Any use customarily accessory to the permitted and conditional uses in the C-2 Zoning District.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the C-2 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Alcoholic beverage establishment, per Section 34-717.
 - (2) Package liquor store.
 - (3) Automotive and boat repair and service shops.
 - (4) Hospitals; and nursing and personal care facilities.
 - (5) Educational services.
 - (6) Golf courses.
 - (7) Cemeteries.
 - (8) Townhouse (max of four (4) dwellings) and multi-family dwellings, per Section 34-614 residential, multi-family: RM-1.
 - (9) Commercial recreational facilities such as shooting galleries, outdoor skating rinks, amusement parks, go kart tracks, miniature golf courses and similar outdoor uses.
 - (10) Outdoor restaurants or bars, per Section 34-727.
 - (11) Miscellaneous repair shops and related services such as taxidermist, lawnmower repair, and window and blind fabrication and repair.
 - (12) Microbreweries.
 - (13) Craft distillery.
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the C-2 Zoning District.
 - (1) *Minimum lot area:* None
 - (2) *Minimum lot width:* None.
 - (3) *Minimum yards:*

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- a. *Front yard*: Ten (10) feet.
- b. *Side yard*: None, except where adjacent to streets. If adjacent to a street, ten (10) feet. For a corner lot, the side yard on the corner shall be ten (10) feet.
- c. *Rear yard*: None.
- (4) *Minimum floor area*: None.
- (5) *Maximum lot coverage*: Eighty-five (85) percent.
- (6) *Height*: Thirty-five (35) feet.
- (f) *Off-street parking and loading*. The off-street parking and loading standards for the C-2 Zoning District are found in Article VII, Division 1.
- (g) *Supplemental standards*. The supplemental standards for the C-2 Zoning District are found in Article VII, Division 2.
- (h) *Landscape standards*. The landscape standards for the C-2 Zoning District are found in Article VII, Division 3.
- (i) *Sign standards*. The sign standards for the C-2 Zoning District are found in Article VII, Division 4.
- (j) *Environmental standards*. The environmental standards for the C-2 Zoning District are found in Article VII, Division 5.

(Ord. No. 7500, § 7.2(H), 8-19-91; Ord. No. 99-7774, § 5, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2003-7860, §§ 5, 6, 10-6-03; Ord. No. 2003-7861, § 2, 10-6-03; Ord. No. 2004-7868, § 1, 2-2-04; Ord. No. 2014-8042, § 3, 2-3-14; Ord. No. 2015-8065, § 11, 12-7-15; Ord. No. 2018-8104, § 4, 2-19-18; Ord. No. 2019-8118, § 11, 9-16-19; Ord. No. 2019-8122, § 2, 8-5-19; Ord. No. 2020-8145, § 5, 9-21-20; Ord. No. 2021-8168, § 3, 2-7-22)

Sec. 34-619. Commercial service: CS.

- (a) *Purpose*. The commercial service (CS) Zoning District is intended to implement the mixed land use district in the Comprehensive Plan. It is intended to apply to areas appropriate for general commercial use, wholesale trade and storage, and limited light industrial uses.
- (b) *Permitted uses*. The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the CS Zoning District. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to Section 34-622 Planned Unit Development: PUD district standards and procedures.
 - (1) Ornamental floraculture and nurseries.
 - (2) Veterinary services and kennels; provided animals are housed in enclosed, soundproof buildings, (per Florida Building Code).
 - (3) Lawn, garden and tree services.
 - (4) Building contractors and subcontractors.

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- (5) Manufacturing establishments such as bakery products, wood cabinet, jewelry, commercial printing.
 - (6) Boat building and repairing.
 - (7) General warehousing and indoor storage.
 - (8) Outdoor general storage with opaque screening.
 - (9) Communications and utility services.
 - (10) Wholesale trade establishments such as motor vehicle supplies and parts; lumber and construction materials; other durable goods, except scrap and waste materials; paper and paper products, pharmacies, apparel, piece goods and notions; beer, wine and distilled alcoholic beverages; and flowers, nursery stock and florists supplies.
 - (11) Retail trade establishments such as building materials, hardware and garden supplies; motor vehicle dealers; auto and home supply stores; service stations; boat, recreational vehicle and motorcycle dealers; home furniture, furnishing and equipment stores
 - (12) Outdoor display of retail merchandise.
 - (13) Laundry, cleaning and garment services.
 - (14) Business service establishments such as building services; medical and other equipment rental and leasing; and computer programming, data processing and other computer services, and commercial art, photography and stenographic services.
 - (15) Automotive rental and leasing, indoor repair shops, or auto-laundries.
 - (16) Electrical, watch, clock, jewelry, upholstery, furniture, and miscellaneous repair shops and related services.
 - (17) Medical and dental laboratories.
 - (18) Civic, social and fraternal associations.
 - (19) Government uses.
 - (20) Essential public services, per Section 34-721.
 - (21) Mobile food dispensing vehicle as defined in and in accordance with the provisions of Section 12-33 Mobile Food Dispensing Vehicles of Chapter 12 Food and Food Products of this Code of Ordinances.
 - (22) Physical fitness facilities.
 - (23) Newspaper and magazine publishing.
 - (24) Mini-warehouse and personal property storage.
 - (25) Business and professional offices as follows: Landscape architects, doctors, dentists, miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research, management, and related services.
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the CS Zoning District.
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- (1) Any use customarily accessory to the permitted or conditional uses in the CS Zoning District.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the CS Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
- (1) Handbag and other personal leather goods manufacturing.
 - (2) Educational services.
 - (3) Computer and office equipment manufacturing.
 - (4) Religious organizations.
 - (5) Restaurants, except drive-ins, and restaurants with outdoor seating, per Section 34-727.
 - (6) Microbrewery with associated taproom and outdoor taproom seating per Section 34-727.
 - (7) Adult Day care services
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the CS Zoning District.
- (1) *Minimum lot area:* None
 - (2) *Minimum lot width:* None.
 - (3) *Minimum yards:*
 - a. *Front yard:* Ten (10) feet.
 - b. *Side yard:* None, except where adjacent to streets. If adjacent to a street, ten (10) feet. For a corner lot, the side yard on the corner shall be ten (10) feet.
 - c. *Rear yard:* None.
 - (4) *Minimum floor area:* None
 - (5) *Maximum lot coverage:* Eighty-five (85) percent.
 - (6) *Height:* Thirty-five (35) feet.
- (f) *Off-street parking and loading.* The off-street parking and loading standards for the CS Zoning District are found in Article VII, Division 1.
- (g) *Supplemental standards.* The supplemental standards for the CS Zoning District are found in Article VII, Division 2.
- (h) *Landscape standards.* The landscape standards for the CS Zoning District are found in Article VII, Division 3.
- (i) *Sign standards.* The sign standards for the CS Zoning District are found in Article VII, Division 4.
- (j) *Environmental standards.* The environmental standards for the CS Zoning District are found in Article VII, Division 5.

(Ord. No. 7500, § 7.2(l), 8-19-91; Ord. No. 93-7571, § 1, 8-2-93; Ord. No. 99-7774, § 6, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2003-7860, § 7, 10-6-03; Ord. No. 2014-8042, § 4, 2-3-14; Ord. No.

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2014-8053 , § 1, 5-19-14; Ord. No. 2015-8065 , § 12, 12-7-15; Ord. No. 2017-8092 , § 1, 8-7-17; Ord. No. 2018-8114 , §§ 1, 2, 12-17-18; Ord. No. 2020-8145 , § 6, 9-21-20)

Sec. 34-620. Industrial district: I-1.

- (a) *Purpose.* The industrial (I-1) Zoning District is intended to implement the industrial land use district in the Comprehensive Plan. It is intended to apply to areas appropriate for general industrial uses which are not objectionable to surrounding land uses with regard to smoke, odor, fumes, and noise.
- (b) *Permitted uses.* The following uses are permitted as of right in the I-1 Zoning District.
- (1) Ornamental floraculture and nursery.
 - (2) Veterinary services for animal specialties and kennels; provided animals are housed in enclosed, soundproofed buildings (per Florida Building Code).
 - (3) Lawn, garden and tree services.
 - (4) Building contractors and subcontractors.
 - (5) Manufacturing establishments producing the following products: Bakery products, apparel, wood cabinets, newspaper printing and publishing, commercial printing, luggage, computer and office equipment, jewelry, and sign and specialty advertising.
 - (6) Manufacturer's display rooms.
 - (7) Boat building and repairing.
 - (8) General warehousing and storage.
 - (9) Trucking and courier services.
 - (10) Communications and utility services.
 - (11) Wholesale trade establishments such as motor vehicle supplies and parts, new; lumber and construction materials and other durable goods, except scrap and waste materials; paper and paper products, drugs, drug proprieties and druggists' sundries, apparel, piece goods and notions; beer, wine and distilled alcoholic beverages; and flowers, nursery stock and florist's supplies.
 - (12) Financial institutions, insurance and real estate offices.
 - (13) Business service establishments such as advertising, business and consumer credit reporting and collections; mailing, reproduction, commercial art, photography, and stenography; building services, computer programming, data processing and other computer services, personnel supply, and recording studios. For recording studios, no noise from activities within the studio may be audible from off of the property containing the studio.
 - (14) Automotive repair shops, service stations, and auto laundries.
 - (15) Electrical repair; watch, clock and jewelry repair; reupholstery and furniture repair; and miscellaneous repair shops and related services.

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- (16) Business and professional offices such as landscape architects; doctors, dentists, and miscellaneous health offices and clinics; and engineering, architecture, accounting, research, management and related services.
- (17) Government uses.
- (18) Essential public services, per Section 34-721.
- (19) Physical fitness facilities.
- (20) Tour operators.
- (21) Mobile food dispensing vehicle as defined in and in accordance with the provisions of Section 12-33 Mobile Food Dispensing Vehicles of Chapter 12 Food and Food Products of this Code of Ordinances.
- (22) Mini-warehouse and personal property storage.
- (23) Commissary.
- (c) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the I-1 Zoning District.
 - (1) Any use customarily accessory to the permitted and conditional uses in the I-1 Zoning District.
- (d) *Conditional uses.* The following uses are permitted as conditional uses in the I-1 Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
 - (1) Cemeteries.
 - (2) Used motor vehicle parts, wholesale.
 - (3) Processing and wholesale trade of scrap and waste materials, including junkyards, subject to Section 34-745(b).
 - (4) Petroleum bulk stations and terminals, wholesale.
 - (5) Restaurants.
 - (6) Convenience stores.
 - (7) Hotels and motels.
 - (8) Wholesale trade establishments—nondurable goods, excluding farm products, chemical and allied products, and petroleum products.
 - (9) Educational services.
 - (10) Outdoor restaurants, per Section 34-727.
 - (11) Craft distillery.
 - (12) Microbreweries with indoor taprooms and outside seating areas.
 - (13) Gun smith and retail sales of firearms.
- (e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the I-1 Zoning District.

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- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None.
- (3) *Minimum yards:*
 - a. *Front yard:* Ten (10) feet.
 - b. *Side yard:* Five (5) feet, except for a corner lot. On a corner lot, the side yard facing the corner shall be ten (10) feet.
 - c. *Rear yard:* None.
- (4) *Minimum floor area:* None.
- (5) *Maximum lot coverage:* Eighty-five (85) percent.
- (6) *Height:* Thirty-five (35) feet.
- (f) *Off-street parking and loading.* The off-street parking and loading standards for the I-1 Zoning District are found in Article VII, Division 1.
- (g) *Supplemental standards.* The supplemental standards for the I-1 Zoning District are found in Article VII, Division 2.
- (h) *Landscape standards.* The landscape standards for the I-1 Zoning District are found in Article VII, Division 3.
- (i) *Sign standards.* The sign standards for the I-1 Zoning District are found in Article VII, Division 4.
- (j) *Environmental standards.* The environmental standards for the I-1 Zoning District are found in Article VII, Division 5.

(Ord. No. 7500, § 7.2(K), 8-19-91; Ord. No. 7533, § 1, 8-17-92; Ord. No. 95-7627, § 2, 7-17-95; Ord. No. 97-7716, § 1, 10-6-97; Ord. No. 98-7754, § 1, 11-16-98; Ord. No. 2000-7790, § 1, 7-3-00; Ord. No. 2000-7800, § 1, 11-6-00; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2003-7860, § 10, 10-6-03; Ord. No. 2009-7976, § 1, 9-8-2009; Ord. No. 2015-8065, § 14, 12-7-15; Ord. No. 2016-8073, § 1, 6-6-16; Ord. No. 2017-8090, § 1, 8-7-17; Ord. No. 2018-8110, § 1, 9-17-18; Ord. No. 2020-8133, § 6, 3-2-20; Ord. No. 2020-8135, § 1, 3-2-20; Ord. No. 2020-8145, § 8, 9-21-20)

Sec. 34-621. Redevelopment District: RD.

- (a) *Purpose and intent.* The RD Zoning District classification is designed to achieve a diversity of uses in a desirable environment through the application of flexible land development standards and to foster creative design and planning practices in the Jacksonville Beach Downtown Redevelopment Area in order to encourage economic vitality and redevelopment pursuant to the objectives of the Jacksonville Beach Community Redevelopment Plan.
- (b) *RD Zoning District boundaries.*
 - (1) *General.* The RD Zoning District boundaries include all lands lying in and bounded by the mean low water mark of the Atlantic Ocean and the centerline of the following streets: Thirteenth Avenue South, Third Street (State Route A-1-A), and Ninth Avenue North.

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- (c) *General overview.* Land that is not zoned RD but seeks to be rezoned to Redevelopment District: RD must comply with Article V, Division 3 standards and must also receive approval of a preliminary development plan pursuant to the procedures and standards of this Section. The preliminary development plan for an RD Zoning District classification must then receive approval of a development plan pursuant to the procedures and standards of Section 34-586 et seq.
- (d) *Preapplication conference.*
- (1) Prior to submitting an application for rezoning to Redevelopment District and preliminary development plan for RD Zoning District classification, an applicant shall request in writing a preapplication conference with the Planning and Development Director or designee.
 - (2) [Scheduling of preapplication conference.](#) [A preapplication conference on the proposed application shall be scheduled with the applicant and staff](#) for the Jacksonville Beach Community Redevelopment Agency, other City Departments and state or federal agencies that may be involved in the review and processing of the application will be present. The applicant shall be notified in advance by the Planning and Development Department the time, date and place of the conference.
 - (3) *Preapplication conference issues.* At the preapplication conference, the Planning and Development Director or designee, the applicant, staff for the Jacksonville Beach Community Redevelopment Agency, and the representatives from other City Departments, state and federal agencies shall discuss the proposed development and the following issues as they relate to the application for an RD Zoning District designation:
 - a. The existing characteristics of the site proposed for development or redevelopment including but not limited to existing built land uses, vacant areas, land ownership and existing densities;
 - b. The relationship between the proposed development, existing land uses, and surrounding land uses;
 - c. The status of existing and proposed on-site streets, utilities or other public and private facilities to serve the proposed development; and
 - d. The status of public facilities that would serve the proposed development, specifically as it relates to the [Capital Improvements Element \(CIE\)](#) of the Comprehensive Plan.
 - (4) *Written summary.* Within ten (10) working days of the preapplication conference, the Planning and Development Department shall provide the applicant with a written summary of the preapplication conference. One (1) copy of this written summary shall be submitted by the applicant to the Planning and Development Department at the time of submission of the application for development permit.
- (e) *Application for an RD Zoning District.*
- (1) *Submission of application.* Following the preapplication conference, an application for rezoning and a preliminary development plan for RD Zoning District classification shall be submitted to the Planning and Development Department, along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.

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- a. *Determination of sufficiency.* The Planning and Development Department shall determine if the application is sufficient within fifteen (15) working days after it is submitted.
 - 1. If the Planning and Development Department determines the application is not sufficient, a written notice shall be provided to the applicant specifying the application's deficiencies. No further action shall be taken on the application until the deficiencies are remedied.
 - 2. When the application is determined sufficient, the Planning and Development Department shall notify the applicant, in writing, of the application's sufficiency and that the application is ready for review pursuant to this Section.
- (2) *Contents of application.* The rezoning and preliminary development plan application shall include the following information:
 - a. The names, address, and telephone number of the owners of record of the land proposed for development.
 - b. The name, address, and telephone number of the developer, if different from the owner, and an explanation of the difference.
 - c. The name, address and telephone number of the agent of the applicant, if there is an agent.
 - d. The name, address, and telephone number of all land use, environmental, engineering, economic, or other professionals that are assisting with the application.
 - e. The name, address and legal description of the land on which the preliminary development plan is proposed to occur, with attached copies of any instruments referenced, such as but not limited to deeds, plats, easements, covenants and restrictions.
 - f. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for development, with the boundaries already marked.
 - g. An eight and one-half (8½) by eleven (11) vicinity map locating the proposed land for development.
- (3) *Project Narrative.* A statement of the planning objectives to be achieved by the planned redevelopment activity and its consistency with the Jacksonville Beach Community Redevelopment Plan. The statement shall include a detailed description of the character of the proposed development, including information relative to the architectural style of the proposed development.
 - a. A statement of the applicant's intentions with regard to the form of ownership contemplated for the development when construction is completed, e.g., sale or lease of all or some of the development including rental units, condominiums, or fee simple conveyance.
 - b. A description of how the project will meet the Jacksonville Beach Community Redevelopment Plan, Comprehensive Plan, and the LDC.

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1. If there are any aspects of the plan that do not meet one of the above, the applicant shall describe how it is deviating from those requirements.
- c. A description of the proposed development, including:
 1. The number and type of residential dwelling units.
 2. The approximate gross density for the residential development.
 3. The amounts of land and building square footages for nonresidential developments, by type of use, including any portions to be reserved for public use.
 4. Calculations showing the total lot coverage for building and accessory uses.
- d. A tentative development schedule indicating:
 1. The approximate date when construction of the development can be expected to begin.
 2. The stages in which the development will be built and the approximate date when construction on each stage can be expected to begin.
 3. The approximate date when each stage of development will be completed.
- f) *Preliminary Development Plan.* A preliminary development plan showing the following:
 - (1) Parcel boundary.
 - (2) Location of all proposed buildings.
 - (3) The proposed traffic circulation system.
 - (4) Parking facilities.
 - (5) Dimensions with scale.
 - (6) Building height.
 - (7) Site data table with the following:
 - a. Parcel number.
 - b. Existing Zoning and Land Use.
 - c. Acreage.
 - d. Proposed and required parking counts.
 - e. Proposed and required ISR.
 - f. Proposed and required building coverage.
 - g. Proposed and required setbacks/buffers.
- (g) *Standards.* A Preliminary Development Plan for a RD Zoning District designation shall comply with the following standards:
 - (1) *Land area.* Development shall be approved only on land having an area which is deemed to be adequate and appropriate.

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- (2) *Permitted uses.*
- a. Uses shall be appropriate for the location requested, compatible with other existing or proposed uses in the general vicinity, and consistent with the adopted Jacksonville Beach Community Redevelopment Plan.
- (3) The following uses are specifically prohibited:
- a. Manufacturing., except for activity related to the production of items designed for sale at retail on the premises such as arts and crafts, jewelry, or bakery goods.
 - b. Outdoor storage areas of any kind, including junk yards.
 - c. Wholesale trade, warehouse, and distribution establishments.
 - d. Cemeteries.
 - e. Mobile home parks.
 - f. Motor vehicle repair, services, and garages.
 - g. Transportation and transportation service establishments, except terminal and service facilities for passenger transportation.
 - h. Petroleum and petroleum products receiving, storage/and distribution.
 - i. Veterinary services and kennels.
 - j. Recreational vehicle or travel trailer parks.
 - k. Commercial and industrial laundries.
 - l. Cold storage and ice processing plants.
 - m. Rooming and boarding houses.
 - n. The business of off-site advertising.
- (4) *Residential density.* The maximum density allowed for residential development shall not exceed forty (40) dwelling units per gross acre, or two (2) dwelling units for the first five thousand (5,000) square feet, plus one (1) dwelling unit for each additional one thousand (1,000) square feet of land, whichever is the strictest.
- (5) *Area and setback requirements.* Minimum lot area, minimum width, yard setbacks, and maximum lot coverage shall be consistent with the existing and proposed development of the surrounding area. The maximum building height allowed shall be thirty-five (35) feet.
- (6) *Traffic circulation control and parking.*
- a. A suitable transportation and traffic control plan shall be provided showing the utilization of existing roads for access to the proposed development, and their relationship to on-site driveways, parking and loading areas, refuse collection points, sidewalks, bike paths, and other traffic-related facilities. The suitability of the proposed traffic management system shall be determined, in part, by the potential impact of the development on safety, traffic flow and control, accessibility for emergency vehicles,

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and consistency of the development with the provisions of the Jacksonville Beach Community Redevelopment Plan.

- b. Principal vehicular access points shall be designed to permit smooth traffic flow and minimize hazards to vehicular and pedestrian ways. Minor streets within a Preliminary Development Plan shall not be connected to streets outside the site in such a way as to encourage their use by through traffic.
- (7) *Off-street parking and loading.* Off-street parking and loading shall be provided in a planned and coordinated manner consistent with the provisions of the Land Development and not in conflict with the Jacksonville Beach Community Redevelopment Plan.
- (8) *Open space/active recreation requirements.* All residential developments shall provide common open space/active recreation for amenities or recreational purposes. The use of the open space or recreational areas shall be appropriate for the scale and character of the proposed residential development based on consideration of the size, density, anticipated population, topography, and the type of dwelling units. The common open space or recreational area shall be suitably improved for its intended use and the buildings, structures, and improvements permitted in the common areas shall be appropriate to the uses which are authorized for such areas.
- (9) *Signage.* All signs erected shall be consistent with the standards of Article VII, Division 4.
- (10) *Landscape.* Landscaping shall be consistent with the goals, objectives, and policies Article VII, Division 3. Parcels located within the CBD shall follow Section 34-623.
- (11) *Environmental.* The stormwater management and flood protection standards shall be consistent with the goals, objectives, and policies of the Jacksonville Beach Stormwater Master Plan, Article VII, Division 5
- (12) *Utility easements.* Easements necessary for the orderly extension and maintenance of public utility systems shall be required where they are necessary to adequately service the development.
- (13) *Adequate public facilities.* The application shall comply with the standards in Article IX, Adequate Public Facility Standards.
- (14) *Comprehensive Plan consistency.* The proposed development shall be consistent with the Future Land Use Map and the visions, intents, and strategies of the Comprehensive Plan.
- (h) *Review and report.* Once the application is determined sufficient, the Planning and Development Department shall prepare a report recommending approval, approval with conditions or denial, based on the standards in Section 34-621(e)(3)(f) & (g). At least one week before the scheduled public hearing, the Planning and Development Department will provide the application and report to the Jacksonville Beach Community Redevelopment Agency and the Planning Commission for its review. The Planning and Development Department shall provide a copy of the staff recommendation report to the applicant once the report is completed, along with notification of the time and place the application will be considered at a public hearing.
- (i) *Notice.* The Planning and Development Department shall provide notice of the public hearings pursuant to the requirements of Section 34-504.

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(j) *Public hearings and recommendations.*

- (1) The Jacksonville Beach Community Redevelopment Agency shall hold one (1) public hearing after the application is deemed sufficient by the Planning and Development Department. At the public hearing the agency shall consider the application, the staff report, comments of the applicant and CRA Staff and public testimony. The Jacksonville Beach Community Redevelopment Agency shall review the application and staff report to recommend to the City Council either an approval, approval with conditions or denial, based on consistency with the Jacksonville Beach Downtown Redevelopment Plan.
- (2) The Planning Commission shall hold one (1) public hearing, and shall review the application, the staff report, comments of the applicant and City staff, the recommendation of the Community Redevelopment Agency, and public testimony. The Planning Commission shall recommend to the City Council either an approval, approval with conditions or denial based on the standards in Section 34-621(e) and (f) and 34-538.
- (3) City Council shall hold two (2) public hearings on an application for RD Zoning District classification. The second public hearing before the City Council shall be held approximately two (2) weeks after the first public hearing. The day, time, and place at which the second City Council public hearing will be held shall be announced at the first public hearing.

(k) *Action by the City Council.*

- (1) *Scheduling of public hearing.* Upon notification of the recommendation of the Jacksonville Beach Community Redevelopment Agency and the Planning Commission, the application and recommendation shall be forwarded to the City Council for the scheduling of a public hearing at the first available regularly scheduled meeting by which time the public notice requirements can be satisfied.
- (2) *Decision.* At the public hearings, the City Council shall consider the application, the recommendation of the Jacksonville Beach Redevelopment Agency, the recommendation of the Planning Commission, and comments of the applicant and City staff. After the close of the public hearing, the City Council shall approve, approve with conditions, or deny the rezoning application and preliminary development plan pursuant to the standards in Section 34-621(e) and (f) and 34-538.

(l) *Conditions.* The Jacksonville Beach Community Redevelopment Agency and the Planning Commission shall have the authority to recommend, and the City Council shall have the authority to impose such conditions on an RD Zoning District designation that are necessary to accomplish the purposes of this Section, this code, and the Comprehensive Plan.

(m) *Effect of development order for an RD Zoning District designation.* Issuance of a development order for RD Zoning District classification shall constitute an amendment to the official Zoning Map to RD Zoning District. It shall also be deemed to authorize the applicant to submit to the Planning and Development Department an application for development permit for the approved preliminary RD development plan pursuant to Section 34-586 et seq. No development plan shall be accepted for review and consideration unless the RD Zoning District classification and preliminary RD development plan have been approved and remain valid and in effect.

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- (n) *Recordation.* The adopted Redevelopment District: RD ordinance shall be recorded in the office of the Duval County Clerk and shall be binding upon the property owners subject to the development order, their successors and assigns, and shall constitute the development regulations for the property. Development of the property shall be limited to the uses, density, configuration, and all other elements and conditions set forth on the adopted preliminary RD development plan. Failure on the part of the applicant to record the Redevelopment District: RD ordinance within a period of sixty (60) days following its adoption by the City Council shall render the plan invalid.
- (o) *Development Schedule.* The schedule of development must adhere to the stated phasing schedule in the enacted RD project narrative.
- (p) *Minor deviation to preliminary development plan for an RD Zoning District designation.* A minor deviation may be made from the preliminary development plan upon written approval of the Planning and Development Director or designee. Minor deviations which shall be authorized are those that appear necessary in light of technical or engineering considerations first discovered during actual development that are not reasonably anticipated during the initial approval process, and shall be limited to the following:
 - (1) Alteration of the location of any road or walkway by not more than five (5) feet;
 - (2) Alteration of the building envelope of up to five (5) percent, provided such alteration complies with the requirements of this Code.
 - (3) Reduction of the total amount of open space by not more than five (5) percent, provided that such reduction does not permit the required open space to be less than that required by this Code.
 - (4) Alterations of the location, type, or quality of required landscaping elements, if it complies with this Code.
- (q) *Amendments to preliminary development plan.* A preliminary development plan may be amended only pursuant to the procedures established for its original approval as otherwise set forth in this Section.

(Ord. No. 7500, § 7.2(L), 8-19-91; Ord. No. 99-7776, § 1, 12-6-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2004-7878, § 1, 7-19-04; Ord. No. 2005-7899, § 7, 4-4-05; Ord. No. 2014-8042, § 6, 2-3-14; Ord. No. 2015-8065, § 15, 12-

Sec. 34-622. Planned Unit Development District: PUD.

- (a) *Purpose and intent.* The application of flexible land use regulations to the development of land is often difficult or impossible within traditional Zoning District standards. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish a Planned Unit Development (PUD) Zoning District designation in which development is in harmony with the general purpose and intent of this Code and the Comprehensive Plan. The objective of a PUD Zoning District is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers, to produce development which is in keeping with overall land use intensity and open space objectives of this Code and the Comprehensive Plan, while departing from the strict

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application of the dimensional standards of the traditional Zoning Districts. The purpose and intent of the PUD Zoning District designation is to permit such flexibility and provide performance criteria for PUD which:

- (1) Permits a creative approach to the development of land;
 - (2) Accomplishes a more desirable environment than would be possible through the strict application of the minimum standards of this Code;
 - (3) Provides for an efficient use of land, resulting in small networks of utilities and streets, thereby lowering development costs;
 - (4) Enhances the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;
 - (5) Provides an opportunity for new approaches to ownership;
 - (6) Provides an environment of stable character compatible with surrounding areas; and
 - (7) Retains property values.
 - (8) Provides a benefit to the public through innovative design
- (b) *General applicability.* Before any development shall be designated PUD Zoning District on the official Zoning Map, it shall receive PUD Zoning District approval pursuant to the terms of this Section.
- (c) *Initiation of application.* An application for a development permit for a PUD Zoning District designation may only be submitted by the owner, or any person having a contractual interest and unified control of the land, or their authorized agent.
- (d) *General overview.* Prior to receipt of a PUD Zoning District classification, land must receive approval of an application for PUD pursuant to the procedures and standards of this Section. The application for a PUD Zoning District classification must then receive approval of a development plan pursuant to the procedures and standards of Section 34-586 et seq.
- (e) *Preapplication conference.*
- (1) Prior to submitting an application for a development permit for a development plan for a PUD, an applicant shall request in writing a preapplication conference with the Planning and Development Director or designee.
 - (2) *Scheduling of preapplication conference.* A preapplication conference on the proposed application shall be scheduled with the applicant and such other City Departments and/or state agencies that may be involved in the review and processing of the application. The applicant shall be notified in advance by the Planning and Development Department the time, date and place of the conference.
 - (3) *Preapplication conference issues.* At the preapplication conference, the Planning and Development Director or designee, the applicant, and the representatives from other City Departments and state agencies shall discuss the proposed development and the following

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issues as they relate to the application for a development permit for a development plan for a PUD.

- a. Physical characteristics of the site proposed for development including but not limited to protection areas, wetlands and easements;
- b. Relationship between the proposed development and surrounding land uses;
- c. Status of existing and proposed on-site streets, utilities or other public and private facilities to serve the proposed development;
- d. Status of public facilities that would serve the proposed development, specifically as it relates to the CIE of the Comprehensive Plan;
- e. Common open areas proposed to serve the development;
- f. Maintenance mechanisms and procedures designed to guarantee the care and upkeep of the common elements;
- g. Identification of the appropriate development review procedures for the proposed development, and a tentative schedule of review for any proposed consolidation of review for more than one application for development permit; and
- h. Applicability of F.S. §§ 380.05 and 380.06, (Florida Land and Water Management Act) to the proposed development.

- (4) *Written summary.* Within ten (10) working days of the preapplication conference, the Planning and Development Department shall provide the applicant with a written summary of the preapplication conference. One (1) copy of this written summary shall be submitted by the applicant to the Planning and Development Department at the time of submission of the application for development permit.

(f) *Application for PUD.*

- (1) *Submission of application.* Subsequent to the preapplication conference, an application for a (PUD) Zoning District classification shall be submitted to the Planning and Development Department, along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.
 - a. *Determination of sufficiency.* Within fifteen (15) working days of receipt of an applicant's submittal of a rezoning application, the Planning and Development Department shall determine whether the application is sufficient.
 1. If the Planning and Development Department determines the application is not sufficient, a written notice shall be provided to the applicant specifying the deficiencies. No action shall be taken to initiate a preapplication conference until the deficiencies are remedied.
 2. When the application is determined sufficient, the Planning and Development Department shall notify the applicant in writing of the application's sufficiency and that the application is ready for review pursuant to the procedures and standards of this Section.

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- (2) *Contents of application.* The application shall be submitted in a form established by the Planning and Development Department and made available to the public that contains the following information:
- a. The name, address, and telephone number of the owner of record of the land proposed for development.
 - b. The name, address, and telephone number of the developer, if different from the owner, and an explanation of the difference.
 - c. The name address, and telephone number of the agent for the application, if there is an agent.
 - d. The name, address, and telephone number of all land use, environmental, engineering, economic, or other professionals that are assisting in the application.
 - e. The street address and legal description of the land on which the preliminary development plan for PUD is proposed to occur, with attached copies of any instruments referenced, such as, but not limited to, deeds, plats, easements, covenants, and restrictions.
 - f. Evidence that the applicant has unified control of the land proposed for PUD Zoning District classification.
 - g. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for development, with the boundaries clearly marked.
 - h. An eight and one-half (8½) by eleven (11) vicinity map locating the land proposed for development.
 - i. A certificate of survey completed by a professional land surveyor registered in the State of Florida certifying the preliminary development plan.
- (3) *Project Narrative.* The PUD application shall provide a project narrative including, but not limited to, the following items:
- a. A description of the proposed development, including:
 - 1. The number and type of residential dwelling units.
 - 2. The approximate gross density for the residential development.
 - 3. The amounts of land and building square footages for nonresidential developments, by type of use, including any portions to be reserved for public use.
 - 4. Calculations showing the total lot coverage for building and accessory uses.
 - b. A description of the existing Zoning District classification, and Future Land Use Map designation of the land proposed for development, as well as the existing land uses and Zoning District classification of any contiguous land owned by the applicant (disregarding intervening road right-of-way).
 - c. A description of how there will be assurance that adequate public facilities will be available pursuant to the requirements of Article IX, Adequate Public Facility Standards.

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- d. A statement of how open space and recreation facilities will be preserved and maintained.
 - e. A general statement indicating the proposed means of drainage for the site to ensure conformity with natural drainage within the area or with the drainage plan established within the vicinity.
 - f. Proposed architectural and landscape deed restrictions that clearly reflect the compatibility of the variety of primary and secondary uses proposed.
 - g. A development schedule.
 - 1. Delineating areas to be developed according to their order of construction.
 - 2. Proposing dates for beginning and completing construction of each development phase.
 - 3. Proposing a schedule for the construction and improvement of common open space, streets, utilities, and any other necessary improvements for each development phase.
- (4) *Prohibited use.* The business of off-site signs
- (g) *Preliminary Development Plan.* A preliminary development plan, at a scale of one (1) inch equals one hundred (100) feet or larger, that contains, but is not limited to, the following:
- (1) The proposed name or title of the development, and the name of the engineer, architect and developer.
 - (2) A north arrow.
 - (3) The date and legal description of the proposed PUD Zoning District classification.
 - (4) Identification of the boundaries of the land shown with bearings, distances, closures and bulkhead lines on the land, and all existing easements, section lines, streets and physical features.
 - (5) The names and location of adjoining developments and subdivisions.
 - (6) The proposed parks, school sites or other public and private open space.
 - (7) The vehicular and pedestrian circulation systems, including off-street parking and loading areas, driveways and access points.
 - (8) The site data, including tabulation of the total number of gross acres in the development, the acreage to be devoted to each of the several types of residential, non-residential uses, and open space uses, the total number of dwelling units and square feet of gross non-residential building area, and public beach access, where applicable.
 - (9) Designation of common open space and any complementary structures, and the tabulation of the percent of the total area devoted to common open space.
 - (10) A delineation of specific areas which constitute a proposed development phase.

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- (11) The general location, dimensions and character of construction of all proposed streets, driveways, points of ingress and egress, loading areas, number of parking spaces and areas, residential areas and structures, non-residential areas and structures, recreational areas and structures and common open space.
- (12) Location and width of canals, waterways and flood prone areas.
- (h) *Standards.* A preliminary development plan for a PUD shall comply with the following standards:
 - (1) *Area.* There shall be no minimum acreage required.
 - (2) *Density.* Residential development shall not exceed the maximum densities established in the RM-2 Zoning District.
 - (3) *Building height:* Thirty-five (35) feet.
 - (4) *Access.* Safe and adequate access shall be provided to all development, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way or a commonly owned easement. City-owned vehicles shall be permitted access on privately owned roads, easements and common open spaces in order to perform basic municipal services such as fire and police protection and emergency service needs of the residents of the PUD.
 - (5) *Off-street parking and loading.* The off-street parking and loading standards for the preliminary development plan for PUD shall demonstrate the site contains adequate parking for the use.
 - (6) *Adequate public facilities.* There shall be a demonstration that the development proposed in the preliminary development plan complies with Article IX, Adequate Public Facility Standards.
 - (7) *Common recreation and open space.* The preliminary development plan shall comply with the following common recreation and open space standards.
 - a. A minimum of twenty (20) percent of the development plan shall be reserved for common recreation and usable open space. Parking areas, street rights-of-way, or minimum yards and spacing between buildings shall not be included when determining usable open space. Water bodies contained on-site may account for up to fifty (50) percent of the required open space.
 - b. All common open space and recreational facilities shall be included in the development plan. Such common open space and recreational facilities shall be constructed and fully improved according to the development schedule established for each development phase of the development plan.
 - c. All privately owned common open space shall continue to conform to its intended use as specified in the development plan. To ensure that all the common open space identified in the development plan will be used as common open space, restrictions and/or covenants shall be placed in each deed to ensure their maintenance and prohibit the partition of any common open space.
 - d. If common open space is proposed to be maintained through an association or nonprofit corporation, such organization shall conform to the following standards.

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1. The association or nonprofit corporation shall be established prior to the sale of any lots or units within the development plan for PUD.
 2. Membership in the association or nonprofit corporation shall be mandatory for all property owners within the development plan for PUD.
 3. The association or nonprofit corporation shall manage all common open space and recreational and cultural facilities that are not dedicated to the public; and shall provide for the maintenance, administration and operation of such land and any other land within the development plan for PUD not publicly owned, and secure adequate liability insurance on the land.
- (8) *Compatibility of open spaces.* The open space proposed in the Preliminary development plan shall be consistent with the character of surrounding land uses
- (9) *Compatibility with surrounding land uses.* The development proposed in the Preliminary development plan shall be consistent with the character of surrounding land uses.
- (10) *Beach access.* The preliminary development plan shall not diminish existing public beach access.
- (11) *Consistency with Comprehensive Plan.* The preliminary development plan shall be consistent with the Comprehensive Plan.
- (i) *Review Criteria.* In evaluating a proposed PUD district, the City shall consider the criteria established in this subsection. The consideration of each criterion by the City shall be documented by written findings.
- (1) *Consistency with the Comprehensive Plan.* The proposed PUD district shall be consistent with the Comprehensive Plan.
 - (2) *Consistency with other City ordinances.* The proposed PUD district shall be consistent with all other ordinances adopted by the City, including but not limited to the applicable environmental and concurrency management ordinances.
 - (3) *Consistency with purpose and intent of PUD District.* An application for a PUD district shall indicate how the proposed PUD district meets the purpose and intent of the PUD district, as set forth in subsection (a) of this Section. The narrative shall address the statements itemized in subsection (a)(1) through (8) of this Section and shall also address the criteria set forth in Section 34-538.
- (j) *Review and report.* Once the application is determined sufficient by the Planning and Development Department, staff shall prepare a report recommending approval, approval with conditions, or denial based on the standards in Section 34-622(h). The Planning and Development Department shall provide a copy of the staff report to the applicant along with notification of the time and place the application which will be considered by the Planning Commission at the next available public hearing.
- (k) *Notice.* The Planning and Development Department shall provide notice of the public hearings pursuant to Section 34-504.

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- (l) *Public hearings.* The Planning Commission shall hold one (1) public hearing and the City Council shall hold two (2) public hearings on a preliminary development plan for a PUD Zoning District designation. The second public hearing before the City Council shall be held approximately two (2) weeks after the first public hearing. The day, time, and place at which the second City Council public hearing will be held shall be announced at the first public hearing.
- (m) *Action by Planning Commission.* The Planning Commission shall conduct a public hearing on the application pursuant to the procedures in Section 34-500 et seq. and after close of the public hearing recommend to the City Council approval, approval with conditions, or denial of the preliminary development plan for the PUD Zoning District classification. In reviewing and making a recommendation, the Planning Commission shall apply the standards in Section 34-622(h) and 34-538.
- (n) *Action by City Council.*
 - (1) *Scheduling of public hearing.* After the review and recommendation of the Planning Commission, the application shall be scheduled for consideration at two (2) public hearings by the City Council, at the first regularly scheduled public hearing by which time the public notice requirements can be satisfied, or such time as is mutually agreed upon between the applicant and Planning and Development Director or designee.
 - (2) *Decision.* The City Council shall consider the application, the relevant support materials, the staff report, the recommendation of the Planning Commission, and public testimony, and after the close of the public hearing(s) shall approve, approve with conditions, or deny the application for development permit for the preliminary development plan for a PUD Zoning District classification based on the standards of Section 34-538 and Section 34-622(h).
 - (3) *Conditions.* The Planning Commission shall have the authority to recommend, and the City Council shall have the authority to impose such conditions on a Planned Unit Development (PUD) zoning that are necessary to accomplish the purposes of this Code and Comprehensive Plan.
- (o) *Recordation.* The preliminary development plan and PUD agreement shall be recorded in the office of the Clerk of Circuit Court, Duval County, and shall be binding upon the property owners subject to the development order, their successors and assigns, and shall constitute the development regulations for the property. Development of the property shall be limited to the uses, density, configuration, and all other elements and conditions set forth in the preliminary development plan and PUD agreement. Failure on the part of the applicant to record the development plan and PUD agreement within a period of sixty (60) calendar days following its approval by the City Council shall render the PUD Zoning District classification null and void.
- (p) *Development Schedule.* The schedule of development must adhere to the stated phasing schedule in the enacted PUD project narrative.
- (q) *Minor deviations of the PUD development order.* Minor deviations to an approved development order for a PUD may be authorized by the Planning and Development Director or designee. Minor deviations shall be limited to technical or engineering considerations first discovered during actual development which could not reasonably be anticipated during the approval process and shall consist of no more than the following:

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- (1) Alteration of the location of any road or walkway by not more than five (5) feet;
 - (2) Alteration of the building envelope of up to five (5) percent, provided such alteration complies with the requirements of this Code.
 - (3) Reduction of the total amount of open space by not more than five (5) percent, provided that such reduction does not permit the required open space to be less than that required by this Code.
 - (4) Alterations of the location, type, or quality of required landscaping elements, if it complies with this Code.
 - (5) Alterations to lot coverage by not more than five (5) percent of the required maximum.
- (r) *Amendment to preliminary development plan for PUD.* A preliminary development plan for a PUD may be amended only pursuant to the procedures established for its original approval as otherwise set forth in this Section.

(Ord. No. 7500, § 7.2(M), 8-19-91; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2004-7879, § 1, 7-19-04; Ord. No. 2005-7899, § 8, 4-4-05; Ord. No. 2015-8065, § 16, 12-7-15)

Sec. 34-623. Central business district: CBD.

- (a) *Purpose.* The central business district (CBD) Zoning District is intended to implement the commercial and redevelopment area land use districts in the Comprehensive Plan. The CBD Zoning District is intended to provide a central core for the City, with a diversity of uses, and to promote flexibility in design and quality in development while preserving public access to the beach recreational area.
- (b) *Permitted uses.* The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the CBD Zoning District. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to Section 34-621 Redevelopment District: RD.
- (1) Bakery products manufacturing, in conjunction with the retail sale of the bakery products on the same site.
 - (2) Jewelry manufacturing, in conjunction with the retail sale of the jewelry on the same site.
 - (3) Travel agencies.
 - (4) Retail trade establishments such as building materials, hardware and garden supplies; general merchandise stores; apparel and accessory stores; home furniture, furnishing and equipment stores; pharmacies; florists; tobacco stands and newsstands; optical goods stores; and miscellaneous retail goods.
 - (5) Outdoor display of retail merchandise is limited to bicycles, plants, and outdoor furniture, limited to 200 square feet in area, and only during a business's operating hours.
 - (6) Indoor and outdoor restaurants.
 - (7) Financial institutions, insurance and real estate offices.

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- (8) Hotels and motels.
 - (9) Personal service establishments such as photographic studios; beauty and barber shops; shoe repair; tax preparation services; and miscellaneous personal services.
 - (10) Business service establishments such as advertising; business and consumer credit reporting and collections; mailing reproduction, commercial art and photography and stenographic services; personnel supply, excluding labor and manpower pools and similar temporary help services; computer programming, data processing and other computer services; and miscellaneous business services.
 - (11) Automotive rental and leasing.
 - (12) Surface and structured parking lots.
 - (13) Motion pictures theaters, except drive-in.
 - (14) Dance studios and schools.
 - (15) Amusement and recreation service establishments such as physical fitness facilities; coin operated amusement devices; or membership sports and recreation clubs.
 - (16) Business and professional offices such as landscape architect; building contractors and subcontractors (no storage of vehicles, equipment, or materials); doctors, dentists and miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research management and related services.
 - (17) Child day care services, per Section 34-718.
 - (18) Museums and art galleries.
 - (19) Membership organizations, except religious organizations.
 - (20) Government uses.
 - (21) Multi-family dwellings and townhouses, per Section 34-623^(ef) Site Design and Lot Layout Standards and also subject to a maximum density of forty (40) units per acre.
 - (22) Public parks, playgrounds, and recreational facilities.
 - (23) Libraries.
 - (24) Essential public services, per Section 34-721.
 - (25) Auxiliary dwelling unit.
 - (26) Mobile food dispensing vehicle as defined in and in accordance with the provisions of Section 12-33 Mobile Food Dispensing Vehicles of Chapter 12 Food and Food Products of this Code of Ordinances.
 - (27) Short-term vacation rentals, per Section 34-731.
 - (28) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling.
- (c) Prohibited uses.
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- (1) Manufacturing, except for activity related to the production of items designed for sale at retail on the premises such as arts and crafts, jewelry, or bakery goods.
 - (2) Outdoor storage areas of any kind, including junk yards.
 - (3) Wholesale trade, warehouse, and distribution establishments.
 - (4) Cemeteries.
 - (5) Mobile home parks.
 - (6) Motor vehicle repair, services, and garages.
 - (7) Transportation and transportation service establishments, except terminal and service facilities for passenger transportation.
 - (8) Petroleum and petroleum products receiving, storage/and distribution.
 - (9) Veterinary services and kennels.
 - (10) Recreational vehicle or travel trailer parks.
 - (11) Commercial and industrial laundries.
 - (12) Cold storage and ice processing plants.
 - (13) Rooming and boarding houses.
- (d) *Accessory uses and structures pursuant to Section 34-716.* The following uses are permitted as accessory uses and structures in the CBD Zoning District.
- (1) Any use customarily accessory to the permitted or conditional uses in the CBD Zoning District.
- (e) *Conditional uses.* The following uses are permitted as conditional uses in the CBD Zoning District, subject to the standards and procedures established in Section 34-546 et seq.
- (1) Handbag and other personal leather goods manufacturing in conjunction with the retail sale of the finished product on the same site.
 - (2) Alcoholic beverage establishment.
 - (3) Educational services.
 - (4) Amusement parks and recreation services.
 - (5) Religious organizations.
 - (6) Outdoor bars, per Section 34-727.
 - (7) Microbreweries.
 - (8) Urban Single-Family.
 - (9) Pharmacy
 - (10) Medical marijuana treatment center dispensing facilities.
- (f) *Site design and lot layout standards.* The following site design, dimensional, and lot layout standards apply in the CBD Zoning District.

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- (1) *Designation of street type.* The central business district (CBD) designates three (3) street types that exist within the CBD boundaries. The identification of each street type directly relates to the site design, dimensional, and lot layout criteria outlined in the following standards.
- (2) *Designation of "A" streets, "B" streets and "pedestrian oriented" streets.* The following table designates existing streets within the central business district as an "A" street or a "pedestrian oriented" street. Streets not specifically designated will be considered "B" streets. The creation of new streets constructed on or after the effective date (insert adoption of ordinance) will be updated and designated by the City.
- "A" streets shall have building frontage requirements, established build-to lines and required active commercial land uses on first floor, restrict parking and service uses adjacent to an "A" street. "A" streets shall not be the primary access unless there is no other feasible option.
 - "Pedestrian oriented" streets shall have building frontage requirements, established build-to lines, restrict parking and service uses adjacent to a "pedestrian oriented" street.
 - "B" streets shall have no building frontage requirements. While "B" streets are not included or intended to be primary pedestrian streets, additional provisions on architectural details, accessory structures, and service bays will be provided.

Table 34-623.1

Street Name	Designation
6th Avenue North, between 3rd Street North and the Sea Walk	A
1st Street North between Beach Boulevard and 6th Avenue North	A
Beach Boulevard, between 3rd Street North and the Sea Walk	Pedestrian Oriented
1st Avenue North, between 3rd Street North and 1st Street North	Pedestrian Oriented
4th Avenue North, between 3rd Street North and the Sea Walk	Pedestrian Oriented

- (3) *Lot types.* Specific lot types are allowed within the CBD as identified by the letter "X" in the following table. The symbol "*" may be considered by the Planning Commission.

Table 34-623.2

Lot Type	Street Designation		
	A	Pedestrian Oriented	B
Retail/Office	X	X	X
Mixed Use	X	X	X
Live/Work	X	X	X
Apartment	X	X	X
Row/Townhouse	*	X	X
House	*	X	X

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The following table specifies the standards for each lot type:

Table 34-623.3, Standards for Lot Types												
	COMMERCIAL BUILDING		MIXED-USE BUILDING		LIVE/WORK BUILDING		MULTI-FAMILY RESIDENTIAL BUILDING		ROW/TOWNHOUSE BUILDING		URBAN SINGLE-FAMILY	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
LOT REQUIREMENTS												
Lot Width (ft)	16	300	16	300	16	60	40	300	25	—	30	—
Lot Depth (ft)	—	500	—	500	80	120	100	300	80	120	60	N/A
Lot Size (sf)	—	150,000	—	150,000	1,800	7,200	4,000	90,000	1,600	3,840	3,500	N/A
Lot Coverage (%)	—	90	—	90	—	80	—	90	—	80	N/A	55
BUILDING ENVELOPE												
Front Setback (ft)	0	10	0	10	0	10	0	10	0	10	15	—
Side Setback (ft)	0	—	0	—	0	—	0	—	0 ft interior 5 ft exterior	—	5	—
Rear Setback (ft)	10	—	10	—	15	—	15	—	20	—	15	—
Frontage Buildout (%) ⁽¹⁾	90	100	90	100	80	100	80	100	90	100		

(4) *General site design.*

- a. *Form.* Buildings shall form a consistent, distinct edge, spatially delineating the public street through maximum building setbacks that vary by no more than five (5) feet from those of the adjacent building.
- b. *Sidewalks.* All buildings or developments must provide sidewalks along the street edge(s) of their property. Sidewalks shall be placed to align with existing sidewalks. Sidewalk connections from a principal building to the public sidewalk must be provided and be aligned to minimize walking distance. Landscaping adjacent to existing and proposed street sidewalks must be consistent with the requirements of the Landscaping Section below (Section 34-623(e)(6)).

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1. *Urban Trails.* Any site with access along a designated Urban Trail shall be designed to be consistent with the Urban Trails Master Plan.
- c. *Driveway locations.* If property abuts an A or B street, vehicular drive access should be located on the nonpedestrian priority street. If a property does not abut an A or B street, a maximum of one (1) vehicular access drive per property along pedestrian oriented streets shall be allowed.
- d. *Utilities.* All utilities shall be located underground if feasible.
- e. *Screening.* Trash and recycling receptacles, loading docks, service areas, and other similar areas must be located in parking areas or in a location that is not visible from "A" or "pedestrian oriented" frontage, and must be screened to minimize sound to and visibility from residences and to preclude visibility from adjacent streets. Joint-use facilities are encouraged throughout the CBD. If such facilities are created, access and location shall be determined under an access agreement between any and all of the parties utilizing such services.
- f. *Mechanical equipment.* Mechanical equipment at ground level shall be placed on the parking lot side of the building away from view from adjacent "pedestrian oriented" and "A" street frontage and shall be screened from view of any street by fencing, vegetation, or by being incorporated into a building. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions should be incorporated into the overall design of the building by walls of a material compatible with the material, style, color, texture, pattern, trim, and details of the main building and landscaping. The wall shall be one foot higher than the largest object being screened, but not more than ten (10) feet high, on all sides where access is not needed.
- g. *Rooftop mechanical equipment.* Rooftop mechanical equipment shall be integrated into the overall mass of a building by screening it or by recessing it into roof structure.
- h. *Building frontage.* Building frontage shall be determined by the Table 1.0. Standards for Lot Types. If site constraints exist, a knee wall may be constructed with the following provisions.
 1. Only twenty-five (25) percent of the required frontage may be fulfilled through the use of a knee wall.
 2. The knee wall shall be a minimum of twenty-four (24) inches in height to a maximum of forty-two (42) inches.
 3. The knee wall must be constructed of an opaque material which complements the primary building's architecture by utilizing the same architectural style.
- i. *Parking requirements.* The off-street parking and loading standards for the CBD Zoning District are found in Article VII, Division 1. Shared parking agreements pursuant to Section 34-705, are also permitted to meet the parking requirements.

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- j. *Off-street surface parking.* Off-street surface parking lots must be located behind "A" street frontage buildings or to the side of, or behind, "pedestrian oriented" street fronting buildings.
 - k. *Parking garages.* Parking garages shall comply with the following requirements:
 - 1. Direct pedestrian access from parking garages to each adjacent street shall be provided.
 - 2. Parking garages located on "A" or "pedestrian oriented" streets shall have the ground floor developed with enclosed commercial or civic floor space to a minimum building depth of thirty (30) feet along the entire length of the structure on each "A" or "pedestrian oriented" facing street, unless separated from the street by another building, parking lot and/or landscaped open space with a minimum depth of thirty (30) feet.
- (5) *Landscape standards.* Landscape standards shall be consistent with the provisions below.
- Two (2) types of landscape treatments are permitted within any street facing location.
- a. *Urban landscape.* When buildings are located using a build-to-line, an urban buffer may be considered as an alternative to a front yard landscape buffer. The front yard landscape buffer for an urban type development shall be allowed to provide potted plants. At a minimum, a thirty-six (36) inch diameter pot by twenty-four (24) inches high should be provided every twenty (20) linear feet of building frontage. The plant species should be two (2) times as high as the height of the pot. Low growing plants, flowering annuals should be planted at the base of the pot.
 - b. *Street trees.* If there is area to install street trees, those trees shall be of a salt-tolerant species as references in Table 34-745.1 in Section 34-745 and shall have a minimum three (3) inch caliper and ten (10) feet in height at planting.. All landscaping shall meet conform to the corner sight visibility triangle requirements set forth in subsection 34-720. If there is no area for street trees, the development shall adhere to the Urban Landscaping Section above.
 - 1. *Tree spacing:* All street trees shall be planted one (1) tree for every twenty-five (25) linear feet or frontage or fraction thereof.
 - 2. *Tree species:* Salt tolerant species as listed in Table 34-745.1 in Section 34-745 shall be used.
- (7) *Building design.* The following standards are for building design of attached residential and nonresidential building types.
- a. *Public entrance.* Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surfaces or finishes to give emphasis to the entrances.
 - b. *Building facade.* Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual

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division shall be maintained between the ground level floor and upper floors with either a cornice line awning from twelve (12) feet to sixteen (16) feet above base flood elevation or grade, whichever applies to a particular building.

- c. *Height.* Thirty-five (35) feet
- d. *Maximum lot coverage.* None.
- e. *Mass and scale.* Buildings that are more than one hundred fifty (150) feet in length shall comply with the following. No more than sixty (60) feet of horizontal distance of wall shall be provided without architectural relief a minimum of thirty (30) feet wide and three (3) feet deep for building walls and frontage walls facing the street.
- f. *Awnings and shade.* Buildings fronting an "A" street or a "pedestrian oriented" street must provide awnings, canopies or other type of shade refuge equal to a minimum of fifty (50) percent of the length of building frontage.
- g. *General design features.* All buildings shall utilize at least three (3) of the following design features to provide visual relief along all street-facing elevations of the building:
 - 1. Divisions or breaks in, and variety in, exterior finish materials (materials should be drawn from a common palette).
 - 2. Window bays.
 - 3. Separate entrances and entry treatments, porticoes, colonnades, or arcades extending at least five (5) feet, provided that a right-of-way or revocable encroachment permit shall be required if the entrance, entry treatment, colonnade, or arcade extends into the public right-of-way.
 - 4. Variation in roof lines.
 - 5. Awnings or canopies installed in increments of fifteen (15) feet or less and extending at least five (5) feet.
 - 6. Dormers.
 - 7. Overhang extending at least five (5) feet, provided that a right-of-way or revocable encroachment permit shall be required if the entrance, entry treatment, colonnade, or arcade extends into the public right-of-way.
 - 8. Recessed entries (at least three (3) feet from the primary facade).
 - 9. Protruding entries (at least three (3) feet from the primary facade).
 - 10. Covered porch entries.
 - 11. Cupolas.
- h. *Storefront character.* Commercial, retail/office, residential, and mixed-use buildings shall express a "storefront character". This standard shall be met by providing each of the following architectural features along the building frontage as applicable.
 - 1. Corner building entrances on corner lots.

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2. Regularly spaced and similar-shaped windows with window hoods or trim on all building stories.
 3. Large display windows on the ground floor. All "A" and "pedestrian oriented" street-facing or public space-facing structures shall have transparent windows covering a minimum of forty (40) percent and a maximum of eighty (80) percent of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over fifty (50) percent of a street-facing frontage and shall not exceed thirty (30) linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass, tinted, or glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement if the first floor has not been designed as a flood proof first floor.
- i. *Orientation.* The primary building entrances shall be visible and directly accessible from a public street. Building massing such as tower elements, not exceeding thirty-five (35) feet in height, may be used to identify the location of building entries.
 - j. *Rooflines.* Rooflines on attached residential and nonresidential buildings shall be varied to reduce the massive scale of large buildings and to be consistent with the scale and character of adjacent and street facing residential areas. At a minimum, the roof line shall not extend any longer than one hundred (100) feet without a roof variation that changes at a minimum of ten (10) feet to break the mass and scale of the building.
 - k. *Lighting.* All buildings and parking lots shall have exterior lighting and such shall be self-contained to that building or parking lot without glare or shine onto areas off of the site.
 - l. *Entrances for residential buildings.* All residential buildings located on an "A" or "pedestrian oriented" street shall be required to have an entrance located along either the "A" or "pedestrian oriented" street frontage. This required entrance shall be recessed from the façade and feature a covered awning or similar architectural feature.
- (g) *Off-street parking and loading.* The off-street parking and loading standards for the CBD Zoning District are found in Article VII, Division 1.
 - (h) *Supplemental standards.* The supplemental standards for the CBD Zoning District are found in Article VII, Division 2.
 - (i) *Sign standards.* The sign standards for the CBD Zoning District are found in Article VII, Division 4.
 - (j) *Environmental standards.* The environmental standards for the CBD Zoning District are found in Article VII, Division 5.
- (Ord. No. 7500, § 7.2(J), 8-19-91; Ord. No. 96-7682, § 1, 10-21-96; Ord. No. 99-7774, § 7, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2002-7838, § 3, 7-15-02; Ord. No. 2003-7860, §§ 8, 9, 10-6-03; Ord. No. 2004-7868, § 2, 2-2-04; Ord. No. 2005-7899, §§ 5, 6, 4-4-05; Ord. No. 2005-7904, § 2, 6-20-05; Ord. No. 2008-7962, § 1, 12-15-08; Ord. No. 2014-8042, § 5, 2-3-14; Ord. No. 2015-8065, § 13, 12-7-15; ; Ord. No. 2017-8097, § 1, 11-6-17; Ord. No. 2018-8104, § 5, 2-19-18; Ord. No. 2019-8118, § 12, 9-16-19; Ord. No. 2020-8133, § 6, 3-2-20; Ord. No. 2020-8145, § 7, 9-21-20; Ord. No. 2021-8168, § 3, 2-7-22) 7-15; Ord. No. 2018-8103, § 1, 2-19-18)

Secs. 34-624—34-699. Reserved.

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Sec. 34-700. Applicability.

Off-street parking and loading spaces shall be provided for all uses in accordance with the requirements of this division. Expansions of and changes to existing land uses shall also comply with such requirements.

(Ord. No. 7500, § 8.1(A), 8-19-91)

Sec. 34-701. Interpretation of standards.

In interpreting the provisions of this division, the following standards shall apply:

- (a) *Floor area.* For the purpose of computing parking and loading requirements that are based on the amount of floor area in a building, gross floor area shall be used.
- (b) *Fractions and rounding.* When calculations used in determining the number of required parking and loading spaces result in fractional requirements, any fractions of less than one-half ($\frac{1}{2}$) shall be disregarded and any fraction of one-half ($\frac{1}{2}$) or more shall be rounded to the next highest whole number.
- (c) *Seating-based standards.* For the purpose of computing parking and loading requirements that are based on seating, the parking requirements shall be based on the total number of patron seats shown on the seating diagram submitted pursuant to the Jacksonville Beach Life Safety Code.
- (d) *Multiple use building.* Developments containing three (3) or fewer uses shall provide off-street parking and loading in an amount equal to the sum of the requirements for the individual uses unless a shared parking plan is approved pursuant to Section 34-705.
- (e) *Unlisted uses.* If a use is not specifically listed in the schedule of off-street parking space requirements of Section 34-706, the Planning and Development Department shall apply the off-street parking space requirements of the most closely related use or best practices based on available parking trends and analysis for similar uses.

(Ord. No. 7500, § 8.1(B), 8-19-91)

Sec. 34-702. Design standards.

- (a) *Spaces.* The minimum dimensions of off-street parking and loading spaces shall be as follows:
 - (1) *Off-street parking:* Nine (9) feet by seventeen (17) feet.
 - (2) *Parallel parking:* Nine and one-half ($9\frac{1}{2}$) feet by twenty (20) feet.

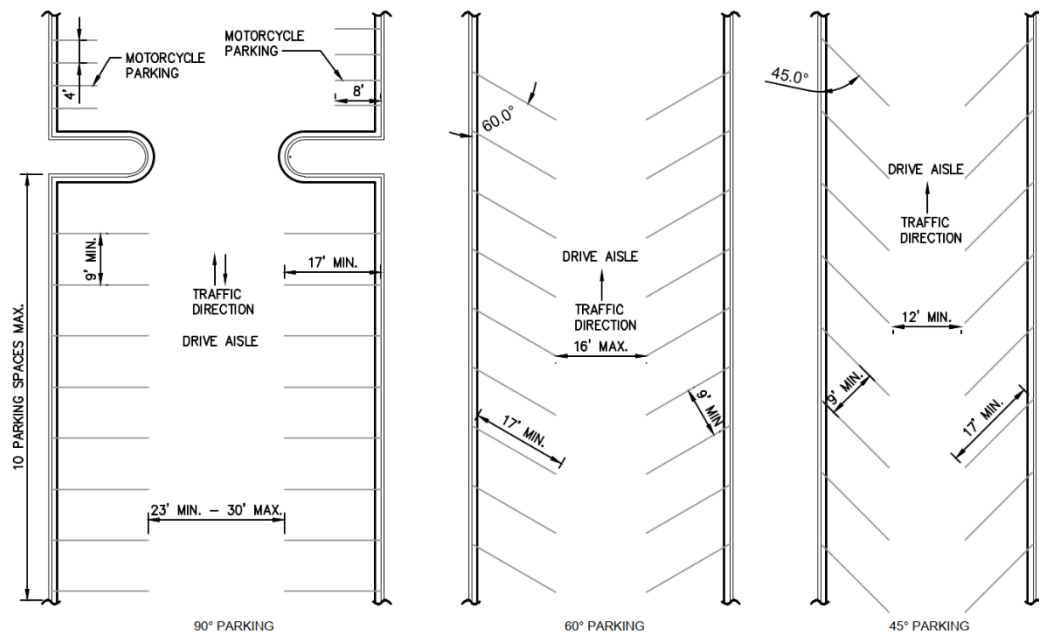
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- (3) *Parking for the handicapped:* Twelve (12) feet by seventeen (17) feet, plus a five-foot wide clear area (the clear area may be combined with the clear area for an adjacent handicapped space).
 - (4) *Off-street loading:* Twelve (12) feet by forty (40) feet.
 - (5) *Bicycle parking:* For off-street parking lots containing ten (10) or more spaces, one (1) parking space may be converted to a bicycle parking area.
 - (6) *Compact spaces:* Eight (8) feet by sixteen (16) feet.
 - (7) *Motorcycle spaces:* Four (4) feet by eight (8) feet.
 - (8) *Golf cart spaces:* Five (5) feet by ten (10) feet.
- (b) *Parking aisles.* The minimum required dimensions of off-street parking aisles shall be based on the angle of the parking stalls to the aisle as follows:

Table 34-702.1

Parking Angle (degrees)	Width of One-Way Aisle (feet)	Width of Two-Way Aisle (feet)
30	12	23
45	12	23
60	16	23
90	23	23

Figure 34-702.1



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- (c) *Turning and maneuvering space.* Off-street turning and maneuvering space shall be provided for each lot so that no vehicle shall be required to back onto a public street or alley, with the exception of one- and two-family structures, townhouses, or individual multiple-family structures with attached garages or carports.
- (d) *Parking area setbacks.* Off-street parking areas shall be located at least ten (10) feet from any corner and five (5) feet from any established right-of-way or property line (excluding attached dwelling units) unless otherwise stated in the LDC. However, no setbacks are required for driveways relative to interior property lines between townhouse lots or individual two-family dwelling lots, or between a driveway and its connection to a right-of-way for vehicular access. Below ground parking garages on oceanfront lots are exempt from setback requirements, provided that they shall be constructed no closer than three (3) feet from any property line, shall be completely roofed and covered, and such roof or cover shall not be elevated more than six (6) inches above the crown of the abutting street.
- (e) *Curbs and wheel stops.* Curbing or wheel stops shall be provided within off-street commercial parking and loading areas to prevent any part of the vehicle from encroaching upon public rights-of-way, landscape areas or adjacent property. Curbing or wheel stops shall be installed at least five (5) feet from any property line. The requirements provided herein are not applicable to driveways for single-family residences, two-family dwellings, and townhouses.
- (f) *Construction standards.* Off-street parking and loading areas and the vehicular access way thereto shall be paved, striped and landscaped. Required parking and parking space access in residential parking areas may include turf block, permeable pavers or other similar materials, not including gravel. All landscaping shall be in accordance with Section 34-745. The requirements provided herein for striping and landscaping are not applicable to driveways for single-family residences, two-family dwellings, and townhouses.
- (g) *Lighting.* If off-street parking areas are lighted, lighting shall be designed and installed in a manner that will prevent harsh glare or excessive light from spilling onto adjacent property and streets. The amount of illumination projected onto a residentially zoned property or use from another property may not exceed 0.3 footcandles measured at 10 feet from the property line onto the adjacent residential property.

(Ord. No. 7500, § 8.1(C), 8-19-91; Ord. No. 2019-8129, § 1, 12-2-19; Ord. No. 2020-8133, § 7, 3-2-20)

Sec. 34-703. Location of parking facilities.

Parking spaces for all uses shall be located on the same site (parcel) as the principal structure or use unless off-site parking is approved pursuant to Section 34-704. However, handicapped spaces (ADA) may be located within the City's right-of-way upon approval from the Public Works Department.

(Ord. No. 7500, § 8.1(D), 8-19-91)

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Sec. 34-704. Off-site parking.

If required parking spaces cannot be reasonably provided on the same site (parcel) as the principal use, the Planning and Development Department may approve plans to provide required off-site parking if the following requirements are met:

- (a) *Location.* The nearest boundary of any off-site parking area shall not be located more than three hundred (300) feet from the primary entrance of the principal use served.
- (b) *Zoning.* Off-site parking areas shall be located on lots zoned to permit the principal use being served by the required parking, except that required parking for any residential use may be located in a nonresidential district.
- (c) *Exclusive use.* An off-site parking area may not be used for any purpose other than parking for the principal use.
- (d) *Deed restrictions.* A deed restriction dedicating the off-site parking area for use in conjunction with the principal use shall be prepared and recorded with the deed of both properties. The deed restriction shall specify that the parcel or parcels shall remain as off-street parking for as long as the principal use remains, and shall contain a legal description of the property occupied by the principal use. Evidence of the recording of the deed restriction shall be provided before any construction permit is issued.
- (e) *Signs.* No signs other than one (1) identification sign and traffic directional sign shall be permitted on the off-site parking lot. Such identification sign shall indicate the name and location of the principal use served by the off-site parking area, and shall not exceed three (3) feet in height and four (4) square feet in area.
- (f) *Application:* Off-site parking may be considered shared parking follow the application guidelines set forth in Section 34-705.

(Ord. No. 7500, § 8.1(E), 8-19-91)

Sec. 34-705. Shared parking.

The Planning and Development Director or designee may authorize a reduction in the number of required parking spaces for a mixed-use development or for uses which are located near one another and which have different peak parking demands and operating hours. Shared parking arrangements shall be subject to the following requirements.

- (a) *Application.* An application for shared parking shall include a description of the use, a development plan complying with the requirements of Section 34-571 and Section 34-573, a trip generation report, and a parking study and other information deemed necessary by the Planning and Development Department.
- (b) *Location.* All shared parking shall be located in an area providing reasonable accessibility to all uses which it is intended to serve.

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- (c) *Agreements.* In cases where the uses for which shared parking is requested are located on lots under different ownership, proof of a long-term lease agreement and deed recordings shall be required and shall be subject to review by the City attorney.
 - (d) *Standards.* In determining whether to approve a reduction for shared parking, the following shall be considered:
 - (1) Characteristics of each use and projected peak parking demand, including hours of operation;
 - (2) Potential reductions in vehicle movements afforded by multi-purpose use of spaces by employees, customers or residents; and
 - (3) Potential improvements in access, design, open space preservation and circulation.
- (Ord. No. 7500, § 8.1(F), 8-19-91)

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Sec. 34-706. Off-street parking space requirements.

Off-street parking spaces shall be provided in accordance with the following minimum standards. The Central Business District (CBD) contains a separate set of minimum parking standards as shown in Table 34-706.2 and a parking exemption area, as illustrated in Exhibit 34-706.1. The CBD is also subject to a 50% parking requirement discount, in addition to the allowable parking reductions as set forth in Section 34-707. All other Zoning Districts shall follow the minimum parking standards in Table 34-706.1. Except as provided herein, in no case shall any business or office use provide fewer than three (3) off-street parking spaces, and meet ADA parking requirements. Required off-street parking spaces for a residential use may be provided through garage and/or driveway parking spaces.

Reductions in the required amount of parking or additional increases in parking, beyond the allowed, shall require a variance and parking demand analysis.

Table 34-706.1 below outlines the applicable parking requirements for all Zoning Districts, except CBD and approved RD Districts that are located within the boundaries of the CBD.

Table 34-706.1 Parking Space Requirements

USE TYPE	REQUIREMENT
Residential and Lodging Uses	
Single-family, mobile home, and multiple-family dwellings	2 spaces per dwelling unit.
Townhouses	A minimum of one (1) car garage. A minimum of two (2) parking spaces in the driveway.
Housing for the elderly	1 space per dwelling unit.
Hotels and motels	1.25 spaces per guest room for the first fifty (50) guest rooms and 1space per guest room over fifty (50).
Rooming and boarding houses	1.25 spaces per guest room.
Commercial Uses	
See Sec. 34-707 for optional off-street parking reductions available for commercial uses in any Zoning District.	
Shopping centers	
Shopping center under 40,000 sq. ft	3 spaces per 1,000 sq. ft. of floor area.
Shopping center between 40,000 – 150,000 sq. ft.	3 spaces per 1,000 sq. ft. of floor area.
Shopping center greater than 150,000 sq. ft.	2.5 spaces per 1,000 sq. ft. of floor area.
Marinas	1 space per four (4) wet berths plus 1 space per six (6) dry storage spaces.
Auto repair establishments	Two (2) spaces per repair stall, plus one (1) space per three hundred (300) sq. ft. of non-stall floor area.
Barber and beauty shops	2 spaces per chair or station.
Banks	1 space per two-hundred fifty (250) sq. ft. of floor area.

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USE TYPE	REQUIREMENT
Restaurants	1 space per one hundred (100) sq. ft. of floor area.
Fast Casual Restaurant	1 space per one hundred (100) sq. ft. of floor area.
Fine Dining Restaurant	5 spaces per 1,000 sq. ft. of floor area
Alcoholic Beverage Establishments, (specifically, private clubs, nightclubs, bars, and taverns)	1 space per one hundred (100) sq. ft. of floor area.
Commercial uses not specifically listed	1 space per two hundred (200) sq. ft. of floor area.
Professional and Office Uses	
Medical and dental office or clinic	1 space per two hundred (200) sq. ft. of floor area.
Veterinary clinic	1 space per three hundred (300) sq. ft. of floor area.
Other professional or business offices	1 space per three hundred (300) sq. ft. of floor area.
Industrial Uses	
General Light Industrial	1 space per 1,500 sq. feet
Industrial Park	1 space per 1,000 sq. feet
Manufacturing	1 space per 1,000 sq. feet
Warehousing	1 space per 3,000 sq. feet
Mini-Warehouse	1 space per 5,000 sq. feet
Recreational and Similar Uses	
Bowling alleys	4 spaces per bowling lane.
Amusement areas (rides, miniature golf, etc.)	1 space per four hundred (400) sq. ft. of area bounded by the property lines containing the amusement area.
Theaters, auditoriums, stadiums, arenas and similar meeting places	1 space per three (3) seats.
Community centers or similar facilities	4 spaces per 1,000 sq. ft. of floor area or 1 space per three (3) seats, whichever is greater.
Public, private and commercial parks, campgrounds and recreational areas	1 space per campsite, plus one (1) space per each three (3) picnic tables.
Institutional Uses	
Sanitariums, rest homes, nursing homes, convalescent homes	1 space per two (2) beds.
Hospitals	1.5 spaces per bed.
Churches and funeral homes	1 space per four (4) seats.
Art gallery, library, museum	1 space per four hundred (400) sq. ft. of floor area.
Elementary and middle school	2 spaces per classroom, office room and kitchen.

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USE TYPE	REQUIREMENT
High school	6 spaces per classroom, plus one (1) space per teaching, administrative and staff person.
Child day care and kindergarten	1 space per three hundred (300) sq. ft. of floor area, plus adequate provision for the loading and unloading of children.
Dance, art and music studios	1 space per two hundred (200) sq. ft. of studio floor area.
Colleges, junior colleges, universities, vocational and business schools	1 space per one hundred (100) sq. ft. of floor area.

(Ord. No. 7500, § 8.1(G), 8-19-91; Ord. No. 2009-7980, § 1, 12-20-10)

Table 34-706.2 below outlines all parking requirements only within the CBD or any approved RD Districts that are located within the boundaries of the CBD.

Existing non-residential and non-hotel properties located within the Downtown Incentive Zone (DIZ) Parking Exemption Area ~~that~~ that have primary or secondary frontage on First Street North within the designated Parking Exemption Area shall be exempt from any requirements that would require creation of new on-site parking facilities otherwise required by these Land Development Regulations.

Table 34-706.2 below outlines the applicable parking space requirements within the CBD.

Table 34-706.2 CBD Parking Space Requirements

USE TYPE	REQUIREMENT
Residential and Lodging Uses	
Single-family, Urban single-family, and multiple-family dwellings	2 spaces per dwelling unit.
Townhomes	3 spaces per dwelling unit.
Hotels and motels	0.75 space/guest room
Commercial Uses	
See Sec. 34-379 for optional off-street parking reductions available for commercial uses in any Zoning District.	
Shopping centers	
Shopping center under 40,000 sq. ft	1 space per 500 sq. ft. of floor area.
Barber and beauty shops	1 space per chair or station.
Banks	1 space per five hundred (500) sq. ft. of floor area.
Restaurants	1 space per three hundred (300) sq. ft. of food-service area.
Fast Casual Restaurant	1 space per two hundred (200) sq. ft of food-service area
Fine Dining Restaurant	2.5 spaces per 1,000 sq. ft. of floor area
Private clubs, nightclubs, bars, and taverns	1 space per two hundred (200) sq. ft. of floor area.
Professional and Office Uses	

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USE TYPE	REQUIREMENT
Medical and dental office or clinic	1 space per four hundred (400) sq. ft. of floor area.
Other professional or business offices	1 space per six hundred (600) sq. ft. of floor area.
Recreational and Similar Uses	
Bowling alleys	4 spaces per bowling lane
Amusement areas (rides, miniature golf, etc.)	1 space per four hundred (400) sq. ft. of area bounded by the property lines containing the amusement area.
Theaters, auditoriums, stadiums, arenas and similar meeting places	1 space per six (6) seats.
Community centers or similar facilities	4 spaces per 1,000 sq. ft. of floor area or 1 space per three (3) seats, whichever is greater.
Institutional Uses	
Churches and funeral homes	1 space per four (4) seats.
Art gallery, library, museum	1 space per 1,000 sq. ft. of floor area.
Child day care	1 space per six hundred (600) sq. ft. of studio floor area, plus adequate provision for the loading and unloading of children.
Dance, art and music studios Colleges, junior colleges, universities, vocational and business schools	1 space per two hundred (200) sq. ft. of floor area.

*If parking is located within the DIZ Parking Exemption Area, the following criteria below applies:

Parking Exemption Area means the area bordered by the boardwalk, Second Street North, 1st Avenue North, and 6th Avenue North that meet the following criteria:

1. Existing non-residential and non-hotel properties located within the Downtown Incentive Zone (DIZ) Parking Exemption Area that have primary and/or secondary frontage on First Street North within the designated Parking Exemption Area shall be exempt from any requirements that would require creation of new on-site vehicle parking facilities otherwise required by these Land Development Regulations. Bike parking shall be required per Table 34-707.1, where feasible, as determined by the Planning and Development Director.
2. Existing approved Redevelopment District: RD Zoning Districts are not eligible for Parking Exemption Area exemptions.

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Exhibit 34-706.1 DIZ Parking Exemption Area



Sec. 34-707. Optional Off-Street Parking Reductions for Commercial Uses

Commercial uses, as classified by Section 34-706, are eligible for a reduction in the required number of off-street parking spaces in accordance with the below. Restaurant uses are only eligible if they are in the Central Business District (CBD).

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Table 34-707.1 Off-Street Parking Reductions

Off-Street Parking Reductions (Commercial Uses Only)		
	Central Business District (CBD)	All other zoning designations*
Bicycle Parking	Maximum off-street parking reduction of 20%. 1% reduction for every 2 bicycle parking spaces.	Maximum off-street parking reduction of 20%. 1% reduction for every 2 bicycle parking spaces provided.
Compact and Electric Vehicle (EV) Parking	Maximum off-street parking reduction of 10%. 1% reduction for every 1 compact parking space provided.	Maximum off-street parking reduction of 5%. 1% reduction for every 1 compact parking spaces provided.
Golf Cart Parking	Maximum off-street parking reduction of 40%. 5% reduction for every 1 golf cart parking space provided	Maximum off-street parking reduction of 25%. 5% reduction for every 1 golf cart parking spaces provided.
Motorcycle Parking	Maximum off-street parking reduction of 5%. 1% reduction for every 1 motorcycle parking spaces provided.	Maximum off-street parking reduction of 5%. 1% reduction for every 1 motorcycle parking spaces provided.
Pervious Parking Area	Maximum off street parking reduction of 5%. 1% reduction for every 1 standard vehicular pervious parking space provided.	Maximum off street parking reduction of 5%. 1% reduction for every 1 standard vehicular pervious parking space provided.
Proximity to Public Parking (<0.25 mile)	Off-street parking reduction of 10%.	Off-street parking reduction of 5%.
Proximity to Urban Trail (<300 ft.)	Off-street parking reduction of 10%.	Off-street parking reduction of 5%.
Enhanced Landscaping	Provide 1 shade tree in addition to the code required landscaping and reduce 1 required parking space	Provide 1 shade tree in addition to the code required landscaping and reduce 1 required parking space
MAXIMUM REDUCTION	50% of required parking.	30% of required parking.
*Excluding restaurant uses.		

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Sec. 34-708. Parking for disabled persons.

- (a) *Provision of spaces.* Parking spaces for disabled persons shall be reserved and posted in all commercial and industrial Zoning Districts and in any other Zoning Districts where use is open to the public.
- (b) *Location of spaces.* Parking spaces for disabled persons shall be conveniently located near entrances. Ramps to sidewalks shall be provided and conveniently located in relationship to parking spaces. These spaces may also be located within the City's right-of-way upon approval from the Public Works Department.
- (c) *Number of spaces.* The required number of parking spaces for disabled persons shall be as follows:

Table 34-708.1

Total No. of Spaces	No. of Accessible Spaces Required
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20
Plus 1 per each 100 over 1,000	

Provided, however, when parking spaces are leased at such parking facilities, the number of parking spaces for disabled persons shall be increased or decreased based on demonstrated and documented need. A minimum of four (4) parking spaces for disabled persons shall be provided at a physical restoration rehabilitation center or hospital.

(Ord. No. 7500, § 8.1(H), 8-19-91)

Sec. 34-709 Payment in lieu of off-street parking.

- (a) *Purpose.* In lieu parking contributions are hereby authorized by the establishment of a fee to be paid to the City of Jacksonville Beach. Said fee is a required condition of approval for relief from the off-street parking requirements set forth in Section 34-706 of this chapter for properties located within the central business district: CBD or a redevelopment district: RD. Such payments will allow the City of Jacksonville Beach to acquire land, finance, design, construct, and carry out maintenance and repairs to public parking facilities; and to perform other necessary and desirable actions to provide public off-street parking facilities.

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(b) *General provisions.*

- (1) In lieu of providing the parking spaces required by this chapter, the owner of a building or use requiring off-street parking spaces shall, upon approval by the Planning and Development Department, of an application for relief from said requirements, pay to the City of Jacksonville Beach the established amount per parking space that is not to be provided.
- (2) The amount per space to be paid in lieu of providing required off-street parking shall be administratively reviewed and established on an annual basis. Factors to be considered when establishing the amount of the funds to be contributed per "in lieu" space are:
 - a. Current construction cost of a comparable parking structure, as determined by the City's Public Works Department ("A").
 - b. Current cost of annual maintenance of a single parking space within a comparable parking structure ("B");
 - c. Number of off-street parking spaces to be waived ("C").
 - d. The total fee for payment in lieu of parking ("D") will be calculated as follows: $(A + B) \times C = D$.
- (3) In the event that the Planning and Development Department approves an application for relief from an off-street parking requirement for all or a portion of the required number of parking spaces in the central business district: CBD or redevelopment district: RD, such relief shall be granted only upon the condition that the applicant make payment to the City of Jacksonville Beach in accordance with the provisions of this Section for the number of spaces waived.
- (4) Any off-street parking requirement met in this manner shall not require the payment of an additional fee, unless a change in use of the land generates an additional parking requirement. In such case, the applicant may choose to provide the additional required off-street parking or provide in lieu payment for the required additional parking.
- (5) All funds received in lieu of parking spaces shall be placed in a separate parking improvement fund to be used solely to acquire land, finance, design, construct, and carry out maintenance and repairs to public parking facilities; and to perform other necessary and desirable actions to provide public off-street parking facilities. Payment of such funds does not guarantee the construction of any spaces in a particular area of the central business district or within any particular period of time. In-lieu parking payments are solely an alternative means of satisfying the applicant's obligation to provide off-street parking in accordance with this division. Funds paid to the City as a fee in lieu of parking shall not be refundable for any reason.
- (6) Payment of in lieu fees must be made to the City at the time of issuance of the applicable building permit, or within six (6) months of the approval of the in lieu payment, whichever comes first.
- (7) Nothing herein shall be deemed to require the City to undertake the acquisition, construction, expansion, or development of any particular off-street parking facility.

(Ord. No. 2009-7980, § 2, 12-20-10)

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Sec. 34-710. Off-street loading space requirements.

- (a) *Number of spaces.* Uses which normally require the receipt or distribution of a large volume of materials or merchandise by vehicles, excluding uses in the CBD, including but not limited to hospitals, institutions, motels, commercial, wholesale, industrial or similar uses, shall provide off-street loading spaces in the following amounts:

Table 34-710.1

Floor Area (square feet)	Minimum Number of Spaces
5,000—20,000	1
20,001—50,000	2
50,001—80,000	3
80,001—125,000	4
125,001—175,000	5
175,001—225,000	6
225,001—280,000	7
Per additional 60,000	1

- (b) *Location and size of spaces.* Each off-street loading space shall have direct access to an alley or street and shall have the following minimum dimensions: Length—forty (40) feet; width—twelve (12) feet; height (if space is covered)—fourteen (14) feet.

(Ord. No. 7500, § 8.1(l), 8-19-91)

Secs. 34-711—34-715. Reserved.

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Sec. 34-716. Accessory uses and structures.

Accessory uses and structures are permitted in all Zoning Districts provided that such uses and structures are customarily incidental and clearly subordinate to a permitted use and, unless otherwise provided, are located on the same lot (or contiguous lot in the same ownership) as the permitted use. Where a building or portion thereof is attached to a building or structure containing such principal use, such building or portion thereof shall be considered as a part of a principal building and not an accessory building. The accessory structure shall be connected to the main dwelling by way of an enclosed air-conditioned connection, not a breezeway, where the accessory use can be heated, cooled, has ventilation, and the proper utility connections. The main dwelling and accessory structure shall have a maximum distance between the two structures no more than 10 feet. Accessory uses shall not involve operations or structures not in keeping with the character of the Zoning District where they are located and shall be subject to the following requirements.

- (a) *Setbacks.* Detached accessory structures shall observe the following setback requirements from adjacent property lines:
- (1) *Generally.* Detached accessory structures excluding temporary structures may be located in a required rear yard but shall be no closer than five (5) feet from any interior lot line. Street side and front yard setbacks shall be maintained on corner lots for the full length and width of the lot.
 - (2) *Equipment.* Air conditioning compressors or other equipment designed to serve the main structure may be located in any required rear yard but shall not project more than three (3) feet into any required yard in a residential district.
 - (3) *Walkways.* Walkways may connect to primary and/or detached accessory structures, driveways, and public sidewalks, and may be located in a required front, side, or rear yard area, but shall be setback a minimum of two (2) feet from any exterior property line, except for interior property lines between individual two-family dwelling lots and individual townhouse lots for which no setback is required.
 - (4) *Oceanfront lots.* A detached accessory building may be constructed in the required setback area of the front yard of any oceanfront lot provided that the following conditions are met:
 - a. The accessory building shall not extend beyond the width of the principal building.
 - b. The accessory building shall not exceed fifteen (15) feet in height above grade.
 - c. The accessory building shall not exceed six hundred and twenty-five (625) square feet in ground floor area of the enclosed area only.
 - d. A landscape buffer strip with a minimum width of fifteen (15) feet from the front or rear property line shall be established and maintained, exclusive of required walks and driveways.

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- (b) *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.
- (c) *Residential accessory uses.* Accessory uses and structures in any residential Zoning District excluding ADU's shall include non-commercial greenhouses, gardens, detached garages and carports, piers, docks, and boat houses or shelters, utility sheds and workshops, swimming pools, tennis courts, private golfing facilities, barbecue pits, non-commercial antenna structures for television and radio, children's playhouses or play equipment, and similar uses or structures which:
- (1) Do not exceed fifteen (15) feet in height,
 - (2) The combined ground floor area of all enclosed, detached accessory use buildings shall not exceed six hundred twenty-five (625) square feet,
 - (3) Do not involve the conduct of business of any kind;
 - (4) Are of a nature not likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood; and
 - (5) Do not involve operations or structures not in keeping with the character of the residential neighborhood.
- (d) *Pools.* Private swimming pools, as regulated herein, shall be any pool, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for personal (not for profit) swimming or bathing purposes. Residential pools are for residential use only, they may not be used for commercial uses as applicable with the Florida Building Code.
- (1) *General.* A private swimming pool shall be allowed in any residential Zoning District as an accessory use only if it fully complies with the following standards:
 - a. The pool shall be used solely for the enjoyment of the occupants of the principal use on the property or their guests.
 - b. The pool shall be located, designed, operated, and maintained so as not to interfere with the rights of the adjoining properties.
 - c. The pool shall not be located in any required front yard forward of the front plain of the house nor encroach into any required side yard.
 - d. The pool shall be constructed and enclosed in compliance with the requirements set forth in the Florida Building Code as adopted or amended by the City.
 - (2) *Oceanfront lots.* Below ground swimming pools and a related pump house no more than fifteen (15) feet in height may be constructed in the required front and rear yards if a landscape buffer strip is provided and maintained, with a minimum width of fifteen (15) feet from the property line, exclusive of required walks and driveways.

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- (3) *Screen enclosures.* A screen enclosure constructed around and over a swimming pool may be constructed within five (5) of the rear property line if not attached to the primary structure. The screen enclosure shall meet the side setback requirements applicable to the Zoning District.
- (4) *Screening of dumpster/solid waste container areas.* All solid waste containers, including, but not limited to, compactors and dumpsters, shall be located and designed so as not to be visible from the view of adjacent streets and properties. If screening is required to eliminate the visibility of a container from adjacent streets and properties, then the type of screening used shall be determined based on the proposed location of the solid waste container, existing site conditions, and the type and amount of existing vegetation on the site. All solid waste containers shall meet the standards set forth by the Public Works Department.

(Ord. No. 7500, § 8.2(B), 8-19-91; Ord. No. 97-7714, § 1, 8-4-97; Ord. No. 2004-7880, § 1, 7-19-04; Ord. No. 2019-8129, § 2, 12-2-19; Ord. No. 2020-8131, § 3, 2-3-20; Ord. No. 2020-8133, § 7, 3-2-20)

Sec. 34-717. Alcoholic beverage establishments.

Alcoholic beverage establishments shall be subject to the following supplementary standards.

- (a) *Proximity to churches and schools.* An establishment, where permitted, which provides primarily for the consumption of alcoholic beverages on the premises shall not be located within five hundred (500) feet of a school or church measured from main entrance to main entrance (portal to portal) by the most direct pedestrian route. Hotels with one hundred (100) or more rooms and restaurants with a seating capacity of one hundred twenty (120) or more may be located closer than five hundred (500) feet to a school or church. Restaurants located in the Downtown Incentive Zone with seating capacities of fifty (50) or more may be located closer than five hundred (500) feet to a school or church. Religious organizations that are not the primary use within a shopping center are exempt from the alcoholic beverage distance requirement.
- (b) *Proximity to other alcoholic beverage establishments.* An establishment whose primary activity involves the consumption of alcoholic beverages on the premises shall not be located within five hundred (500) feet of a similar existing establishment, measured from main entrance (portal to portal) by the most direct pedestrian route. Hotels with one hundred (100) or more rooms, restaurants with seating capacities of one hundred twenty (120) or more and businesses wherein the sale of alcoholic beverages is only incidental to the principal use may be located closer than five hundred (500) feet to another establishment serving alcoholic beverages for consumption on the premises. Restaurants located in the Downtown Incentive Zone with seating capacities of fifty (50) or more may be located closer than five hundred (500) feet to another establishment serving alcoholic beverages for consumption on the premises.
 - (1) An establishment, that is already in existence and not abandoned, whose primary activity involves the consumption of alcoholic beverages on the premises and is considered legal non-conforming, only within the Central Business District (CBD) can be rebuilt, repaired, or renovated so long as the gross square footage does not increase.

(Ord. No. 7500, § 8.2(C), 8-19-91; Ord. No. 2023-8201, § 2, 8-21-23)

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Sec. 34-718. Child day care services.

Child day care services, including day nurseries, kindergartens and child care centers, shall provide proof of state licensure in addition to the following conditions:

- (a) *Lot area.* The minimum lot area shall be not less than seven thousand five hundred (7,500) square feet except for lots of record platted prior to the adoption of the LDC.
- (b) *Outdoor play area.* A fenced outdoor play area, which complies with all applicable state requirements, shall be provided in the rear yard.
- (c) *Compliance with state standards.* All facilities, operation and maintenance shall meet all applicable City and state regulations for such use.
- (d) *Capacity.* Shall follow Florida State requirements and licensure requirements for centers with over five children.
- (e) *Parking.* An adequate number of parking spaces shall be provided for employees and business owners, as well as a sufficient drop off area for children.

(Ord. No. 7500, § 8.2(F), 8-19-91)

Sec. 34-719. Compatibility setbacks.

Where a commercial or industrial Zoning District is adjacent to the side yard of a residential Zoning District, the side yard adjacent to the residential Zoning District shall not be less than the minimum side yard requirement of the adjoining residential Zoning District, and the front yard of the commercial or industrial Zoning District shall not be less than that of an adjacent residential Zoning District for a distance of three hundred (300) feet from the common property line or the termination of the block, whichever is less.

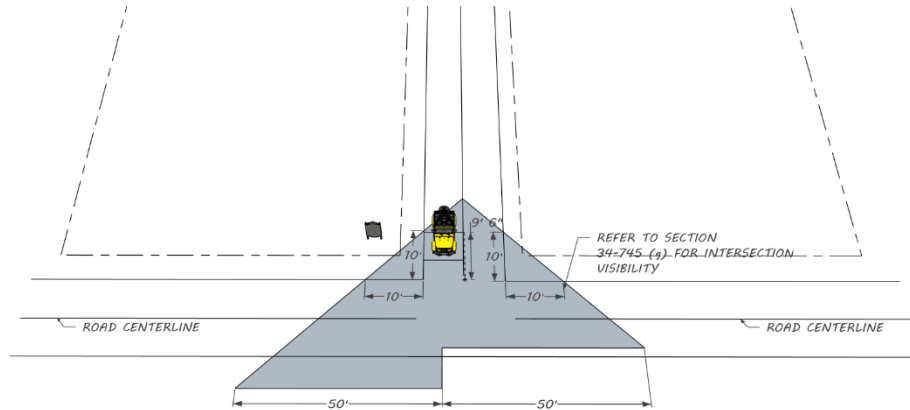
(Ord. No. 7500, § 8.2(D), 8-19-91)

Sec. 34-720. Corner visibility.

On a corner lot in all Zoning Districts, no fence, wall, hedge, planting, or structure shall be erected, placed, planted, or allowed to grow in such a manner as to obstruct vision between a height of two and one-half (2 ½) feet and eight (8) feet above the centerline grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said right-of-way lines fifteen (15) feet from the point of intersection (in the CBD this length shall be reduced to ten (10) feet. In addition to these requirements, landscaping within sight visibility triangles shall be governed by the standards of Section 34-745(g).

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Figure 34-720.1: Corner Visibility



(Ord. No. 7500, § 8.2(E), 8-19-91; Ord. No. 2020-8133 , § 7, 3-2-20)

Sec. 34-721. Essential public services.

Essential public services may be permitted by conditional use in any Zoning District where they are not otherwise permissible. Essential public services include duly organized fire/rescue units and are otherwise limited to certain installations of water, sewer, gas, telephone or electrical systems. This division shall not be deemed to permit the location in a Zoning District of such major installations as electrical or gas generating plants, sewage treatment plants, water pumping or aeration facilities and other similar major installations, unless such facilities were constructed or actual physical construction was started prior to the adoption of the LDC. The following supplementary standards shall apply to such uses:

- (a) This division shall not be deemed to permit the erection of structures for commercial activities such as sales of related merchandise or collection of bills in Zoning Districts from which such activities would otherwise be prohibited.
- (b) Within the limits of their proposed function, the architecture and landscaping shall be harmonious with the surrounding neighborhood.

(Ord. No. 7500, § 8.2(G), 8-19-91)

Sec. 34-722. Fences.

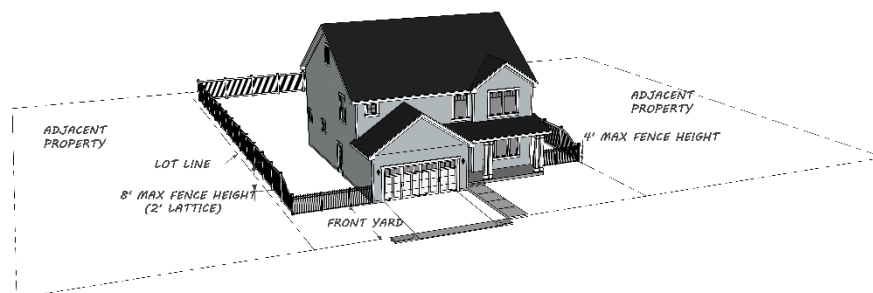
All fences are required to receive approval by the Planning and Development Department and submit for a building permit. All fences shall comply with Section 34-720 corner visibility.

- (a) *Residential Zoning Districts fences.* The following are fence regulations in residential Zoning Districts:
 - (1) **Materials.** All fences in residential Zoning Districts shall be constructed such as pressure treated wood, composite wood, PVC wood, metal, or masonry. Barbed wire and chainlink fences are not permitted.

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- (2) Height. The fence height in a residential district shall be a maximum of six (6) feet and located within the property boundaries. Additionally, fences shall not be taller than four (4) feet in a designated front yard and shall be setback at least two (2) feet from the right of way.
- a. A fence located in a side or rear yard, except rear yards of oceanfront lots in the RS-1 Zoning District, may be constructed at a height not to exceed eight (8) feet provided that the following requirements are met:
1. All fences installed pursuant to this subsection shall be constructed of pressure treated wood, composite wood, PVC wood, or masonry. In no case shall fences constructed of chainlink wire fabric be permitted to exceed six (6) feet in height.
 2. Any portion of said fence in excess of six (6) feet in height shall meet the following:
 - (a) Limited to up to two (2) feet above the allowed six (6) feet.
 - (b) The additional height shall be composed of either lattice or slats to allow visibility and air flow above six (6) feet.
- d. Side and rear yard fences on single-family residential uses that are immediately adjacent to an established commercial or industrial use may be built to a height not to exceed eight (8) feet and may be constructed without twenty-five (25) percent of the aggregate surface area being open, even when the property is separated by an intervening alley. A fence in the rear yard of any oceanfront lot in an RS-1 Zoning District shall not exceed three and one-half (3½) feet in height.
- (3) *Impairment of visibility at intersections prohibited.* Clear sight distance shall be maintained at the intersections of streets, alleys, and curbcuts in accordance with Section 34-745(g).
- (4) *Enclosure of swimming pool.* All swimming pools shall be enclosed by a fence of not less than four (4) feet in height equipped with a gate which shall have a self-closing and self-locking device for keeping the gate securely closed at all times when not in actual use. The fence and gate shall not be required if entry to the pool by any person other than those residing or renting sleeping quarters on the property containing the pool is prevented by a wall, buildings, structures, or any other substitute devices so long as the degree of protection is not less than the protection afforded by the fence, gate, and latch described herein.

Figure 34-722.1: Fences



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(b) *Commercial fences.*

- (1) *Material; use of barbed wire.* Fences shall be constructed of wood, masonry, chain link wire or other materials approved by the Planning and Development Department. Barbed wire shall not be permitted in residential Zoning Districts. When permitted, barbed wire shall be located at the top of the fence, being not less than six (6) feet in height. If installed so that the barbed wire inclines outward, no portion may encroach into an adjacent property.
- (2) *Height restrictions.*
 - a. Except as provided for in this division or as modified by the other provisions of the LDC, all fences in and around the front yard of any lot shall not exceed four (4) feet.
 - b. An eight-foot, nonopaque chainlink fence may be erected along the property line of any recreational facility owned or leased by a school, church, or unit of government.
 - c. Chainlink fences for public or private tennis courts shall not be required to comply with height regulations. Windscreens may be installed provided that visibility at intersections of public rights-of-way is not impaired. Fences for private tennis courts shall be constructed within the required setbacks for accessory uses in the particular Zoning District in which the fence is located.
 - d. Government and public properties shall not be held to the standards for height and therefore the height restriction shall not apply.
- (3) *Security fences.*
 - a. An eight-foot high security fence may be installed in the front, side and rear yard of any government use or essential public service facility in any zone, provided that a clear sight distance as required by Sections 34-720 and 34-745(g) is maintained. Any barbed wire shall be located at the top of the fence. If installed so that the barbed wire inclines outward, no portion may encroach into an adjacent property.
 - b. A six-foot high non-opaque chainlink fence may be installed for security purposes in the front yard of any lot which is adjacent to vacant parcels. As a condition to receipt of a permit, any fence constructed in accordance with the provisions of this paragraph shall be removed after the block or tract is seventy-five (75) percent developed. All residential lots must meet the residential standards for design in accordance with each Zoning District in Article VI.
 - c. *Impairment of visibility at intersections prohibited.* Clear sight distance shall be maintained at the intersections of streets, alleys, and curbcuts in accordance with Section 34-745(g).
 - d. *Approval by the Planning and Development Department required.* All fences are to be approved by the Planning and Development Department.
 - e. *Fences to be maintained and repaired.* All fences shall be maintained in a good state of repair and structurally sound condition, including but not limited to, painting and repainting; replacement of missing, decayed, corroded, or damaged component parts.

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Failure to so maintain and repair said fence may result in the fence being declared a nuisance and abated in accordance with the provisions of Chapter 19 of the Jacksonville Beach Code.

(Ord. No. 7500, § 8.2(P), 8-19-91; Ord. No. 2002-7827, § 1, 3-4-02; Ord. No. 2022-8187, § 2, 12-5-22)

Sec. 34-723. General requirements for yards.

- (a) *Obstructions.* Every part of a required yard shall be open from its lowest point to the sky, as measured from the exterior bearing or non-bearing walls, columns or supports to the property line except for the projection of chimneys, flues, eaves or architectural embellishments, provided, however, that none of the above projections shall encroach into the required setback more than twenty-four (24) inches or in the case of eaves, thirty (30) inches.
- (b) *Double frontage (through) lots.* On double frontage (through) lots, the required front yard shall be provided on each street.
- (c) *Fire escapes, stairways and balconies.* Fire escapes, stairways, or balconies may intrude two (2) feet into the required front or rear yards and a two (2) foot into the side yard. These structures shall not intrude into the required side yards unless there is at least a ten (10) foot side yard setback.

Figure 34-723.1

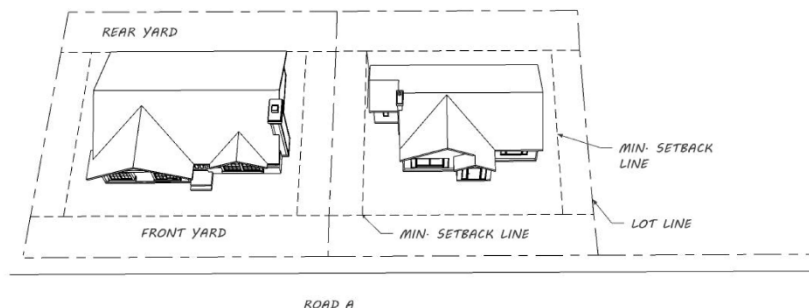
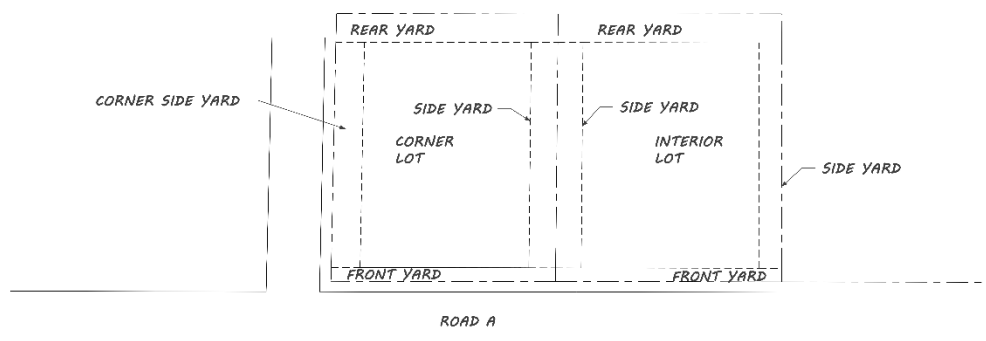
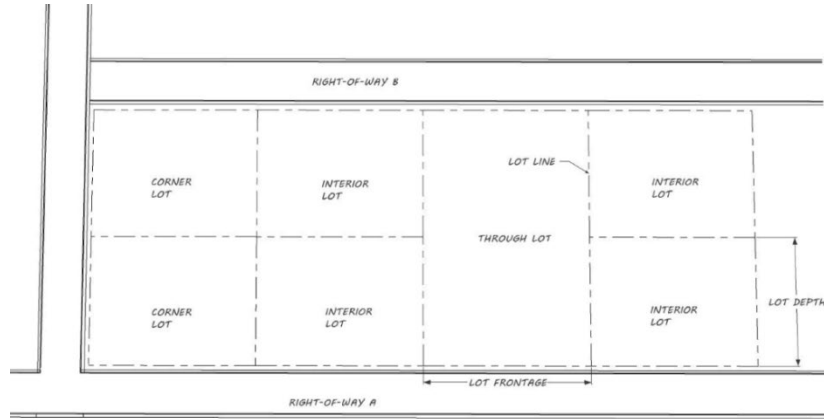


Figure 34-723.2



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Figure 34-723.3



(Ord. No. 7500, § 8.2(A), 8-19-91)

Sec. 34-724. Height limit exemptions.

The Zoning District height limitations contained in Article VI, Zoning Districts, do not apply to spires, belfries, cupolas, flag poles, antennas, water tanks, fire towers, cooling towers, ventilators, chimneys, radio and television towers, elevator hoistways, not intended for human occupancy.

(Ord. No. 7500, § 8.2(H), 8-19-91; Ord. No. 2005-7899, § 9, 4-4-05)

Sec. 34-725. Home-based businesses.

- (a) *Location.* Home-based businesses shall be permitted in all residential Zoning Districts. In any instance where a dwelling unit is used to conduct a home-based business consistent with the following requirements, a business tax receipt shall be required.
- (b) *General requirements.* When permitted, home-based businesses shall be conducted in accordance with the following provisions and with any other restrictions that are contained within the individual residential Zoning District regulations:
 - (1) Home-based businesses must be secondary to the use of the dwelling for residential purposes and shall not change the character of the dwelling unit thereof.
 - (2) The owner of the business must reside at the address registered for the home-based business. No more than two additional employees or contractors who do not reside at the address shall be engaged in the home-based business; however, additional remote employees that do not work on-site are allowed.
 - (3) As viewed from the street, the use of the residential property shall be consistent with the uses of the residential areas that surround the property. External modifications made to the residence to accommodate a home-based business shall conform to the residential character and architectural aesthetics of the neighborhood.

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- (4) No equipment or process shall be used in any home-based business that creates any more noise, vibration, glare, fumes, odors, or electrical interference than that which is allowed at other residential properties.
- (5) No home-based business shall generate or attract unsafe, excessive, or hazardous vehicular or pedestrian traffic to the residence.
- (6) Home-based businesses cannot conduct any retail transactions in any accessory building.
- (7) Vehicles and trailers used in connection with the home-based business shall be legally parked and shall not be within the right-of-way or over a sidewalk. Heavy equipment cannot be parked or stored visible from the street or neighboring property.
- (8) The need for parking generated by the home-based business shall not be more than would normally be expected at a similar residence where no business is conducted.
- (9) The home-based business activities comply with any relevant City of Jacksonville Beach regulations with respect to signage.

(Ord. No. 7500, § 8.2(J), 8-19-91)

Sec. 34-726. Medical marijuana treatment center dispensing facilities and pharmacies.

(a) *Medical marijuana treatment center dispensing facilities.*

- (1) *Proximity.* A medical marijuana treatment center dispensing facility may not be located within five hundred (500) feet of the real property that comprises a public or private elementary school, middle school, or secondary school, pursuant to Florida Statutes § 381.986(11)(c).
- (2) *Hours of operation.* A medical marijuana treatment center dispensing facility may not operate between the hours of 9:00 p.m. and 7:00 a.m., as set forth in Florida Statute § 381.986(8)(f)(4).

(b) *Pharmacies.*

- (1) *Hours of operation.* A pharmacy may not operate between the hours of 9:00 p.m. and 7:00 a.m.
- (2) *[Exemption.]* A pharmacy operating legally before the date of adoption is exempt from complying from the above restriction related to hours of operation.

(Ord. No. 2018-8104 , § 2, 2-19-18; Ord. No. 2019-8123 , § 2, 8-5-19)

Sec. 34-727. Outdoor restaurants and bars.

In addition to the standards applicable to all conditional uses, as stated in Section 34-553, and in addition to the regulations of the Zoning District in which the restaurant or bar is located, outdoor restaurants and bars that are permitted or allowed in any Zoning District shall be subject to the following limitations and conditions:

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- (a) The unenclosed, outdoor area of the restaurant or bar shall be accessory to and under the same ownership or control as the restaurant or bar that is operated within a totally and permanently enclosed building located on the same lot.
- (b) The area of unenclosed, outdoor customer service area of a restaurant shall not exceed ~~seventy-five~~^{fifty} (75⁵⁰) percent of the total gross enclosed area of the restaurant. The area of unenclosed outdoor bar shall not exceed twenty-five (25) percent of the total enclosed area of the bar. Existing outdoor seating areas shall not be expanded without first receiving conditional use approval.
- (c) Required parking spaces shall be provided for the unenclosed, outdoor customer service area outside of the permanently enclosed building at the same ratio as is required for the permanently enclosed area of the restaurant or bar. Parking is not required for outdoor restaurant areas for the first two hundred fifty (250) square feet or less.
- (d) The outdoor customer service area may be used to compute the minimum seating or customer service area required to qualify for a special food service restaurant's (SFS) alcoholic beverage license. For any establishment selling alcoholic beverages for on-site consumption, the outdoor customer service area shall be enclosed by a minimum forty-two (42) inches high wall or fence. The wall or fence shall be constructed of wood, metal (Except chain link), plastic, or other similar material. No rope, chains or cables of any kind shall be permitted.
- (e) Buffering must be provided around outdoor restaurant or bar areas when immediately adjacent to residential uses. At a minimum, a solid six-foot tall fence should be installed between the commercial and residential uses, or a thirty-six (36) inch diameter pot by a minimum of twenty-four (24) inches high should be provided every five (5) lineal feet of outdoor restaurant area immediately adjacent to a residential use. The plant species should be at least two (2) times as high as the height of the pot.
- (f) No animals except service dogs shall generally be permitted within an approved outdoor restaurant or bar seating area. However, pursuant to Florida State Statutes Section 509.233, other dogs may be allowed in an outdoor restaurant area upon approval of a dogs in outdoor dining area permit application.
- (g) The Planning Commission is authorized to establish hours of operation for conditional use outdoor restaurant and bar seating areas as a means to ensure their compatibility with surrounding land uses.
- (h) If an approved outdoor restaurant or bar area violates any of the standards set forth in this Section, or any other conditions placed on their approval by the Planning Commission, the violation shall be referred to the special magistrate for a hearing. Upon finding that such a violation exists, the special magistrate may apply penalties as provided by law, including revocation of the conditional use approval for that outdoor seating area. Whenever the approval for a conditional use outdoor bar or restaurant seating area is revoked for a particular establishment, a conditional use application for outdoor bar or restaurant seating shall not be considered for any portion of that establishment for a period of two (2) years after the date of revocation.

(Ord. No. 2002-7828, § 1, 3-4-02; Ord. No. 2006-7918, § 1, 6-19-06; Ord. No. 2008-7961, § 1, 12-15-08; Ord. No. 2010-7992, § 1, 6-21-10; Ord. No. 2017-8095, § 1, 9-5-17; Ord. No. 2021-8168, § 4, 2-7-22)

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Sec. 34-728. Storage and parking of commercial vehicles, recreational vehicles, and repair of vehicles in residential zoning districts.

For the dual purpose of preserving attractive residential areas within the City and promoting safe, unimpeded traffic circulation throughout such areas, the following supplemental parking restrictions shall apply:

- (a) *Within a street right-of-way.* The following vehicles shall not be parked or stored on any public street right-of-way or approved private street easement contiguous to a residentially zoned property or residentially used property in an RD or PUD district:
 - (1) Any boat or boat trailer.
 - (2) Any hauling trailer.
 - (3) Any of the following recreational vehicles: Travel trailers, motor homes and camping trailer.
 - (4) Any semi-trailer truck or cab.
 - (5) Any commercial vehicle which measures in excess of twenty (20) feet in total body length, seven (7) feet in total width or seven (7) feet in total height, including appurtenances, equipment or cargo.
- (b) *Within the setback area from a street right-of-way.* The following vehicles shall not be parked or stored, in whole or part, within the required setback area from a street right-of-way or approved private street easement on residentially zoned property or residentially used property in an RD or PUD district:
 - (1) No more than two (2) boats per residential lot
 - (2) Any boat which measures in excess of twenty (20) feet in length.
 - (3) Any hauling trailer (except trailers mounted with boats twenty (20) feet or less in length).
 - (4) Any of the following recreational vehicles: Travel trailers, motor homes and camping trailers.
 - (5) Any semi-trailer truck or cab.
 - (6) Any commercial vehicle which measures in excess of twenty (20) feet in total body length, seven (7) feet in total width or seven (7) feet in total height, including appurtenances, equipment or cargo.
- (c) *On any residentially zoned property or residentially used property in an RD or PUD district.* No garbage truck, pump-out truck, chemical truck, gasoline truck, fuel oil truck or similar vehicle designed to transport wastes or hazardous or noxious materials shall be parked or stored in any residentially zoned property or residentially used property in an RD or PUD district.
- (d) *Occupation.* The trailer or camper shall not be occupied, except for the purpose of repair or maintenance, at any time during the parking or storage. The term "occupied" for the purpose of this division shall include but not be limited to electrical connections (permanent or drop cord),

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water and sewer connections (flexible or permanent hose), telephone connections (permanent or extension) or personal occupancy of any kind (day or night).

- (e) *Routine Repairs and Maintenance.* There shall not be major repairs and maintenance to oversized and other registered vehicles, except for minor repairs or maintenance (for up to 48 hours), at any time during such storage or parking, but the body of a truck type camper may be removed from the truck or other vehicle.
- (f) *Permit required for temporary occupancy of travel trailer, motor home or camping trailer.* Any owner desiring to temporarily occupy any travel trailer, motor home or camping trailer which has been or is to be stored or parked as permitted in Section 34-7287(b) must apply to the Planning and Development Department for a City permit for temporary occupancy. No such permit for temporary occupancy shall be issued for a period in excess of thirty (30) consecutive calendar days and in no event shall such permit be issued for a total in excess of thirty (30) calendar days during any calendar year for the same property. Permits for temporary occupancy shall be issued only for trailers or campers stored or parked on property with a primary residential use, which is owned by the owner of the trailer or camper being stored or parked, and where there is active permitted construction taking place at the occupied residence. Such permit shall be valid only for the term stated on the permit.
- (g) *Enforcement.* The preceding parking restrictions shall be enforced in accordance with the terms of Article XII, Division 1 and the following:
 - (1) The parking restrictions shall not apply to commercial vehicles during the actual performance of a service at the premises where it is parked.
 - (2) The parking restrictions shall not apply to the loading, unloading or cleaning of vehicles provided such act is fully completed in forty-eight (48) hours.
 - (3) The parking of vehicles, boats and trailers in residentially zoned property or residentially used property in an RD or PUD district shall be subject to these parking restrictions regardless of the date such parking commenced, and shall not be deemed an allowable nonconforming use within the meaning of Section 34-1101 of this LDC.

(Ord. No. 7500, § 8.2(L), 8-19-91; Ord. No. 2004-7881, § 1, 7-19-04)

Sec. 34-729. Personal wireless service facilities.

- (a) *Purpose and legislative intent.* Federal and state laws recognize the City's authority to regulate the placement, construction, and modification of personal wireless service facilities. The City recognizes that personal wireless service facilities play an important and complex role in the community. The intent of this Section is to ensure that the placement, construction or modification of personal wireless service facilities is consistent with the City's land use policies and balances the community needs.
- (b) *Hierarchy of personal wireless service facility preferences.* The City has established the hierarchy set forth below for personal wireless service facilities, with (1) being the most preferred and (3) being the least preferred. More preferred facilities require fewer approvals and are subject to fewer restrictions.

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- (1) An antenna located on or in an existing building, whether or not a co-location (see Section 34-729(a)(2), (3) and (5)).
 - (2) The co-location of an antenna on an existing freestanding facility (see Section 34-729(a)(4)).
 - (3) Freestanding facilities (see Section 34-729(b)).
- (c) *Prohibited personal wireless service facilities.* Self-supporting lattice towers, guyed towers, and all freestanding facilities not meeting the requirements of Section 34-729(b) are prohibited.
- (d) *Priority determination.* If the proposed personal wireless service facility is not one of the two highest priorities listed, a detailed explanation and technical justification shall be provided as to why each of the higher priority facilities was not selected. This must include documentation that any existing personal wireless service facility (whether owned by the applicant or not) located within a two-mile radius of the proposed location is physically and/or technically unable to support collocation of additional personal wireless service equipment, that the existing facility is insufficient, or that the existing facility does not meet the engineering requirements of the applicant.
- (e) *Generally applicable review procedures and timeframes.*
- (1) The Planning and Development Department shall notify the applicant for a personal wireless service facility within twenty (20) days after the date the application is submitted as to whether the application is, for administrative purposes only, properly completed and has been properly submitted in accordance with the requirements of the City Code and Land Development Code. An application for personal wireless service facility is deemed properly completed and properly submitted when it is verified that the information contained within the application is true, accurate, and contains all applicable information needed to make a determination as to the merits of the request. Such notification shall indicate with specificity any deficiencies that, if cured, could make the application properly completed. Upon resubmission of information to cure the stated deficiencies, the City shall again have twenty (20) days to notify the applicant of any remaining deficiencies that must be cured. If the applicant does not cure the deficiencies within thirty (30) days, the application shall be considered withdrawn and closed.
 - (2) An application is deemed submitted or resubmitted on the date the application is received by the City. If the City does not notify the applicant that the application is not completed in compliance with this Zoning Code within twenty (20) days after the date the application is initially submitted or resubmitted, the application is deemed, for administrative purposes only, to be properly completed and properly submitted.
 - (3) Applications for a collocation of small wireless facilities shall be processed in accordance with Chapter 28, Section 28-76 of the Code of Ordinances of the City of Jacksonville Beach, Florida. Applications for new personal wireless service facilities, including freestanding facilities, shall be processed within 90 days after an application has been properly completed and properly submitted; provided, however, that applications for new utility poles that qualify under said Chapter 28, Section 28-76 shall be processed in accordance with the time frames set forth in Section 28-76.

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- (4) The timeframes stated in this subsection may be extended or tolled by mutual agreement of the City and applicant.
- (5) The final decision approving or denying an application shall be in writing and supported by "substantial evidence" pursuant to the Communications Act, 47 U.S.C. § 332(c)(7)(B)(iii) and shall comply with the provisions of Land Development Code Article VII, Division 2, Section 34-729.
- (6) Applications must demonstrate that no portion of any abutting, adjoining, or nearby residentially zoned property will be exposed to radio frequency (RF) emissions exceeding the federal safety limits for RF emissions. When installation has been completed for any personal wireless service facility, a post-construction RF energy testing study must be conducted by the applicant and submitted to the City within thirty (30) days following receipt of a certificate of completion for the installation demonstrating that the personal wireless service facility complies with this provision and all federal safety standards for RF energy exposure.
- (f) *[Placement and operation of temporary personal wireless service facilities during a declared emergency.]* During a declared emergency within the City, the City Manager is authorized to allow the placement and operation of temporary personal wireless service facilities within any Zoning District for a period not to exceed ninety (90) days. Placement and operation of temporary personal wireless service facilities beyond the ninety-day limit may be granted by the City Council if deemed necessary for the health, safety, and welfare of the public due to extended disruption in services after a declared emergency.

(Ord. No. 2017-8101 , § 2, 1-16-18)

Sec. 34-730. Personal wireless service facility development standards.

(a) *Antennas.*

- (1) An application for an antenna, whether or not a collocation, shall include the following information:
 - a. The name of the applicant;
 - b. Whether the applicant is an individual, partnership, limited partnership, limited liability corporation, professional corporation, professional association, governmental entity, or some other type of legal group or association;
 - c. A complete, thorough and accurate description of the proposed antenna, including an elevation drawing of the proposed antenna showing the view from north, east, west and south;
 - d. The type of existing building or structure on which the antenna is proposed to be located;
 - e. Certification that the proposed antenna will comply with applicable Federal Aviation Administration requirements under 14 C.F.R. § 77, as amended, and evidence of proper Federal Communications Commission licensure, or other evidence of Federal Communications Commission authorized spectrum use;

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- f. The proposed use of the antenna;
 - g. The proposed location of the antenna with a map in sufficient detail to indicate the location with precision;
 - h. Written, notarized authorization from the property owner, if different from applicant, that authorizes the installation of the facilities;
 - i. The zoning/land use designation of the site for the proposed antenna;
 - j. The height of the proposed antenna;
 - k. Where applicable, a lighting plan, that is consistent with all federal, state and local requirements;
 - l. Documentation that the proposed antenna and any appurtenances will withstand wind speeds as set forth in the Florida Building Code;
 - m. A plan detailing the steps to visually blend the proposed antenna with surrounding buildings, facilities and features;
 - n. The estimated timeframe for constructing and/or locating the antenna, and any ancillary equipment.
- (2) An antenna classified as an initial (rather than collocation) antenna, located on a rooftop, a rooftop antenna platform, or the exterior of a building shall meet the following minimum criteria:
- a. It is located in a building with a height in excess of four (4) stories in a C-1, C-2, CBD, or RM-2 Zoning District.
 - b. It is located on a rooftop of an existing building in excess of forty (40) feet in height, a rooftop antenna platform located on a roof of an existing building in excess of forty (40) feet in height, or the exterior of an existing building in excess of forty (40) feet in height.
 - c. The height of the antenna shall not exceed twenty (20) feet above the highest point of the building; and
 - d. The antenna shall be camouflaged. An antenna shall be deemed to be camouflaged if the antenna and any ancillary equipment are concealed from view by way of enclosure or through a blending of the antenna and ancillary equipment with the architectural design and appearance, color and scale of the building to which it is attached.
- (3) An antenna located inside a building is permitted provided it is not visible from any surrounding properties or roadways and no portion of the antennae is recognizable or discernible from the exterior of the building. Architectural features concealing the antennae must be consistent with the architecture of the building to which they are attached. The architectural features shall not exceed the height restrictions for the Zoning District in which they are located, except as allowed by this Code. The setback for any architectural features concealing an antenna from any residentially zoned property must be at least one (1) foot for every foot in height of the architectural features (dwellings located on the same parcel as the antenna are excluded).

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- (4) An antenna classified as a collocation located on an existing freestanding facility not owned by the City shall meet the following minimum criteria:
 - a. The antenna does not increase the height of the freestanding facility to which it is to be attached, except as allowed in Section 34-730(b), as measured to the highest point of any part of the freestanding facility or any existing antenna attached to the freestanding facility;
 - b. The applicant shall include proof of consent of the owner of the freestanding facility for inclusion of the antenna on the freestanding facility.
 - c. The ground space area, if any, previously approved for equipment enclosures and ancillary facilities is not increased; and
 - d. The antenna and its ancillary facilities meet all requirements as established in Section 34-730(b).
- (5) An antenna classified as a collocation located on an existing building shall meet the following minimum criteria:
 - a. The height of the antenna does not exceed twenty (20) feet above the highest point of the building;
 - b. The ground space area, otherwise known as the compound, if any, previously approved for equipment enclosures and ancillary facilities is not increased;
 - c. The antenna and its ancillary facilities are of a design and configuration consistent with any applicable structural or aesthetic design requirements and any requirements for location on the building for initial antennas;
- (6) If only a portion of an application for a personal wireless service facility classified as a collocation does not meet the requirements of subsections (4) or (5) above, the noncompliant portion of the collocation application shall be reviewed as an initial antenna, under subsection (2) and the compliant remainder of the collocation application shall be reviewed in accordance with subsections (4) or (5), as applicable. A collocation application that complies with subsections (4) or (5), except that it is proposing to increase the equipment ground compound approved in the original site plan for equipment enclosure and ancillary facilities by no more than a cumulative amount of four hundred (400) square feet or fifty (50) percent of the original ground equipment enclosure size, whichever is greater, may continue to be reviewed as a collocation.
- (7) Standards applicable to all antennas.
 - a. All antennas must be at least thirty (30) feet from ground level.
 - b. An antenna and its ancillary facilities must meet all applicable requirements of the Florida Building Code.
 - c. The antenna equipment shelter/cabinet must have a sign in close proximity which is readable from a distance of at least five feet, in accordance with FCC regulations, which

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notes the owner of the equipment and the name and telephone number of the person to contact to report an emergency or situation when notification is warranted.

d. All additional requirements of state, federal and local law must be adhered to.

- (8) The review and approval of an application for an antenna under this Section is by building permit review, except as an initial installation where existing buildings are proposed to be architecturally modified to conceal an antennae. Existing buildings that are proposed to be architecturally modified to conceal antennae must follow the development plan approval process.

(b) *Freestanding facilities.*

- (1) Freestanding facilities and their ancillary equipment shall be approved by development plan review and building permit granted by the Planning and Development Department only on property owned by the City of Jacksonville Beach or the Duval County School Board, with a contract approved by the respective owner, on City energy substation properties (active or inactive), in City parks and facilities, including the golf course and cemeteries, on public school properties, and in public rights-of-way in commercial or industrial Zoning Districts, provided the following criteria are met:
- a. The freestanding facility shall be designed so as to mimic a structure or natural feature that could reasonably be found and/or blend with the surrounding area, such as a light fixture or tree.
 - b. Ancillary equipment must meet the following criteria:
 - 1. Shall be no wider than seven (7) feet;
 - 2. Shall be no longer than thirteen (13) feet;
 - 3. Shall not exceed the height limitations for mechanical equipment as provided by this Zoning Code;
 - 4. May be located within a required side or required rear yard, provided, that it shall be no closer than ten (10) feet to any lot line;
 - 5. Shall be included in lot coverage and non-open space calculations for the site, including the pad;
 - 6. Shall be located on a concrete pad, unless required to be elevated due to FEMA regulations;
 - 7. Shall be screened from view by landscaping, architectural features, or a combination of both, and designed in a manner which minimizes nuisance impacts, such as noise and odor. Screening shall be at least equal to the height of the ancillary equipment on all sides and shall be maintained in good order; and
 - 8. Shall be set back from any existing residential dwelling at least one (1) foot for every foot in height of the facility (dwellings located on the same parcel as the structure are excluded), as measured from the base of the structure containing the antennae to nearest property line of the residential dwelling(s).

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- c. The top of any freestanding facility and ancillary equipment shall not exceed fifty (50) feet in height.
 - d. For any freestanding facility that utilizes lighting, the lights must meet all applicable federal, state, and local regulations regarding shielding of lighting to protect sea turtles.
 - e. The freestanding facility, its components, ancillary equipment, and screening must be maintained in good order. Failure to maintain the freestanding facility, its components, ancillary equipment, and screening shall constitute a violation of this chapter.
- (2) The development plan application for a freestanding facility shall include the following information:
- a. The name of the applicant(s) and whether each applicant is an individual, partnership, limited partnership, limited liability corporation, professional corporation, professional association, governmental entity, or some other type of legal group or association;
 - b. A complete and accurate description of the proposed freestanding facility, including scale elevation drawings of the proposed freestanding facility;
 - c. If applicable, documentation of any contract, license, lease, letter of understanding, agreement in principle, or other type of agreement with a personal wireless service provider for use of the freestanding facility and a summary of the agreement or arrangement;
 - d. The proposed location of the freestanding facility together with both a legal description of the location, and a map in sufficient detail to indicate the location with precision;
 - e. Proof that the property owner, if different from applicant, authorizes the installation of the facilities.
 - f. The zoning/land use designation for the proposed freestanding facility;
 - g. The height of the proposed freestanding facility;
 - h. The projected collapse zone certification that in the event of fall or collapse of the freestanding facility, said freestanding facility would not damage or negatively impact the real or personal property of the surrounding property owners;
 - i. Documentation demonstrating compliance with the provisions of state statute and City Codes;
 - j. A detailed plan for landscaping any ancillary ground equipment, in such a manner that the landscaping will shield the equipment from the view of adjoining parcels and/or public rights-of-way, noting that the landscaping shall be native, xeriscape plants only;
 - k. A detailed preventive maintenance program that meets minimum maintenance program standards for which the applicant is to remain solely responsible. The City will not be responsible for monitoring the maintenance program;
 - l. Certification that the proposed equipment will comply with applicable Federal Aviation Administration requirements under 14 C.F.R. § 77, as amended, and evidence of proper

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- Federal Communications Commission licensure, or other evidence of Federal Communications Commission authorized spectrum use;
- m. The estimated timeframe for completion for the location and/or construction or modification of each of the freestanding facilities and any ancillary equipment;
 - n. The identity and location of any landline backhaul network to each freestanding facility location, if applicable;
 - o. Whether the applicant, within a two-mile radius of the proposed location, has ever had any permit (or similar or equivalent authorization) revoked, rescinded, canceled or terminated which authorized the placement, construction, and/or modification of personal wireless service facilities, and, if so, what were the reasons surrounding such revocation;
 - p. The proposed equipment shall not interfere with or obstruct public safety telecommunications facilities in accordance with the applicable rules of the Federal Communications Commission; and
 - q. All applicable provisions of the City Code, the Land Development Code and the Florida Building Code shall be met.
- (3) In evaluating development plan and building permit applications for a freestanding facility, in addition to compliance with Section 34-573, Standards (a) through (i), the Planning and Development Department shall consider and evaluate the above application criteria and the following, with the intent of balancing the reasonable allowance of a freestanding facility to provide personal wireless service in the area with the protection of the aesthetics of the area from adverse visual impacts:
- a. The proposed location of the freestanding facility, including the zoning/land use designation of the site and abutting properties;
 - b. The proposed height of the freestanding facility;
 - c. The number and location of freestanding facilities and structures over forty (40) feet in height already existing within a five hundred-foot radius of the proposed freestanding facility;
 - d. The distance of the proposed freestanding facility to the nearest single-family residence measured from the freestanding facility to the boundary of the nearest single-family residence;
 - e. The proposed aesthetics of the freestanding facility and whether it visually blends in with surrounding buildings, structures and existing vegetation;
 - f. The potential impacts on property values of nearby or surrounding single-family properties.
- (4) Upon granting development plan and building permit approval for the construction of a freestanding facility, the City reserves the right to inspect placement, construction and modification of such freestanding facility and ancillary equipment for the life of the facility.

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Any modification, relocation, rebuilding, repairing, in any way without the issuance of all applicable approvals and permits will be deemed a violation of the permit and result in the removal of the freestanding facility and ancillary equipment.

- (5) *Removal of a freestanding facility and ancillary equipment.* The City may require, upon notice with a reasonable opportunity to cure, the immediate removal of a freestanding facility and ancillary equipment if:
- a. It has been abandoned for a period in excess of six (6) months;
 - b. It falls into such a state of disrepair that it becomes an unsafe structure or becomes a public nuisance;
 - c. It is modified, relocated, or rebuilt without the issuance of all applicable approvals and permits.
- (c) *Communications antennae on structures in C-1, CBD and RM-2 Zoning Districts.* Communications antennae and related equipment may be located as accessory structures on principle structures in commercial, limited: C-1, Central business district: CBD, and Residential, multiple-family: RM-2 Zoning Districts including, but not limited to, buildings, water towers, and essential public utility structures, subject to the following conditions:
- (1) No portion of the communications facility, including all antenna and equipment components, may extend more than twenty (20) feet above the structure on which it is located.
 - (2) Facility components shall be located, designed, and screened or otherwise treated to blend with the existing natural or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed communications service and the need to be compatible with neighboring uses and the character of the community.
 - (3) Proof, in writing, must be submitted with building permit application materials that the facility conforms with regulations of the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA), and that the existing structure is structurally capable to accept the proposed facility.
 - (4) No communications facility shall be designed and or sited such that it poses a potential hazard to humans, on-site improvements, or surrounding properties.

(Ord. No. 2017-8101 , § 2, 1-16-18)

Sec. 34-731. Short-term vacation rentals.

- (a) *Applicability.* This Section shall apply to short-term vacation rentals as defined in Article III.
- (b) *Short-term vacation rental minimum requirements.* Short-term vacation rentals shall be permitted in all Zoning Districts where residential use is a permitted or conditional use provided they are in compliance with this Section. No person shall rent or lease all or any portion of a dwelling unit as a short-term vacation rental as defined in Article III without initially and on a continuing basis:
- (1) Obtaining a short-term vacation rental registration certificate from the City of Jacksonville Beach pursuant to this Section;

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- (2) Obtaining a county business tax receipt from the Consolidated City of Jacksonville / Duval County pursuant to its ordinances, as may be amended;
 - (3) Obtaining a local business tax receipt from the City of Jacksonville Beach pursuant to Chapter 15 of the Code of Ordinances, as may be amended;
 - (4) Obtaining a Florida Department of Revenue certificate of registration for purposes of collecting and remitting sales surtaxes, transient rental taxes, and other taxes as may be required by law;
 - (5) Obtaining a Florida Department of Business and Professional Regulation license as a transient public lodging establishment; and
 - (6) Maintaining an active account with Duval County Tax Collector for the purpose of collecting and remitting tourist development taxes and other taxes as may be required by law.
 - (7) As demonstrated through an affidavit:
 - a. Maintaining initial and ongoing compliance with short-term vacation rental standards contained herein;
 - b. Maintaining compliance with the Florida Fire Prevention Code, Florida Building Code, and F.S. § 509.215; and
 - c. Maintaining compliance with any local, state, and federal laws, regulations, and standards as may be applicable or amended including Florida Administrative Code Chapters 61C (Division of Hotels and Restaurants) and 69A (Division of State Fire Marshal), as may be amended.
- (c) *Short-term vacation rental standards.* The following standards shall govern the use of any short-term vacation rental as a permitted use:
- (1) *Maximum occupancy.* Maximum occupancy shall be limited to two (2) persons per bedroom plus two (2). Under no condition shall maximum occupancy exceed twelve (12) occupants per short-term vacation rental unit. For the purpose of calculating maximum occupancy, only individuals over the age of twenty-four (24) months shall be included.
 - (2) *Parking standards.* Minimum off-street parking shall be equal to the maximum occupancy as defined in Section 34-731(c)(1) divided by four (4). Where four (4) equates to one (1) parking space per four (4) transient occupants. All fractions shall be rounded to the next higher whole number. At no time shall parking block a sidewalk or designated urban trail. Off-street parking standards shall be as defined in Article VII, Division 1, parking and loading standards of the City of Jacksonville Beach Land Development Code. All short-term vacation rental properties with legal nonconforming parking shall be grandfathered for two (2) parking spaces. Grass parking is only permitted on short-term vacation rental properties with legal nonconforming parking where paved parking is not available. Garage spaces shall count if the space is open and available and the transient occupants are given vehicular access to the garage. A maximum of four (4) cars may be parked at any given short term vacation rental property at one time.

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- (3) *Solid waste handling and containment.* Short-term vacation rentals shall supply the approved solid waste collection container pursuant to the City's franchise agreement. All customers receiving residential and small commercial solid waste collection service pursuant to the City's solid waste franchise contract shall place garbage, rubbish, or, refuse receptacles and all other items at the curbside, unless the franchisee has agreed to provide a special service collection at another location. Solid waste handling and containment is subject to the requirements and provisions contained in Chapter 27 of the City's Code of Ordinances.
- (4) *Minimum short-term vacation rental lease agreement wording.* The short-term vacation rental lease agreement, where applicable, shall contain the minimum information as provided for in subsection 34-731(h).
- (5) *Minimum short-term vacation rental information required postings.* The short-term vacation rental shall be provided with posted material as required pursuant to subsection 34-731(i).
- (6) *Designation of a short-term vacation rental responsible party.* A responsible party must be designated that is capable of meeting the duties required pursuant to subsection 34-731(g) and shall be required.
- (7) *Advertising.* Any advertising of the short-term vacation rental unit shall conform to information included in the short-term vacation rental registration certificate and property's approval, particularly as it pertains to maximum occupancy. A statement stating that "it is unlawful for a sexual offender or sexual predator to occupy this residence in violation of F.S. § 775.215, Florida Statutes precluding such residency within 1,000 feet of any school, child care facility, park, or playground."
- (8) *Other standards.* Any other standards contained within the City of Jacksonville Beach Code of Ordinances and Chapter 34 - Land Development Code to include, but not limited to, noise limits, setbacks, stormwater, and similar provision shall be applicable.
- (d) *Short-term vacation rental registration certificate.* To verify compliance with these short-term vacation rental standards, any property owner who wishes to use his or her dwelling unit as a short-term vacation rental must first apply for and receive a short-term vacation rental registration certificate from the City of Jacksonville Beach. The following requirements further apply:
 - (1) The short-term vacation rental registration certificate shall be renewed annually for as long as the unit is used as a short-term vacation rental.
 - (2) Short-term vacation rental registration certificates may be issued as a single or collective registration certificate.
 - (3) An annual single or collective short-term vacation rental registration certificate fee shall be paid in an amount as determined by resolution of the City Council of the City of Jacksonville Beach.
 - (4) Short-term vacation rental registration certificate fees shall be implemented to cover the costs of administration of the short-term vacation rental registration certificate, inspection, and enforcement programs.

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- (5) Short-term vacation rental certificates must be posted on the inside of the window of the unit that is located closest to the front door, facing outward.
- (56) Failure to comply with any of the requirements of this Section shall be grounds for revocation or suspension of the short-term vacation rental registration certificate in accordance with the requirements contained herein.
- (e) *Application for a short-term vacation rental registration certificate.* Each property owner seeking initial issuance, annual renewal, transfer of ownership, or modification of a short-term vacation rental registration certificate shall submit a City of Jacksonville Beach short-term vacation rental application in a form specified by the City, along with an application fee in an amount as determined by resolution of the City Council of the City of Jacksonville Beach.
- (1) A complete application for initial, transfer of ownership, or modification of a short-term vacation rental registration certificate shall demonstrate compliance with the short-term vacation rental standards above through the following submittals:
- a. A completed application with required documentation and all applicable fees.
 - b. A signed and notarized affidavit from the property owner or property manager confirming compliance with the following:
 1. Verification that the required short-term rental postings shall be provided in all units to rental occupants.
 2. Verification that the short-term vacation rental lease agreement, where applicable, is in compliance with the required lease terms of this ordinance.
 3. Verification that the property has the appropriate amount of on-site vehicular parking in compliance with the code.
 4. Verification that all required local, county and state licenses, certificates and taxes have been obtained and complied with.
- (2) Registration certificate renewals or transfers. A short-term vacation rental registration certificate holder must apply annually for a renewal of the registration certificate by October 1 of each year. If no changes have occurred since the issuance of the most recent short-term vacation rental registration certificate, no additional submittals are required to accompany the renewal or transfer of a short-term vacation rental registration certificate application.
- (3) Modification of short-term vacation rental registration certificate. An application for modification of a short-term vacation rental registration certificate is necessary where any of the following apply:
- a. The gross square footage of the short-term vacation rental unit has increased; or
 - b. The number of bedrooms is proposed to increase; or
 - c. The occupancy is otherwise proposed to increase.
 - d. If an inspection of a modification to a short-term vacation rental registration certificate is required, the modification in usage or occupancy may not occur until after successful

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inspection; however, pending such successful inspection the current registration certificate shall remain valid.

(f) *Initial and routine compliance inspections of short-term vacation rentals.*

- (1) An inspection of the short-term vacation rental unit for compliance with this Section is required prior to issuance of an initial short-term vacation rental registration certificate.
 - a. The local fire official or designee shall perform all inspections and be allowed entry as permitted or required under this Section or by Section 10-3.04 and Section 10-3.05, City of Jacksonville Beach Code of Ordinances.
 - b. If violations are found, all violations must be corrected and the short-term vacation rental unit must be reinspected prior to issuance of the initial short-term vacation rental registration certificate.
- (2) Once issued, a short-term vacation rental unit must be properly maintained in accordance with the short-term vacation rental standards as defined in the Section and may be reinspected at the time of transfer of ownership, modification, or upon receipt of complaint related to noncompliance with the Florida Fire Prevention Code, Florida Building Code, and F.S. § 509.215.
 - a. For an inspection, all violations must be corrected and reinspected within thirty (30) calendar days.
 - b. Failure to correct inspection deficiencies in the timeframe provided shall result in the suspension of the short-term vacation rental registration certificate until such time as the violation(s) is/are corrected and reinspected.
- (3) The inspections shall be made by appointment with the short-term vacation rental responsible party.
 - a. If the inspector(s) has made an appointment with the short-term vacation rental responsible party to complete an inspection and the short-term vacation rental responsible party fails to admit the inspector(s) at the scheduled time, the owner shall be charged a "no show" fee in an amount as determined by resolution of the City Council of the City of Jacksonville Beach to cover the inspection expense incurred.
- (4) If the inspector(s) is denied admittance by the short-term vacation rental responsible party or if the short-term vacation rental unit is not passed in at least three (3) attempts to complete an initial or subsequent inspection, the inspector(s) shall provide notice of failure of inspection to the owner address as listed on the most recent short-term vacation rental registration certificate or as listed on the Duval County Property Appraiser database.
 - a. For an initial inspection, the notice of failure of inspection results in the registration certificate not being issued.
 - b. For a subsequent inspection, the notice of failure of inspection is considered a violation pursuant to subsection 34-731(f)(2) above and is subject to enforcement as provided herein.

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(g) *Short-term vacation rental responsible party.*

- (1) The purpose of the short-term vacation rental responsible party is to respond to routine inspections, nonroutine complaints, and any other more immediate problems related to the short-term vacation rental of the property.
- (2) The property owner or licensed agent may serve in this capacity or shall otherwise designate a short-term vacation rental responsible party to act on their behalf.
- (3) Any person eighteen (18) years of age or older may be designated by the owner or licensed agent provided they can perform the duties listed in subsection 34-731(g)(4) below.
- (4) The duties of the short-term vacation rental responsible party, whether the property owner or licensed agent, are as follows:
 - a. Be available, within a twenty-five (25) mile radius, at the listed phone number twenty-four (24) hours a day, seven (7) days a week and capable of handling any issues arising from the short-term vacation rental use;
 - b. If necessary, be willing and able to come to the short-term vacation rental unit within one (1) hour following notification from an occupant, the owner, or an official of the City of Jacksonville Beach to address issues related to the short-term vacation rental.
 - c. Be authorized to receive service of any legal notice on behalf of the owner for violations of this Section;
 - d. Be able to produce copies of the executed rental or lease agreement for current transient occupants, as needed by local authorities; and
 - e. Otherwise monitor the short-term vacation rental unit at least once weekly to assure continued compliance with the requirements of this Section.
- (5) A property owner may change his or her designation of a short-term vacation rental responsible party temporarily or permanently. However, there shall be only one (1) short-term vacation rental responsible party for each short-term vacation rental at any given time. To change the designated short-term vacation rental responsible party, the property owner shall notify the City of Jacksonville Beach in writing on a form provided by the City for that purpose before any change in the designated short-term vacation rental responsible party.

(h) *Short-term vacation rental lease agreement minimum provisions.* The rental or lease agreement must contain the following minimum information:

- (1) Maximum occupancy of the short-term vacation rental unit as permitted on the short-term vacation rental registration certificate;
- (2) The total number of vehicles allowed for the short-term vacation rental unit not to exceed the number of off-street parking spaces available as designated on the short-term vacation rental registration certificate; and
- (3) A statement that all transient occupants must evacuate from the short-term vacation rental upon posting of any evacuation order issued by local, state, or federal authorities.

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- (4) An executed copy of each lease agreement shall be maintained by the designated responsible party and made available for review by City fire, police, building or code enforcement officials upon request.
- (5) A statement stating that "it is unlawful for a sexual offender or sexual predator to occupy this residence in violation of F.S. § 775.215, precluding such residency within 1,000 feet of any school, child care facility, park, or playground."
- (i) *Required short-term vacation rental postings:*
 - (1) On the back of or next to the main entrance door or on the refrigerator there shall be provided as a single page document the following information:
 - a. The name, address, and phone number of the short-term vacation rental responsible party;
 - b. The maximum occupancy of the unit;
 - c. Notice that quiet hours are to be observed between 10:00 p.m. and 7:00 a.m. daily or in compliance with any and all City regulations;
 - d. The maximum number of vehicles that can be parked at the unit along with the location of the off-street parking spaces;
 - e. The days of solid waste pick-up and recycling;
 - f. Notice of sea turtle nesting season restrictions and sea turtle lighting usage as applicable;
 - g. The emergency numbers for local police and fire; and
 - h. The location of the nearest hospital.
- (j) *Offenses and violations.*
 - (1) Noncompliance with any provision of this Section or its subsections shall constitute a violation of the City of Jacksonville Beach Code of Ordinances.
 - (2) Separate violations. Each day a violation exists shall constitute a separate and distinct violation, except that occupancy violations shall be governed by subsection 34-731(j)(1).
- (k) *Remedies/enforcement.* Violations of this Section shall be subject to penalties as part of a progressive enforcement program with the primary focus on compliance and compatibility with adjoining properties, versus penalties and legal actions. To accomplish a safe and effective vacation rental program it is vital that a short-term vacation rental responsible party is responsive and responsible in the management of the property for compliance with this Section. Code enforcement activities will be in accordance with F.S. § Chapter 162 and the City of Jacksonville Beach Code of Ordinances.
 - (1) *Warnings.* Warnings shall be issued for first time violations and a reasonable time to correct the violation will be given. Such warnings may include notice to other agencies for follow up by such agencies, such as the department of business and professional regulation, the department of revenue, the Duval County Tax Collector, and the Duval County Property

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Appraiser, as applicable. Noncompliance with a correction compliance period shall result in the issuance of notice of violation or a citation as stated in Section 34-1201.

- (2) *Fines.* Fines per violation shall be as provided in F.S. § 162.09, as may be amended, for per day, repeat, and irreparable or irreversible in nature violations.
- (3) *Enforcement proceedings.* Prosecution of code violations shall utilize Part 1 of F.S. § Chapter 162. The City code enforcement special magistrate shall be authorized to hold hearings, assess fines, and order other relief as provided in City of Jacksonville Beach Code of Ordinances, Chapter 2, Article VI.
- (4) *Additional remedies.* Nothing contained herein shall prevent the City of Jacksonville Beach from seeking all other available remedies which may include, but is not limited to, injunctive relief, liens, and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.

(Ord. No. 2019-8118 , § 3, 9-16-19)

Sec. 34-732. Temporary structures and offices.

Temporary structures and offices shall be subject to the following standards, and shall be reviewed and approved by the Building Official:

- (a) *Construction office and storage.* A mobile home, trailer, portable building, or storage structure may be permitted in any Zoning District when used as a temporary office or shelter for materials or tools incidental to construction or development of the premises upon which the temporary office or shelter is located or within a half-mile radius of the site, provided appropriate permits for such construction have been issued and development has been diligently pursued. Such use of a temporary office or shelter shall not be permitted for more than one (1) month after the completion of construction or development. It cannot be used as permanent office space or for residential use.
- (b) *Public use.* Any agency of local, municipal, state or federal government may utilize a mobile home, trailer or portable building for temporary public purposes in any Zoning District, provided such use shall not include a residential use.
- (c) *Sales office.* A mobile home may be used as a sales office on a mobile home sales lot in any Zoning District permitting such use.

(Ord. No. 7500, § 8.2(N), 8-19-91)

Secs. 34-733—34-740. Reserved.

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Sec. 34-741. Purpose and intent.

The purpose and intent of this division is to promote the health, safety, welfare and general wellbeing of existing and future residents of Jacksonville Beach through the establishment of minimum standards for the preservation of natural plant communities, the installation of landscaping and the protection of trees on public and private property within the City of Jacksonville Beach. The specific objectives of this division are as follows:

- (a) To promote and improve the aesthetic integration of natural and manmade environments in order to reduce the harmful effects of development and use on vegetation, and thereby improve the quality of life through the abatement of noise, glare, dust and air pollution;
- (b) To promote the conservation of energy through the preservation and planting of trees, thereby reducing heat gain in or on buildings or paved areas by shading and by removal of heat from the air through evapotranspiration; and
- (c) To promote the conservation of limited freshwater resources by encouraging the preservation and planting of natural or uncultivated areas and by increasing permeable areas which contribute to groundwater recharge and stormwater runoff retardation.

(Ord. No. 7500, § 8.3(A), 8-19-91)

Sec. 34-742. Applicability.

This division shall apply to all development within the City of Jacksonville Beach unless specifically exempted by the provisions of this division. The provisions of this division shall also apply to the expansion of any existing development, including all land in government use, when the value of the total expansion is equal to fifty (50) percent of the assessed value of the existing use, according to the Duval County Property Appraiser, or when total square footage of a structure is increased by fifty (50) percent or more.

(Ord. No. 7500, § 8.3(B), 8-19-91)

Sec. 34-743. Exemptions.

The following development shall be exempt from the standards of this division:

- (a) *Vehicular use areas within or on top of a building (i.e. parking garages or within a building).*
Vehicular use areas consisting exclusively of parking areas entirely within or on top of a building shall be exempt from the provisions of this division.
- (b) *Bona fide agricultural production.* Bona fide agricultural production (as defined in Florida State Statutes) activities shall be exempt from the provisions of this division.

(Ord. No. 7500, § 8.3(C), 8-19-91)

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Sec. 34-744. Site clearing and tree protection standards.

- (a) *Site clearing and tree protection requirements.* No person, directly or indirectly, shall engage in site clearing or cut down, remove, damage or destroy, or authorize the removal, damage or destruction of any protected tree as defined in the LDC or shall commit or authorize any act which physically causes the clearing of a site or destruction of any protected tree, such as damage inflicted upon the root system by heavy equipment or by changes to the existing grade, without first having obtained a site clearing and tree removal permit pursuant to Section 34-744(d).
- (b) *Exemptions to site clearing and tree protection standards.* The following protected trees are exempt from the site clearing and tree protection requirements of Section 34-744(a):
 - (1) Any of the following species or sub-species of trees are not protected trees under this division:
 - Pine, except cedar trees.
 - Palm trees, unless planted to meet a requirement of an approved landscape plan.
 - (2) Invasive species may be removed and are exempt from site clearing and tree protection standards.
 - (3) Any tree located in botanical gardens or in state approved or government nurseries and groves which are grown for sale or public purpose.
 - (4) Any tree that poses imminent danger to the public health, welfare, or safety; any tree that is diseased or weakened by age, weather, storm, fire, or act of God; or any tree which is likely to cause injury or damage to persons, buildings, or other improvements. The Planning and Development Department may require a written certification of the need to remove such a tree or trees from a person having the expertise to provide the same prior to authorizing such removal.
- (c) *Temporary suspension of site clearing and tree protection requirements.* During a period of emergency, per State Statutes, such as a hurricane, flood or other natural disaster, the requirements of this division may be temporarily waived by the Planning and Development Department, so that private or public work to restore the City will in no way be hampered.
- (d) *Site clearing and tree removal permits.* Prior to the issuance of any permit for construction, improvement, paving or surfacing under the provisions of the LDC, a site clearing and tree removal permit must be applied for at the Planning and Development Department and approved by the Planning and Development Department pursuant to the procedures and standards of this division.
 - (1) *Application contents.* In addition to the information required for a development plan submitted pursuant to Section 34-586 et seq., of the LDC, the plans submitted with the site clearing and tree removal permit application shall include the following information:
 - a. A survey showing the location and identification by common name and Diameter at Breast Height (DBH) of protected trees to be removed, relocated, or retained, including any trees being preserved for credit under the provisions of Section 34-744(f) and a listing of protected trees by type and size which provides a summary of the removal and

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replacement proposal. Inclusion of the botanical names of the protected trees on the survey is desirable but is not required.

- b. In preserve areas where groups of trees are to remain and no soil is to be disturbed, the trees may be identified by general species.
 - c. A statement explaining why any protected trees are to be removed or relocated.
 - d. Site clearing and tree removal plans for developments of all types, except construction of a single-family residential dwelling on a lot less than one-half (½) acre in size. Site clearing and tree removal plans and permit applications for single-family residential construction on lots of less than one-half (½) acre in size may be prepared by the owner.
- (2) *Inspections.* Compliance with the intent of this division shall be verified by inspections prior to development plan approval, during construction and following installation of landscaping.
- (3) *Standards for issuance of permits.* The issuance of a site clearing and tree removal permit by the Planning and Development Department shall be based on consideration of the following standards.
- a. The necessity to remove trees which pose a safety hazard to pedestrian or vehicular traffic or threaten to cause disruption to public services or which pose a safety hazard to buildings.
 - b. The necessity to remove diseased trees or trees weakened by age, weather, storm, fire or acts of God or which are likely to cause injury or damage to people, buildings or other improvements on a lot or parcel of land;
 - c. The proposed landscaping, including plans whereby the applicant has planted or will plant perennial vegetative cover to replace those trees or natural landscape areas which are proposed to be cleared;
 - d. The topography of the site and the effect of tree removal on erosion, soil retention and the diversion or increased flow of surface water;
 - e. The necessity to remove trees in order to construct proposed improvements to allow access around the proposed structure for construction equipment, access to the building site for construction equipment, or essential grade changes;
 - f. The extent of any damage or hardship to the applicant resulting from a denial of the requested permit;
 - g. The species and size of the trees proposed for removal, and whether the tree to be removed is an exceptional specimen tree.

(e) *Tree removal and trimming on public property.*

- (1) *Permits required.* Any person who intends to remove, prune, or otherwise disturb any protected tree on a public easement or right-of-way shall first obtain a permit from the Public Works Department. All work shall be conducted in strict accordance with the National Arborist Association Pruning Standards for Shade Trees and The American National Standards for Tree Care Operations (ANSI #Z133.1).

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- (f) *Replacement of protected trees.* Protected trees which are identified for removal on a site clearing and tree removal permit application shall be replaced with new planted trees or transplanted trees, all called replacement trees. The following standards shall govern replacement of protected trees.
- (1) *Tree replacement formula.*
- a) For protected trees being removed, the replacement shall be at least equal to one third (1/3) of the total diameter at breast height (DBH) being removed.
- b) All Live Oaks (other oaks may be approved by the Planning and Development Department and Specimen trees shall be replaced with at least one (1) inch in diameter for each one (1) inch of DBH removed.
- (2) *Replacement credit for preserved trees.* Existing protected trees may be used to satisfy the tree replacement requirements of Section 34-744(f) and the landscape requirements of Section 34-745, provided that the protected trees satisfy the following conditions.
- a. An area within the dripline of the tree or trees at least one (1) foot in diameter for each one (1) inch of DBH shall be preserved in a previous state.
- b. All trees shall be protected in accordance with tree and landscape protection standards of Section 34-744(g), and shall be healthy and free of damage and insect infestations potentially lethal to the tree.
- (3) *Replacement tree species and size.* Replacement trees shall meet the tree and landscape material standards of Section 34-745(d). If multi-trunked trees are used as replacement trees, the total caliper of the two (2) largest trunks shall equal the re- placement caliper.
- (4) Dead, diseased and deteriorated trees. No replacement will be required for removed protected trees which are determined to be dead or deteriorated as a result of age, insects, disease, storm, fire, lightning or other natural acts. Written notification of such determination by a certified Arborist must be provided prior to any action.
- (5) *Tree protection trust fund.* If the Planning and Development Department determines that the site cannot accommodate the total required replacement trees because of insufficient planting area, then the applicant shall provide shade trees based on the current market price and a contribution to the tree protection trust fund to compensate for those replacement trees which cannot be accommodated. Such contributions shall be used to fund public tree planting projects, such as Adopt-A-Tree programs. For every two (2) inches, or fraction thereof, of replacement trees requiring compensation, the contribution shall be the retail price of a two (2) inch caliper oak as determined by the Planning and Development Department, based on a report by a certified Arborist.
- (g) *Protection of trees during construction.* All protected trees, preserved understory vegetation, and trees retained for tree credit pursuant to Section 34-744(f)(2), shall be protected from injury during any land clearing and construction process in the following manner:

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- (1) A temporary barrier shall be constructed to prevent disturbance of the soil a minimum of six (6) feet from the trunk at any point. The barriers shall remain in place throughout construction.
- (2) The developer shall not cause or allow the cleaning of equipment, storage or disposal of materials or waste materials such as paints, solvents, asphalt, concrete, mortar, or any other material that may endanger the health of trees or vegetation within the drip line of protected trees.
- (3) The protected area shall be maintained at its original grade with no trenching or cutting of any roots, and there shall be no storage of fill or compaction of soil. In no event shall motorized vehicles or equipment be allowed to park on or traverse that area within the drip line of protected trees, nor shall any dirt or other materials be stored within the barriers.
- (4) No attachment, wires (other than protective guy wires), signs or permits shall be fastened to a tree.
- (5) The Urban Tree Foundation publishes tree protection best practice guidelines.

(Ord. No. 7500, § 8.3(D), 8-19-91; Ord. No. 2006-7919, § 1, 4-3-06)

Sec. 34-745. Landscape standards.

- (a) *Tree planting and preservation requirements.* The following tree planting and preservation standards shall apply to all development. They may be used to satisfy, in whole or in part, the landscape requirements for off-street parking and vehicular use area landscape buffers (Section 34-745(b)(4)), the landscape requirements for the interior of parking and vehicular use areas (Section 34-745(c)) and any of the other special landscape requirements of this division.

Residential Uses:

- (1) *Residential lot.* One (1) shade tree (minimum of two (2) inches in caliper and ten (10) feet in height) shall be planted or preserved for every three thousand (3,000) square feet of a residential lot or fraction thereof. No more than ten (10) new trees shall be required to be planted on any residential lot that is to be developed for one (1) single-family dwelling, one (1) two-unit townhome residential structure as a result of this provision.
- (2) *Residential Subdivision.* For residential subdivisions (3 or more dwelling units) the following shall apply:
 - a. There shall be a perimeter landscaping hedge surrounding the development. The required hedge shall be at least three (3) gallon container grown or equivalent balled and burlap material of a variety which has a minimum mature height between four (4) to twelve (12) feet. Hedges shall be planted and maintained to form a continuous, unbroken, solid visual screen within a maximum of one (1) year after time of planting.
 - b. One (1) shade tree (minimum of two (2) inches in caliper and ten (10) feet in height) shall be planted or preserved for every three thousand (3,000) square feet of a

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residential lot or fraction thereof. Fifty (50) percent of all trees required to be planted or preserved shall be shade trees.

- (3) *Multi-family Residential Use.* For townhomes (3 or more units) and multi-family uses the following shall apply:
- a. There shall be a perimeter landscaping hedge surrounding the entire development. The required hedge shall contain a minimum mature height between four (4) to twelve (12) feet. Hedges shall be planted and maintained to form a continuous, unbroken, solid visual screen within a maximum of one (1) year after time of planting.
 - b. One (1) tree (minimum of two (2) inches in caliper and ten (10) feet in height) shall be planted or preserved for every six thousand (6,000) square feet over the entire parcel. Fifty (50) percent of all trees required to be planted or preserved shall be shade trees.
- (4) *Oceanfront residential.* Oceanfront residential parcels shall comply with the tree planting and preservation requirements of Section 34-745 and Section 34-615(e)(3)c.3., Section 34-616(e)(3)c., and Section 34-617(e)(3)c. Salt tolerant landscaping and trees shall be used (See Table 34-745.1). Fifty (50) percent of all trees required to be planted or preserved shall be shade trees.

Commercial Uses:

- (1) *Nonresidential lot/ Mixed Use.*
- a. One (1) tree (minimum of two (2) inches in caliper and ten (10) feet in height) shall be planted or preserved for every six thousand (6,000) square feet of a nonresidential lot or fraction thereof. Fifty (50) percent of all trees required to be planted or preserved in nonresidential Zoning Districts shall be shade trees.
 - b. Where a setback is required, those areas shall include a landscaped strip within this required setback area. Within this strip a hedge of at least two (2) feet in height is required upon planting. Hedges shall be planted and maintained to form a continuous, unbroken, solid visual screen within a maximum of one (1) year after time of planting. If the parcel is located along the ocean, salt tolerant landscaping and trees shall be used (See Table 34.745.1).

Industrial Uses (I-1):

- (1) One (1) tree (minimum of two (2) inches in caliper and ten (10) feet in height) shall be planted or preserved for every ten thousand (10,000) square feet of an industrial lot or fraction thereof. Fifty (50) percent of all trees required to be planted or preserved in industrial Zoning Districts shall be shade trees.
- (2) Where a setback is required, those areas shall include a landscaped strip within this required setback area. Within this strip a hedge of at least two (2) feet in height is required upon planting. Hedges shall be planted and maintained to form a continuous, unbroken, solid visual screen within a maximum of one (1) year after time of planting. If the parcel is located along the ocean, salt tolerant landscaping and trees shall be used (See Table 34-745.1).

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(b) *Compatibility landscape buffers.*

- (1) *Applicability.* A compatibility landscape buffer shall be required to be installed in the following areas.
 - a. *Protection of single-family uses.* A compatibility landscape buffer shall be installed adjacent to the property line of a multi-family, commercial or industrial site where the property line abuts an RS-1, RS-2 or RS-3 Zoning District or a developed single-family or townhome land use and such Zoning Districts or land uses are not separated by an intervening street or alley.
 - b. *Screening of junkyards and outdoor theaters.* A compatibility landscape buffer shall be installed adjacent to the property line of a junkyard or outdoor theater site where the property line abuts a residential Zoning District or land use and such Zoning Districts or land uses are not separated by an intervening street or alley, and along the street frontage of a junkyard or outdoor theater site.
- (2) *Compatibility buffer standards.* A compatibility landscape buffer shall consist of a landscape buffer strip with a minimum width of ten (10) feet, and a 100% opaque screen with a minimum height of six (6) feet shall be installed within the landscape buffer area to create a visual barrier.
 - a. *Hedges and living barriers.* If a hedge is planted as a screen, plantings shall be 36 inches at the time of planting and no greater than 36 inches on center.
 - b. *Non-living barriers.* If a non-living barrier is used to satisfy the screening requirements of this subsection, a minimum of one (1) shrub shall be installed for every five (5) linear feet of barrier and shall be planted on the residential or street side of the barrier.
- (3) *Landscape buffers for vehicle use areas adjacent to residential uses.* When multi-family or nonresidential off-street parking areas or other vehicular use areas abut single-family residential uses or properties, that portion of such area not entirely screened by an intervening structure shall be separated by a landscaped buffer at least ten (10) feet in width. The landscape buffer shall contain an opaque screen composed of either living plant materials or durable non-living materials, such as fences or walls and trees (see the Section below). Required screens and barriers shall have a minimum height of six (6) feet and shall be located on the parking lot side of the landscape buffer. When located on side yard, such screen shall be reduced to four (4) feet in height within ten (10) feet of its intersection within the street right-of-way line.
 - a. *Visual barriers.* All living plant materials within landscape buffers adjacent to residential uses shall be planted in a manner which will form a visual barrier with a minimum height of at least thirty (30) inches upon planting. Such barriers shall attain the required height of six (6) feet within twenty-four (24) months under normal growing conditions. If a barrier of non-living materials is used in-lieu of a hedge to satisfy the landscape buffer requirements, such barrier shall not exceed four (4) feet in height for the side yard.
 - b. *Trees.* A minimum of one (1) tree shall be planted for every twenty-five (25) linear feet of landscape buffer adjacent to a residential use. Each such tree shall be planted in at

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least twenty-five (25) square feet of planting area with a minimum dimension of at least five (5) feet. Grouping of trees in larger, naturally landscaped islands is encouraged.

- (4) *Off-street parking and vehicular use area landscape buffers (not adjacent to residential uses).*
- a. *Landscape buffers adjacent to public rights-of-way.* A landscaped area at least five (5) feet in width shall be located between off-street parking areas and abutting rights-of-way. Wheel stops or curbing shall be used to assure that this five (5) foot strip is not overhung by car bumpers.
 - i. This landscaped area shall include one (1) shade tree for every twenty-five (25) linear feet of frontage (minimum of two (2) inches in caliper and ten (10) feet in height).
 - ii. In addition, a hedge of at least two (2) feet in height upon planting shall be placed along the parking lot side of the landscaped strip. If a barrier of non-living materials is used in-lieu of a hedge to satisfy the landscape buffer requirements of Section 34-745(b)(1), such barrier shall not exceed four (4) feet in height. One (1) shrub for every four (4) linear feet of barrier shall be planted abutting all barriers. Required shrubs may be clustered rather than spaced evenly. Required shrubs shall be planted along the street side of such barrier within the required landscape buffer.
 - iii. The remainder of the required landscape buffer shall be landscaped with grass, ground cover, or other landscape treatment. Turf grasses shall not comprise more than forty (40) percent of the pervious area.
- (c) *Interior landscaping of parking and vehicular use areas.* Off-street parking and vehicular use areas containing more than ten (10) parking spaces or more than two thousand (2,000) square feet of surface area shall provide pervious interior landscape area equal to at least ten (10) percent of the total paved area. For larger areas containing more than thirty (30) parking spaces or more than ten thousand (10,000) square feet of surface area shall provide pervious interior landscape area equal to at least twenty (20) percent of the total paved area.
- (1) *Landscape islands.* Each separate interior landscaped area shall contain a minimum of one hundred (100) square feet of area and shall be at least five (5) feet in width. A minimum of one (1) shade tree shall be planted for every one hundred (100) square feet of interior landscaping. Where shade trees are not attainable (such as coastal areas or near overhead electric lines), two (2) understory or three (3) palms shall replace one (1) shade tree. The remainder of the required landscape area shall be planted with shrubs, ground cover or other approved tree and landscape materials. Fleet parking fields shall be exempt from providing landscape islands.
 - (2) *Curbing and wheel stops.* All interior landscaping shall be protected from vehicle encroachment by curbing or wheel stops.
 - (3) *Location of landscape areas.* Interior landscape areas shall be located in a manner which will divide or interrupt the broad expanse of paving within parking and vehicular use areas. Landscaped areas shall subdivide parking areas containing a maximum of twenty (20) spaces, provided that no more than ten (10) spaces shall be in an uninterrupted row.

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- (4) *Modification of interior landscape requirements.* In vehicular use areas where the strict application of this subsection would seriously limit the function of said area, the required landscaping may be located near the perimeter of the paved area. Such required interior landscaping which is relocated shall be in addition to the perimeter landscaping requirements.

(d) *Tree and landscape material standards.*

- (1) *Tree and plant quality.* Plant materials used to satisfy the provisions of this division shall conform to or exceed the minimum standards for Florida Number 1, as provided in the most current edition of Grades and Standards for Nursery Plants, Parts I and II, prepared by the State of Florida Department of Agriculture and Consumer Services. Another accepted standard may be used if it equals or exceeds the quality of Florida Number 1.

Trees and plants used in landscape design pursuant to this division shall, to the greatest extent possible, be drought tolerant; appropriate for the ecological setting in which they are to be planted; have non-invasive growth habits; encourage low-maintenance and high-quality landscape design; be commercially available; and be otherwise consistent with the purpose and intent of this division.

- (2) *Tree and plant species list.* A list of suitable tree species is contained in the table below.

Table 34-745.1

Tree	Type	Salt Tolerance	Native
Southern Red Cedar	Shade	High	Yes
Live Oak	Shade	High	Yes
Sand Live Oak	Shade	High	Yes
Southern Magnolia	Shade	High	Yes
Slash Pine	Shade	High	Yes
Longleaf Pine	Shade	High	Yes
Bald Cypress	Shade	Moderate	Yes
Winged Elm	Shade	Moderate	Yes
Loblolly Pine	Shade	Moderate	Yes
Drake Elm	Shade	Moderate	No
Eastern Red Cedar	Non-Shade	High	Yes
Red Bay	Non-Shade	High	Yes
Yaupon Holly	Non-Shade	High	Yes
Southern Wax Myrtle	Non-Shade	High	Yes
Sabal Palm	Non-Shade	High	Yes
American Olive	Non-Shade	Moderate	Yes
Dahoon Holly	Non-Shade	Moderate	Yes
East Palatka Holly	Non-Shade	Moderate	Yes

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Norfolk Island Pine	Non-Shade	High	No
Silver Buttonwood	Non-Shade	High	No
Southern Yew	Non-Shade	High	No
Hollywood Juniper	Non-Shade	High	No
Japanese Privet	Non-Shade	High	No
Washingtonia Palm	Non-Shade	High	No
Medjool Date Palm	Non-Shade	High	No
Sylvester Palm	Non-Shade	High	No
Bottlebrush	Non-Shade	Moderate	No
Loquat	Non-Shade	Moderate	No
Blue Point Juniper	Non-Shade	Moderate	No
Burford Holly	Non-Shade	Moderate	No
Nellie Stevens Holly	Non-Shade	Moderate	No
Crape Myrtle	Non-Shade	Moderate	No
Canary Island Date Palm	Non-Shade	High	No

- (3) *Tree crown.* Trees used to satisfy the requirements of this division shall be species having an average mature spread of crown of fifteen (15) feet or more. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping trees to create the equivalent of a fifteen-foot crown spread.
- (4) *Tree diameter and height.* All newly planted trees used to satisfy the requirements of this division shall have a minimum two (2) inch DBH and a minimum height of ten (10) feet immediately upon planting.
- (5) *Palm trees.* Each group of three (3) palms shall be considered one (1) tree for the purpose of these regulations. In the case of species of palms which characteristically grow in clumps, each clump shall be considered to be one (1) tree. Palm trees used to satisfy the requirements of this division shall have a minimum height of eight (8) feet from ground level to base of palm fronds.
- (6) *Specimen Palms.* Additional Tree Credit for the use of palm species such as Phoenix Canariensis and Phoenix Dactylifera or other certain ornamental palms may be approved at the discretion of the Planning and Development Director.
- (7) *Shrubs and hedges.* Shrubs required for screening off-street parking areas from adjacent properties shall be no less than three (3) gallon container grown or equivalent balled and burlap material of a variety which has a minimum mature height between four (4) to twelve (12) feet. Hedges, when required, shall be planted and maintained to form a continuous, unbroken, solid visual screen within a maximum of one (1) year after time of planting. All other shrubs and dwarf shrubs used as an accent ground cover may vary in size depending on the type of plant material and the desired effect.

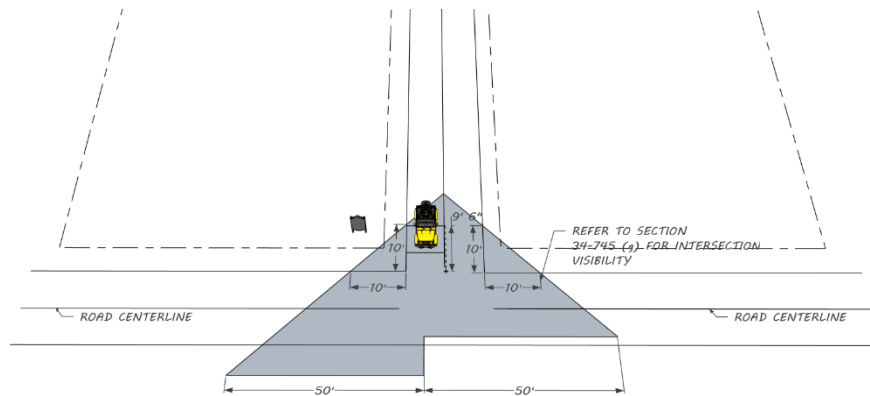
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- (8) *Mulch.* Mulch shall be temporarily applied to areas not immediately covered by ground cover. Mulch may be used as a permanent ground treatment in those landscape designs where ground cover or grass is inappropriate, such as preservation areas. Where mulch is intended to be installed permanently, it shall be a minimum three (3) inch depth at installation and shall be renewed and maintained as required.
- (9) *Ground cover.* Ground cover used in lieu of grass shall be planted to present a finished appearance and reasonably complete coverage within three (3) months after planting. Low maintenance ground cover materials are encouraged in lieu of grasses. Native ground cover such as dune sunflower are the preferred material.
- (10) *Grass.* Grass may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion. Where seed is sown during its dormant season, a winter grass shall be sown for immediate effect and protection until coverage is achieved. Grass sod shall be clean and reasonably free of weeds and noxious pests or disease.
- (11) *Earthwork.* Earth berms shall be of variable height and slope. Swales and ponds shall be permitted for on-site retention of stormwater provided they are approved by the City's Planning and Development Department.
- (e) *Maintenance of landscaped areas.* Maintenance and upkeep of all landscaping and landscaped areas required by this division shall be the responsibility, jointly and severally, of owners, tenants, or agents, if any. Landscaping and landscaped areas shall present a neat, healthy, and orderly appearance and shall be kept free from refuse and debris. Dead or dying plant materials shall be removed and replaced by materials meeting the requirements of the original landscaping plan as approved.
- (f) *Irrigation.* Adequate irrigation of landscaped areas shall be provided for the first full growing season and continue thereafter as necessary to maintain required vegetation in good and healthy condition. Irrigation systems shall conform to following standards.
 - (1) All landscaped areas shall be provided with a readily available water supply with at least one (1) hose bib within seventy-five (75) feet of the plants to be maintained. The use of non-potable water for irrigation purposes shall be encouraged.
 - (2) Irrigation systems shall be continuously maintained in working order and shall be designed so not to overlap water zones or to water impervious areas.
 - (3) No irrigation system shall be installed or maintained abutting any public street which causes water from the system to spurt onto the roadway or to strike passing vehicular traffic.
 - (4) The use of grey or re-used water and irrigation quality effluent shall be encouraged as a means of irrigation as required by the utility department.
 - (5) No irrigation system shall be required for an area set aside for xeriscaping.
- (g) *Landscaping near corners and intersections.* Trees and landscaping shall comply with the corner visibility triangle requirements of Section 34-720 in addition to the following requirements.

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- (1) When a driveway or accessway intersects a public right-of-way, clear unobstructed cross visibility shall be provided within the sight triangle formed by such intersection. The sight triangle shall be measured from the point of intersection, ten (10) feet along the driveway and then ten (10) feet along the right-of-way, with the third side being a line connecting the two (2) points. Cross visibility within the sight triangle shall be unobstructed between the height of two and one-half (2½) feet and eight (8) feet measured from the top of the nearest curb or edge of the road- way, whichever is closer to the visibility triangle. Trees within such areas shall have their limbs and foliage trimmed in a manner that no limb or foliage will extend into the cross-visibility area.

Figure 34-745.1: Sight Visibility Triangle



- (2) To ensure proper visibility at the intersection of driveways with public rights-of-way, only properly trimmed trees as previously stated, ground cover type plants or dwarf plants which do not exceed twenty-four (24) inches in height, utility poles, street lights and sign standards or supports shall be allowed within the sight triangle.
- (3) *Landscaping Standards Table.*

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Table 34-745.2

USE	Distance	Required Trees	Required Shrubs	Compatibility Buffer Required
Residential Lot*	N/A	1 shade tree for every 3,000 sqft	N/A	N/A
Residential Subdivision (3 or more dwelling units)*	N/A	1 shade tree for every 3,000 sqft	Perimeter landscaping hedge	10ft (see Section 34-745(b)(1)a.)
Multi-Family*	N/A	1 shade tree for every 6,000 sqft	Perimeter landscaping hedge	10ft (see Section 34-745(b)(2))
Commercial (non-residential)*	10 ft	1 shade tree for every 6,000 sqft	Perimeter landscaping hedge	10ft (see Section 34-745(b)(2))
Industrial (I-1)	10ft	1 shade tree for every 10,000 sqft	Perimeter landscaping hedge	10ft (see Section 34-745(b)(2))

The purpose of this table is to provide a quick summary of the required landscaping standards for each use. There are more detailed requirements for each individual use in Section 34-745.

*Oceanfront parcels shall use salt tolerant landscaping and trees as listed in Table 34-745.1

(Ord. No. 7500, § 8.3(E), 8-19-91; Ord. No. 99-7768, § 1, 8-2-99)

Secs. 34-746—34-750. Reserved.

DIVISION 4. SIGN STANDARDS

Sec. 34-751. Purpose, Intent and Scope.

It is the purpose of this division to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this division are designed and intended to meet the statutory requirement that this municipality adopts Land Development Regulations that regulate signage, a requirement set forth in F.S. § 163.3202(f). The sign regulations in this division are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the adverse secondary effects of signs that may impact aesthetics, sense of place, quality of life, and/or safety. The sign regulations are designed to serve substantial governmental interests and, in some cases, compelling governmental interests such as traffic safety and warning signs of threats to bodily injury or death.

This division regulates signs, as defined in this Land Development Code, which are placed on private property or on property owned by public agencies including the City and over which the City has zoning authority. This division is not intended to extend its regulatory regime to objects that are not traditionally considered signs for purpose of government regulation.

To preserve and promote the City as a desirable community in which to live, vacation and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the City is a highly contributive means by which to achieve this desired end.

These sign regulations have been prepared with the intent of enhancing the visual environment of the City and promoting its continued well-being, and are intended to:

- (a) Encourage the effective use of signs as a means of communication in the City;
- (b) Maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse effect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- (g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (h) Encourage and allow signs that are appropriate to the Zoning District in which they are located;
- (i) Establish sign size in relationship to the scale of the lot, street frontage, and building on which the sign is to be placed or to which it pertains;

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- (j) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (k) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (l) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (m) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the City;
- (n) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- (o) Protect property values by precluding, to the maximum extent possible, sign types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (p) Protect property values by ensuring that sign types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
- (q) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the City and that complements the natural surroundings in recognition of this City's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its resort community, as well as for its major subdivisions, shopping centers and industrial parks;
- (r) Enable the fair and consistent enforcement of these sign regulations;
- (s) Promote the use of signs that positively contribute to the aesthetics of the community, are appropriate in scale to the surrounding buildings and landscape, and advance the City's goals of quality development;
- (t) Provide standards regarding the non-communicative aspects of signs, which are consistent with City, county, state and federal law;
- (u) Provide flexibility and encourage variety in signage, and create an incentive to relate signage to the basic principles of good design; and
- (v) Assure that the benefits derived from the expenditure of public funds for the improvement and beautification of streets, sidewalks, public parks, public rights-of-way, and other public places and spaces, are protected by exercising reasonable controls over the physical characteristics and structural design of signs
- (w) Improve the pedestrian scale and experience within the City.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

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Sec. 34-752. Definitions.

The definitions in Article III shall apply to this division. Any term or phrase not defined therein shall have its commonly understood meaning.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Cross reference(s)—Definitions—General, § 34-41.

Sec. 34-753. Applicability.

This division does not pertain and is not applicable to:

- (a) A sign, other than a window sign, located entirely inside the premises of a building or enclosed space.
- (b) A sign on a car, other than a prohibited vehicle sign or signs.
- (c) A statutory sign.
- (d) A traffic control device sign.
- (e) Any sign not visible from a public street, sidewalk or right-of-way or from a navigable waterway or body of water; except that the foregoing does not exempt a sign for a commercial use that is visible from an abutting residential use.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-754. Prohibited signs.

The signs and sign types listed below are prohibited within the City limits and shall not be erected, operated or placed on any property. Any lawfully existing permanent sign structure or sign type that is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of Section 34-760, nonconforming signs.

- (a) Abandoned signs; discontinued signs.
- (b) Animated signs.
- (c) Attached signs that are taller than the wall of the building to which the sign is attached.
- (d) Attached signs that exceed two hundred fifty (250) square feet in sign area.
- (e) Billboards; off-site commercial signs.
- (f) Bandit signs; snipe signs.
- (g) Flashing signs.
- (h) Floodlights and beacon lights, except when required by the Federal Aviation Administration.

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- (i) Freestanding or ground signs, including any ground mounted monument signs, which are higher than sixteen (16) feet.
- (j) Freestanding or ground signs that exceed two hundred (200) square feet in sign area.
- (k) Holographic display signs.
- (l) Moving, twirling, or swinging signs, including multi-prism and tri-vision signs.
- (m) Pavement markings, except for official traffic control markings and building address markings required by law.
- (n) Flutter signs, feather signs, streamers, balloons, wind signs, wind activated banners, cold air inflatables, pennants and other fixed aerial signage used for commercial advertising.
- (o) Permanent pole signs, unless allowed within certain Zoning Districts pursuant to this division.
- (p) Portable signs, except for A-frame and T-frame signs as allowed herein.
- (q) Revolving signs; rotating signs.
- (r) Roof signs.
- (s) Signs within a sight visibility triangle, as described in subsection 34-745(b)(4)a. herein, that obstruct a clear view of pedestrian or vehicular traffic.
- (t) Signs attached to a seawall, dock, buoy, tie pole or pier; other than warning signs and safety signs.
- (u) Signs in, on, or over the public right-of-way; other than fixed projecting signs in the Central Business District (CBD) and the Redevelopment Zoning District (RD), traffic control device signs, bus stop informational signs, warning signs; safety signs, vertical streetlight banners, A-frame signs, T-frame signs, and awning or attached canopy signs over a public right-of-way as allowed in this division.
- (v) Signs in or upon any river, bay, lake, or other body of water within the limits of the City; except government regulatory signs, warning signs, and safety signs.
- (w) Signs located on real property without the permission of the property owner.
- (x) Signs nailed, fastened, affixed to, or painted on any tree or part thereof (living or dead), or other vegetation.
- (y) Signs, other than traffic control device signs, that use the word "stop" or "danger," or present or imply the need or requirement of stopping or the existence of danger, or which are a copy or imitation of traffic control device signs and which are adjacent to the right-of-way of any road, street, or highway.
- (z) Signs that are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled public rights-of-way thereby creating a potential traffic or pedestrian hazard or a nuisance to inhabitants of an adjacent neighborhood. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, signal, or wildlife.

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- (aa) Signs that contain any food or other substance that attracts large numbers of birds or other animals and causes them to congregate on or near the sign.
- (bb) Signs that emit sound, vapor, smoke, odor, or gaseous matter.
- (cc) Signs that obstruct, conceal, hide or otherwise obscure from view any traffic control device sign or official traffic signal.
- (dd) Wall wrap signs.
- (ee) Vehicle sign or signs with a total sign area in excess of twenty (20) square feet on any vehicle, and
 - (1) The vehicle is not "regularly used in the conduct of the business," and
 - (2) The vehicle is visible from a street right-of-way within fifty (50) feet of the vehicle, and
 - (3) The vehicle is parked for more than two (2) consecutive hours in any twenty-four (24) hour period within fifty (50) feet of any street right-of-way, and
 - (4) A vehicle shall not be considered "regularly used in the conduct of the business" if the vehicle is used primarily for advertising, and
 - (5) This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal hours of business; and which is currently licensed, insured and operable; provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on such vehicle primarily for the purpose of advertising a business establishment or firm or calling attention to the location of a business establishment or firm.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-755. General provisions for signs.

The following general sign provisions shall apply to this division and to all lawful conforming and nonconforming signs, unless otherwise indicated.

- (a) *Measurement of sign size (sign area).* The area of a sign is measured or calculated as follows:
 - (1) *Background panel signs.* Sign copy that is mounted, affixed, or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangles, squares, triangles, parallelograms, circles or ellipses that will enclose both the sign copy and the background.
 - (2) *Background surface signs.* The area of a sign consisting of copy mounted as individual letters or graphics against a wall, fascia, or parapet of a building surface or another surface, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest rectangles, squares, triangles, parallelograms, circles or ellipses that will enclose each word, graphic or discrete visual element in the total sign.

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- (3) *Illuminated background signs.* The area of a sign with copy mounted, affixed, or painted on an illuminated surface or illuminated element or a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy.
 - (4) *Double-faced signs.* If a sign has two display faces, and the interior angle between the two faces is thirty (30) degrees or less, then the sign area is one sign face only; however, if the two faces are of different sizes or shapes, then the larger is used. If the sign has two display faces, and the interior angle between the two faces is greater than thirty (30) degrees, then the sign area is the sum of the areas of the two faces.
 - (5) *Multi-faced signs.* If a sign has three or more faces, then the sign area is equal to fifty (50) percent of the aggregate area of all sign faces. The area of each face shall be determined according to subsection (1) or (2) of this Section, as applicable.
 - (6) *Sculptural and nonplanar signs.* The area of a spherical, free form, sculptural or other nonplanar sign is fifty (50) percent of the sum of the areas, using only the four vertical sides of the smallest four-sided polyhedron which will completely enclose the entire sign structure.
- (b) *Measurement of sign height.*
- (1) The height of a freestanding sign shall be measured as the vertical distance from the average finished grade of the ground below the sign excluding any filling, berming, mounding or excavating solely for the purposes of increasing the height of the sign, to the top edge of the highest portion of the sign. The maximum height allowed for a freestanding sign, however, shall not include any architectural embellishment provided the embellishment does not exceed thirty-six (36) inches at the base of the sign and eighteen (18) inches at the top of the sign.
 - (2) For the purposes of this Section, average finished grade shall be considered the lower of (a) the lowest elevation where the base of the sign meets ground level; or (b) the top of the curb of the nearest public street adjoining the property upon which the sign is erected, or (c) the grade of the land at the principal entrance to the lot on which the sign is located.
- (c) *Sign illumination for temporary signs and permanent signs.*
- (1) Sign illumination is prohibited for temporary signs.
 - (2) Permanent sign on a parcel in residential use. A permanent sign located on a parcel in residential use in any zone may not be separately or specially illuminated, unless otherwise specified in this division.
 - (3) Permanent sign on a parcel in nonresidential use. A permanent sign on a parcel in nonresidential use may be illuminated by internal illumination, internal indirect (halo) illumination, or lit by external indirect illumination, unless otherwise specified in this division. However, a permanent sign may not be illuminated in a manner that leaves the illumination device exposed to public view except with the use of neon tubing as provided in subsection (8) of this Section.
 - (4) Internal illumination. Outdoor internally illuminated signs, including but not limited to awning/canopy signs, cabinet signs (whether freestanding or building mounted), changeable

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copy panels or service island signs, shall be constructed with an opaque background and translucent letters or other graphical elements, or with a colored background and lighter letters or graphics.

- (5) External indirect illumination. Externally lit signs are permitted to be illuminated only with steady, stationary, down directed and shielded light sources directed solely onto the sign. Light bulbs or tubes (excluding neon), used for illuminating a sign, shall not be visible from the adjacent public rights-of-way or residential properties.
 - (6) Illumination of signs adjacent to single-family residential uses. No sign located within fifty (50) feet of a property with a single-family use or zoned for a single-family use shall be internally illuminated.
 - (7) Any portion of the sign face or sign structure that is illuminated shall count against the total square footage of allowable sign area.
 - (8) Neon.
 - a. *Exposed neon.* Exposed neon tube illumination is not permitted in residential zones, or for residential uses in any zone. It is allowed in all other places, unless otherwise specified.
 - b. *Neon borders.* Neon illumination used as a sign copy projection, border, frame or other embellishment of sign copy shall not be included in the total size or area of the sign, provided the measured area of any such projection or detailed embellishment does not exceed twelve (12) square feet in area, or twenty-five (25) percent of the sign display face area, whichever is greater. If neon embellishments exceed these limits, then the embellishments shall be included and counted as part of the permitted sign area for the use.
- (d) *Viewpoint neutrality.*
- (1) Notwithstanding anything in this division to the contrary, no sign or sign structure shall be subject to any limitation based upon the viewpoint of the message contained on such sign or displayed on such sign structure.
- (e) *Substitution of noncommercial speech for commercial speech.*
- (1) Notwithstanding anything contained in this division to the contrary, any sign erected pursuant to the provisions of this division may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the noncommercial copy may be substituted at any time in place of the commercial copy. The noncommercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from a commercial message to a noncommercial message or from one noncommercial message to another non-commercial message; provided, however, that there is no change in the size, height, setback or spacing criteria contained in this division.
- (f) *Consent of legal owner of property.*
-

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- (1) No sign may be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and any party and person holding a present legal right to possession, control, or use of the property.
- (g) *Signs on public property.*
 - (1) Any sign installed or placed on public property, except in conformance with the requirements of this division, shall be deemed illegal and shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such sign the cost of removal and disposal of such sign. The foregoing shall not apply to temporary A-frame signs and T-frame signs as allowed pursuant to the conditions and limitations set forth herein.
- (h) *Signs that obstruct means of egress.*
 - (1) No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
- (i) *Signs that interfere with ventilation openings.*
 - (1) No sign shall be erected that interferes with any opening required for ventilation.
- (j) *Signs must maintain clearance from utilities and shall not interfere with surface and underground water or with drainage.*
 - (1) Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage.
- (k) *Signs shall not be attached to certain property and shall not impair roof access.*
 - (1) Signs shall not be attached to standpipes, gutters, drains or fire escapes. Signs shall not be installed so as to impair access to a roof.
- (l) *Signs declared a nuisance and repair; signs presenting immediate peril to public health or safety.*
 - (1) The building official may order the repair of signs declared a nuisance, and with or without notice may cause any structurally unsafe or structurally insecure sign to be immediately removed if in his or her professional judgment and professional opinion the sign presents an immediate peril to the public health or safety.
- (m) *Street address signs.*
 - (1) For each parcel and for each tenant space, one sign for the official street address shall be displayed for public safety and to serve as visible street address for delivery of mail and official governmental notification.

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- a. For a single-family residential use, the street address sign shall be a minimum of four (4) inches in height and not exceed two (2) square feet in sign area.
 - b. For a multi-family or non-residential use, the street address sign be a minimum of six (6) inches in height and shall not exceed four (4) square feet in sign area.
 - c. The street address sign in a residential use may be externally illuminated and in a non-residential use may be externally or internally illuminated.
- (n) *Flagpoles and flags; flag brackets, flag stanchions and flags.*
 - (1) Flagpoles and flags. For each parcel and development site in residential use with one principal structure, one flagpole may be installed and two (2) flags may be displayed per flagpole. For each parcel and development site that is over one-half (½) acre in size and is in nonresidential use, up to three flagpoles may be installed and up to two (2) flags may be displayed per flagpole. A flag shall not exceed twenty-four (24) square feet in size.
 - a. Flag brackets, flag stanchions, and flags. For each principal structure on a parcel, up to two flag brackets or stanchions may be attached or placed for the display of flags. A flag displayed from a flag bracket or a flag stanchion shall not exceed twenty-four (24) square feet in size.
 - b. For the purpose of determining the size of a flag, only one side of the flag shall be counted as the display surface.
 - c. Flags on parcels in non-residential use may be externally illuminated.
- (o) *Noncommercial onsite parking space signs.*
 - (1) Parking space signs identifying parking spaces necessary for traffic safety, regulation, control and circulation. A parking space sign shall carry no commercial message and shall not exceed two (2) square feet of sign face per sign. Parking space signs shall be allowed on each parcel having multiple parking spaces onsite. One such sign shall be allowed for each parking space. The maximum height for a freestanding or an attached parking space sign shall be six (6) feet.
- (p) *Signs at service station islands.*
 - (1) For service stations, one (1) double-sided sign or two (2) single-sided signs are allowed per island. Such signs shall not exceed four (4) square feet per side and shall not be mounted higher than eight (8) feet. Such signs shall not be mounted on any bollard or barrier designed to protect equipment from damage. Such signs may not be illuminated.
 - (2) For service stations, one (1) canopy sign may be installed for each canopy side facing a public street or driveway. A canopy sign shall not exceed ten (10) square feet and shall not be mounted higher than the top of the canopy itself. A canopy sign may be internally illuminated. The square footage of all canopy signs on a canopy shall be counted against the maximum square footage of allowed wall signage for any building wall sign on the same parcel.
- (q) *Monument signs.*
 - (1) *Monument signs for single occupant or tenant buildings.*

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- a. One (1) monument sign is allowed for each single occupant or tenant building. The maximum size of a monument sign shall be the lesser of: (1) one hundred (100) square feet, or (2) one (1) square foot of sign area for each one (1) linear foot of road frontage along the street toward which the monument sign is oriented. The maximum height of the monument sign shall be ten (10) feet, and the maximum width of the monument sign shall be twelve (12) feet. Up to fifty (50) percent of the sign surface of the monument sign may consist of a changeable copy sign; provided, however, that the sign copy cannot be changed more frequently than once in a twenty-four (24) hour time period. The monument sign may be illuminated.

- b. *Monument signs for multiple occupant or tenant developments.*

One (1) monument sign is allowed for each multiple occupant or tenant development inclusive of a shopping center. The maximum size of the monument sign shall be the lesser of: (1) two hundred (200) square feet, or (2) one (1) square foot of sign area for each one (1) linear foot of road frontage along the street toward which the monument sign is oriented for the first one hundred (100) feet of frontage plus one-fourth ($\frac{1}{4}$) square foot of sign area for each additional linear foot of the aforesaid road frontage. The maximum height of the monument sign shall be sixteen (16) feet, and the maximum width of the monument sign shall be twelve and one-half ($12\frac{1}{2}$) feet. Up to fifty (50) percent of the sign surface of the monument sign may consist of a changeable copy sign; provided, however, that the sign copy cannot be changed more frequently than once in a twenty-four (24) hour time period. The monument sign may be illuminated.

- c. *Monument signs at entrances to single-family and multi-family developments.*

One (1) monument sign is allowed at each point of ingress or egress from or to a single-family development and from or to a multi-family development. The maximum size of a monument sign shall not exceed twenty-four (24) square feet in size and shall not exceed six (6) feet in height. The twenty-four (24) square feet of sign area may be split equally between two monument signs located on each side of the entry or exit street. The monument sign shall be located on a landscaped island or lawn area protected from vehicular contact, and shall not encroach into any corner sight visibility triangle required pursuant to Section 34-720. The sign may be internally or indirectly illuminated.

- d. *Monument sign for a parcel in educational, religious or public use.*

In addition to any monument sign allowed above, one (1) permanent monument sign may be allowed for a parcel in educational, religious or public use. The sign shall not exceed thirty-two (32) square feet in sign area and shall not exceed eight (8) feet in height. The sign may be illuminated. However, this additional monument sign shall not be allowed if there is an additional permanent wall sign on the same parcel.

- (r) *Wall signs.*

- (1) One (1) wall sign is allowed for each face of a building or part of a building that is occupied by a permitted or conditional non-residential use. The size (area) of the wall sign for an occupant or a tenant shall be the lesser of: (i) two hundred fifty (250) square feet, or

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alternatively (ii) one (1) square foot per one (1) linear foot of building frontage for a single occupant building or one (1) square foot per one (1) linear foot of building frontage for the occupant or tenant space in a multi-tenant development, each as measured on the street toward which the wall sign is oriented. A wall sign shall not extend higher than the building wall to which it is attached. Up to fifty (50) percent of the wall sign surface may consist of a changeable copy sign; provided, however, that the sign copy of the changeable copy sign shall not change more than once in any twenty-four (24) hour time period. The wall sign shall not project more than twelve (12) inches from the wall. If the wall sign projects more than two and one-half (2 ½) inches from the wall, the wall sign shall be mounted so that the bottom of the wall sign is at least nine (9) feet above ground at finished grade below the wall sign. The wall sign may be illuminated.

- (2) In addition to any wall sign allowed above, one (1) permanent wall sign may be allowed for a parcel in educational, religious or public use. The wall sign shall not exceed thirty-two (32) square feet in sign area and shall not exceed eight (8) feet in height. The wall sign may be illuminated. However, this additional permanent wall sign shall not be allowed if there is an additional monument sign on the same parcel.

(s) *Wall signs at restaurants.*

- (1) In addition to any other wall sign allowance, a restaurant shall be allowed one (1) wall sign installed within twenty (20) feet of its main entrance. The wall sign shall not exceed six (6) square feet in area and shall not exceed six (6) feet in height. The wall sign may be illuminated.

(t) *Drive-through lane signs.*

- (1) For a drive-through establishment, an additional menu sign is allowed for each drive-through lane provided that such sign does not exceed forty (40) square feet in size and does not exceed eight (8) feet in height. The additional menu sign may be internally illuminated and may emit sound only as part of a business transaction. Any sounds emitted must comply with Chapter 18 of the Code of Ordinances of the City of Jacksonville Beach.

(u) *Umbrella signs.*

- (1) For each table in an outside seating area for a licensed business establishment, one (1) umbrella sign per umbrella is allowed. An umbrella sign shall not exceed three (3) square feet in area and shall not exceed eight (8) feet in height. An umbrella having an umbrella sign shall be mounted on or in the table or in an umbrella holder adjacent to the table. A sign permit is not required for an umbrella sign.

(v) *Awning signs.*

- (1) For each awning, one (1) sign is allowed. The awning sign shall not exceed an area greater than twenty (20) percent of the surface area of the awning or canopy. The total square footage of the awning sign shall count toward the maximum square footage of the wall sign area allowed for a parcel or a tenant. An awning sign may be internally illuminated.

(w) *Canopy signs.*

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- (1) For each canopy, one sign is allowed. Except for the sign area limitation for canopy signs at service station islands, a canopy sign shall not exceed an area greater than twenty (20) percent of the surface area of the canopy. The total square footage of the canopy sign shall count toward the maximum square footage of the wall sign area allowed for a parcel or a tenant. A canopy sign may be internally illuminated.
- (x) *Changeable copy signs.*
- (1) As part of a permitted monument sign or wall sign, a changeable copy sign, manual or electronic (LED), may be installed. The changeable copy sign shall not exceed fifty (50) percent of allowable area of the monument sign or wall sign. The changeable copy sign shall not exceed ten (10) feet in height when installed as a part of a monument sign for a single occupant or tenant building. The changeable copy sign shall not exceed sixteen (16) feet in height if part of the monument sign is for a multiple occupant or tenant building. A changeable copy sign that is a part of wall sign shall not be installed higher than the wall of the building. The sign copy on a changeable copy sign shall not be changed more than once every ~~thirty (30) seconds~~ twenty-four (24) hours. Changeable copy signs may be internally illuminated.
- (y) *Projecting signs.*
- (1) For buildings in the Central Business District (CBD) or a Redevelopment District (RD), one (1) projecting sign is allowed for each ground floor occupant or tenant space. The projecting sign shall be attached to the building frontage on the street or driveway on which the sign is located. The maximum size of the projecting sign shall be the lesser of (1) sixteen (16) square feet or (2) one (1) square foot per linear foot of occupant or tenant building frontage on the street or private driveway on which it is located; however, the square footage of a projecting sign shall count toward the maximum square footage of wall signage allowed for the building. The maximum thickness of the sign face of a projecting sign shall not exceed twenty-four (24) inches when such sign is of solid construction. A projecting sign shall have a minimum vertical clearance of nine (9) feet, and shall not be mounted higher than the wall of the building. A projecting sign that extends over a sidewalk in the public right-of-way shall be limited to a projection distance not to exceed two-thirds ($\frac{2}{3}$) of the width of the sidewalk. A projecting sign may be illuminated.
- (z) *Window signs.*
- (1) Window signs are permitted provided that the window sign may not cover more than twenty-five (25) percent of the area of any window. Window signs may be internally illuminated. A sign permit is not required for a window sign.
- (aa) *Door signs.*
- (1) Door signs are permitted provided that the door sign may not cover more than twenty-five (25) percent of the area of any door. Door signs shall not be illuminated. A sign permit is not required for a door sign.
- (bb) *A-frame signs.*

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- (1) A-frame signs are permitted only in commercial Zoning Districts at properties with a commercial use and shall follow the same criteria as the Commercial Business District (CBD), with the exception that A-frame signs outside the CBD Zoning District may not be placed on a public sidewalk, public property or city right-of-way.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-756. Temporary and permanent signs allowed in Zoning Districts.

The signage rights and responsibilities for temporary signs and permanent signs shall be determined by the provisions of Section 34-755, general provisions for signs, and by the sign provisions for the Zoning Districts as set forth below in Section 34-757.1, temporary signs allowed in Zoning Districts, and Section 34-757.2, permanent signs allowed in Zoning Districts.

However, in connection with residential uses in nonresidential Zoning Districts and nonresidential uses in residential Zoning Districts, the signage rights and responsibilities applicable to any particular use shall be determined as follows:

- (a) In a residential Zoning District where a nonresidential use is allowed, whether as a matter of right or by way of a conditional use permit or other process with stated criteria governing the allowance of the nonresidential use, the nonresidential use shall be treated as if it was located in a Zoning District where the nonresidential use would be allowed, either as a matter of right or subject to a conditional use permit or other process with stated criteria governing the allowance of the nonresidential use; and
- (b) In a nonresidential Zoning District where a residential use is allowed, the residential use shall be treated as if it was located in the residential Zoning District where that type of use would be allowed as a matter of right.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-757.1. Temporary signs allowed in Zoning Districts.

Within its Zoning Districts and subject to any applicable provisions with Section 34-755, general provisions for signs, the City shall allow temporary signs that meet the criteria and limitations set forth in Table 34-757.1a and Table 34-757.1b, shown below.

A government sign shall not require a sign permit and shall be allowed in all Zoning Districts on public property and public rights-of-way unless otherwise provided herein. However, the foregoing shall have no impact on any separate requirements established by state statute for building permits, electrical permits or other statutory permits.

A temporary sign displayed on a window surface must be displayed on the inside of the window surface, shall cover no more than twenty-five (25) percent of the window surface, and shall not be illuminated.

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Table 34-757.1a- CBD Zoning District Criteria and Limitations for Temporary A-Frame and T-Frame Signs		
CBD Zoning District	Maximum Number of Signs	1 per business
	Maximum Width	3 feet
	Maximum Height	3½ feet
	Minimum Setback/Distance from Curb	1 foot
	Maximum Width of Public Sidewalk that the Sign May Obstruct	No more than one third of width of public sidewalk
	Maximum Distance of Sign from Main Entrance to Business	5 feet
	Duration Allowed	Only during hours while business is open
	Allowed on Public Property and Right-of-Way	Yes
	Allowed in a sight visibility triangle described in Section 34-720	No
	Illumination Allowed	No

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Table 34-757.1b				
All Zoning Districts				
Criteria and Limitations for All Other Temporary Signs				
All Other Zoning Districts	Zoning Districts	RS-1, RS-2, RS-3, RM-1, RM-2	CPO, C-1, C-2, CS, I-1	CBD, RD, PUD
	Maximum Number of Temporary Signs Per Parcel ¹	4	4	4
	Maximum Sign Size (Area) for a Temporary Sign ²	4 sf.	16 sf.	16 sf.
	Maximum Sign Height for a Temporary Freestanding Sign ³	6 ft.	6 ft.	6 ft.
	Maximum Sign Height for a Temporary Wall Sign (inclusive of a Window Sign)	15 ft.	15 ft.	15 ft.
	Minimum Sign Setback required to be maintained by a Temporary Ground Sign from any property line ⁴	3 ft.	3 ft.	3 ft.
	Minimum Sign Setback required to be maintained by a Temporary Ground Sign from the edge of any paved street or road	3 ft.	3 ft.	3 ft.
	Minimum Spacing that is required to be maintained by a Temporary Ground Sign from any other Temporary Ground Sign ⁵	15 ft.	15 ft.	15 ft.
	Maximum Aggregate Surface Area Allocated for All Temporary Signs on a Parcel ⁶	64 sf.	128 sf.	128 sf.
	Whether Temporary Sign is Allowed on Public Property or Public Right-of-Way	No	No	No
	Allowed in a sight visibility triangle described in Section 34-720	No	No	No
	Direct Illumination of Surface of Temporary Sign Allowed	No	No	No
	Duration allowed after event ends	7 calendar days	7 calendar days	7 calendar days

¹ The number of temporary commercial signs per parcel shall be no more than two (2) signs; however, no more than one (1) temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than thirty (30) days per calendar year per parcel.

² The square footage limitation is per side for a back-to-back sign. For example, a four (4) square foot limitation means that there is a limit of four (4) square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight (8) square feet is allowed if the sign is a back-to-back temporary sign.

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- ³ Not applicable to signs displayed on flagpoles.
- ⁴ Minimum sign setbacks do not apply to wall signs. Except as set forth in Table 34-757.1a for A-frame signs and T-frame signs, all temporary signs are prohibited on public property and from public rights-of-way.
- ⁵ Not applicable to signs displayed on flagpoles.
- ⁶ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-757.2. Permanent signs allowed in Zoning Districts.

Within its Zoning Districts and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in the subsections below. Unless otherwise provided herein, a permanent sign shall require a sign permit; however, a government sign on public property or public rights-of-way shall not require a sign permit and shall be allowed in all Zoning Districts on public property or public rights-of-way unless otherwise provided herein. The foregoing shall have no impact on separate requirements established by state statute for building code permits or other code permits.

(a) *Single-Family Residential Zoning Districts (RS-1, RS-2, RS-3).*

- (1) Within Single-Family Residential Zoning Districts (RS-1, RS-2, RS-3) and subject to the provisions with Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757.2a1 below.

Table 34-757.2a1 Single-Family Residential Zoning Districts (RS-1, RS-2, RS-3)			
Single-Family Residential Zoning Districts (RS-1, RS-2, RS-3)	Sign Type	Allowed?	Sign Permit Required?
	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Not Allowed	-
	Signs at Service Station Islands	Not Allowed	-
	Monument Signs	Allowed as per Sec. 34-755	Yes-
	Wall Signs	Not Allowed	-
	Restaurant Wall Signs	Not Allowed	-
	Drive-Through Lane Signs	Not Allowed	-
	Umbrella Signs	Not Allowed	-
	Awning Signs	Not Allowed	-
	Canopy Signs	Not Allowed	-

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Changeable Copy Signs	Not Allowed	-
Projecting Signs	Not Allowed	-
Window Signs	Not Allowed	-
Door Signs	Not Allowed	-

(2) *Multi-Family Residential Zoning Districts (RM-1, RM-2).*

Within Multi-Family Residential Zoning Districts (RM-1, RM-2) and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757.2**b** below.

Table 34-757.2 b Multi-Family Residential Zoning Districts (RM-1, RM-2)			
	Sign Type	Allowed?	Sign Permit Required?
Multi-Family Residential Zoning Districts (RM-1, RM-2)	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Allowed as per Sec. 34-755	No
	Signs at Service Station Islands	Not Allowed	-
	Monument Signs	Allowed as per Sec. 34-755	Yes-
	Wall Signs	Allowed as per Sec. 34-755	-
	Restaurant Wall Signs	Not Allowed	-
	Drive-Through Lane Signs	Not Allowed	-
	Umbrella Signs	Not Allowed	-
	Awning Signs	Not Allowed	-
	Canopy Signs	Not Allowed	-
	Changeable Copy Signs	Not Allowed	-
	Projecting Signs	Not Allowed	-
	Window Signs	Not Allowed	-
	Door Signs	Not Allowed	-

(3) *Commercial Zoning Districts (CPO, C-1, C-2, CS).*

Within Commercial Zoning Districts (CPO, C-1, C-2, CS) and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757.2**c3** below.

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Table 34-757.2c3 Commercial Zoning Districts (CPO, C-1, C-2, CS)			
	Sign Type	Allowed?	Sign Permit Required?
Commercial Zoning Districts (CPO, C-1, C-2, CS)	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Allowed as per Sec. 34-755	No
	Signs at Service Station Islands	Allowed as per Sec. 34-755	Yes
	Monument Signs	Allowed as per Sec. 34-755	Yes
	Wall Signs	Allowed as per Sec. 34-755	Yes
	Restaurant Wall Signs	Allowed as per Sec. 34-755	Yes
	Drive-Through Lane Signs	Allowed as per Sec. 34-755	Yes
	Umbrella Signs	Allowed as per Sec. 34-755	No
	Awning Signs	Allowed as per Sec. 34-755	Yes
	Canopy Signs	Allowed as per Sec. 34-755	Yes
	Changeable Copy Signs	Allowed as per Sec. 34-755	Yes
	Projecting Signs	Not Allowed	-
	Window Signs	Allowed as per Sec. 34-755	No
	Door Signs	Allowed as per Sec. 34-755	No

(4) *Central Business Zoning District (CBD).*

Within the Central Business Zoning District (CBD) and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757.2d4 below.

Table 34-757.2d4 Central Business Zoning District (CBD)			
	Sign Type	Allowed?	Sign Permit Required?
Central Business District (CBD)	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Allowed as per Sec. 34-755	No
	Signs at Service Station Islands	Allowed as per Sec. 34-755	Yes
	Monument Signs	Allowed as per Sec. 34-755	Yes
	Wall Signs	Allowed as per Sec. 34-755	Yes
	Restaurant Wall Signs	Allowed as per Sec. 34-755	Yes
	Drive-Through Lane Signs	Allowed as per Sec. 34-755	Yes
	Umbrella Signs	Allowed as per Sec. 34-755	No
	Awning Signs	Allowed as per Sec. 34-755	Yes
	Canopy Signs	Allowed as per Sec. 34-755	Yes
	Changeable Copy Signs	Allowed as per Sec. 34-755	Yes

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Projecting Signs	Allowed as per Sec. 34-755	Yes
Window Signs	Allowed as per Sec. 34-755	No
Door Signs	Allowed as per Sec. 34-755	No

(5) *Industrial Zoning District (I-1).*

Within the Industrial Zoning District (I-1) and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757.2e5 below.

Table 34-757.2e5 Industrial Zoning District (I-1)			
	Sign Type	Allowed?	Sign Permit Required?
Industrial Zoning District (I-1)	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Allowed as per Sec. 34-755	No
	Signs at Service Station Islands	Allowed as per Sec. 34-755	Yes
	Monument Signs	Allowed as per Sec. 34-755	Yes
	Wall Signs	Allowed as per Sec. 34-755	Yes
	Restaurant Wall Signs	Allowed as per Sec. 34-755	Yes
	Drive-Through Lane Signs	Allowed as per Sec. 34-755	Yes
	Umbrella Signs	Allowed as per Sec. 34-755	No
	Awning Signs	Allowed as per Sec. 34-755	Yes
	Canopy Signs	Allowed as per Sec. 34-755	Yes
	Changeable Copy Signs	Allowed as per Sec. 34-755	Yes
	Projecting Signs	Not Allowed	-
	Window Signs	Allowed as per Sec. 34-755	No
	Door Signs	Allowed as per Sec. 34-755	No

(6) *Redevelopment Zoning District (RD).*

Within the Redevelopment Zoning District (RD) and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757.2f6 below.

Table 34-757.2f6 Redevelopment Zoning District (RD)			
	Sign Type	Allowed?	Sign Permit Required?
Redevelopment Zoning District	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Allowed as per Sec. 34-755	No
	Signs at Service Station Islands	Allowed as per Sec. 34-755	Yes

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Monument Signs	Allowed as per Sec. 34-755	Yes
Wall Signs	Allowed as per Sec. 34-755	Yes
Restaurant Wall Signs	Allowed as per Sec. 34-755	Yes
Drive-Through Lane Signs	Allowed as per Sec. 34-755	Yes
Umbrella Signs	Allowed as per Sec. 34-755	No
Awning Signs	Allowed as per Sec. 34-755	Yes
Canopy Signs	Allowed as per Sec. 34-755	Yes
Changeable Copy Signs	Allowed as per Sec. 34-755	Yes
Projecting Signs	Allowed as per Sec. 34-755	Yes
Window Signs	Allowed as per Sec. 34-755	No
Door Signs	Allowed as per Sec. 34-755	No

(7) *Planned Unit Development Zoning District (PUD).*

Within its Planned Unit Development Zoning District (PUD) and subject to any applicable provisions within Section 34-755, general provisions for signs, the City shall allow permanent signs that meet the criteria and limitations set forth in Table 34-757. [2g7](#) below.

Table 34-757. 2g7 Planned Unit Development Zoning District (PUD)			
	Sign Type	Allowed?	Sign Permit Required?
Planned Unit Development Zoning District (PUD)	Ingress and Egress Signs	Allowed as per Sec. 34-761	No
	Street Address Signs	Allowed as per Sec. 34-755	No
	Flagpoles	Allowed as per Sec. 34-755	No
	Flag Brackets and Stanchions	Allowed as per Sec. 34-755	No
	On-Site Parking Space Signs	Allowed as per Sec. 34-755	No
	Signs at Service Station Islands	Allowed as per Sec. 34-755	Yes
	Monument Signs	Allowed as per Sec. 34-755	Yes
	Wall Signs	Allowed as per Sec. 34-755	Yes
	Restaurant Wall Signs	Allowed as per Sec. 34-755	Yes
	Drive-Through Lane Signs	Allowed as per Sec. 34-755	Yes
	Umbrella Signs	Allowed as per Sec. 34-755	No
	Awning Signs	Allowed as per Sec. 34-755	Yes
	Canopy Signs	Allowed as per Sec. 34-755	Yes
	Changeable Copy Signs	Allowed as per Sec. 34-755	Yes
	Projecting Signs	Not Allowed	-
	Window Signs	Allowed as per Sec. 34-755	No
	Door Signs	Allowed as per Sec. 34-755	No

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

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Sec. 34-758. Building permits.

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain a sign structure, as defined in the Florida Building Code, without first obtaining a building permit from the City in accordance with the provisions of the Florida Building Code and applicable law. Permit fees for a building permit shall be paid in accordance with the applicable City fee schedules. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-759. Sign permits.

Temporary signs do not require a sign permit.

Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and the appropriate fee paid to the City. The sign permit is in addition to any building permit required to be obtained pursuant to the provisions of the Florida Building Code.

- (a) No sign permit shall be issued for the erection of a prohibited sign.
- (b) A sign lawfully erected may be repainted or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without a sign permit; however, if such sign is to be structurally altered in any manner, a new sign permit shall be required and the altered sign must meet all requirements of this division and this Code.
- (c) Exceptions from permitting. Temporary signs shall not require a sign permit. Unless identified in the tables in Section 34-757.2 as not requiring a sign permit and unless otherwise excepted from requiring a sign permit such as a government sign, all permanent signs shall require a sign permit. However these exemptions in no way waive any requirement set forth in the Florida Building Code; or any limitation or restriction on the number, size, height, setback, placement or duration of such signs under this division, or any limitation or restriction under any other applicable law or regulation.
- (d) Permits are required for change of sign copy to a nonconforming sign. A changing of the copy of a sign is permitted to a nonconforming sign, as long as no changes are made to the sign's height, size, location, or structure. Permits are not required for any change of copy on a conforming sign or changeable copy sign.
- (e) Sign permit applications. A sign permit application for a permanent sign as may be required by this division shall be prepared and submitted on forms available by the Planning and Development Department. The sign permit application is in addition to any building permit application required by the Florida Building Code. The applicant shall furnish the following information on or with the sign permit application form:
 - (1) Name, address, telephone number, and e-mail address (if available) of the person making application for the permit. If the applicant is anyone other than the property owner, the

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applicant shall provide written authorization from the property owner permitting the installation of the sign.

- (2) Name, address, telephone number, and e-mail address (if available) of the property owner. If the owner is an entity other than an individual, list the contact person's name.
 - (3) Name, address, telephone number, and e-mail address (if available) of the business tenant, if applicable. If the tenant is an entity other than an individual, list the contact person's name.
 - (4) Name, address, telephone, e-mail address (if available), and license number of the contractor, if applicable. If the contractor is an entity other than an individual, list the contact person's name.
 - (5) Address and legal description of the property upon which the sign is to be located. The legal address may be located on a certified boundary survey.
 - (6) Lot frontage on all streets and public rights-of-way.
 - (7) Indicate in feet and inches the location of the sign in relation to property lines, public rights-of-way, easements, overhead utility lines, other utility facilities and equipment, buildings and other signs on the property.
 - (8) Freestanding signs, including monument signs, shall require an accurate boundary survey signed and sealed by a land surveyor or engineer licensed in Florida showing the proposed location of the sign.
 - (9) For all wall mounted signs, the facade elevation with dimensions, drawn to scale. Windows and doors and other openings shall be delineated and their dimensions given.
 - (10) Sign dimensions and elevation, drawn to scale.
 - (11) Maximum and minimum height of the sign measured from finished grade.
 - (12) Dimensions of the supporting members of the sign.
 - (13) Sign illumination, specifying illumination type, placement, and intensity.
 - (14) Two (2) copies of the plans, specifications, calculations and details, signed and sealed as required by the Florida Building Code; and specifications documenting the applicable windload and electrical specifications, if applicable, meeting the minimum requirements of the applicable Electric Code.
 - (15) Number, type, location and surface area of all existing signs on the same property.
 - (16) Landscape plan, as applicable.
 - (17) Notarized signature of applicant. If the value of construction is two thousand five hundred dollars (\$2,500.00) or greater, a certified copy of notice of commencement shall be required prior to permit issuance.
- (f) Sign construction specifications.
- (1) *Florida Building Code*. Construction and erection of signs shall be in accordance with the structural requirements set forth in the Florida Building Code.

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- (2) *National Electrical Code.* Signs having electrical connections of any kind shall be wired in accordance with the National Electrical Code.
 - (3) *Inspections.* Any sign having an electrical connection shall be permitted, inspected and approved by the electrical inspector prior to its completion. All sign structures shall be inspected and approved by the building official. The inspection point shall be selected by the building official. All excavations for concrete sign support bases shall be inspected and approved by the building official prior to the pouring of concrete.
 - (4) *Support requirements.* The supporting members of all signs shall be free of any external bracing such as guy wires or cables. All supporting columns shall be designed as integral or architectural features of the sign.
 - (5) *Materials.* Paper or cardboard signs and cloth or plastic fabric banners may only be used in conjunction with a special event as provided herein. However, paper or cardboard signs may be used for indoor window or election signs, when such are allowed.
 - (6) *Construction standards.* All signs shall be installed and constructed in a professional and workmanlike manner; and shall be maintained in good and safe structural condition and good physical appearance. All exposed structural components shall be painted, coated, or made of rust inhibitive material.
- (g) Design requirements. All signs and sign structures, except temporary signs and except for prohibited signs such as billboards and off-premises signs, shall be subject to the design requirements below.
- (1) *Monument signs.* Monument sign structures may extend above the allowable height and/or permitted horizontal dimension for the purposes of architecturally embellishing and enhancing the appearance of the sign structure. Such extensions shall not exceed thirty-six (36) inches for the base, eighteen (18) inches at the top of the sign, or twelve (12) inches for each vertical side of the sign.
 - (2) *Tenant panels in monument signs.* All tenant panels in a monument sign, including those added to an existing sign structure, shall be constructed of similar materials and illuminated by a similar method.
 - (3) *Wall signs.* Wall signs shall not be installed to cover windows, doors, or other types of fenestration.
 - (4) *[Sign work.]* Sign work on all permanent signs shall ensure that all the letter strokes are vertically plumb or evenly slanted, and with alignment true and horizontally level.
 - (5) *Manufactured signs.* All manufactured signs requiring a sign permit shall have a permanent and visible weatherproof identification plate affixed to the sign exterior. The plate shall identify (1) the name of the manufacturer, (2) the date of installation, (3) the sign permit number, and (4) the electric permit number (if any) with the input VA (Volt Amperes) at full load for electric.
- (h) Sign permit application review.

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- (1) [h](#)The sign application is not required to describe the content of the sign.
- (2) For fueling stations, the pricing signage shall follow the Florida State Statues requirements.
- (3) An applicant shall submit a sign permit application for a permanent sign to the Planning and Development Department, Building Inspection Division, or such other office as may be designated by the City. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law of the City of Jacksonville Beach as set forth in the City of Jacksonville Beach's Code of Ordinances.
- (4) An approval, an approval with conditions, or disapproval by the Planning and Development Department shall be deemed the final decision of the City upon the application.
- (5) In the case of an approval with conditions or a disapproval, including a disapproval by lapse of time as described herein, an applicant may ask for reconsideration of the decision once, on the grounds that the Planning and Development Department may have overlooked or failed to consider any fact(s) that would support a different decision.
 - a. A written request for reconsideration accompanied by such additional fact(s) that address the deficiencies that the applicant may wish the Planning and Development Department to consider, shall be filed with the Planning and Development Department within fourteen (14) calendar days after the date of the written decision. No fee shall be required for a request for reconsideration.
 - b. Upon the timely filing of a request for reconsideration, the decision of the Planning and Development Department or designee shall be deemed stayed and not a final decision, until the request for reconsideration is decided. The request for reconsideration shall be decided within fourteen (14) business days of receipt. Such decision shall be in writing and shall include a statement of the reason(s) for the decision.
- (6) If an application is deemed incomplete, the applicant may either take steps to submit a complete application or challenge the City's decision by seeking judicial review by the Circuit Court of the Fourth Judicial Circuit in and for Duval County, or by any other court of competent jurisdiction, filed in accordance with the requirements of law, seeking such appropriate remedy as may be available.
- (i) Sign permit fees. Before issuance of a permit, the Planning and Development Department shall collect the necessary sign permit fees. The sign permit fees shall be as designated by resolution of the City Council.
- (j) Inspection. The Planning and Development Department may make or require any inspections to ascertain compliance with the provisions of this division and the Land Development Code.
- (k) Revocation of sign permit. If the work under any sign permit is proceeding in violation of this division, the Land Development Code, or the Florida Building Code, or should it be found that there has been any false statement or misrepresentation of a material fact in the application or plans on which the sign permit was based, the permit holder shall be notified of the violation. If the permit holder fails or refuses to make corrections within ten (10) days, it shall be the duty of the Planning

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and Development Department to revoke such sign permit and serve notice upon such permit holder. Such notice shall be in writing and signed by the Planning and Development Department. It shall be unlawful for any person to proceed with any part of work after such notice is issued.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-760. Nonconforming signs.

All signs that are lawfully in existence or are lawfully erected and that do not conform to the provisions of this division are declared nonconforming signs. Nonconforming signs shall be removed within five years of the adoption of this updated Land Development Code. It is the intent of this division to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this division. It is also the intent of this division that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

(a) Legal nonconforming signs:

- (1) A legal nonconforming sign is a sign that lawfully existed at the time of the enactment of this division that does not conform to the regulations as specified in this division.
- (2) A legal nonconforming sign may continue to be utilized only in the manner and to the extent that it existed at the time of the adoption of this division or any amendment thereof.
- (3) A legal nonconforming sign may not be altered in any manner not in conformance with this division. This does not apply to reasonable repair and maintenance of the sign or to a change of copy provided that by changing the copy structural alterations are not required.
- (4) Any building permit for a change of use, or an addition, alteration, or improvement valued at more than fifty (50) percent of the fair market value of the structure or building for work at locations where any nonconforming sign exists shall specify and require that such nonconforming signs located within the boundaries of the development site, and within the limits of the applicant's control, shall be brought into conformance with the provisions of this division, provided that if the nonconforming sign is a type of sign that is prohibited under Section 34-754, prohibited signs in all Zoning Districts, it shall be removed.
- (5) Legal nonconforming signs that are located on a parcel of property that is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
 - a. Is not increased in area or height to exceed the limits of the Zoning District in which it is located;
 - b. Remains structurally unchanged except for reasonable repairs or alterations;
 - c. Is placed in the most similar position on the remaining property that it occupied prior to the relocation; and
 - d. Is relocated in a manner so as to comply with all applicable safety requirements.

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After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this Section in its new location.

(b) *Signs rendered nonconforming:*

- (1) Except as provided in this Section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the division that rendered the sign nonconforming. This Section shall not prohibit reasonable repairs and alterations to nonconforming signs unless the sign is brought into compliance.
- (2) A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this division. An existing monument sign that conforms to the size and height limitations set forth herein, but is otherwise nonconforming, may be relocated a single time to another location on the same parcel.
- (3) Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this division if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign, or if the sign is deemed unsafe by the Building Official.
- (4) Any nonconforming pole sign shall be replaced when there is a change of use or tenant.

(c) *Signs for a legal nonconforming use:*

- (1) New or additional signs for a nonconforming use shall not be permitted.
- (2) A nonconforming sign for a nonconforming use that ceases to be used for a period of sixty (60) consecutive days or is replaced by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

(d) *Signs discontinued:*

- (1) Sign structures that remain vacant, unoccupied or devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies, for a period of one hundred eighty (180) days, shall be deemed to be discontinued.
- (2) A nonconforming sign deemed discontinued shall immediately terminate the right to maintain such sign.
- (3) After a sign structure has been deemed discontinued, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the discontinued sign and to patch and conceal any and all damage to any other structure resulting from removal of the sign.
- (4) Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

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(e) *Unsafe signs:*

- (1) If the building official determines any sign or sign structure to be in an unsafe condition, he/she shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours.
 - a. If the sign that is determined to be unsafe by the Building Official is a nonconforming sign, it shall be removed and not repaired within the timeframe outlined below but may be replaced with a conforming sign with proper application and approval by Planning and Development Department.
- (2) If the correction has not been made within forty-eight (48) hours, the building official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-761. Miscellaneous provisions.

- (a) *Maintenance of sign location.* For a sign requiring a sign permit, weeds and grass shall be kept cut in front of, behind, underneath, and from around the base of the sign for a minimum distance of ten (10) feet from the sign base, and there shall be no rubbish or debris within ten (10) feet of the sign base or underneath the sign.
- (b) *Ingress and egress signs.* For safety purposes and for traffic circulation purposes, permanent ingress and egress signs to a parcel are permitted provided the same do not exceed four (4) square feet in size and no more than three (3) feet in height. Such signs shall not require a permit.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-762. Penalties.

Penalties for violation of this division shall be as provided in Section 34-1204; however, notwithstanding anything in the LDC or in the Jacksonville Ordinance Code to the contrary, a penalty for a violation of this division shall be limited to civil penalties only and shall not extend to any criminal penalty including but not limited to incarceration.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Sec. 34-763. Severability.

- (a) *Generally.* If any part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division.

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- (b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), above, or elsewhere in this division, the Jacksonville Beach Code of Ordinances, or any adopting ordinance, if any part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- (c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a), above, or elsewhere in this division, the Jacksonville Beach Code of Ordinance, or any adopting ordinance, if any part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under Section 34-754, prohibited signs, of this division. Furthermore, if any part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 34-754 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 34-754 thereby ensuring that as many prohibited sign types as may be constitutionally prohibited continue to be prohibited.
- (d) *Severability of prohibition on billboards.* If any part, Section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division and/or any other Code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained in this Division or in the Jacksonville Beach Code of Ordinances.

(Ord. No. 2015-8065 , § 2(Exh. A), 12-7-15)

Secs. 34-764—34-770. Reserved.

DIVISION 5. ENVIRONMENTAL STANDARDS

Sec. 34-771. Stormwater management.

- (a) *Purpose and intent.* The purpose of this division is to manage stormwater drainage within of the City of Jacksonville Beach in order to maintain and enhance the public health, safety, and welfare through the control of runoff volume and treatment of stormwater runoff for the protection of surface water and groundwater quality, and the control and prevention of erosion, sedimentation, and flooding by providing standards for the design, construction, operation and maintenance of stormwater management systems in conformance with best overall management practices.

This division is intended to implement the goals, objectives, and policies of the Comprehensive Plan of the City of Jacksonville Beach, and to be consistent with the applicable policies and regulations of regional, state and federal agencies regarding stormwater management. It is also intended to allow landowners reasonable use of their property while promoting the following objectives:

- (1) Protecting the quality and quantity of ground and surface waters.
 - (2) Perpetuating recharge of the groundwater system;
 - (3) Reducing erosion loss of topsoil and subsequent sedimentation of surface water bodies.
 - (4) Preventing loss of life and property damage due to runoff from any foreseeable rainfall event.
- (b) *Applicability.* This division shall apply within the incorporated area of the City of Jacksonville Beach, Florida. A permit will be required for new stormwater discharge facilities or modifications to existing discharge facilities consistent with requirements defined by St. Johns River Water Management District (SJRWMD) as defined herein. This provision shall not affect the City's authority to require corrective action whenever a stormwater management facility causes or contributes to violations of water quality and flood control standards.
- (c) *Procedures.*
- (1) No person may subdivide land, initiate construction activity, make any substantial change in land contour lines, alter drainage or stormwater runoff, or construct a stormwater management system without first satisfying the requirements contained in this division and applicable regional, state and federal regulations, and obtaining approval from the Public Works Department. The following activities may potentially alter or disrupt existing stormwater runoff patterns, and as such, will, unless exempt pursuant to Section 34-771(e), require a permit prior to initiation of any development.
 - a. Clearing and/or draining of land for development purposes;
 - b. Clearing and/or draining of properties;
 - c. Converting undeveloped lands to nonagricultural uses;
 - d. Subdivision of land where road improvements are required;

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- e. Alteration of land and/or the construction of a structure and/or a change in the size of one (1) or more structures.
 - f. Any alteration to existing facilities which create an increase in required capacity.
 - g. Depositing any fill onto properties.
- (2) Development plans submitted for approval shall show all areas retained in a pervious condition and their past development treatment. All infrastructure associated with stormwater management facilities shall be shown in sufficient detail to enable a determination to be made of their holding capacity and all pipe runs shall be shown with details concerning material direction slope of (degree of fall) and point of connection to off-site drainage systems. Capacity and/or throughput potential must meet the requirements of Section 34-771(e)(1)a. through d.
- (3) The Planning and Development Department will certify compliance with these provisions upon receipt of approval by the Public Works Department.
- (4) No connection shall be made to off-site drainage systems until approval has been received from the owner of the system (either City, County, or State Government).
- (d) *Exemptions.* The following development shall be exempt from the terms of this division.
- (1) The construction, replacement, alteration, or maintenance of a single-family or two-family residence and accessory structures, where clearing and drainage does not adversely impact adjacent properties by creating additional runoff.
 - (2) The clearing of land which is to be used solely for, recreation, agriculture (only properties protected under the Right to Farm Act), or open space provided no disruption of natural surface waters or impoundment of surface water will result. This exemption will not apply where clearing and drainage may directly or indirectly impact areas defined as conservation/protected areas pursuant to the Comprehensive Plan.
- (e) *Standards for stormwater management systems.*
- (1) *General.*
 - a. A stormwater management system is a network of infrastructure and practices designed to manage and control stormwater runoff. Stormwater systems are typically implemented to minimize flooding, protect water quality, and minimize erosion.
A typical stormwater system consists of various components, which may consist of:
 - 1. Storm drains: These are underground pipes or open channels that collect and convey stormwater from streets, parking lots, and other surfaces to a designated discharge point, such as a ditch, canal, or river.
 - 2. Inlet structures: These are structures located at the surface level that capture stormwater into the collection and conveyance system. Inlet structures typically include catch basins, curb inlets, and grates.

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3. Detention and retention ponds: These are basins designed to temporarily store stormwater runoff. Detention ponds attenuate and slowly release stormwater into the outfall boundaries. Retention ponds attenuate 100% of the captured runoff and release it into the ground via percolation or infiltration over time.
 4. Erosion and sediment control measures: These are techniques and best practices that are implemented during construction of land improvements to prevent/minimize erosion and the transport of sediment into stormwater systems and surface waters. Examples include silt fences, hay bales, sediment basins, and floating turbidity curtains.
 5. Maintenance and management practices: Regular maintenance of stormwater infrastructure is essential to ensure its proper functioning. This may involve cleaning storm drains, removing debris and trash, and inspecting and repairing infrastructure as needed.
- b. The general design and performance requirements of this division shall meet all of the standards of the following documents, unless stricter standards are stated herein. These documents are incorporated herein as part of the LDC by reference:
1. Drainage Manual, Florida Department of Transportation.
 2. Chapter 62-25, Florida Administrative Code, Regulations of Stormwater Discharge.
 3. Chapter 40C, Rules of the St. Johns River Water Management District.
 4. National Pollutant Discharge System rules of the U.S. Environmental Protection Agency.
- c. Innovative approaches to stormwater management shall be encouraged and the concurrent control of erosion, sedimentation and flooding shall be mandatory. The Public Works Department reserves authority in approving alternate methods of meeting the objectives of these guidelines and regulations on a demonstration by the applicant that similar results can be achieved by the proposed alternate method.
- d. All stormwater management systems constructed or modified under development orders issued by Jacksonville Beach authorities shall be in accordance with the following:
1. Major outfall facilities (trunk storm sewers, canals, waterways, natural drainage features and culverts of major outfalls) shall be designed and constructed to accommodate a twenty-five-year, twenty-four-hour frequency storm with a minimum time of concentration of zero minutes.
 2. Major components of stormwater management systems in new residential subdivisions shall be designed and constructed to accommodate a twenty-five-year, twenty-four-hour frequency storm.
 3. Stormwater management systems for development other than new residential subdivisions shall be designed and constructed to accommodate a ten-year,

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twenty-four-hour frequency storm, with a minimum time of concentration of 10 minutes.

4. In existing developed areas where stormwater facilities are retrofitted, and in which standard treatment methods are impractical, appropriate Best Management Practices, as described in the Florida Land Development Manual: A Guide to Sound Land and Water Management (DER, 1988), shall be utilized.
 5. Stormwater treatment shall be provided for a volume equivalent to either retention or detention with filtration, of the run-off from the first one (1) inch of rainfall over the area of the entire site pursuant to Chapter 62-25, Florida Administrative Code. No discharge from any stormwater facility shall cause or contribute to a violation of water quality standards as provided in Section 62-302.500 of the Florida Administrative Code.
- (2) *Minimum information required for plan review and permitting.* The application shall be in a form established by the Planning and Development Department and made available to the public. In addition to the information and exhibits to be provided pursuant Section 34-571 of the LDC, the applicant shall provide the City with sufficient information to ensure compliance with this division and the LDC, and shall include the following information:
- a. A map of the development that shows the following information:
 1. Existing topography of the development at one (1) foot contour intervals and existing spot elevations so that the existing drainage patterns can be clearly established. Additional off-site topographical information (such as existing roadway crown and edge of pavement elevation) may be needed to adequately identify drainage patterns. Also identified on this plan shall be the identification of the classification of the receiving basin, name of the water body and/or stream to which the development contributes;
 2. The time of concentration for water to move from the most distant point to the receiving basin;
 3. The drainage boundary of the area of any lands outside the development limits contributing runoff to the development;
 4. Soil types on-site, including soil conservation service hydrologic classification;
 5. Proposed construction phase(s) of the development (if applicable);
 - b. Engineering calculations and methodologies along with a description of the proposed stormwater management plan, including basin locations, conveyance type and functional description (retention, detention, combination, etc.).
 - c. Proposed development drainage boundaries showing direction of flows, areas of each basin, percentage of each of soil classifications with boundaries, and off-site drainage areas that will contribute flow to the site.

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- d. Locations of stormwater retention/detention facilities, including size, design capacity, high water elevation, side slopes, depth of pond and retained/detained runoff volumes;
- e. Off-site easements for stormwater management facilities that will be required when either of the following conditions exist:
 - 1. The discharge is into any built facility for which the City of Jacksonville Beach does not have either drainage easement or right-of-way;
 - 2. The discharge is into a natural system such that the rate or character (i.e., sheet flow versus concentrated flow) of the flow at the property line has been changed. The easement will be required to a point at which natural conditions are duplicated;
- f. Location and size of internal storm drainage facilities;
- g. Detailed grading plan with sufficient spot elevations to determine the direction of flow;
- h. Inlet locations and corresponding contributing watershed boundaries;
- i. Erosion and sedimentation control plan;
- j. Pre-development and post-development runoff characteristics, including runoff curve numbers and/or runoff coefficients;
- k. Soil reports that includes borings, water table encountered and estimation of the seasonal high water table. The soils analysis must be submitted by a qualified geotechnical engineer, professional geologist, or soil scientist. Soil borings must be performed to a depth of at least ten (10) feet below the proposed basin bottom;
- l. Stage-storage discharge relationships of any storage areas, such as, retention or detention facilities used;
- m. Drawdown curve of calculations for retention or detention facilities to substantiate design;
- n. Identify any temporary construction that may affect the on-site and/or offsite stormwater management system prior to completion of the development;
- o. A statement designating the entity that will be responsible for the operation and maintenance of the stormwater management system. A copy of the restrictive covenants for the establishment of a Homeowner's Association or Property Owner's Association must be submitted, if applicable.
- p. A certification signed by the engineer, licensed in the State of Florida, responsible for the design that will read as follows:

"I hereby certify that the design of the Stormwater Management System for the development known as _____ (development name) meets all of the requirements and has been designed substantially in accordance with the City of Jacksonville Beach Stormwater Management Regulations, Section 34-771 of the City of Jacksonville Beach Land Development Code."

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- q. A maintenance plan for the stormwater management system must be submitted with the construction plans and is subject to approval of the Public Works Department. This plan must be incorporated in the restrictive covenants.
- (3) *Alternatives to on-site control.* Improvements to City stormwater management facilities may be provided by an applicant in lieu of on-site storage upon recommendation by the Public Works Department and approval of the City Council, particularly in areas where individual properties cannot meet the established standards on-site because of soil limitations or other constraints that may exist.
- (4) *Erosion and sedimentation control of stormwater management facilities.*
 - a. The banks of all stormwater management facilities which are open and unpaved shall be stabilized with either grass or sod. The following minimum requirements shall be met:
 - 1. The bottom of dry retention and detention basins must be seeded and mulched. The seeding mix must provide both long term vegetation and rapid growth seasonal vegetation. Side slopes of dry basins steeper than 3:1 must have the sod stapled or pinned. Basin side slopes flatter than 3:1 may be seeded and mulched or sodded.
 - 2. Wet detention basins shall provide sodded banks to the proposed normal water surface. Pond banks with slopes steeper than 4:1 shall be stake sodded and shall require fencing consistent with the St. Johns River Water Management District Applicant's Handbook Volume II, Section 2.6.1 FAC.
 - 3. Erosion protection at the outlet of all drainage structures must be provided. For outlet velocities greater than three (3) feet per second an energy dissipation device must be installed; such as riprap, baffles or stilling basins.
 - 4. A strip of sod must be placed around the perimeter of all headwalls, endwalls, and mitered end installations.
 - 5. During construction, provision must be made to minimize disturbance to and compaction of dry retention and detention basin bottoms.
 - b. Special design standards for residential development stormwater management systems: Drainage basins must be located within common areas, or recreation areas and not within platted building lots, and reasonable access to drainage basins must be provided. This access must be identified as common area or easement with a minimum width of ten (10) feet.

(Ord. No. 7500, § 8.5(A), 8-19-91)

Sec. 34-772. Flood hazard area.

- (a) Administration.
 - (1) *General.*

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- a. *Title.* These regulations shall be known as the Floodplain Management Ordinance of the City of Jacksonville Beach, Florida, hereinafter referred to as "this ordinance."
- b. *Scope.* The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.
- c. *Intent.* The purposes of this ordinance and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:
 - 1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
 - 2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
 - 3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
 - 4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
 - 5. Minimize damage to public and private facilities and utilities;
 - 6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
 - 7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
 - 8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.
- d. *Coordination with the Florida Building Code.* This ordinance is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.
- e. *Warning.* The degree of flood protection required by this ordinance and the Florida Building Code, as amended by this community, is considered the minimum reasonable

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for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

- f. *Disclaimer of liability.* This ordinance shall not create liability on the part of the City Council of the City of Jacksonville Beach or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

(2) *Applicability.*

- a. *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be met.
- b. *Areas to which this ordinance applies.* This ordinance shall apply to all flood hazard areas within the City of Jacksonville Beach, as established in Section 34-772(a)(2)c. of this ordinance.
- c. *Basis for establishing flood hazard areas.* The Flood Insurance Study for Duval County, Florida and Incorporated Areas as amended, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), established by the Federal Emergency Management Agency (FEMA) and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at City Hall in the Planning and Development Department, 11 ~~North~~- 3rd Street.
- d. *Submission of additional data to establish flood hazard areas.* To establish flood hazard areas and base flood elevations, pursuant to Section 34-772(a)(5) of this ordinance the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:
 - 1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.

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2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.
 - e. *Other laws.* The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.
 - f. *Abrogation and greater restrictions.* This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to Land Development Regulations, Zoning Ordinances, Stormwater Management Regulations, or the Florida Building Code. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.
 - g. *Interpretation.* In the interpretation and application of this Section, all provisions shall be:
 1. Considered as minimum requirements;
 2. Liberally construed in favor of the governing body; and
 3. Deemed neither to limit nor repeal any other powers granted under state statutes.
- (3) *Duties and powers of the flood plain administrator.*
- a. *Designation.* The Planning and Development Director, or designee, is designated as the floodplain administrator. The floodplain administrator may delegate performance of certain duties to other employees.
 - b. *General.* The floodplain administrator is authorized and directed to administer and enforce the provisions of this ordinance. The floodplain administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 34-772(a)(7) of this ordinance.
 - c. *Applications and permits.* The floodplain administrator, in coordination with other pertinent offices of the community, shall:
 1. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
 2. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
 3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;

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4. Provide available flood elevation and flood hazard information;
 5. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
 6. Review applications to determine whether proposed development will be reasonably safe from flooding;
 7. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
 8. Coordinate with and provide comments to the building official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.
- d. *Substantial improvement and substantial damage determinations.* For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the floodplain administrator, in coordination with the building official, shall:
1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
 2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
 3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
 4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this ordinance is required.
- e. *Modifications of the strict application of the requirements of the Florida Building Code.* The floodplain administrator shall review requests submitted to the building official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 34-772(a)(7) of this ordinance.

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- f. *Notices and orders.* The floodplain administrator shall coordinate with appropriate local, state, and federal agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.
- g. *Inspections.* The floodplain administrator shall make the required inspections as specified in Section 34-772(a)(6) of this ordinance for development that is not subject to the Florida Building Code(including buildings, structures and facilities exempt from the Florida Building Code). The floodplain administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.
- h. *Other duties of the floodplain administrator.* The floodplain administrator shall have other duties, including but not limited to:
 - 1. Establish, in coordination with the building official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 34-772(a)(3)d of this ordinance;
 - 2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
 - 3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within six (6) months of such data becoming available;
 - 4. Review required design certifications and documentation of elevations (such as elevation certificates or as-builts) prepared and certified by a Florida licensed profession surveyor specified by this ordinance and the Florida Building Code and this ordinance to determine that such certifications and documentations are complete;
 - 5. Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Jacksonville Beach are modified; and
 - 6. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."
- i. *Floodplain management records.* Regardless of any limitation on the period required for retention of public records, the floodplain administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of

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the Florida Building Code, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the offices of the Planning and Development Department, 11 North 3rd Street.

(4) *Permits.*

- a. *Permits required.* Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator, and the building official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.
- b. *Floodplain development permits or approvals.* Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the floodplain administrator may determine that a floodplain development permit or approval is required in addition to a building permit.
- c. *Buildings, structures, and facilities exempt from the Florida Building Code.* Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this ordinance:
 1. Railroads and ancillary facilities associated with the railroad.
 2. Nonresidential farm buildings on farms, as provided in Section 604.50, F.S.
 3. Temporary buildings or sheds used exclusively for construction purposes.
 4. Mobile or modular structures used as temporary offices.

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5. Those structures or facilities of electric utilities, as defined in Section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
 6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
 7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
 8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
 9. Structures identified in Section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.
- d. *Application for a permit or approval.* To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:
1. Identify and describe the development to be covered by the permit or approval.
 2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
 3. Indicate the use and occupancy for which the proposed development is intended.
 4. Be accompanied by a site plan or construction documents as specified in Section 34-772(a)(5) of this ordinance.
 5. State the valuation of the proposed work.
 6. Be signed by the applicant or the applicant's authorized agent.
 7. Give such other data and information as required by the floodplain administrator.
- e. *Validity of permit or approval.* The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the floodplain administrator from requiring the correction of errors and omissions.
- f. *Expiration.* A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized is suspended or abandoned for a period of

- g. *Suspend or revocation.* The floodplain administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.
- h. *Other permits required.* Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:
 - 1. The St. Johns River Water Management District; Section 373.036, F.S.
 - 2. Florida Department of Health for onsite sewage treatment and disposal systems; Section 381.0065, F.S. and Chapter 64E-6, F.A.C.
 - 3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; Section 161.141, F.S.
 - 4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; Section 161.055, F.S.
 - 5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
 - 6. Federal permits and approvals.

a. *Information for development in flood hazard areas.* The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 34-772(a)(5)b.2 or Section 34-772(a)(5)b.3 of this ordinance.
3. Where the parcel on which the proposed development will take place will have more than fifty (50) lots or is larger than five (5) acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 34-772(a)(5)b.1 of this ordinance.

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4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
8. Extent of any proposed alteration of sand dunes or mangrove stands provided such alteration is approved by the Florida Department of Environmental Protection.
9. Existing and proposed alignment of any proposed alteration of a watercourse.

The floodplain administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

- b. *Information in flood hazard areas without base flood elevations (approximate Zone A).* Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the floodplain administrator shall:
 1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
 2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
 3. Where base flood elevation data and floodway data are not available from another source, where the available data are deemed by the floodplain administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - i. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - ii. Specify that the base flood elevation is three (3) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than three (3) feet.

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4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer and/or Florida licensed professional surveyor in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.
- c. *Additional analyses and certifications.* As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this Section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:
1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 34-772(a)(5)d of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
 2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
 3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 34-772(a)(5)d of this ordinance.
 4. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.
- d. *Submission of additional data.* When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer and/or Florida

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licensed professional surveyor in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

(6) *Inspections.*

- a. *General.* Development for which a floodplain development permit or approval is required shall be subject to inspection.
- b. *Development other than buildings and structures.* The floodplain administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.
- c. *Buildings, structures, and facilities exempt from the Florida Building Code.* The floodplain administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.
- d. *Building, structures, and facilities exempt from the Florida Building Code, lowest floor inspection.* Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent shall submit to the floodplain administrator:
 1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
 2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 34-772(a)(5)b.3.(ii) of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.
- e. *Buildings, structures, and facilities exempt from the Florida Building Code, final inspection.* As part of the final inspection, the owner or owner's authorized agent shall submit to the floodplain administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 34-772(a)(6)d of this ordinance.
- f. *Manufactured homes.* The building official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Building Inspection Division.

(7) *Violations.*

- a. *Violations.* Any development that is not within the scope of the Florida Building Code but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance,

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shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

- b. *Authority.* For development that is not within the scope of the Florida Building Code but that is regulated by this ordinance and that is determined to be a violation, the floodplain administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.
- c. *Unlawful continuance.* Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(8) *Definitions.*

a. *General.*

- 1. *Scope.* Unless otherwise expressly stated, the following words and terms shall, for the purposes of this Section, have the meanings shown in this Section.
- 2. *Terms defined in the Florida Building Code.* Where terms are not defined in this ordinance and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.
- 3. *Terms not defined.* Where terms are not defined in this ordinance or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.

b. *Definitions.*

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the floodplain administrator's interpretation of any provision of this ordinance or a request for a variance.

ASCE 24. A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

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Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Coastal construction control line. The line established by the State of Florida pursuant to Section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area. A special flood hazard area shall consist of the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model (Sec. 163.3178(2)(h), F.S.) as depicted in the 2050

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet. [Also defined in FBC, B, Section 1612.2.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure. Any buildings and structures for which the "start of construction" commenced before March 15, 1977. [Also defined in FBC, B, Section 1612.2.]

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the

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manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before March 15, 1977.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in Florida Building Code.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the floodplain manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

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Floodway. The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

Floodway encroachment analysis. An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F). A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

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Conditional Letter of Map Revision (CLOMR). A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after March 15, 1977 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 15, 1977.

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or

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temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in Section 320.01, F.S.]

Recreational vehicle. A vehicle, including a park trailer, which is: [See Section 320.01, F.S.]

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area. An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, AI—A30, AE, A99, AH, VI—V30, VE or V. [Also defined in FBC, B Section 1612.2.]

Start of construction. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within one hundred eighty (180) days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Stormwater management facilities. A network of structures and channels (i.e. storm drains, basins, outfall locations, gutters, pipes, culverts) designed to manage and control the flow of rainwater runoff during storms.

Stormwater management system. A network of infrastructure and practices designed to manage and control stormwater runoff. Stormwater systems are typically implemented to minimize flooding, protect water quality, and minimize erosion.

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Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds fifty (50) percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Section 34-772(a)(7) of this ordinance.

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

(10) *Flood resistant development.*

a. *Buildings and structures.*

1. *Design and construction of buildings, structures and facilities.* Buildings, structures, and facilities located in flood hazard areas shall be constructed in accordance with Florida Building Code.
2. *Design and construction of buildings, structures, and facilities exempt from the Florida Building Code.* Pursuant to Section 34-772(a)(4)c of this ordinance, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 34-772(a)(10)g of this ordinance.
3. *Buildings and structures seaward of the coastal construction control line.* If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:
 - i. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code. Building Section 3109 and Section 1612 or Florida Building Code. Residential Section R322.

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- ii. Minor structures and non-habitable major structures as defined in Section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.
- b. *Subdivisions.*
- 1. *Minimum requirements.* Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:
 - i. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
 - ii. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
 - iii. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.
 - 2. *Subdivision plats.* Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:
 - i. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats and final plats;
 - ii. Where the subdivision has more than fifty (50) lots or is larger than five (5) acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 34-772(a)(5)b.1 of this ordinance; and
 - iii. Compliance with the site improvement and utilities requirements of Section 34-467(a)(10)c of this ordinance.
- c. *Site improvements, utilities, and limitations.*
- 1. *Minimum requirements.* All proposed new development shall be reviewed to determine that:
 - i. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
 - ii. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
 - iii. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

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- iv. Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.
 - v. Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.
 - vi. Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 34-722(a)(5)c.1 of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.
 - vii. Limitations on placement of fill. Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.
 - viii. Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 34-772(a)(5)c.4 of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Section 34-772(a)(10)g.8.
- d. *Manufactured homes.*
- 1. *General.* All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to Section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.
 - 2. *Foundations.* All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

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- i. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code. Residential Section R322.2 and this ordinance.
 - ii. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and this ordinance.
3. *Anchoring.* All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.
4. *Elevation.* Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 34-722(a)(10)d.5 or Section 34-722(a)(10)d.6 of this ordinance, as applicable.
5. *General elevation requirement.* Unless subject to the requirements of Section 34-722(a)(10)d.6 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code. Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).
6. *Elevation requirement for certain existing manufactured home parks and subdivisions.* Manufactured homes that are not subject to Section 34-722(a)(10)d.5 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:
 - i. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or
 - ii. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.

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7. *Enclosures.* Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322 for such enclosed areas, as applicable to the flood hazard area.
 8. *Utility equipment.* Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.
- e. *Recreational vehicles and park trailers.*
1. *Temporary placement.* Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:
 - i. Be on the site for fewer than one hundred eighty (180) consecutive days; or
 - ii. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.
 2. *Permanent placement.* Recreational vehicles and park trailers that do not meet the limitations in Section 34-772(a)(10)e.1 of this ordinance for temporary placement shall meet the requirements of section 34-722(a)(10)d of this ordinance for manufactured homes.
- f. *Tanks.*
1. *Underground tanks.* Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.
 2. *Above-ground tanks, not elevated.* Above-ground tanks that do not meet the elevation requirements of Section 34-722(a)(10)f.3 of this ordinance shall:
 - i. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
 - ii. Not be permitted in coastal high hazard areas (Zone V).
 3. *Above-ground tanks, elevated.* Above-ground tanks in flood hazard areas shall be attached to, and elevated to or above the design flood elevation on, a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

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4. *Tank inlets and vents.* Tank inlets, fill openings, outlets and vents shall be:
 - i. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
 - ii. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.
- g. *Other development.*
 1. *General requirements for other development.* All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the Florida Building Code, shall:
 - i. Be located and constructed to minimize flood damage;
 - ii. Meet the limitations of Section 34-722(a)(10)c.1.(vi) of this ordinance if located in a regulated floodway;
 - iii. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
 - iv. Be constructed of flood damage-resistant materials; and
 - v. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.
 2. *Fences in regulated floodways.* Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 34-722(a)(10)c.1.(vi) of this ordinance.
 3. *Retaining walls, sidewalks, and driveways in regulated floodways.* Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 34-467(a)(10)c.1.(vi) of this ordinance.
 4. *Roads and watercourse crossings in regulated floodways.* Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 34-722(a)(10)c.1.(vi) of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 34-722(a)(5)c.3 of this ordinance.

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5. *Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios, and similar nonstructural uses in coastal high hazard areas (Zone V).* In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:
 - i. Structurally independent of the foundation system of the building or structure;
 - ii. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
 - iii. Have a maximum slab thickness of not more than four (4) inches.
6. *Decks and patios in Coastal High Hazard Areas.* In addition to the requirements of the Florida Building Code, in Coastal High Hazard Areas decks and patios shall be located, designed, and constructed in compliance with the following:
 - i. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
 - ii. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
 - iii. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
 - iv. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave run-up and wave reflection.
7. *Other development in Coastal High Hazard Areas.* In Coastal High Hazard Areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located

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outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- i. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- ii. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
- iii. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

8. *Nonstructural fill in Coastal High Hazard Areas* . In coastal high hazard areas:

- i. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- ii. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run up and wave reflection that would increase damage to adjacent buildings and structures.
- iii. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave run up and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

(Ord. No. 2013-8025, § 2, 4-1-13; Ord. No. 2018-8107 , § 1, 4-16-18)

Editor's note(s)—Ord. No. 2013-8025, § 2, adopted April 1, 2013, repealed the former § 34-467, and enacted a new § 34-467 as set out herein. The former § 34-467 pertained to similar subject matter and derived from Ord. No. 2011-8008, § 3, adopted Nov. 7, 2011.

Note(s)—At the direction of the City, in an email dated April 14, 2017, the following cross reference table for the City's flood ordinance (Ordinance No. 2013-8025) has been added:

Sec. 34-773. Wellfield protection.

- (a) *Purpose and intent.* The purpose and intent of this Section is to protect the health and welfare of the residents and visitors of Jacksonville Beach by providing standards for regulating deleterious

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substances and contaminants, and by regulating the design, location and operation of activities which may impair existing and future public potable water supply wells.

- (b) *Applicability.* This Section shall apply within the incorporated area of the City of Jacksonville Beach. The provisions shall set restrictions, constraints and prohibitions to protect existing and future public potable water supply wells from degradation by contamination from deleterious substances.
- (c) *Regulated area maps.* The official Zoning Map shall illustrate existing and future public potable water supply wells and their zone of protection and shall be reviewed and, if necessary, updated annually to include any amendments, additions, or deletions which are adopted by the City Council. The official Zoning Map will be consistent with the cone of influence designations shown on the existing land use map in the future land use element of the Comprehensive Plan. Any entity that operates a well protected by this Section shall assist the City in preparing the official Zoning Map by delivering to the Planning and Development Department a location sketch for each public potable water supply well.
- (d) *Exemptions.* The following shall be exempt from the requirements of this Section to the extent indicated.
 - (1) *Previous approvals.* Development projects which are exempt from the provisions of the LDC pursuant to Section 34-5. General approval for uses authorized within specific Zoning Districts shall not, however, constitute authorization for specific uses.
 - (2) *Continuous transit.* The transportation of any regulated substance through regulated areas shall be exempt from the provisions of this Section provided that the transporting vehicle is in continuous transit.
 - (3) *Vehicular fuel and lubricant use.* The use of any regulated substance solely as operating fuel in a vehicle or as a lubricant in that vehicle shall be exempt from the provisions of this Section.
 - (4) *Pesticides, herbicides, fungicides and rodenticides.* The application of substances used as pesticides, herbicides, fungicides and rodenticides in recreation, agriculture, pest control and aquatic weed control activities shall be exempt from the provisions of this Section provided that:
 - a. In all regulated areas the application is in strict conformity with the use requirement as set forth in the substances' EPA registries as is indicated on the containers in which the substances are sold; and
 - b. In all regulated areas the application is in strict conformity with the requirements as set forth in F.S. Chs. 482 and 487, and F.A.C. Chs. 5E-2 and 5E-9. This exemption only applies to the application of pesticides, herbicides, fungicides and rodenticides.
 - (5) *Retail sales activities.* Retail sales establishments in regulated areas that store and handle regulated substances for resale in their original unopened containers shall be exempt from the prohibitions as set forth in this Section.
- (e) *Prohibited activities within regulated areas.*

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- (1) *Regulated substance.* Animal uses that may have a negative impact on the stormwater and groundwater discharge or aquifer recharge shall be prohibited. Nonresidential activities, other than retail sales exempted by Section 34-773(d)(5), which store, handle, produce or use any regulated substance within the zone of protection shall be prohibited.
 - (2) *Septic tanks.* Septic tanks shall not be located within seventy-five feet of a private potable well and two hundred (200) feet of a public potable water supply well. The City shall not issue any new septic tank permits.
 - (3) *Stormwater retention/detention areas.* Stormwater retention/detention areas (wet), as defined by the St. Johns River Water Management District, shall not be located within three hundred (300) feet of a public potable water supply well.
 - (4) *Wastewater effluent discharges.* Wastewater treatment plant effluent discharges, including but not limited to, percolation ponds, surface water discharge, or drainfields, shall not be located within five hundred (500) feet of a public potable water supply well.
 - (5) *Nonresidential use of regulated substances.* If a nonresidential building proposes to contain, use, handle or store regulated substances and is located partially within a protection zone, then the entire building shall be governed by the restrictions applicable to that zone or to the more restrictive zone.
 - (6) *Negative water supply impacts.* No development shall be approved that negatively impacts the water resources of adjoining property owners, wetlands or lakes. Impacts shall include potential supply limitations by excessive drawdown, salt-water contamination or other quality problems.
- (f) *Restrictions on issuance of permits and licenses for new activities.*
- (1) Every application for a development permit shall indicate whether or not the property, or any portion thereof, lies within a protection zone.
 - (2) Every application for development permit which involves property located wholly or partially within a protection zone shall be reviewed by the Planning and Development Department. The Planning and Development Department shall then issue a notice as to whether or not the proposed use or activity meets the requirements of this Section.
 - (3) No development order for any activity regulated by this Section shall be issued that is contrary to the restrictions and provisions provided in this Section. A development order issued in violation of this Section shall confer no right or privilege on the grantee and such invalid permit will not vest rights.
- (g) *Protection of future public water supply wells.* The prohibitions and restrictions set forth in this Section and any regulations promulgated pursuant hereto, shall apply to any future public potable water supply well sites adopted by the City Council by resolution.
- (h) *Procedural requirements.* The following shall be submitted by the applicant concurrent with any plans for development located within regulated areas:
- (1) Source of water for irrigation.

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- (2) Existing and proposed wells for potable or irrigational use on all plans submitted for review.
 - (3) A demonstration that potable and/or non-potable wells will not cause saltwater intrusion or adverse impacts to wetlands, lakes or other wellfields by performing a computer model analysis of the groundwater in the surficial aquifer. This shall include a simulation of the drawdown of all the proposed wells pumping during a ninety-day drought period.
 - (4) Nature and extent of proposed water conservation measures.
- (i) *Inspections.*
- (1) City personnel or designated inspectors are hereby authorized and empowered to make inspections at reasonable hours of all land uses or activities regulated by this Section including nonresidential buildings, structures and land within wellfield protection zones in the City in order to determine if applicable provisions of the City Code relating to wellfield protection are being followed.
 - (2) Any person subject to this Section shall be liable for any damage caused by a regulated substance present on or emanating from the person's property, for all costs of removal or remedial action incurred by the City, and damages for injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction or loss resulting from the release or threatened release of a regulated substance. Such removal or remedial action by the City may include, but is not limited to, the prevention of further contamination of ground water, monitoring, containment and clean-up or disposal of regulated substances resulting from the spilling, leaking, pumping, pouring, emitting or dumping of any regulated substance or material which creates an emergency hazardous situation or is expected to create an emergency hazardous situation.
 - (3) A notice to cease a land use or activity or an exemption issued under this Section, shall not relieve the owner or operator of the obligation to comply with any other applicable federal, state, regional or local code, regulation, rule, ordinance or requirement. Nor shall said notice or exemption relieve any owner or operator of any liability for violation of such codes, regulations, rules, ordinances or requirements.

(Ord. No. 7500, § 8.5(C), 8-19-91)

Sec. 34-774. Conservation of land.

- (a) *Purpose.* The purpose of this Section is to conserve, manage, and protect natural resources, and maintain and enhance the natural balance of ecological functions in Jacksonville Beach, through the regulation of conservation-protected lands and conservation-restricted lands.
- (b) *Applicability.* This Section shall apply to all development within the City of Jacksonville Beach.
- (c) *Determination of boundaries.*
 - (1) The location of conservation-protected lands and conservation-restricted lands, and policies regarding their future development, are addressed in the future land use, coastal

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management, and conservation elements of the Comprehensive Plan and incorporated herein by reference.

- (2) Any owner of land within Jacksonville Beach may request a determination of the general boundaries of conservation-protected or conservation-restricted lands on their property by submitting a request for determination of boundaries to the Planning and Development Department. The purpose of this general indication of the presence of conservation-protected or conservation-restricted lands within the boundaries of a particular parcel is advisory in nature and shall not substitute for the specific determination of the boundaries pursuant to Section 34-774(c)(4).
 - (3) The request must, at a minimum, set forth an adequate description of the land, the nature of the ownership or control of the land, and other information needed to make the determination.
 - (4) A determination of the specific boundaries of conservation-protected or conservation-restricted lands on a parcel or tract shall be made by a person qualified to make such a determination under the applicable federal, state or regional agency regulations.
- (d) *Development of conservation-protected lands.*
- (1) *Procedure.* Prior to the approval of the development of any conservation-protected lands, as part of the consideration of a development plan pursuant to Section 34-586 et seq., the following standards shall be met for the proposed development.
 - (2) *Standards for conservation-protected lands.* No development activity shall be undertaken on conservation-protected lands, except as provided herein.
 - a. *Conservation-protected estuarine wetlands.*
 1. No net loss of estuarine wetlands shall be permitted without mitigation, preferably on-site.
 2. All undeveloped areas of natural vegetation within a fifty-foot strip landward of the salt marsh shall be designated conservation-protected lands and shall remain as an undisturbed buffer region providing habitat adjacent to the marsh.
 3. For previously developed parcels, the required 50-foot vegetative buffer, as stated above, shall be established as a native buffer consisting of, but not limited to shrubs, grasses and ground cover. Closer to the shoreline emergent vegetation shall be encouraged.
 4. All new marshfront development located adjacent to the Pablo Creek estuarine system shall utilize natural vegetation within the fifty-foot conservation-protected buffer area to filter runoff, thereby approximating a natural hydrological regime.
 5. Conservation-protected wetlands shall be protected from physical and hydrologic alteration.

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6. No unauthorized fill that may change the hydrology or topography of any Conservation Protected Lands will be permitted without review by the Planning and Development Department.
- b. *Conservation-protected beach and dune systems.*
 1. The integrity of any approved beach renourishment project shall not be compromised by any development activity.
 2. Construction seaward of the coastal construction control line (CCCL) shall be limited to that permitted under state and federal regulations.
 3. Wind erosion of the beach shall be controlled through stabilization of the berm.
 4. Undeveloped lands within the coastal high hazard area, as indicated on the future land use map, shall be regulated as conservation-protected lands and zoned accordingly.
- c. *Permissible activities in conservation-protected areas.* Certain activities are presumed to have an insignificant effect on the function of conservation-protected lands. These activities may be undertaken unless it is shown by competent and substantial evidence that the specific activity would have a significant adverse effect on the conservation-protected lands.
 1. Scenic, historic, wildlife, or scientific preserves.
 2. Minor maintenance or emergency repair to existing structures or improved areas.
 3. Cleared walking trails having no structural components, and clearing of shoreline vegetation waterward of the mean high water mark (MHW) to create walking trails having no structural components and requiring no fill, not to exceed five (5) feet in width. Provision for handicap access exceeding this standard may be made for public uses upon approval by the Planning and Development Department.
 4. Timber boardwalks, docks, and trail bridges that do not exceed five (5) feet in width, provided that no filling, flooding, excavating, dredging, draining, ditching, and tilling is done, except limited filling and excavating necessary for the installation of pilings. Provision for handicap access exceeding this standard may be made for public uses upon approval by the City Council.
 5. Commercial or recreational fishing or hunting.
 6. Constructing fences where no fill activity is required and where navigational access will not be impaired by construction of the fence.
 7. Developing an area that no longer functions as a wetland where it can be demonstrated that the water regime has been permanently altered, either artificially or naturally prior to the adoption of the LDC and not in violation of any rule, regulation, statute, or the LDC, in a manner to preclude the area from maintaining surface water of hydroperiodicity necessary to sustain wetland structure and function. If the water regime of a wetland has been artificially

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altered but wetland species remain the dominant vegetation of the area, a determination of the feasibility of restoring the altered hydrology shall be made prior to approval of any alternative development proposal. If the wetland can be restored at a cost that is reasonable in relation to the benefits to be derived from the restored wetland, a condition in the development order shall require restoration of the wetland.

- d. *Designated water dependent activities.* Designated water dependent activities that are otherwise prohibited may be allowed if the applicant demonstrates that the public benefits of the activity substantially outweigh the adverse environmental effects on a conservation-protected wetland area; and no practicable alternative to placement in the conservation-protected lands exists.
1. The following are permissible water dependent activities.
 - i. Developments not exceeding ten thousand (10,000) cubic yards of material placed in or removed from watercourses, water bodies or wetlands.
 - ii. All docks and slips, if they meet the requirements of applicable state and federal regulations.
 - iii. New riprap or similar structures (not including seawalls, bulkheads, or the like) not exceeding fifty (50) feet of shoreline.
 - iv. Installation of buoys, aids to navigation, signs, and fences.
 - v. Performance of maintenance dredging for ten (10) years from the date of the original permit.
 - vi. Installation of subaqueous transmission and distribution lines for water, wastewater, electricity, communication cables, oil or gas.
 - vii. Construction of foot bridges and vehicular bridges.
 - viii. Replacement or widening of bridges on pilings or trestles where the effects of pollutants discharged into open waters are minimized.
 - ix. Construction of artificial reefs.
 2. *Standards for water dependent activities.* Water dependent activities shall be designed, constructed, maintained and undertaken in a way that minimizes the adverse impacts on the beneficial functions of the affected conservation-protected area. The following standards shall apply to special uses allowed in wetland conservation-protected areas.
 - i. The development shall be designed to allow the movement of aquatic life requiring shallow water; maintain existing flood channel capacity; and assure stable shoreline embankments.
 - ii. Development that encroaches on wetland conservation-protected areas shall not be located on unstable shorelines where water depths are inadequate to eliminate or minimize the need for foreshore channel construction dredging,

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maintenance dredging, spoil disposal, filling, beach feeding, and other river, lake, and channel maintenance activities; in areas where there is inadequate water mixing and flushing; or in areas which have been identified as hazardous due to high winds or flooding.

- iii. Access roads, parking lots, and similar structures shall be located on upland sites.
- iv. Non-developed portions of wetland conservation-protected areas that are damaged during construction shall be restored or replaced through replanting of vegetation, restocking of fish, shellfish, and wildlife, reestablishment of drainage patterns, and similar activities to return the damaged areas to pre-development conditions. To the maximum extent possible, the restored areas shall match their prior ecological functioning.

(e) *Development of conservation-restricted lands.*

- (1) *Procedure.* Prior to the approval of the development of any conservation-restricted lands, and as part of the consideration of a development plan pursuant to Section 34-586 et seq., the following standards shall be met for the proposed development.
- (2) *Standards for conservation-restricted lands.*
 - a. *Floodplains.* Except as expressly provided in Section 34-772 of the LDC, no development activity shall be undertaken on conservation-restricted floodplains.
 - b. *Palustrine or upland wetlands.* No new development on any land identified as being located in a conservation-restricted palustrine or upland wetland shall be approved unless all applicable requirements of federal, state and regional agencies having jurisdiction over the proposed development have been met.

(f) *Mitigation.*

- (1) Compensatory mitigation by which environmentally sensitive lands are purchased, created, enhanced and/or restored to compensate for the loss of such lands will be required whenever a special use is allowed under Section 34-774(d)(2)c.
- (2) The purchased, created, enhanced, or restored environmentally sensitive land must be of the same type as that destroyed or degraded.
- (3) Compensatory mitigation shall not be the basis for approving a development that could not otherwise be approved.
- (4) A developer of a compensatory mitigation plan shall grant a conservation easement under F.S. § 704.06, on the newly purchased, created, or enhanced or restored environmentally sensitive lands to protect them from future development.
- (5) For wetland conservation-protection areas, the compensatory wetland mitigation shall require that the amount of wetlands purchased, created, enhanced, or restored be large enough to assure that the amount of wetlands destroyed or degraded will be completely and

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successfully replaced. The following ratios of replacement to destroyed wetlands shall be presumed to provide reasonable assurances for type-for-type mitigation.

Table 34-774.1

Type of Mitigation	Required Mitigation Ratio		
Swamp Hammock	2.0	to	1.0
Hardwood Swamp	2.0	to	1.0
Bayheads and Bogs	2.0	to	1.0
Riverine Cypress	1.5	to	1.0
Cypress Pond	1.5	to	1.0
Wet Prairie	1.0	to	1.0*
Freshwater Marsh	1.0	to	1.0*
Salt Marsh	1.0	to	1.0*

* If wetland creation proposed depends extensively on natural recolonization, the ratio may be 2.5 to 1.

(Ord. No. 7500, § 8.5(D), 8-19-91)

Secs. 34-775—34-799. Reserved.

ARTICLE VIII. SUBDIVISION STANDARDS

DIVISION 1. IN GENERAL

Sec. 34-800. Purpose and intent.

The purpose of this Article is to establish the minimum standards for the division of land and improvement of that land in the City of Jacksonville Beach in order to protect the public health, safety, and general welfare. Specifically, these minimum subdivision standards are designed to:

- (a) Establish reasonable and equitable procedures and standards for the subdivision of land that fosters community stability, creates and maintains healthful living environments, preserves natural resources and aesthetic qualities, and appropriately safeguards natural resources.
- (b) Require the provision of safe and convenient vehicular and pedestrian traffic circulation.
- (c) Ensure that public facilities are available to serve development.
- (d) Conserve and manage the natural resources of Jacksonville Beach in order to preserve the productivity, equilibrium, and aesthetic qualities of its land and water.
- (e) Prevent and reduce air and water pollution and the degradation of land.
- (f) Provide for open space and recreational land through efficient and appropriate subdivision design.
- (g) Guide the future growth and development of Jacksonville Beach consistent with the Comprehensive Plan and other provisions of the LDC.
- (h) Maintain and improve safety from fire, flood and other potential disasters.
- (i) Provide adequate light, air, and privacy for land uses.
- (j) Ensure that the subdivision of lands is recorded with proper legal descriptions and monuments.

(Ord. No. 7500, § 9.1(A), 8-19-91)

Sec. 34-801. Authority.

The City Council has the authority to subdivide land pursuant to Fla. Const. Art. VIII. Sec. 2, the Jacksonville Beach Charter, F.S. § 166.01 et seq., F.S. § 163.3161(8), and F.S. § 177.011 et seq.

(Ord. No. 7500, § 9.1(B), 8-19-91)

Secs. 34-802—34-810. Reserved.

DIVISION 2. PROCEDURES

Sec. 34-811. General applicability.

Prior to the division of land which would create three (3) or more parcels of land within the City of Jacksonville Beach, it shall receive an approval for a final plat for subdivision pursuant to the procedures and standards of this Article.

(Ord. No. 7500, § 9.2(A), 8-19-91)

Sec. 34-812. General description of subdivision.

All land, unless exempted pursuant to this Article, shall be required to gain approval of a concept plan for plat, development plan for plat, and a final plat pursuant to the procedures and standards of this Article.

(Ord. No. 7500, § 9.2(B), 8-19-91)

Sec. 34-813. Concept plan for plat.

If a proposed development is subject to the terms of this Article and has not received a development order for a preliminary development plan for PUD Zoning District classification or a preliminary plan for RD Zoning District classification, it shall be required to receive approval of a concept plan for plat pursuant to the procedures and standards of this Section.

- (a) *Submission of application.* An application for a concept plan for plat shall be submitted to the Planning and Development Department along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.
- (b) *Contents of application.* The application shall be submitted in a form established by the Planning and Development Department and made available to the public that contains the following information:
 - (1) The name, address and telephone number of the owner of record of the land proposed for the concept plan for plat.
 - (2) The name, address, and telephone number of the developer, if different from the owner, and a description of the project. Written authorization from the landowner shall also be submitted if the application is being submitted by a person other than the landowner.
 - (3) The name, address, and telephone number of the agent for the application, if there is an agent.
 - (4) The name, address, and telephone number of all land use, environmental, engineering, economic, or other professionals that are assisting in the application.

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- (5) The street address and legal description of the land proposed to be platted.
- (6) A concept plan of the proposed plat, which includes the lot and block layout, and the proposed traffic circulation system.
- (c) *Determination of sufficiency.* Within ten (10) working days after receipt of the application, the Planning and Development Department shall determine if the application is sufficient.
 - (1) If the Planning and Development Department determines the application is not sufficient, a written notice shall be sent to the applicant specifying the deficiencies. No action shall be taken on the application until the deficiencies are remedied.
 - (2) When the application is determined sufficient, the Planning and Development Department shall notify the applicant of the application's sufficiency and that the application is ready for review pursuant to this division.
- (d) *Review and decision by Planning and Development Department.* Within fifteen (15) working days after the application is determined sufficient, the Planning and Development Department shall review the application and determine based on the standards in Section 34-813(e) whether the plat is compliant. The Planning and Development Department shall inform the applicant of compliance or deficiency.
- (e) *Standards.* A concept plan for plat shall comply with the following standards.
 - (1) *Consistency with Comprehensive Plan.* It shall be consistent with the vision, intent and strategies of the Comprehensive Plan.
 - (2) *Compatible with surrounding land uses.* The concept plan shall be compatible with surrounding land uses.
 - (3) *Design and layout.* It shall be adequately designed so that the general layout of the proposed development will be similar to surrounding land uses and not cause a substantial depreciation in property values.

(Ord. No. 7500, § 9.2(C), 8-19-91; Ord. No. 2020-8133 , § 8, 3-2-20)

Sec. 34-814. Development plan for plat.

Within one (1) year of receipt of a concept plan for plat, an application for development plan for plat shall be submitted pursuant to the procedures and standards of Division 5, or the concept plan for plat shall become null and void.

(Ord. No. 7500, § 9.2(D), 8-19-91; Ord. No. 2020-8133 , § 8, 3-2-20)

Sec. 34-815. Final plat.

- (a) *Submission of application.* Within one (1) year of the approval of a development plan for plat pursuant to the procedures and standards of Division 5, an application for a final plat shall be submitted to the Planning and Development Department, along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of

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processing the application. If the one (1) year timeframe is exceeded, the applicant shall submit a new Development Plan for Plat to the Planning and Development Department for review.

- (b) *Contents of application.* Four (4) copies of the application shall be submitted in a form established by the Planning and Development Department and made available to the public that contains the following information:
- (1) The name, address and telephone number of the owner of record of the land proposed for the final plat.
 - (2) The name, address, and telephone number of the developer, if different from the owner, and a description of the project. Written authorization from the landowner shall also be submitted if the application is being submitted by a person other than the landowner.
 - (3) The name, address, and telephone number of the agent for the application, if there is an agent.
 - (4) The name, address, and telephone number of all land use, environmental, engineering, economic, or other professionals that are assisting in the application.
 - (5) The street address and legal description of the land proposed to be platted.
 - (6) Date, north arrow, scale.
 - (7) The unique subdivision name in bold legible letters under which should appear the City of Jacksonville Beach.
 - (8) Identification of all street names.
 - (9) A legal description of the final plat.
 - (10) The location and names of adjacent subdivisions.
 - (11) The exact dimensions (location and width) of all streets, their bearings, angle of intersection, length of arcs, radii, points of curvature and tangent bearings.
 - (12) The exact location and width of all easements, whether public or private, and a statement of easement rights.
 - (13) The exact length and bearings of the exterior boundaries of the land being subdivided.
 - (14) The exact dimensions of all lots.
 - (15) The exact radii of all curves and lengths of all tangents.
 - (16) The exact location and area of all land to be dedicated for public use or reserved by deed covenant for common use of all property owners with the purpose indicated thereon. All lands dedicated for public use, other than streets, shall be marked "Dedicated to the Public."
 - (17) The deed restrictions, if any, including the boundaries of each type of restrictions.
 - (18) The accurate location and material of all permanent reference monuments and bench marks.
 - (19) The certificate of the registered land surveyor preparing the plat that the plat, as presented, fully complies with the requirements of this Article and the platting laws of the State of Florida, and that the plat is a correct representation of all exterior boundaries of the land

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surveyed, that the plat represents a survey made by them and that all monuments indicated thereon exist and their location, size and material are correctly shown, and that permanent control points will be placed accordingly.

- (20) As built drawings of all improvements that are to be dedicated to the City of Jacksonville Beach.
 - (21) A certificate by the owner dedicating to the public and the City of Jacksonville Beach and its successors, full use of all streets and easements for drainage, utilities, and sewers.
 - (22) Certification of acceptance by the City of Jacksonville Beach accompanied by the notarized signature of the mayor prior to filing with the Clerk of the Circuit Court for Duval County.
- (c) *Determination of sufficiency.* Within ten (10) working days after receipt of the application, the Planning and Development Department shall determine if the application is sufficient.
- (1) If the Planning and Development Department determines the application is not sufficient, a notice shall be sent to the applicant specifying the application's deficiencies. No further action shall be taken on the application until the deficiencies are remedied.
 - (2) When the application is determined sufficient, the Planning and Development Department shall notify the applicant of the application's sufficiency and that the application is ready for review pursuant to the procedures and standards of this division.
- (d) *Review and report by Planning and Development Department.* Within fifteen (15) working days after the application is determined sufficient, the Planning and Development Department shall review the application. If the Planning and Development Department finds that all the standards of Section 34-815(f). have been met, the final plat shall be submitted to the City Council along with a staff report for approval. If the Planning and Development Department finds that all the standards of Section 34-815(f). have not been met, and after deficiencies have been discussed and reviewed with the applicant, the applicant shall be given a period not to exceed ninety (90) days to take corrective action on the application. If corrective action is not taken, the Planning and Development Department shall recommend disapproval of the final plat and shall set forth its reasons for such disapproval in writing.
- (e) *Decision by City Council.* At the public hearing, the City Council shall review the application and staff report and approve, approve with conditions, or deny the final plat based on the standards in Section 34-815(f) upon approval by the City Council, the seal of the City and the signatures of the mayor and the City Clerk shall be affixed to the original plat. The original plat shall then be returned to the applicant. One (1) copy shall be retained in the files of the Planning and Development Department The approved final plat shall be recorded by the applicant in the public records of the Duval County, and one (1) copy of the final plat showing the certificate of the clerk of county circuit court shall be returned by the applicant to the Planning and Development Department.
- (f) *Standards.* A final plat shall comply with the following standards.
- (1) *Design standards.*
 - a. *General.* In addition to these regulations, a final plat shall conform to the Comprehensive Plan, the LDC, and any other applicable ordinances and code provisions

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of the City of Jacksonville Beach to ensure that future development is consistent with the vision, intent, and strategies of the Comprehensive Plan.

- b. *Blocks.* The length, width and shape of blocks shall be determined with regard to:
 - 1. The provisions of adequate building sites suitable to the particular needs of the type of use contemplated.
 - 2. Zoning requirements as to lot size and dimensions.
 - 3. Needs for convenient access, circulation, control and safety of traffic.
 - 4. Limitations and opportunities afforded by topography and other natural features.
- c. *Sidewalks.* Sidewalks shall be installed parallel to all arterial and collector-type streets as enumerated in the current Transportation Element of the Comprehensive Plan for the City of Jacksonville Beach. Sidewalks may be required to be installed on one (1) side of all new subdivision streets which meet the definition of an arterial or collector street. Required sidewalks shall be four-inch thick monolithic concrete with a maximum slope of one-quarter ($\frac{1}{4}$) inch per foot. Detailed plans for any required sidewalks or urban trails shall be submitted with the engineering plans for the proposed subdivision.
- d. *Curves.* Where a deflection angle of more than ten (10) degrees in alignment of a street occurs, a curve of reasonably long radius shall be introduced. On all streets except subdivision streets, the centerline radius of curvature shall not be less than two hundred fifty (250) feet; on subdivision streets, it shall not be less than one hundred (100) feet.
- e. *Dead-end streets.* Streets designed to have one (1) end permanently closed shall be designed as a cul-de-sac, and shall provide at the closed end a turnaround with a right-of-way radius of not less than forty-five (45) feet. A "cul-de-sac" shall not be more than one thousand two hundred (1,200) feet in length. Turnarounds consistent with paving and turning radius requirements described herein shall be provided at all temporary dead ends.
- f. *Easements and dedications.* Easements and/or rights-of-way for public utilities shall be required for poles, wires, conduits, gas and water lines, sewers, and storm drainage facilities. Easements of a greater width may be required along or across lot lines where necessary for adequate drainage. Dedication or reservation of sites or areas for schools, parks and other public areas may be required if necessary to ensure consistency with the Comprehensive Plan.
- g. *Lots.* Lot dimensions and setbacks shall conform to the minimum standards established for the pertinent Zoning District in Article VI, Zoning Districts.
- h. *Intersections.* Streets shall be designed to intersect at right angles. Property lines adjoining street intersections shall be rounded with a radius sufficient to allow sidewalks within the street right-of-way.
- i. *Streets.* Street design standards shall be based upon the intended use as specified by their functional classification as described below:

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Table 34-815.1

	Subdivision Street (feet)	Culs-de-Sac (feet)	Private Street (feet)
Pavement Width:			
Swale section	20	20	20
Curb and gutter	24, with 1.5-foot curb and gutter on each side	24, with 1.5-foot curb and gutter on each side	24, with 1.5-foot curb and gutter on each side
No. of lanes	2	2	2
Dedicated Right- of-Way Width:			
Swale section	60	60	60
Curb and gutter	50	50	50
Minimum Diameter of Turnaround:			
ROW	90	90	90
Pavement	60	60	60
Maximum Length of Cul-de-Sac:	1,200	1,200	1,200
Return Radius:	30	30	30

Street grades shall be determined in relation to drainage requirements. Street grades shall not exceed five (5) percent or be less than three-tenths of one (0.3) percent.

(2) *Required improvements.*

- a. *General.* Required improvements may not be indicated on the final plat; however, conformance with these regulations in advance of any building permits is contingent upon the improvements listed in this division being accomplished by the subdivider and accepted by the City. The subdivider is also required to execute the appropriate agreements that guarantee against faulty workmanship or materials prior to approval of the final plat.
- b. *Monuments.* Permanent reference monuments (PRM's) or irons shall be set before the recording of the final plat and shown on the plat according to F.S. § 177.091(7), Permanent control points (PCP's) shall also be placed on the tract and designated on the plat according to F.S. § 177.091(8), The registered land surveyor for the proposed subdivision shall be responsible for furnishing the City Manager and the Duval County Clerk with the dates PCPs were set in the ground.
- c. *Street names.* Proposed street names shall appear on the final plat. New streets that are extensions of existing streets shall bear the name of the existing street. In no case shall the name given to a new subdivision street duplicate an existing street name. The City reserves the right to approve and/or reject any proposed street name.

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- d. *Streets and stormwater management improvements.* All construction and materials used to install streets and drainage shall conform to the latest edition of "Standard Specifications for Road and Bridge Construction of the Florida Department of Transportation." Streets and drainage improvements shall meet the following minimum specification:
1. *Subgrade.* Subgrade shall be stabilized to this strength in accordance with the specification of the Florida Department of Transportation.
 2. *Pavement base construction.* Base construction shall utilize only Florida limerock or other approved materials.
 3. *Surfacing.* Surfacing for residential streets shall be either asphaltic concrete or concrete installed to acceptable design standards for residential or commercial development.
 4. *Dimensions.* Minimum dimensions shall conform to the following table:

Table 34-815.2

	Collector Streets	Local and Subdivision Streets	Industrial and Commercial Streets
Base thickness	9-inch	5-inch	12-inch
Pavement thickness	1½-inch	1¼-inch	1¼-inch
Pavement width	(See Street Design Standards)		

5. *Street intersections.* Acute angles occurring between streets at their intersection alignments shall be curved so that tangents to the curves shall intersect at right angles. Radii at intersections shall be a minimum of thirty (30) feet for residential streets and forty (40) feet for streets within industrial or commercial subdivisions.
 6. *Stormwater management facilities.* All stormwater management facilities shall be constructed to provide adequate conveyance, detention or retention of stormwater runoff to prevent flooding and to maintain any natural water courses consistent with the standards in Section 34-771.
 7. *Floodproofing.* Where land is subject to periodic flooding, it shall comply with the standards in Section 34-772.
- e. *Water supply and sewage.*
1. The subdivision's sanitary sewer collection and potable water distribution lines shall be connected to the City's system. Sanitary sewer lines excluding service connections shall be eight (8) inches in diameter unless a larger size is stipulated by the City. Service lines shall be six (6) inches in diameter. Lift stations and sewers shall be designed and constructed in accordance with acceptable engineering standards and practices and shall be approved by the Director of the Public Works Department.

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2. The water supply lines in the subdivision shall be designed and constructed in accordance with acceptable engineering standards and practices and shall be approved by the Director of Public Works Department. Lateral water lines to single-family residences shall be one (1) inch in diameter. Lines to commercial and industrial subdivisions shall be designed to the approval of the Director of the Public Works Department.
 3. The water distribution system shall be designed to supply the necessary fire flow in quantity and pressure as stipulated by the National Board of Fire Underwriters for classification assigned to the City of Jacksonville Beach. Fire hydrants shall be required for all subdivisions and shall be located at each intersection or no further than five hundred (500) feet apart, whichever provides the closer spacing.
 4. The City shall reimburse the developer for the additional expense of constructing water and sewer improvements having a greater capacity than required by the development alone, when necessary to provide adequate service to areas outside the subdivision.
- f. *Street name and traffic control signs.*
1. All street name and traffic control signs required for the development shall be provided and installed by the City. The cost of manufacturing or purchasing and installing the signs shall be reimbursed to the City by the developer.
 2. The design and placement of traffic signs shall follow state regulations or the requirements specified in the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Transportation.
 3. At least two (2) street name signs shall be placed at each four-way intersection, and one (1) at each "T" intersection. Signs shall be installed under light standards wherever possible, and be free of obstruction.
- g. *Inspection of improvements.* The City of Jacksonville Beach shall provide for inspection of required improvements during construction and ensure their satisfactory completion. If the required improvements are not found to meet the standards and specifications required herein, the subdivider shall be responsible for completing the improvements satisfactorily.
- h. *Completion of improvements prior to recording of the final plat.* All improvements shall be completed to the specifications set forth herein prior to recording of the final plat. The City is hereby automatically vested with the right to inspect the construction of improvements. In addition to inspection by the City of the improvements, a certification of completion from the project engineer shall be provided to the Planning and Development Department in order to obtain approval to record the final plat.
- i. *Warranty bond.* Accompanying the request for acceptance of subdivision improvements for maintenance, the person, seeking approval shall furnish a good and sufficient bond from a bonding company acceptable to the City in an amount equivalent to the value of the improvements contained within the subdivision. This bond is to be furnished solely as a guarantee against faulty workmanship and materials. Said bond shall be submitted

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by the subdivider to the City and shall remain in force for a minimum of one (1) year following date of acceptance for maintenance of the subdivision streets, drainage system and appurtenances thereto. One (1) year after the date of acceptance for maintenance by the City Council of all improvements required, the City shall release the warranty bond or that portion which remains after any faulty workmanship has been corrected.

- j. *Surety bond.* The subdivider shall have the option of furnishing the City with a surety bond payable to the City from a bonding company acceptable to the City and in an amount equivalent to one hundred (100) percent of the sum of engineering and constructing the improvements required under this Article. If at the end of one (1) year from the time of acceptance of the bond by the City, the improvements have not been completed and approved, then the subdivider may request a time extension of no more than one (1) year. The City Council shall determine whether to grant an additional time extension for completion or to revoke construction permits requiring forfeiture of the performance bond. Upon completion of the bonded improvements, the subdivider shall submit a request to the City Council for acceptance of all public improvements and release of the performance bond. The request shall be made to the Planning and Development Department at least ten (10) days preceding the City Council meeting at which action is requested.

(Ord. No. 7500, § 9.2(E), 8-19-91; Ord. No. 2020-8133 , § 8, 3-2-20)

Secs. 34-816—34-899. Reserved.

ARTICLE IX. ADEQUATE PUBLIC FACILITY STANDARDS¹

DIVISION 1. GENERAL

Sec. 34-900. Purpose and intent.

The purpose and intent of this Article is to ensure that adequate potable water, sanitary sewer, solid waste, stormwater management, recreation and open space, and school public facilities are available to accommodate development concurrent with the impact of development on such public facilities, consistent with the LOS standards for those public facilities adopted in the Comprehensive Plan. This objective is accomplished by (1) establishing a management and monitoring system to evaluate and coordinate the timing and provision of the necessary public facilities to service development, and (2) by establishing a regulatory program that ensures that each public facility is available to serve development concurrent with the impacts of development on public facilities.

(Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Sec. 34-901. Authority.

The City Council has the authority to adopt this Article pursuant to Fl. Const. Art. VIII, Sec. 2, the Jacksonville Beach Charter, F.S. § 166.01 et seq., F.S. § 163.3161, F.S. §§ 163.3177 and 163.3202(2)(g).

(Ord. No. 2010-7993, § 2, 7-19-10)

Sec. 34-902. Exemptions.

The following shall be exempt from the requirements of this Article:

- (a) *Planned Unit Development and Redevelopment District.* A development order for a final development plan for a planned unit development or Redevelopment District approved on or before the effective date of the LDC, unless it:
 - (1) Expressly states otherwise; or
 - (2) Expires according to its terms or any part thereof, including its timetable for development; or
 - (3) Fails to comply with its timetable for development for any phase, in which case the development shall be subject to the terms of this Article as it relates to that portion of the development that fails to comply with the timetable of development; or

¹Editor's note(s)—Ord. No. 2010-7993, § 2, adopted July 19, 2010, repealed the former Art. X, §§ 34-521—34-523, 34-536—34-542, 34-551—34-553, 34-561—34-568, 34-576—34-581, and enacted a new Art. X as set out herein. The former Art. X pertained to similar subject matter and derived from Ord. No. 7500, §§ 10.1—10.5, adopted August 19, 1991. See the Code Comparative Table for complete derivation.

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- (4) Is amended to increase the intensity or density of development such that there is an additional impact on adopted LOS standards for public facilities; or
- (5) Is invalidated in whole or in part.
- (b) *Plat*. A development order for a final plat for subdivision approved on or before the effective date of the LDC, that is proceeding in good faith by developing the subject final plat for subdivision.
- (c) *Building permit*. A development order for a building permit issued prior to the effective date of the LDC, unless it:
 - (1) Expires according to its terms or any part thereof; or
 - (2) Is invalidated in whole or in part.
- (d) *Development alterations or expansion creating no impact*. Development alterations or expansions that do not create additional impact on public facilities, including but not limited to:
 - (1) Construction of room additions to dwelling units; or
 - (2) Construction of accessory structures to dwelling units, including swimming pools, garages and fences; or
 - (3) Additions to nonresidential uses that do not create additional impact on public facilities; or
 - (4) Residential docking facilities for use by the residents of the property on which the dock facilities will be located; or
 - (5) Replacement of an existing dwelling unit when no additional units are created.
 - (6) A development that consists solely of development activity which has no vehicle trip generation, or no new vehicle trip generation in excess of that associated with existing development, in the case of redevelopment activities.
- (e) *Public facilities*. All public facilities provided by the City of Jacksonville Beach necessary to ensure the protection of the health and safety of the citizens of the City.
- (f) *Temporary sales*. Any permits for outside retail sales of holiday or seasonal items.
- (g) *Public transportation and mobility facilities*. Transit stations and terminals, transit station parking, park-and-ride lots, intermodal public transit connection or transfer facilities, fixed bus, guide way, and rail stations.
- (h) *Educational services*. Public and private primary and secondary educational schools, including any on-site ancillary facilities.
- (i) *Single- and two-family dwelling units*. Construction of no more than two dwelling units on a lot of record.

(Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Secs. 34-903—34-910. Reserved.

DIVISION 2. MONITORING PROGRAM

Sec. 34-911. General.

In order to ensure that adequate potable water, sanitary sewer, solid waste, stormwater management, park and public school facilities are available concurrent with the impacts of development on such public facilities, the City shall establish the following management and monitoring practices. Their purpose is to evaluate and coordinate the timing, provision and funding of public facilities so that they are being adequately planned for and funded to maintain the LOS for such public facilities and to evaluate public facility capacity for use in the regulatory program to ensure no development order is issued unless there are adequate public facilities available to serve the development concurrent with the impact of development on the public facilities.

(Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Sec. 34-912. Recommendations on amendments to Capital Improvement Element (CIE) and annual budget.

Based upon analysis of the availability of public facilities, and upon review of the annual update to the DCPS Five Year Capital Facilities Plan, the Planning and Development Department shall propose to the City Council each year, any necessary amendments to the CIE and any proposed amendments to the City's annual budget for public facilities.

(Ord. No. 2010-7993, § 2, 7-19-10)

Secs. 34-913—34-920. Reserved.

DIVISION 3. REVIEW FOR ADEQUATE PUBLIC FACILITIES

Sec. 34-921. Application.

In order to ensure that adequate potable water, sanitary sewer, solid waste, stormwater management, recreation and open space, and public school facilities are available concurrent with the impact of development on each public facility, Jacksonville Beach shall establish the following development review procedures to ensure there is no development order issued unless there are adequate public facilities available to serve the proposed development, or that the development order is conditioned on the availability of public facilities to serve the development concurrent with the impact of development on the public facilities.

(Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Sec. 34-922. Procedures to determine public facility adequacy.

- (a) *Preliminary development order.* No application for a development permit for a preliminary development order shall be accepted without receipt of either an exemption pursuant to Section 34-743, an affidavit attesting to subsequent receipt of a certificate of public facilities reservation, or an application requesting a certificate of public facilities reservation. No preliminary development order shall be approved without either receipt of an exemption pursuant to Section 34-743, a signed affidavit attesting to subsequent receipt of a certificate public facilities reservation, or a certificate of public facilities reservation.
- (b) *Final development order.* No application for a development permit for a final development order shall be accepted without an exemption pursuant to Section 34-743, or an application requesting a certificate of public facilities reservation. No final development order shall be approved without either an exemption or a certificate of public facilities reservation.

(Ord. No. 2010-7993, § 2, 7-19-10)

Sec. 34-923. Procedure to obtain certificate of public facilities reservation.

- (a) *Submission of application.* An application for a certificate of public facilities reservation shall be submitted to the Planning and Development Department in a form established by the Planning and Development Director and made available to the public, along with a nonrefundable fee established by the City Council to defray application processing costs.
- (b) *Determination of sufficiency.* The Planning and Development Department shall review the application within fifteen (15) working days after its receipt, determine whether the application is complete and includes data necessary to evaluate the application.
 - (1) If the Planning and Development Department determines the application is not sufficient, a written notice (email is sufficient) shall be provided to the applicant specifying the deficiencies. No further action shall be taken until the deficiencies are remedied.
 - (2) If the application is determined sufficient, the Planning and Development Department shall notify the applicant, in writing, of the application's sufficiency and that the application is ready for review pursuant to the procedures and standards of this Article.
- (c) *Priority for public facility capacity and encumbrance.* Priority for remaining public facility capacity for an application being reviewed for a certificate of public facilities reservation shall be based upon the date the application is determined sufficient pursuant to Section 34-923(b). The application with the earliest sufficiency date shall have priority for remaining public facility capacity. After the City Departments determine there is adequate public facility capacity for a development, that capacity shall be encumbered until final action on the application.
- (d) *Staff evaluation and recommendation.* Within ten (10) working days of the day the Planning and Development Department determines the application is sufficient, it shall be forwarded to the City Departments and evaluated as to whether or not adequate public facilities are available, pursuant to Section 34-924.

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- (e) *Decision of Planning and Development Department.* Within ten (10) working days of receipt of an evaluation from the City Departments regarding an application for a certificate of public facilities reservation, the Planning and Development Department shall review the evaluations and application, and determine if it complies with all public facility component standards in Section 34-924. If the application complies with all of the public facility component standards in Section 34-924, the Planning and Development Department shall issue a certificate of public facilities reservation. If the Planning and Development Department determines that an application fails to meet any of the public facility component standards, the applicant shall be notified of such deficiency, and may either:
- (1) Remedy the application for a certificate of public facilities reservation within sixty (60) working days, after which the application shall be reconsidered by the Planning and Development Department and approved or denied, consistent with the standards in Section 34-924; or
 - (2) Request a conditional certificate of public facilities reservation, which shall be approved by the Planning and Development Department if it is demonstrated that:
 - a. All existing available public facility capacity up to but not greater than an amount sufficient to serve the proposed development has been reserved;
 - b. There is reasonable likelihood that the balance of the public facility capital improvements identified to provide the remaining capacity necessary to accommodate the proposed development can be provided pursuant to a development agreement;
 - c. The applicant requests consideration and approval of a development agreement concurrent with the application for a development permit for which the conditional certificate of public facilities reservation is requested for the purpose of ensuring the certificate complies with the adequate public facility standards for a certificate of public facilities reservation, and;
 - d. The conditional certificate of public facilities reservation is conditioned on the concurrent approval of a development agreement and a development order for the application for development permit that complies with the adequate public facility standards for a certificate of public facilities reservation.

Prior to the City Council consideration of a development agreement in conjunction with an application for development permit, the Planning and Development Department shall review that component of the development agreement related to the provision of adequate public facilities for the proposed development and determine if the public facility capacity standards in Section 34-924 for a certificate of public facilities reservation are met if the terms of the development agreement are approved. If the Planning and Development Department determines that the standards of Section 34-924 are met if the development agreement is approved, a certificate of public facilities reservation shall be issued, conditioned on the approval of the development agreement with the express terms related to the provision of the public facilities for the proposed development. Upon approval of the development agreement consistent with the terms and conditions which the Planning and Development Department determined would ensure compliance with the requirements of Section 34-924, the certificate of public facilities reservation shall become final. If the development agreement upon which the certificate of

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public facilities reservation is conditionally issued is denied, then the certificate of public facilities reservation shall automatically and immediately expire.

(Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Sec. 34-924. Standards for review of certificate of public facilities reservation.

The following standards shall be used in the determination of whether to issue or deny a certificate of public facilities reservation for potable water, sanitary sewer, solid waste, stormwater management, and recreation and open space facilities. Before issuance of a certificate of public facilities reservation, the application shall fulfill the standards for each and every public facility component. In addition, for residential development the procedures contained in Section 34-926 shall be followed, as applicable, for a determination of adequate capacity relative to public school facilities.

- (a) *Potable water facilities.* The potable water component shall be approved if any of the following conditions are met:
 - (1) Potable water facilities are in place to provide the proposed development sufficient services based on the LOS for potable water facilities, and a reservation of capacity has been received from the appropriate service provider, demonstrating that capacity will be available prior to issuance of a certificate of occupancy; or
 - (2) Potable water facilities are under construction that will provide the proposed development sufficient services based on the LOS for potable water facilities, and a reservation of capacity has been received from the appropriate service provider demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (3) Potable water facilities are to be provided by the applicant that will provide the proposed development sufficient services based on the LOS for potable water facilities, pursuant to a development agreement demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy.
- (b) *Sanitary sewer facilities.* The sanitary sewer component shall be approved if any of the following conditions are met:
 - (1) Sanitary sewer facilities are in place to provide the proposed development sufficient services based on the LOS for sanitary sewer facilities, and a reservation of capacity has been received from the appropriate service provider, demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (2) Sanitary sewer facilities are under construction that will provide the proposed development sufficient services based on the LOS for sanitary sewer facilities, and a reservation of capacity has been received from the appropriate service provider demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (3) Sanitary sewer facilities are to be provided by the applicant that will provide the proposed development sufficient services based on the LOS for sanitary sewer facilities, pursuant to a development agreement demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy.

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- (c) *Solid waste facilities.* The solid waste component shall be approved if any of the following conditions are met:
- (1) Solid waste facilities are in place to provide the proposed development sufficient services based on the LOS for solid waste facilities; or
 - (2) Solid waste facilities are under construction that will provide the proposed development sufficient services based on the LOS for solid waste facilities and assurance has been received demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy.
- (d) *Stormwater management facilities.* The stormwater management component shall be approved if any of the following conditions are met:
- (1) Stormwater management facilities are in place to provide the proposed development sufficient services based on the LOS for stormwater management and a reservation of capacity has been received from the appropriate service provider demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (2) Stormwater management facilities are under construction that will provide the proposed development sufficient services based on the LOS for stormwater management and a reservation of capacity has been received from the appropriate service provider demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (3) Stormwater management facilities are to be provided by the applicant that will provide the proposed development sufficient services based on the LOS for stormwater management pursuant to a development agreement demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy.
- (e) *Recreation and open space facilities.* The recreation and open space component shall be approved if any of the following conditions are met.
- (1) Recreation and open space facilities are in place to provide the proposed development sufficient services based on the LOS for recreation and open space facilities, and a reservation of capacity has been provided for the facilities demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (2) Recreation and open space facilities are under construction that will provide the proposed development sufficient services based on the LOS for recreation and open space facilities and a reservation of capacity has been provided for the facilities demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy; or
 - (3) Recreation and open space facilities are the subject of a binding and executed contract that will provide the proposed development sufficient services based on the LOS for recreation and open space facilities and a reservation of capacity has been provided for the facilities demonstrating that commencement of the construction of the facilities will occur within one (1) year of issuance of the development order and completion of the facilities will occur within two (2) years of permit issuance; or

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- (4) Recreation and open space facilities are to be provided by the applicant that will provide the proposed development sufficient services based on the LOS for recreation and open space facilities pursuant to the terms of a development agreement demonstrating that sufficient capacity will be available prior to issuance of a certificate of occupancy.
 - (f) *Expiration of certificate of public facilities reservation.* A certificate of public facilities reservation is valid for two (2) years from the date it is originally approved, except that a certificate of public facilities reservation for a single-family home shall be valid for five (5) years if it is part of a final plat of subdivision approved pursuant to this Article.
 - (g) *Effect of public facilities reservation.* Receipt of a certificate of public facilities reservation shall constitute proof of adequate public facilities to serve the proposed development. A subsequent application for a development permit for development, for which a certificate of public facilities reservation has been approved, shall be determined to have adequate public facilities as long as the certificate of public facilities reservation is valid.
 - (h) *Assignability and transferability.* A certificate of public facilities reservation shall be assignable within the proposed development, subject to the certificate of public facilities reservation, but shall not be assignable or transferable to other development. A certificate of public facilities reservation shall run with the land.
- (Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Sec. 34-925. Mobility fee program.

- (a) *Purpose and intent.* Whereas the City of Jacksonville Beach continues to grow primarily through redevelopment and because it has limited opportunity to widen roadways as a mechanism to increase capacity in a largely built-out environment, in order to adequately and efficiently address the City's mobility needs, the City of Jacksonville Beach has replaced transportation concurrency with the mobility fee program. The intent of the mobility fee program is to replace the transportation concurrency management system with a holistic mobility approach that applies a fee system to new development based upon the link between land use and mobility. Through the mobility fee program and this Section within Article IX, the City is replacing the transportation concurrency management system with a more predictable and balanced system. The purpose of this Section is to establish the process necessary to implement the mobility fee program.
- (b) *Mobility fee requirement, certificate, application process and calculation.*
 - (1) *Mobility fee required.* Unless a fair share assessment payment is made or a development is deemed de minimis, or exempt per Section 34-902, the mobility fee must be paid prior to approval of final construction and/or engineering plans or building permits for single-family residential construction.
 - (2) *Mobility fee calculation application and fee.* An applicant for a mobility fee calculation certificate shall file a completed application with the Planning and Development Department on the form provided by that office. The applicant shall provide all the information requested on the application, to the extent applicable together with an application fee determined by City Council.

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- (3) *Sufficiency review.* If the Planning and Development Department determines that the information contained in the application is insufficient to review the application, then the department, within ten (10) days of its receipt of the application, shall notify the applicant of the application's insufficiencies. The applicant shall then have ten (10) days from the date of such notification to remedy the application's insufficiencies. This time period may be extended by the department based upon a showing of good cause. Any notification by department that the application is insufficient automatically tolls the applicable review period. Upon the department's receipt of the necessary information, the review period begins again at the point at which it was tolled.
- (4) *Issuance of mobility fee calculation certificate.* A mobility fee calculation certificate shall be issued by the Planning and Development Department within fourteen (14) days from the date the application is accepted and deemed sufficient by the department.
- (5) *Mobility fee calculation.* For the purpose of calculating a mobility fee, the following formula shall apply:

Mobility Fee = $A \times B \times (C - \text{Trip Reduction Adjustments} - \text{Existing Use Trips})$

Where:

A = Cost per Vehicle Mile Traveled (VMT);

B = Average VMT within the City of Jacksonville Beach; and

C = Project Daily Vehicle Trips.

- a. *Cost per VMT.* The cost per VMT is determined dividing the cost of the prioritized transportation improvement projects identified in the Capital Improvement Element of the Comprehensive Plan by the projected change in VMT as set forth in the Mobility Plan.
- b. *Average VMT within the City of Jacksonville Beach* refers to the City's weighted average VMT, as determined by dividing the 2030 model-based projected VMT divided by the 2030 daily trips.
- c. *Project daily vehicle trips and trip reduction adjustments.* Unless there is a special local trip generation study approved by the Planning and Development Department, the Institute of Transportation Engineers (ITE) most recent edition of "Trip Generation" shall be utilized to determine project daily vehicle trips. The project daily vehicle trips generated shall be reduced using vehicle trip adjustments based upon physical measures, including but not limited to, residential density, mix of uses, existence of local serving retail, transit service and pedestrian/bicycle friendliness. Such adjustments are derived from the URBEMIS Mobile Source Mitigation Component Model and/or potential Transportation Demand Management (TDM) measures for redevelopment projects. The project daily vehicle trips generated shall also be reduced by any daily vehicle trips being generated by existing uses on the property.
- (c) *Re-evaluation of mobility fee formula and trip reduction factors.* At a minimum, every five (5) years the Planning and Development Department shall re-evaluate the City's Mobility Plan and review and potentially update the mobility fee formula and trip reduction factors.

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- (d) *Deposit of mobility fees and appropriation of mobility fees.* Mobility fees received by the City shall be deposited into a mobility fee account. The mobility fees collected shall have a reasonable relationship to the transportation impacts generated by any proposed development and shall be appropriated for the prioritized multimodal transportation improvement projects identified in the Capital Improvement Element of the Comprehensive Plan. These projects will include improvements that facilitate multimodal travel and accessibility including roadway, bicycle, pedestrian and transit.
- (e) *Duration of mobility fee calculation certificate.* A mobility fee calculation certificate or expedited mobility fee calculation certificate for proposed development of property is valid for two (2) years from the date of issuance, unless it is:
- (1) Extended for one year by the payment, prior to the expiration date, of the applicable annual inflation adjustments as determined by the Florida Department of Transportation Office of Financial Development.
- (f) *Transportation improvement projects constructed by a landowner or developer.*
- (1) *Applicability.* A landowner or developer may construct, or cause to be constructed, any transportation improvement project that is identified in the Mobility Plan to offset a calculated mobility fee if the transportation improvement project either:
 - a. Costs the same as the applicant's mobility fee; or
 - b. Costs less than the applicant's mobility fee and the applicant pays the difference between the mobility fee and the cost of the improvement project.
 - (2) *Credit against mobility fee.* A landowner or developer who constructs, or causes to be constructed, an entire transportation improvement project that is identified in the list of prioritized multimodal transportation improvements in the Capital Improvement Element of the Comprehensive Plan as authorized in subsection (d) shall receive credit against the applicable mobility fee as provided in this Section for the design, permitting, and construction of the entire transportation improvement project.
 - (3) *Calculation of credit.* The credit authorized shall be calculated using the cost estimates in the most recent issue of the Florida Department of Transportation, Office of Policy Planning, and Policy Analysis and Program Evaluation publication entitled Transportation Costs. The cost estimates for facilities and/or projects not identified in Transportation Costs shall be determined by the Public Works Department, prior to the approval of any credit.
 - (4) *Timing of credit.* The costs shall be deemed incurred and credit shall be provided pursuant to this subsection when a contract for the construction of the entire transportation improvement project is awarded, and a payment and performance bond, or other form of security approved by the City Attorney, is provided to the City to guarantee the funding of the facilities and/or projects. The City shall be a co-obligee under the bond or other form of security.
 - (5) *Public Works Department review.* All transportation improvement projects shall be approved by the Public Works Department prior to, and after construction to verify completion and fulfillment of any mobility fee requirements.

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- (6) *Right-of-way donation.* A landowner or developer may also receive credit in the donation of land, if the land is necessary for a transportation improvement identified as a prioritized transportation improvement project identified in the Capital Improvement Element of the Comprehensive Plan. An appraisal shall be required for any donation of land. The landowner or developer and the City of Jacksonville Beach Public Works Department shall mutually agree to the appraiser prior to the appraisal being performed. The Public Works Department's agreement shall be evidenced by a memorandum or letter executed by the Director of the Public Works Department.
- (g) *Educational services exemption.* Private primary and secondary educational schools, including any on-site ancillary facilities, shall be exempt from the payment of the mobility fee and the requirements of this Section.
- (h) *Credit for trip reduction adjustments.* If a developer or landowner has excess credits above his or her mobility fee due to the application of the trip reduction adjustments described in subsection (b)(5)(c), the developer or landowner may use those credits on the property or transfer those credits to other properties or other developers or landowners to offset a mobility fee payment.

(Ord. No. 2010-7993, § 2, 7-19-10; Ord. No. 2013-8036, § 2, 12-2-13)

Sec. 34-926. Public school facilities concurrency application and review procedures.

- (a) *Applicability.*
 - (1) *Generally.* Except as otherwise specifically provided, the provisions of this Section shall apply only to development proposals submitted after July 19, 2010, as follows:
 - a. *Residential development.*
 - 1. Unless exempt or age-restricted, all residential development shall be subject to public school concurrency.
 - 2. Before approval of any development proposal, or phase thereof, a valid and unexpired finding of available school capacity, and either (A) a valid and unexpired school concurrency allocation or (B) a proportionate share mitigation agreement executed by the applicant and the school district, must be obtained. A school concurrency allocation may only be authorized by the City based on a finding of available school capacity that is dated no earlier than one (1) calendar year prior to the date of the school concurrency allocation.
 - 3. At the request of a potential applicant for a development proposal, a non-binding finding of available school capacity may be made by the school district at any time prior to the filing of an application for a development proposal. However, in no event will any development proposal be approved prior to the City receiving a finding of available school capacity and a school concurrency allocation from the school board.
 - 4. Notwithstanding the foregoing, neither a finding of available school capacity nor a school concurrency allocation is required for any residential development in which

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occupancy is restricted by deed to persons over the age of eighteen (18) years, for a period of at least thirty (30) years.

- b. *Nonresidential development.* A finding of available school capacity is not required for the nonresidential component of any development proposal.
- (2) *Appeals.* Appeal may be taken from the final decision of the Director regarding the applicability of this ordinance to a particular application. Appeals must be filed within thirty (30) business days of the decision, as further described herein.
- (b) *Application review procedure.*
- (1) *When required.* Subject to the requirements of this Section, a school concurrency application must be submitted in conjunction with any development proposal. No development proposal will be approved by the City unless a finding of available school capacity and the school concurrency allocation is first obtained.
 - (2) *Requirements for school concurrency application.*
 - a. *Pre-submittal meeting with school district designee.* Prior to submission of a school concurrency application, the applicant shall meet with the school district designee and/or the Director to confirm the scope and applicability of this Section and to identify potential public school facility deficiencies that may need to be mitigated. At or following the pre-submittal meeting, the school district designee shall:
 - 1. Provide the current school concurrency schedule;
 - 2. Identify available school capacity;
 - 3. Provide other relevant and available information regarding demand for public school facilities and available school capacity;
 - 4. Summarize the scope of the school concurrency application requirements, which shall include, but not necessarily be limited to, the information listed in paragraph (b)(2)b. of this Section; and
 - 5. Determine whether or not available school capacity exists and whether the applicant would like to explore proportionate share mitigation possible, the proposed amount and type of proportionate share mitigation.
 - b. *General school concurrency application requirements.* The school concurrency application shall include:
 - 1. Name, address, and phone number of the applicant;
 - 2. Property location, including parcel identification numbers and vicinity map;
 - 3. A description of the development proposal, including type, intensity and amount of development, adequate to determine the number and type of public school students generated by the development proposal;
 - 4. A phasing schedule for any development proposal to be completed in more than one phase;

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5. A description of any past or proposed public school facility dedicated, constructed, or funded in order to mitigate the public school impacts of the development proposal;
 6. A calculation of any school impact fees that will be assessed prior to occupancy of the dwelling units or lots that are part of the development proposal;
 7. In the event that there is not available school capacity to accommodate the development proposal, a proposed proportionate share mitigation agreement, using the form provided by the school district, and a description of the proposed proportionate share mitigation option(s) being utilized; and
 8. Other relevant information required by the school district that is needed to evaluate the school concurrency application and to make a finding with regard to available school capacity.
- (3) *Completeness review.* Within ten (10) business days after its receipt, the Planning and Development Department will determine whether the school concurrency application is complete and complies with the submission requirements set forth in this Section. If the school concurrency application is complete and the submission requirements have been met, the Director will forward the school concurrency application to the school district designee for review and a finding with regard to available school capacity. If the school concurrency application is not complete, the Director will notify the applicant of its deficiencies in writing within fifteen (15) business days of its receipt. At the time that the school concurrency application is determined to be complete, the Director shall submit it to the school district for review.
- (4) *Finding of available school capacity and school concurrency allocation.*
- a. Within fifteen (15) business days of the submission to Planning and Development Department of a complete school concurrency application, a revised school concurrency application, or a proffered proportionate share mitigation agreement, the school district shall prepare a written report that:
 1. Identifies available school capacity in the relevant concurrency service area, pursuant to the terms of this Article and the applicable public schools interlocal agreement;
 2. Identifies any previously dedicated, constructed, or funded public school facility accepted as proportionate share mitigation for the public school impacts of the development proposal; and
 3. Based on information provided by the applicant and its own data and work program, states whether public school concurrency can be achieved for each type of public school facility sufficient to accommodate the development proposal.
 - b. Finding of available school capacity.
 1. Where, based on the standards and methodologies set forth herein, the school district determines that public school concurrency has been achieved, the school district shall issue a finding of available school capacity.

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2. Upon issuance of a finding of available school capacity, the school district designee shall allocate, for up to one (1) year, the amount of school capacity to be required by the development proposal on the school concurrency schedule. This temporary allocation of school capacity will expire either at the end of one (1) year, or upon the withdrawal, rejection or denial of the development proposal. It shall be reduced if, and to the same extent that, the development proposal is amended to reduce the impacts on public school facilities. The school district designee shall issue a school concurrency allocation if the development proposal is approved, and record the school concurrency allocation on the school concurrency schedule.
 3. If a finding of available school capacity is based on a public school facility provided through proportionate share mitigation, final approval of the development proposal shall not be given by the City until the execution of a proportionate share mitigation agreement by the applicant and the school district, pursuant to Section 34-926(d). Upon approval of the development proposal, the City shall execute the proportionate share mitigation agreement.
 4. Upon the request of the applicant and for good cause, the school district may grant one (1) one-year extension to the duration of a finding of available school capacity.
- (5) *Duration and effect of a school concurrency allocation.*
- a. A school concurrency allocation shall remain valid and shall apply to any certificate of occupancy or building permit requested for as long as the approval of the development proposal remains effective.
 - b. A school concurrency allocation shall not affect the need for the applicant to meet all other requirements set forth in the land development and subdivision regulations or any other lawfully adopted ordinance or law of the City.
- (6) *Finding of no available school capacity; proportionate share mitigation agreements.*
- a. If the school district designee determines that no available school capacity exists to accommodate the development proposal and no acceptable proportionate share mitigation agreement has been proffered for the school district's and the City's execution, pursuant to subsection c.3. below, the school district designee shall issue a finding of no available school capacity, and no school concurrency allocation shall be entered on the school concurrency schedule.
 - b. Upon the receipt from the school district designee of a finding of no available school capacity, the Planning and Development Department must notify the applicant in writing within ten (10) business days of the denial. The notice must state the reasons for the denial and any actions that the applicant may take voluntarily to receive a finding of available school capacity.
 - c. Upon a finding of no available school capacity, an applicant may:
 1. Submit a development proposal for a reduced amount of development for which available school capacity exists;

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2. Submit an amended development proposal that includes the following:
 - i. A proposed phasing schedule setting forth the amount, location, and timing of development associated with each proposed phase;
 - ii. A showing that available school capacity will exist for each phase of development; and
 - iii. Other additional information or materials identified by the school district designee as necessary to ensure public school concurrency;
 3. Proffer an executed proportionate share mitigation agreement, pursuant to Section 34-925(g) of this Article, which shall fully mitigate the impact of the development proposal on public school facilities; or
 4. Wait until school capacity may exist for the development proposal pursuant to the work program.
- (c) *Procedures for finding whether there is available school capacity.* The school district designee shall make a finding with regard to available school capacity in accordance with the requirements of this Section and the public schools interlocal agreement, based on the methodology below:
- (1) The school district designee will measure available school capacity for each school level, based on the school capacity of the concurrency service area in which a development proposal is located. If school capacity is not available in the affected concurrency service area, the school district designee shall determine whether there is available school capacity in any contiguous concurrency service area.
 - (2) For each school type (elementary, middle and high), the school district designee may issue a finding of available school capacity if the following calculation methodology shows that there is available school capacity:
 - a. *Formula for total public school facilities*
Total public school facilities =
Existing public school facilities +
Planned public school facilities
 - b. *Formula for available school capacity*
Available school capacity =
Total public school facilities - (Current student enrollment + Student stations reserved by a finding of available school capacity + Student stations reserved for exempt development + School capacity required by the development proposal).
 - (3) If a finding of available school capacity is based upon the capacity of one or more contiguous concurrency service areas, then the school district designee shall address the means and timeframes within which the impacts of the development proposal will be shifted by the school district to the contiguous concurrency service area. If more than one (1) concurrency service area has capacity, the school district designee shall determine which one will receive the impacts of the development proposal. Methods to shift impacts may include, but are not necessarily limited to:

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- a. Redistricting;
- b. Transportation plans;
- c. Operational adjustments; or
- d. Terms or conditions agreed to by the applicant.

(d) *Proportionate share mitigation agreements.*

- (1) *Applicability.* The provisions of this Section shall apply to an applicant that either has received a finding of no available school capacity or wishes to proffer proportionate share mitigation.
- (2) *Proportionate share mitigation agreement.* If it is determined necessary or desirable, the school district and the City may convene a meeting with the applicant or each other if desired, to discuss the specific details of the proportionate share mitigation agreement. The agreement shall provide mitigation that is at least proportionate to the demand for public school facilities to be created by the additional or new residential units in the development proposal, and for which there is no available school capacity. However, this mitigation may not be provided unless it is first accepted by the school district. Any mitigation that is provided for in a proportionate share mitigation agreement must satisfy the demand created by the additional or new residential units, and shall be directed by the school district toward a planned public school facility identified in the work program.

The school district shall agree to amend the work program during the next annual update to include the school capacity improvement being offered as proportionate share mitigation. The proportionate share mitigation agreement must be signed by the applicant and school district before a finding of available school capacity is issued. The City shall execute the proportionate share mitigation agreement following approval of the development proposal.

- (3) *Options for proportionate share mitigation.* If the applicant chooses to enter into a proportionate share mitigation agreement, he or she shall provide one or more of the following proportionate share mitigation options:
 - a. The construction, expansion, or payment for land acquisition or construction of a public school facility; or
 - b. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell school capacity credits. The applicant and the school district shall consult on the options available for mitigating the concurrency service area affected by the development proposal. The agreed upon mitigation shall be described in an exhibit to the proportionate share mitigation agreement.
- (4) *Determination of amount of proportionate share mitigation required.* The amount of proportionate share mitigation required from an applicant shall be calculated by applying the adopted student generation rate multiplier to the cost per student station estimate for each school type (elementary, middle and high) for which there is not sufficient school capacity. The minimum proportionate share mitigation obligation for a development proposal shall be determined by the following formulas:
 - a. *Formula for number of student stations to be mitigated.*

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Number of new student stations
required for mitigation (by school
type) =

Available school capacity for the development proposal -
[Number of dwelling units generated by development proposal (by housing type) ×
Student generation multiplier (by housing type and school type)]

b. *Formula for cost of mitigation.*

Cost of proportionate share mitigation =
Number of new student stations required for mitigation (by school type) × Cost per
student station estimate (by school type).

The full cost of proportionate share mitigation shall be required from the development
proposal.

- (5) *Cross jurisdictional impact.* If the approval of additional or new residential dwelling units would result in a failure of public school concurrency within a school district in an adjacent county and the applicant seeks to enter into a proportionate share mitigation agreement, the City shall use the formulas set forth in this Section to determine the applicant's minimum proportionate share mitigation obligation. Any proportionate share mitigation provided by the applicant shall be directed to the school district in the adjacent county that experiences the failure of public school concurrency.
- (6) *Impact fee credit.* The City shall provide a credit for the proportionate share mitigation, calculated pursuant to subsection (d) and provided for in the proportionate share mitigation agreement, toward any impact fee or exaction imposed by ordinance of the City for the same need.
- (e) *School district work program and the Capital Improvements Element.*
- (1) *Work program.*
- a. *Purpose.* The purpose of the school district's work program is to implement the requirements of F.S. § 1013.33, and to ensure the provision of adequate public school facilities as new residential development occurs in the City.
- b. *Annual updates and monitoring reports.* Pursuant to the public schools interlocal agreement, the City will review, comment, and participate in the development of the school district's work program and will provide input with respect to the work program's consistency with the Comprehensive Plan. Considering the input of the City, the school district shall amend the work program annually by October 1 to include the immediately subsequent fifth year of public school facilities. Each annual update shall address the status of public school facilities, including, but not limited to the following:
1. The available school capacity by concurrency service area;
 2. Anticipated increases in residential development within the City and the incorporated municipalities within the county;
 3. The existing and projected level of service for each concurrency service area by year for the five (5) year planning period;

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4. For each concurrency service area and each year of the five-year planning period, the financial feasibility of providing the needed school facilities to achieve and maintain the Level of Service Standard;
 5. The current need for any public school facilities resulting from changes in population trends, employment growth, or other relevant factors;
 6. The rate and location of development of exempt development;
 7. Any amendments necessary to effectuate the purpose and intent of this Article and state law, including any demand assumptions, need factors, and other matters recommended by the school district for reconsideration or revision; and
 8. The projected financing for any additional school capacity resulting from the factors set forth in subsections (i) through (v), above.
- (2) *Capital Improvements Element.* The Capital Improvements Element of the City's Comprehensive Plan shall be amended each year by December 1 to reflect the most recent update to the work program. Adoption shall be by reference to the specific date of approval by the school district of the updated work program.
- (f) *Appeal of school concurrency determinations.* An applicant may appeal a determination by the school district designee to the school district or any final decision by the Planning and Development Department, made pursuant to the terms of this Section, to the Jacksonville Beach City Council. Appeals must be filed with the Planning and Development Department within thirty (30) business days of the determination or decision being appealed. Appeals shall be heard by the Duval County School Board or the Jacksonville Beach City Council, as appropriate, at an evidentiary hearing at which the reasons for the decision and the evidence relied upon shall be presented. The applicant also shall have the opportunity to present the reason for appeal and evidence in support of the appeal. The Duval County School Board or Jacksonville Beach City Council, as appropriate may:
- (1) Affirm the decision of the school district designee or Director;
 - (2) Remand the matter to the school district designee or Director for further proceedings; or
 - (3) Reverse the decision of the school district designee or Director. Decisions of the Duval County School Board or the Jacksonville Beach City Council may be challenged in a court of competent jurisdiction in accordance with applicable law.

(Ord. No. 2010-7993, § 2, 7-19-10)

Sec. 34-927. Effect of development agreement with certificate of public facilities reservation.

A developer may enter into a development agreement with the City, in conjunction with the approval of a development order and a certificate of public facilities reservation to ensure adequate public facilities are available concurrent with the impacts of development on the public facilities. The effect of the development agreement shall be to bind the City and the developer pursuant to the terms and duration of the development agreement to its determination pursuant to this Section that adequate public facilities are available to serve the proposed development concurrent with the impacts of the

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development on the public facilities. Any public facility capital improvement in the five-year schedule of capital improvements in the CIE on which such a certificate of public facilities reservation is made in conjunction with the approval of a development order and a development agreement, shall not be delayed, deferred, or removed from the five-year schedule of capital improvements in the CIE, except that any capital improvement may be deferred by one (1) year if the deferral is identified pursuant to the terms of a development agreement.

(Ord. No. 2010-7993, § 2, 7-19-10)

Sec. 34-928. Appeal of other concurrency determinations.

- (a) *General.* An applicant may appeal a decision of the Planning and Development Department on an application for a certificate of public facilities reservation by filing a petition with the City Manager within thirty (30) calendar days of the decision.
- (b) *Procedure.* The City Manager shall address the appeal petition within thirty (30) calendar days of its filing and consider only the record before the Planning and Development Department at the time of the decision and testimony of the petitioner and City staff.
- (c) *Standard.* The City Manager shall reverse the decision of the Planning and Development Department only if there is substantial competent evidence in the record that the application complies with the standards of this division.

(Ord. No. 2010-7993, § 2, 7-19-10)

Sec. 34-929. Amendment of certificate of public facilities reservation.

An amendment to a certificate of public facilities reservation shall be required prior to the approval of any amendment to a development order for which a certificate of public facilities reservation has been approved, if the amendment increases the need for capacity for a public facility. The amendment of a certificate of public facilities reservation shall only require evaluation and reservation of additional public facility capacity demanded by the proposed development and reservation of increased public facility capacity demand.

(Ord. No. 2010-7993, § 2, 7-19-10)

Secs. 34-930—34-999. Reserved.

ARTICLE X. DEVELOPMENT AGREEMENTS

Sec. 34-1000. Purpose and intent.

The purpose and intent of this Article is accomplished by authorizing development agreements to be entered into between a developer and the City of Jacksonville Beach pursuant to the terms of this Article to ensure adequate environmental protection, and the adequacy of public facilities and sound capital improvement planning, while providing certainty in the process of obtaining development permits and reducing the economic costs of development by providing greater regulatory certainty.

(Ord. No. 7500, § 11.1, 8-19-91)

Sec. 34-1001. Authority.

The City Council of Jacksonville Beach has the authority to adopt this Article pursuant to Fl. Const. Art. VIII, Sec. 2, the Jacksonville Beach Charter, F.S. § 166.01 et seq., F.S. § 163.3161 et seq., and F.S. § 163.3202 et seq.

(Ord. No. 7500, § 11.2, 8-19-91)

Sec. 34-1002. Procedure for review of development agreement.

- (a) *Submission of application.* An application for a development agreement and a proposed development agreement shall be submitted to the Planning and Development Department in conjunction with or after any application for development permit, on a form provided by the Planning and Development Department and made available to the public. The application shall be accompanied by a fee established by the City Council from time to time for the filing and processing of each application. The fee shall be non-refundable. If an application for a development agreement is submitted in conjunction with another application for development permit or an application for a certificate of public facilities reservation, the applicant may elect to have the application for a development agreement processed concurrent with the other application.
- (b) *Determination of sufficiency.* Within fifteen (15) working days of the submission of the application and the proposed development agreement, the Planning and Development Department shall determine whether the application is sufficient and includes the data necessary to evaluate the application.
 - (1) If it is determined that the application is not sufficient, written notice shall be served on the applicant specifying the deficiencies. The Planning and Development Department shall take no further action on the application unless the deficiencies are remedied.
 - (2) If the application is determined sufficient, the Planning and Development Department shall notify the applicant in writing, of the application's sufficiency, and that the application is ready for review pursuant to the procedures and standards of this Article.

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- (3) *Determination of Legal Sufficiency.* After the Planning and Development Department determine the Development Agreement is sufficient, the City's Attorney shall review the agreement prior to consideration by the approving body.
- (c) *Staff review and recommendation.* Within thirty (30) working days of a determination that an application is sufficient and after the agreement has been agreed upon by all parties in concept, City staff shall prepare and file with the Planning and Development Department a City staff report and recommendation on the application and proposed development agreement. A report shall not be drafted by the Planning and Development Department on agreements that the City will not agree to.
- (d) *Report by Planning and Development Department.* Within fifteen (15) working days after receiving City staff comments, the Planning and Development Department shall review the application and the proposed development agreement, and prepare a report and recommendation to the City Council as to whether the application and proposed development agreement complies with the standards of Section 34-1003. Upon its completion, the report and recommendation shall be sent to the applicant by the planning and Development Department.
- (e) *Decision by City Council.*
 - (1) *Two (2) public hearings.* After the Planning and Development Department has made a recommendation on the application and proposed development agreement, the application and proposed development agreement shall be considered at two (2) public hearings. At the first public hearing, City Council shall review the application, proposed development agreement, and recommendation by the Planning and Development Department, and public testimony. The second public hearing shall be before the City Council who, after review and consideration of the application, the proposed development agreement, and public testimony, shall approve, approve with conditions, or disapprove the development agreement. The second public hearing shall be a minimum of seven (7) days after the first public hearing. The day, time, and place of the second public hearing shall be announced at the first public hearing.
 - (2) *Notice.*
 - a. *General requirement.* Notice of intent to consider the application and proposed development agreement shall be advertised by the City publishing an advertisement approximately seven (7) days before each public hearing on the application in a newspaper of general circulation and readership in Jacksonville Beach. Notice of intent to consider the application and proposed development agreement shall also be mailed to all affected property owners before the first public hearing and the day, time, and place at which the second hearing will be held shall be announced at the first public hearing.
 - b. *Form.* The form of the notices of intention to consider adoption of a development agreement shall specify:
 - 1. *Time and place.* The time and place of each public hearing on the application;
 - 2. *Location.* The location of the land subject to the proposed development agreement;

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3. *Uses and intensities.* The development uses proposed on the property, including the proposed population densities and proposed building intensities and height;
 4. *Where copy can be obtained.* Instructions for obtaining further information regarding the application and proposed development agreement, including where a copy of the proposed development agreement can be obtained.
- (3) *Decision.* At the conclusion of the second public hearing, and based upon consideration of the application and the proposed development agreement, the recommendation of the Planning and Development Department, and public testimony received during the public hearing, the City Council shall approve, approve with conditions, or deny the proposed development agreement based upon whether it complies with the standards in Section 34-1003.

(Ord. No. 7500, § 11.3, 8-19-91)

Sec. 34-1003. Standards of a development agreement.

A development agreement shall, at a minimum, include the following provisions:

- (a) *Legal description and owner.* A legal description of the land subject to the development agreement and the names of the legal and equitable owners.
- (b) *Duration.* The duration of the development agreement, which shall not exceed five (5) years, or the time limits which F.S. § 163.3220 et seq., the Local Government Development Agreement Act provides, whichever is greater.
- (c) *Uses, densities, intensities and height.* The development uses permitted on the land including population densities, building intensities and height.
- (d) *Future Land Use designation.* The land use designation of the property under the Future Land Use Element of the Comprehensive Plan.
- (e) *Zoning District designation.* The current Zoning District designation of the land subject to the development agreement.
- (f) *Public facility adequacy.* A description of public facilities that will service the development, including who shall provide such public facilities, the date any new public facilities, if needed, will be constructed, and a schedule to assure public facilities are available concurrent with the impact of the development. Any public facilities to be designed and/or constructed by the developer shall be in compliance with all applicable federal, state, and City standards to ensure the quality of the public facilities. The standards shall include, but not be limited to, guarantees of performance and quality, and project controls (including scheduling, quality controls, and quality assurances).
- (g) *Reservation or dedication of land.* A description of any reservations or dedications of land for public purposes.
- (h) *Local development permits.* A description of all local development permits approved or needed to be approved for development of the land, specifically, to include at least the following:
 - (1) Any required amendments to the Comprehensive Plan.

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- (2) Any required amendments to the LDC.
- (3) Any required other amendments to the official Zoning Map.
- (4) Any other development permits under the LDC.
- (5) Any other required permissions from regional, state or federal governments.
- (i) *Local development permits obtained by applicant/property owner.* The development agreement shall specifically provide that all local development permits identified in Section 34-1003 shall be obtained at the sole cost of the applicant/property owner and, that in the event that any such local development permits are not received, no further development of the property shall be allowed until such time as the City Council has reviewed the matter and determined whether or not to terminate the development agreement, or to modify it in a manner consistent with the public interest and the Comprehensive Plan.
- (j) *Consistency with Comprehensive Plan.* A finding that the development permitted or proposed in the development agreement is consistent with the Comprehensive Plan.
- (k) *Consistency with Land Development Code.* A finding that the development permitted or proposed in the development agreement is consistent with the LDC.
- (l) *Compliance with laws not identified in development agreement.* A statement indicating that failure of the development agreement to address a particular permit, condition, term or restriction shall not relieve the applicant of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions, and that any matter or thing required to be done under existing ordinances of Jacksonville Beach shall not be otherwise amended, modified or waived unless such modification, amendment or waiver is expressly provided for in the development agreement with specific reference to the code provisions so waived, modified or amended; and
- (m) *Conditions necessary to ensure compliance with code and Comprehensive Plan.* Such conditions, terms, restrictions or other requirements determined to be necessary by the City Council to ensure compliance with the LDC and consistency with the Comprehensive Plan.

(Ord. No. 7500, § 11.4, 8-19-91)

Sec. 34-1004. Execution of development agreement.

A development agreement shall be executed by all persons having legal or equitable title in the land subject to the development agreement, including the fee simple owner and any mortgagees.

(Ord. No. 7500, § 11.5, 8-19-91)

Sec. 34-1005. Legislative act.

A development agreement is determined to be a legislative act of Jacksonville Beach in the furtherance of its powers to plan and regulate development, and as such, shall be superior to the rights of existing mortgagees, lien holders or other persons with a legal or equitable interest in the land subject to the development agreement, and the obligations and responsibilities arising thereunder on the property

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owner shall be superior to the rights of said mortgagees or lien holders and shall not be subject to foreclosure under the terms of mortgages or liens entered into or recorded prior to the execution and recordation of the development agreement.

(Ord. No. 7500, § 11.6, 8-19-91)

Sec. 34-1006. Recordation.

Within thirty (30) calendar days after the City enters into a development agreement, the Clerk to the City Council shall record the executed development agreement in the public records of the Clerk of the Circuit Court, Duval County. If the development agreement is amended, canceled, modified, extended, or revoked, the clerk shall have notice of such action recorded in the public records.

(Ord. No. 7500, § 11.7, 8-19-91)

Sec. 34-1007. Local laws and policies governing a development agreement.

The Jacksonville Beach laws and policies set down in the development agreement as governing the development of the land at the time of the execution of the development agreement shall govern the development of the land for the duration of the development agreement, except that Jacksonville Beach may apply subsequently adopted laws and policies to a development that is subject to a development agreement if the City Council holds a public hearing pursuant to the requirements of this Article and determines any one (1) of the following:

- (a) The laws and policies are not in conflict with the laws and policies governing the development agreement and do not prevent development of the land uses, intensities or densities, in the development agreement; or
- (b) The laws and policies are essential to the public health, safety, or welfare, and expressly state that they shall apply to a development that is subject to a development agreement; or
- (c) The laws and policies are specifically anticipated and provided for in the development agreement; or
- (d) It is demonstrated that substantial changes have occurred in pertinent conditions existing at the time of approval of the development agreement; or
- (e) It is demonstrated that the development agreement is based on substantially inaccurate information supplied by the developer.

(Ord. No. 7500, § 11.8, 8-19-91)

Sec. 34-1008. Periodic review.

- (a) *Annual review.* The City Council shall review the development subject to the development agreement as needed.

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- (b) *Initiation.* The annual review shall be initiated by the developer subject to the development agreement. The initial annual report shall be submitted by the developer eleven (11) months after the effective date of the development agreement, and every twelve (12) months thereafter.
- (c) *Compliance.* If the Planning and Development Department finds and determines that the developer has complied in good faith with the terms and conditions of the development agreement during the period under review, the review for that period is concluded.
- (d) *Failure to comply.* If the Planning and Development Department makes a preliminary finding that there has been a failure to comply with the terms of the development agreement, the development agreement shall be referenced to the City Council, who shall conduct two (2) public hearings pursuant to the requirements of Section 34-813, at which the developer may demonstrate good faith compliance with the terms of the development agreement. If the City Council finds and determines during the public hearings, on the basis of substantial competent evidence, that the developer has not complied in good faith with the terms and conditions of the development agreement during the period under review, the City Council may modify or revoke the development agreement.

(Ord. No. 7500, § 11.9, 8-19-91)

Sec. 34-1009. Amendment or cancellation of development agreement by mutual consent.

A development agreement may be amended or canceled by mutual consent of the parties to the development agreement, or by their successors in interest. Prior to amending a development agreement, the City Council shall hold two (2) public hearings on the proposed amendment, consistent with the requirements of Section 34-813.

(Ord. No. 7500, § 11.10, 8-19-91)

Sec. 34-1010. Effect of contrary state or federal laws.

In the event that state and federal laws are enacted after the execution of a development agreement which are applicable to and preclude the party's compliance with the terms of the development agreement, such development agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws. such modification or revocation shall occur only after the notice and public hearing pursuant to Section 34-813.

(Ord. No. 7500, § 11.11, 8-19-91)

Sec. 34-1011. Enforcement.

Any party or any aggrieved or adversely affected person may file an action for injunctive relief in the Circuit Court for Duval County to enforce the terms of a development agreement or to challenge compliance of the development agreement with the provisions of this Article and F.S. § 163.3220.

(Ord. No. 7500, § 11.12, 8-19-91)

Secs. 34-1012—34-1099. Reserved.

ARTICLE XI. NONCONFORMITIES

Sec. 34-1100. Purpose and intent.

Within the provisions established by the LDC, there exist uses of land, structures and lots that were lawfully established before the LDC was adopted or amended, that now do not conform to the terms and requirements of the LDC. The purpose and intent of this Article is to regulate and limit the continued existence and design of those uses, structures and lots that do not conform to the provisions of the LDC or any amendments thereto.

It is the intent of the LDC to permit these nonconformities to continue, until they are removed, but not to encourage their survival except under the limited circumstances established in this Article. It is further the intent of the LDC that increases in the nonconformities shall not be permitted. The provisions of this Article are designed to curtail substantial investment in nonconformities to preserve the integrity of the LDC and the Comprehensive Plan.

(Ord. No. 7500, § 12.1, 8-19-91)

Sec. 34-1101. Nonconforming uses.

Nonconforming uses of land are declared generally incompatible with the LDC. Nonconforming uses of land may continue in accordance with the provisions of this Section.

- (a) *Normal maintenance or repair.* Normal maintenance or repair of structures where nonconforming uses are located may be performed in any period of twelve (12) consecutive months, to an extent not exceeding thirty-five (35) percent of the current assessed value of the structure, provided that the cubic content of the structure existing after the date it became nonconforming shall not be increased, except pursuant to the standards of this Section. For uses in the CBD and existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling, normal maintenance and repairs may be completed without the percentage requirement stated above.
- (b) *Enlargement or expansion.* A nonconforming use shall not be enlarged or expanded in area occupied, except a nonconforming use may be enlarged in any area of a structure that is manifestly designed and approved for such use, prior to the date the use became a nonconformity.
- (c) *Characteristics of nonconforming uses.* If characteristics (design) of use such as off-street parking and loading, or other matters related to the use of land are made nonconforming, no change shall be made in such characteristics of use which increase nonconformities.
- (d) *Relocation.* A nonconforming use shall not be moved in whole, or in part, to another location on or off the parcel of land on which it is located, unless the relocation of the nonconforming use decreases the nonconformity.
- (e) *Change in use.* A nonconforming use shall not be changed to any other use, unless that new or additional use conforms to the current provisions of the LDC for the Zoning District in which the use is located.
- (f) *Discontinuance or abandonment.* If a nonconforming use is discontinued or abandoned for a period of more than six (6) consecutive months, whether or not the equipment or furniture are removed,

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then such use may not be re-established or resumed, and any subsequent use shall conform to the current provisions specified by the LDC. Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling shall not be subject to this provision related to abandonment. When government action can be documented as the reason for discontinuance or abandonment, the time of delay by government shall not be calculated for the purpose of this Section.

- (g) *Unsafe because of maintenance.* If a nonconforming structure or portion thereof containing a nonconforming use becomes physically unsafe or unlawful due to the lack of repairs or maintenance, and is declared by a duly authorized official of Jacksonville Beach to be an unsafe structure, it shall thereafter be rebuilt and repaired in conformance with the standards of the LDC and the building code.

(Ord. No. 7500, § 12.2, 8-19-91)

Sec. 34-1102. Nonconforming structures.

A nonconforming structure devoted to a use permitted in the Zoning District in which it is located at the time of its construction, may be continued in accordance with the provisions in this Section.

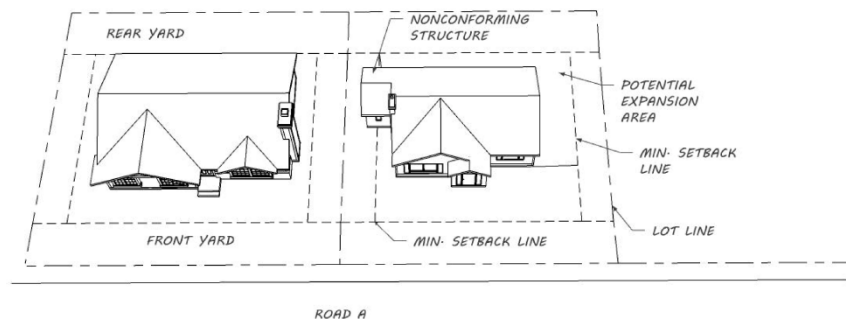
- (a) *Normal maintenance.* Normal maintenance or repair (requiring a permit) for continuation of a nonconforming structure may be performed in any period of twelve (12) consecutive months, to an extent not exceeding thirty-five (35) percent of the current assessed value of the structure, provided that the cubic content of the structure existing after the date it became nonconforming shall not be increased, except pursuant to the standards of this Section. For purposes of this Section, maintenance or repair to a non-conforming single-family structure which was previously approved without a garage shall be permitted the same. Additionally existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling, normal maintenance and repairs may be completed without the percentage requirement stated above.
- (b) *Enlargement or expansion.* A nonconforming structure shall not be enlarged or expanded in the area where structure is non-conforming, as to not increase the existing non-conformity.
- (c) *Characteristics of nonconforming structures.* If characteristics of use such as off-street parking and loading or other matters related to the use of a structure are made nonconforming, no change shall be made in such characteristics of the structure which increases nonconformities.
- (d) *Relocation.* A nonconforming structure shall not be moved, in whole or in part, to another location on or off the parcel of land on which it is located, unless it conforms to the standards and requirements of the Zoning District in which it is located.
- (e) *Damage and restoration of nonconforming structure (not a natural disaster).* No building which has been damaged by any means other than a natural disaster to an extent of more than fifty (50) percent of the fair market value of the structure immediately prior to damage, shall be restored, except in conformity with the standards of the LDC. If a structure is damaged by less than fifty (50) percent of the fair market value, it may be repaired and reconstructed and used as before the time of damage, provided that such repair or reconstruction be substantially completed within twelve (12) months after the date of such damage. Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling, normal maintenance and repairs may be

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completed without the percentage requirement stated above, provided they are not expanded unless as provided in this section.

- (1) Fair market value shall be the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.
- (f) *Damage and restoration of nonconforming structure (natural disaster).* Damage from a natural disaster maintenance and repairs shall follow Florida State Statutes.
- (g) *Unsafe because of maintenance.* If a nonconforming structure, or portion thereof, or any structure or portion thereof becomes physically unsafe or unlawful due to the lack of repairs or maintenance, and is declared by a duly authorized official of Jacksonville Beach to be an unsafe structure, it shall thereafter be rebuilt and repaired in conformance with the standards of the LDC and the building code.

Figure 34-1102.1: Nonconforming Structure



(Ord. No. 7500, § 12.3, 8-19-91)

Sec. 34-1103. Nonconforming lots of record.

Where a lot or parcel of land has an area or frontage which does not conform to the standards of the LDC, but it was a lot of record on the effective date of the LDC, such lot or parcel of land may be developed, provided the minimum yard standards for the Zoning District or the established historic yard standards of the immediate area in which it is located are met.

Nonconforming residential may be rebuilt and enlarged:

- (a) Existing historic single-family dwellings or dwellings originally constructed for use as a single-family dwelling shall be permitted to be rebuilt in their existing location in all Zoning Districts and may be

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expanded into the 10 foot rear yard expansion area for additions, so long as the proposed additions do not expand any existing nonconformities and only at a density that is allowed per the current LDC and the 2050 Comprehensive Plan.

(Ord. No. 7500, § 12.4, 8-19-91)

Secs. 34-1104—34-1105. Reserved.

ARTICLE XII. ENFORCEMENT PROCEEDINGS AND PENALTIES²

Sec. 34-1200. General.

The provisions of the LDC shall be enforced (1) by the special magistrates ("special magistrate") pursuant to the Article VI of Chapter 2 of this Code, (2) by the Planning and Development Director or designee, (3) by the City Council through its authority to enjoin and restrain any person violating the code, or (4) by the City of Jacksonville Beach through the prosecution of violations in the name of the State of Florida.

(Ord. No. 2007-7938, § 1, 8-6-07)

Sec. 34-1201. Planning and Development Director or Designee.

- (a) *Authority.* Upon determination by the Planning and Development Director or designee that any provision of the LDC has been violated, the Planning and Development Department shall send a written notification of violation to the owner of record of the land or structure involved, and to the person responsible for the violation, or request the City Attorney through the City Manager to initiate immediate civil actions to enjoin and restrain the violation, or both.
- (b) *Warning Notification of violation.* In addition to the requirements of Article VI of Chapter 2 of the Code of Ordinances for the City of Jacksonville Beach, the written warning notification of violation shall include:
 - (1) The Section of the LDC being violated.
 - (2) An order to cease such violation.
 - (3) Information concerning penalties for violation of the LDC.
- (c) *Notice of violation.* If any violation continues for fifteen (15) working days after receipt of a warning of violation, the Planning and Development Department shall issue a notice of violation which shall include a reference to the particular Section of the LDC that is being allegedly violated, a short plain statement of the matters asserted, and other evidence of the alleged violation.
- (d) *Citations.* The Planning and Development Director or designee may issue an immediate citation for civil penalties (including for noncompliance) pursuant to the authority granted by F.S. Chapter 162, Part II.
 - (1) An appropriate citation fee schedule shall be determined by City Council, posted on the City's website, and updated periodically.

(Ord. No. 2007-7938, § 1, 8-6-07)

²Editor's note(s)—Ord. No. 2007-7938, § 1, adopted August 6, 2007, amended art. XIII in its entirety to read as herein set out. Former art. XIII, §§ 34-636—34-640, pertained to enforcement procedures and penalties, and derived from Ord. No. 7500, §§ 13.1—13.5, adopted August 19, 1991.

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Sec. 34-1202. Enforcement by special magistrate.

Any violation of the LDC may be prosecuted by the special magistrate pursuant to the following standards and procedures.

- (a) *First notice of violation.* If an alleged violation of the LDC is found; the Planning and Development Department shall notify the alleged violator and give them a minimum of ten (10) working days to correct the violation pursuant to Article VI of Chapter 2 of the Code of Ordinances.
- (b) *Final notice of violation.* Should the violation continue beyond the time specified for correction, the Planning and Development Department shall issue a notice of violation to the alleged violator pursuant to Article VI of Chapter 2 of the Code of Ordinances.
- (c) *Notice of hearing to the Special Magistrate.* Upon issuance of the violation notice, the Planning and Development Department shall notify the appropriate clerical staff person who shall notify the special magistrate of the violation notice and shall schedule a hearing within a reasonable time for the special magistrate on the violation. Notice of hearing shall be made in accordance with the provisions of Article VI of Chapter 2 of the Code of Ordinances, unless the Planning and Development Department has reason to believe a violation presents a serious threat to the public health, safety and welfare.
- (d) *Correction of violation.* If the alleged violation is corrected and then recurs, the Planning and Development Department shall issue a notice of violation and a notice of hearing to the alleged violator and schedule a hearing. The specialist magistrate shall hear the alleged violation in this instance, even if it has been corrected prior to the special magistrate's hearing and every notice shall so state.
- (e) *Procedure at hearings.* The special magistrate shall proceed to hear the cases on the agenda for that day as expeditiously as possible. All testimony shall be under oath and shall be recorded. The special magistrate shall take testimony from City staff, if relevant, the alleged violator, and other relevant testimony. Formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceedings. Irrelevant, immaterial or unduly repetitious evidence shall be excluded, but other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible. At the hearing, the burden of proof shall be upon the City to demonstrate by a preponderance of the evidence that a violation exists, or existed at the time the Planning and Development Department issued the notice of violation.
- (f) *Action by the special magistrate.*
 - (1) The special magistrate may, at their option, issue findings of fact, based on evidence of record and conclusions of law; and may issue an order affording the proper relief consistent with powers granted in this Article and in Chapter 162, Florida Statutes at the conclusion of the hearing. All such findings of fact, conclusions of law, and orders shall be issued not later than thirty (30) days from the date of the hearing. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed if the order is not complied with by said date. The order shall have the force of law to command whatever steps are necessary to bring a violation into compliance. A certified copy of such order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The

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findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records pursuant to this subsection and the order is complied with by the date specified in the order, the special magistrate shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

- (2) In the event that a violator has been previously determined to have violated a provision of the code within the prior five (5) years, the special magistrate may require that the violator comply with appropriate mitigation measures to the land where the violation was committed. Such measures may include, but is not limited to, landscaping, biological restoration, and requirements for posting performance bonds to ensure compliance with the order of the special magistrate.
- (3) *Notification of action.* Notification of the special magistrate's action shall be delivered by the City Clerk to the violator by regular mail within ten (10) days of the hearing.
- (4) *Failure of alleged violator to appear.* If an alleged violator who has received proper notice fails to appear at the hearing, the special magistrate shall enter an order against the alleged violator requiring correction of the violation. The enforcement of such an order may be stayed if the violator files a request for a re-hearing with the appropriate clerical staff person within ten (10) calendar days from the date the order is rendered, and demonstrates good cause for such failure to appear. In such case, the violator will be rescheduled for a hearing before the special magistrate at the next scheduled hearing. If at that hearing, the special magistrate finds that good cause existed for the violator's failure to appear, the prior order shall be rescinded and a new hearing conducted immediately. If the special magistrate fails to find good cause for the failure to appear, the previous order shall remain in effect.
- (5) *Stop work on existing approval.* The special magistrate shall, when a violation of a special magistrate order has been determined to exist, direct the Planning and Development Department not to issue any subsequent development permit(s) for the development until the violation has been corrected and inform the violator that no further work under an existing approval may proceed until the violation has been corrected.
- (6) *Fine.* The special magistrate may order the violator to pay a fine that shall not exceed two hundred fifty dollars (\$250.00) per day for a first violation and shall not exceed five hundred dollars (\$500.00) per day for a repeat violation, and shall not exceed five thousand dollars (\$5,000.00) for a violation found to be irreparable or irreversible in nature. In determining the amount of the fine, if any, the special magistrate shall consider the gravity of the violation; any actions taken by the violator to correct the violation; and any previous violations committed by the violator.
- (7) *Fine constitutes lien.* A certified copy of an order imposing a fine may be recorded in the public records of the office of the Clerk of the Circuit Court for Duval County, Florida, and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Such lien may be enforced in the same manner as a court judgment by the sheriffs of this state, including execution and levy against personal property, but shall otherwise not be deemed a judgment of a court except for

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enforcement purposes. A fine imposed pursuant to this Section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this Section, whichever occurs first. A lien arising from a fine imposed pursuant to this Section runs in favor of the City, and the City may execute a satisfaction or release of lien entered pursuant to this Section. After three (3) months from the filing of any such lien that remains unpaid, the City may foreclose on the lien or sue to recover a money judgment for the lien and accrued interest. No lien created pursuant to the provisions of this Section may be foreclosed on real property that is a homestead under Section 4, Article X of the State Constitution. The money judgment provisions of this Section shall not apply to real or personal property that is covered under Section 4(a), Article X of the State Constitution.

- (8) *Appeal.* Any aggrieved party may appeal an order of the special magistrate by certiorari proceedings in the Circuit Court of Duval County, Florida. The petition for writ of certiorari must be filed within thirty (30) days after the date of execution of the order to be appealed. The scope of review shall be limited to the record made before the special magistrate and shall not be a trial de novo.

(Ord. No. 2007-7938, § 1, 8-6-07)

Sec. 34-1203. Civil remedies.

The City Council or any interested person shall have the right to apply to the Circuit Court of Duval County, Florida, to enjoin and restrain any person violating the provisions of the LDC, and the court shall, upon proof of the violation of same, have the duty to forthwith issue such temporary and permanent injunctions as are necessary to prevent the violation of same.

(Ord. No. 2007-7938, § 1, 8-6-07)

Sec. 34-1204. Criminal remedies.

Any person violating any provisions of the LDC or who shall fail to abide by and obey all orders and resolutions promulgated as herein provided, shall be guilty of a misdemeanor, and shall be subject to all criminal penalties authorized by State of Florida for such violation. Each day that the violation continues shall constitute a separate violation. This Section shall not apply to Article III of Chapter 34 (Land Development Code) of the Jacksonville Beach Code of Ordinances.

(Ord. No. 2007-7938, § 1, 8-6-07; Ord. No. 2015-8065, § 3, 12-7-15)

Secs. 34-1205—34-1299. Reserved.