

ORDINANCE NO. 2025-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY FLORIDA, RELATED TO COMMUNICATIONS TOWERS; AMENDING SECTION 50-1.3.0 OF THE JEFFERSON COUNTY CODE OF ORDINANCES RELATED TO DEFINITIONS; AMENDING SECTION 50-2.10.1 OF THE JEFFERSON COUNTY CODE OF ORDINANCES RELATED TO APPLICABILITY AND USE OF EXISTING STRUCTURES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the intent of Jefferson County Board of County Commissioners (the "Board") to make provisions for appropriate land uses, to promote, protect, and improve the public health, safety, and welfare of Jefferson County's residents, while maximizing economic benefits and minimizing threats to natural and man-made resources; and

WHEREAS, to minimize visual and height impacts associated with communication towers within the County, the Board desires to encourage the use of sites that already have communication towers located thereon to accommodate new or improved tower structures; and

WHEREAS, the Jefferson County Board of County Commissioners has determined that this Ordinance is necessary to protect the health, safety, and welfare of Jefferson County, Florida and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Jefferson County Board of County Commissioners as follows:

SECTION 1. AMENDMENT OF SECTION 50-1.3.0 OF THE JEFFERSON COUNTY CODE. Section 50-1.3.0 of the Jefferson County Land Development Code, entitled "Definitions used throughout this code," is hereby amended as follows:

50-1.3.0. Definitions used throughout this code.

* * *

Communication tower. See tower below.

* * *

* * *

Tower or communication tower. A principal structure which is intended to support communication equipment for telephone, radio, television and similar communication purposes. The term communication tower shall not include utilized by amateur radio operators licensed by the Federal Communications Commission (FCC). Communication towers are generally described as either monopole (free standing), lattice (self-supporting), or guyed (anchored with guy wires or cables).

* * *

[underline indicates addition; ~~strike through~~ indicates deletion]

SECTION 2. AMENDMENT OF SECTION 50-2.10.1 OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE. Section 50-2.10.1 of the Jefferson County Code of Ordinances, entitled "Applicability; use of existing structures," is hereby amended as follows:

2.10.1. Applicability; use of existing structures.

- A. All new antennas and communication towers in Jefferson County shall be subject to these land development regulations and all other applicable building and construction codes. In the event of any conflict between other land development regulations and the regulations contained in this Section, the provisions of this Section shall override and supersede such other regulations unless otherwise specifically set forth herein.
1. All communications towers existing on Dec. 31, 1997, shall be allowed to continue to be used as they presently exist. Routine maintenance or minor modifications to accommodate the co-location of an additional user or users shall be permitted on such existing towers subject to the criteria in Subsection B) below. New construction, other than routine maintenance and modifications to accommodate co-location on an existing tower, shall comply with the requirements of this Section.
 2. Replacement of antennas on a structure with different antennas shall be considered routine maintenance or minor modifications to accommodate the collocation of an additional user or users so long as the replacement antenna(s) does not increase the height of any structure other than a tower on which it is placed by more than twenty (20) feet.
 3. An existing tower may be replaced as follows:
 - a. An existing tower which, when modified or replaced, will conform to the requirements of the code may be modified or replaced on the same parcel.
 - b. An existing tower which, when modified or replaced, will not conform to the requirements of the code, may be may increased in height one time so long as the height of the modified or replacement tower is not more than 50 feet above the existing tower height and/or may be relocated on the same parcel one time so long as the relocated tower is within 250 feet

of the existing tower site, with administrative review and without conformance with any other setbacks or height-related requirements.

c. After an existing tower is replaced as provided herein, the pre-existing tower shall be removed within 90 days.

d. The replacement of an existing tower as provided herein shall be of the same type as the existing tower or a monopole or lattice tower.

- B. No rezoning or zoning variance shall be required to locate an antenna on an existing nonresidential structure; provided, however, that the antenna does not extend more than twenty (20) feet. Such structures may include, but are not limited to, nonresidential buildings, water towers, recreational light fixtures, other public utility structures, and existing communication towers.
- C. An antenna which is to be attached to an existing tower may be approved by the Planning Department and does not need a building permit, unless a separate equipment building is required.
- D. Except as otherwise provided herein, if a ~~if the~~ tower must be modified to accept an additional antenna, then it must meet the standards of the code.
- E. All applications for new towers shall be major developments and shall be presented to the Planning Commission for approval. These applications will not have to go before the County Commission for approval.
- F. All applications for new tower sites will be a co-application by the owner and the tower company.

[underline indicates addition; ~~strike through~~ indicates deletion]

SECTION 3. CODIFICATION. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Jefferson County Land Development Code, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 5. CONFLICT.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such of conflict, hereby repealed.

SECTION 6. EFFECTIVE DATE.

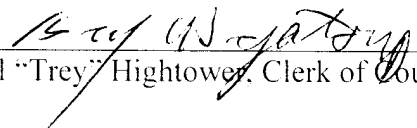
A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after its enactment by the Board and shall take effect as provided by law.

PASSED AND DULY ADOPTED with a quorum present and voting by the Board of County Commissioners of Jefferson County this 17 day of April, 2025.

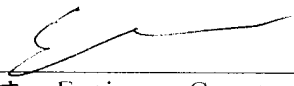
BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA


Austin Hosford, Chairman

ATTESTED BY:


Cecil "Trey" Hightower, Clerk of Court

APPROVED AS TO FORM


Heather Brimosa, County Attorney
Evan Rosenthal,