

**ORDINANCE NO. 2023 - 013**

**AN ORDINANCE OF BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA; AMENDING APPENDIX A – LAND DEVELOPMENT CODE; ARTICLE 3. -ADMINISTRATION; SPECIFICALLY AMENDING SECTION 3.04. -PLANNING AND ZONING BOARD; AMENDING ESTABLISHMENT, COMPOSITION, TERMS, AND QUALIFICATIONS; PROVIDING FOR RESIDENCY REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners (“Board”) has determined the citizens of Nassau County are best served by local residents in recommending or deciding local issues; and

**WHEREAS**, the Planning and Zoning Board serves as the local planning agency (LPA) and advisory body to the Board on planning and zoning related matters; and

**WHEREAS**, the Board finds it necessary to amend the establishment of the Planning and Zoning Board to provide for county residency requirements for appointees; and

**WHEREAS**, the Board of County Commissioners finds that the amendments set forth herein are in the best interest of the public health, safety and welfare of the residents of Nassau County.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Nassau County, Florida, as follows:

**SECTION 1. Amending Appendix A – Land Development Code. Article 3. – Administration. Section 3.04. Planning and Zoning Board.** Section 3.04. Planning and Zoning Board of the Nassau County Land Development Code is hereby amended to read as follows:

**Sec. 3.05. Planning and Zoning Board.**

The planning and zoning board shall act as the local planning agency (LPA) which serves as an advisory body to the board of county commissioners on planning and zoning related matters as required by state law, local regulation, or as otherwise directed by the board of county commissioners.

- (A) *Establishment of the planning and zoning board:* The ~~board~~ Board of ~~county~~ County ~~commissioners~~ Commissioners shall appoint the members of the ~~planning~~ Planning and ~~zoning~~ Zoning board~~Board~~. The ~~planning~~ Planning and ~~zoning~~ Zoning board Board shall be composed of ~~eleven~~ seven (~~11~~7) members. The members shall be appointed as follows:

- a. One (1) member shall be appointed, when possible, from each of the five (5) county commission districts. Each county commissioner shall recommend one (1) individual who resides in their commission district, when possible, for consideration by the full ~~board-Board~~ of county-County commissioners Commissioners for appointment to the ~~planning-Planning and zoning-Zoning board;~~ and, Members shall serve three (3) year staggered terms.
- b. One (1) member shall serve as the appointment from the Nassau County School Board, pursuant to F.S. § 163.3174(1), with said member being appointed annually by the school board, and granted voting status; ~~and,.~~
- c. ~~Five-One (\$1) members shall serve at-large and be appointed by the full Board of County Commissioners, after staff review of all applications received and recommendation, for a three (3) year term, with one (1) of each of said members being recommended by each of the respective members of the board of county commissioners for consideration by the full board of county commissioners for appointment to the planning and zoning board.~~
- d. All appointed members shall be full-time residents of Nassau County as verified by a valid homestead exemption in his/her name maintained throughout the term in office.

~~For appointments made after January 1, 2022, the terms of a~~ All planning-Planning and zoning-Zoning Board members, with exception of the Nassau County School Board member and appointed at-large member, appointed by the county commissioners shall run concurrent with the recommending county commissioner. Planning and ~~zoning-Zoning board-Board~~ member terms shall expire December 31 concurrent with the recommending county commissioner term.

All members serve at the pleasure of the board of county commissioners and are subject to removal at any time during their term by a simple majority of the ~~board-Board~~ of county-County commissioners Commissioners.

Existing at-large member appointments shall expire December 31, 2023. The Board of County Commissioners shall appoint one (1) at-large member from staff recommendation after review of all applications received prior to December 31, 2023. The one (1) at-large member shall become effective January 1, 2024 for a three (3) year term expiring December 31, 2026. The at-large member will serve three (3) year staggered terms thereafter.

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## **SECTION 2. CODIFICATION**

It is the intent of the Board of County Commissioners for Nassau County that the provisions of this Ordinance shall become and shall be made part of the Code of Ordinances of Nassau County, Florida. The sections of this Ordinance may be re-numbers or re-lettered and the words may be changed to section, article or other such appropriate word or phrase in order to accomplish such intention. The Nassau County Clerk of Courts will ensure that this Ordinance is codified into, and published, as part of the Nassau County Code of Ordinances.

**SECTION 3. CONFLICTING PROVISIONS**

All ordinances, or parts of ordinances, in conflict with this provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 4. SEVERABILITY**

It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

Adopted this 12th day of June, 2023 by the Board of County Commissioners of Nassau County, Florida.

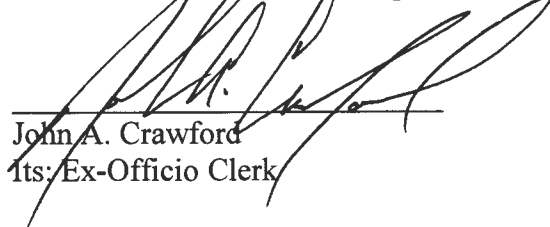
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



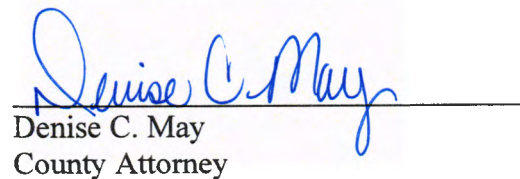
\_\_\_\_\_  
KLYNT A. FARMER

Its: Chair

ATTEST as to Chairman's Signature:

  
\_\_\_\_\_  
John A. Crawford  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney

  
\_\_\_\_\_  
Denise C. May  
County Attorney





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

June 16, 2023

Honorable John A. Crawford  
Clerk of the Circuit Court  
Nassau County  
76347 Veteran's Way, Suite 456  
Yulee, Florida 32097

Attention: Heather Nazworth

Dear Honorable John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2023-013, which was filed in this office on June 16, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh