

ORDINANCE NUMBER 2025-018

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE ARTICLE 25, PLANNED UNIT DEVELOPMENT (PUD); CLARIFYING THE INTENT OF PUD ZONING DISTRICT, ESTABLISHING OVERARCHING STANDARDS; SPECIFICALLY AMENDING SECTION 25.01, PUD DEFINED, CLARIFYING DEFINITION; AMENDING SECTION 25.02, PERMITTED USES, ADDING LAND DEVELOPMENT REGULATIONS TO THE LIST OF PROVISIONS FOR WHICH PUDS MAY BE SUBJECT; AMENDING SECTION 25.03, SITE REQUIREMENT; CLARIFYING THE MINIMUM SITE AREA SHALL BE 10 ACRES; AMENDING SECTION 25.04, SPECIAL REQUIREMENTS; DELETING DETERMINATION OF CREDIT WHEN ADJACENT TO A PUBLIC BEACH OR WATER BODY; AMENDING SECTION 25.05, PROCEDURES; DELETING FINAL DEVELOPMENT PLAN (FDP) REQUIREMENT, ESTABLISHING TIMELINES FOR SUBMITTAL OF SITE ENGINEERING PLAN (SEP), REQUIRING A PHASED PUD TO DEFINE PHASING AND TIMELINE FOR DELIVERY OF SPECIAL CONDITIONS, CLARIFYING PROVISIONS FOR EXTENSION OF APPROVED (SEP), REVISING (PDP) PLAN APPROVAL PROCEDURES, REVISING REVIEW CRITERIA; ADDING PROVISIONS FOR THE DISTURBANCE OF ENVIRONMENTALLY SENSITIVE LANDS; REQUIRING CONFORMITY WITH APPLICABLE REGULATIONS AND OVERARCHING STANDARDS; REVISING APPLICATION PROCEDURES; REVISING TABULATION REQUIREMENTS; ADDING A DEVELOPMENT SCHEDULE; REQUIRING SUMMARY OF PROPOSED USES; REQUIRING STREETScape PLANS AND ARCHITECTURAL RENDERINGS FOR CERTAIN DEVELOPMENTS; ESTABLISHING SITE DESIGN REQUIREMENTS; REQUIRING AN ENVIRONMENTAL ASSESSMENT; DELETING FINAL DEVELOPMENT PLAN REQUIREMENT; SPECIFICALLY AMENDING SECTION 25.06, BONDING; PROVIDING FOR BONDING AT SITE ENGINEERING PLAN; SPECIFICALLY AMENDING SECTION 25.08, DEVIATION FROM THE APPROVED FINAL DEVELOPMENT PLAN OR PRELIMINARY DEVELOPMENT PLAN; ESTABLISHING CRITERIA FOR MAJOR DEVIATION OR MINOR DEVIATION DETERMINATIONS; REPEALING SECTION 25.09, SITE ENGINEERING PLANS, LEGAL DOCUMENTS, AND PERMITS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

WHEREAS, Policy FL.10.05 of the Nassau County Comprehensive Plan requires the County to review existing regulations in the Land Development Code and revise as necessary in order to implement the Future Land Use Plan; and

WHEREAS, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163 Florida Statutes and the Nassau County Land Development Code; and

WHEREAS, the Board of County Commissioners finds this ordinance serves the health, safety, and welfare of the residents of and visitors to Nassau County, Florida.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County that the following regulation is hereby adopted.

SECTION 1. FINDINGS.

The above findings are true and correct and are incorporated herein by reference. This Ordinance is consistent with the goals, objectives, and policies of the Nassau County Comprehensive Plan Policy Future Land Use Policy FL.10.05.

SECTION 2. AMENDING ARTICLE 25.

Appendix A Land Development Code, Article 25. Planned Unit Development: PUD is hereby amended to read as follows:

ARTICLE 25. PLANNED UNIT DEVELOPMENT: PUD

INTENT: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. 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 permissible to establish planned unit developments (PUDs), by ordinance of the Board of County Commissioners, in which development is in harmony with the general purpose and intent of ~~the ordinance~~ Land Development Code and the adopted Nassau County Comprehensive Plan. The objective of a PUD is to encourage ingenuity, imagination and design

efforts on the part of builders, architects, site planners and developers, by allowing for departure from the strict application ~~of use, setback, height, and minimum lot size~~ requirements of conventional zoning districts ~~and other standards of review that limit superior design not capable of being achieved through strict application of standards.~~ The PUD is a tool to accommodate unique and superior urban or rural designs. A PUD is not intended to be used to simply create ~~smaller lots or reduce setbacks.~~ It is not a “blanket variance” tool. ~~In order to justify allowing these departures, a PUD must produce developments which can achieve desirable goals such as preserving open space, protecting historic or community character, providing alternative transportation modes, or providing for the efficient expansion of public infrastructure.~~ The intent of this zoning district is to permit such flexibility and provide standards for implementation by way of the Preliminary Development Plan (PDP) as defined in section 25.05 of this Article. ~~performance criteria for planned unit development which:~~ A PUD shall not be approved unless the following PUD Overarching Standards of Review are met:

- (A) Permits a creative approach to the development of land to accommodate unique and superior urban or rural designs; and
- (B) Accomplishes a more desirable urban, rural, or natural environment than would be possible through the strict application of minimum requirements of ~~this ordinance~~ the land development code and other standards of review; and
- (C) Provides for ~~an~~ the efficient use of land, resulting in lower demand on civic infrastructure and public services thus resulting in more fiscally sustainable development pattern ~~development costs; and~~
- (D) Enhances the appearance of the area through the use of high-quality design principles, preservation of natural features, existing native habitat, working agricultural lands, or waterfronts, the provision of underground utilities, ~~where possible,~~ and the provision of recreation areas and open space more efficiently than existing zoning and subdivision requirements in excess of minimum standards; and
- (E) ~~Reserved~~ Results in unique development scenarios that are not obtainable through traditional zoning standards; and
- (F) Provides an environment of stable character compatible with surrounding areas or implements an approved plan of the Board of County Commissioners; and
- (G) ~~Retains property values over the long term~~ Preserves open space, protects historic or community character, preserves working waterfronts and working agricultural lands, or provides superior urban design.
- (H) PUDs may incorporate elements intended to promote affordable housing for Low-income Persons and Very-low-income Persons, as those terms are defined in Section 420.0004, Florida Statutes, accomplish greater sustainability in design, and achieve preservation of vulnerable agricultural or environmentally sensitive lands in a manner not feasible through the use of traditional zoning regulations.

A PUD will not require a future land use map amendment so long as the proposed use does not increase the intensity or density of use specified on the underlying future land use map.

Section 25.01. PUD defined.

For the purpose of this ordinance, a planned unit development (PUD) shall mean the zoning district for the a development of a particular parcel of land under unified control which is planned and developed as a whole in a single or programmed series of operations with uses and structures substantially related to the character of the entire development. A PUD, established pursuant to ordinance of the Board of County Commissioners, must also include a preliminary development plan and project narrative with specified development conditions and a program for the provision, maintenance, and operation of all areas, improvements, facilities, and necessary services for the common use of all occupants thereof.

As a zoning district, the terms and conditions of a PUD shall be enforceable in the same manner as enforcement of all other county code provisions. All county rules, codes, and regulations shall remain in full force and effect, and shall apply to the PUD unless a specific exemption, waiver or alternative condition is included in the approved PUD narrative and preliminary development plan. In order to justify allowing departure from the strict application of use, setback, height, and minimum lot size requirements of conventional zoning districts, a PUD must demonstrate, through the approval process, that it achieves desirable goals of Nassau County that would not be possible in a conventional zoning district. A PUD is not intended to be used to simply create smaller lots or reduce setbacks. It is not a "blanket variance" tool. The PUD is a tool to accommodate unique and superior urban or rural designs. PUDs may incorporate elements intended to promote affordable housing for Low-income or Very-low-income Persons as defined in Section 420.0004, Florida Statutes, accomplish greater sustainability in design, and achieve preservation of vulnerable agricultural or environmentally sensitive lands in a manner not feasible through the use of traditional zoning.

Section 25.02. Permitted uses.

- (A) ~~(A)~~—Any use which is permitted, or permissible as a conditional use, in the underlying future land use designation may be included in a PUD.
- (B) All uses allowed in a PUD but must be specifically identified in the PUD narrative text and must be compatible with the property's identified comprehensive plan future land use designation. Such uses approved in conjunction with a PUD must provide a justification for the requested use and include defined development criteria in the PUD to mitigate any potential negative impacts of the uses. Additionally, certain desired benefits to the community must be outlined within the narrative text.
- (C) PUDs on land located within an approved sector plan or development of regional impact (DRI) are subject to the requirements of a detailed specific area plan (DSAP) or DRI development order, and may be subject to additional provisions within the Nassau County Comprehensive Plan and land development regulations.
- (A)(D) Residential development within a DRI, PUD or otherwise established by a development order issued prior to the adoption of this amendment to the zoning code shall be limited to the number of dwelling units approved in the DRI or development order.

Section 25.03. Site requirement.

All PUDs ~~should~~shall have a minimum site area of ten (10) upland acres.

Section 25.04. ~~Special PUD~~requirements and narrative text.

~~(A)~~ (A)—Each application shall identify and address applicable criteria to its specific plan of development. An application for rezoning to PUD shall proceed in general as for other applications for rezoning of land. In addition to the information usually required for such applications, the following shall be required:

- (1) Plats, surveys, and metes and bounds description of the area within the PUD.
- (2) The name and address of the owner and, if applicable, evidence of the assignment of an agent who represents all owners.
- (3) Evidence of unified ownership or control of the entire area within the PUD with all owners within the area identified. The term "controlled by" shall be interpreted to mean that such developer shall have the written consent of all owners of property within the proposed site not wholly owned by the developer.
- (4) An agreement by all owners within the PUD which includes their commitment to:
 - a. Proceed with the proposed development in accordance with the PUD ordinance and such conditions and safeguards as may be set by the Board of County Commissioners in such ordinance; and
 - b. Provide a narrative PUD text that clearly identifies by corresponding numbered and lettered paragraphs responses to the following criteria:
 - i. Consistency with every relevant goal, policy, and objective of the adopted Comprehensive Plan, including, but not limited to, density and intensity limitations of the Future Land Use Map category for the property; and
 - ii. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses; and
 - iii. Compliance with the purpose and intent of this Article 25; and
 - iv. Compliance with section 25.02 and justification for any zoning uses; and
 - v. The phasing of the PUD or PUD amendment, including all sub-phases, and the proposed commencement and completion of such development by phase; and

- vi. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions, and facilities as are not to be provided, operated or maintained by the County; and
- vii. A termination date after which the Planning and Zoning Board (PZB) shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection v., or other circumstances have contributed to the development delay, if so, one (1) year extensions may be granted by the PZB at an advertised hearing with due public notice. After two (2) such extensions, if no activity has been initiated, the Board of County Commissioners shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule; and
- viii. If a reversion to pre-PUD zoning district pursuant to subsection vii. would otherwise be inconsistent with the adopted Comprehensive Plan in effect at the time of reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted; and
- ix. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and public infrastructure of the county, and
- x. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions, and limitations of the PUD narrative text and preliminary development plan, including but not limited to the phasing, terminations, and reversion.

~~Unified ownership or control: The title to all land within a proposed site for a planned unit development (PUD) shall be owned or controlled by the developer submitting the applications provided for under this section. The term "controlled by" shall be interpreted to mean that such developer shall have the written consent of all owners of property within the proposed site not wholly owned by the developer. Such consent shall contain a statement that such developer is authorized to represent such owners in the submission of an application under the provisions of this section and that such owners shall agree to be bound by the decision of the board of county commissioners in the event such application is approved.~~

- (B) *Access:* Each dwelling unit or other permitted use shall be provided access, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way or commonly owned easement. County-owned vehicles shall be permitted access on

privately owned roads, easements and common open spaces in order to perform basic county services such as fire and police protection and emergency service needs of PUD residents.

(C) *Reserved.*

(D) *Public infrastructure facilities:*

- (1) All public infrastructure facilities, including transportation, potable water, sewage, solid waste disposal, stormwater management, and recreation and open space facilities, shall be constructed according to the requirements all adopted codes of the Board of County Commissioners of the Land Development Code.

(E) *Open space:*

- (1) Open spaces and recreation areas provided within a proposed planned unit development shall be evaluated based on conformance with the policies of the adopted comprehensive plan and the ability of such areas to provide recreational opportunities, protect sensitive environmental areas, protect areas of archaeological or historical significance, contribute to community design, and encourage compatible and cooperative relationships between adjoining land uses.
- (2) Parking areas, road rights-of-way or minimum yards and spacings between dwelling units may shall not be included in determining usable open space.
- ~~(3) (3) Reserved. When a proposed PUD is adjacent to a public beach or other water bodies, the planning and zoning board shall determine the amount of credit given for such water bodies toward meeting the development's open space requirements.~~
- (4) All common open space and recreational facilities shall be included in the preliminary development plans and final and site engineering development plans. 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 PUD.
- (5) If the developer elects to administer common open space through an association or nonprofit corporation, such organizations shall conform to the following requirements.
 - (a) The developer must establish the association or nonprofit corporation prior to the sale of any lots or units within the PUD.
 - (b) Membership in the association or nonprofit corporation shall be mandatory for all property owners within the PUD.
 - (c) The association or nonprofit corporation shall manage all common open space and recreational and cultural facilities that are not dedicated to the public; shall provide for the maintenance, administration and operation of such land and any other land within the PUD not publicly or privately owned; and shall secure adequate liability insurance on the land.

(F) *Reserved.*

(G) Temporary sales offices: The temporary use of a residential structure as a sales office shall be in accordance with the Florida Building Code, chapter 104.1.2, temporary structures and shall be limited to a duration of one (1) year unless an extension is requested and approved by the building official, in accordance with section 104.5.1, permit intent.

(H) Developer neighborhood notice. At the time of filing a PUD or PUD amendment application, the applicant must submit to the planning department a copy of the developer neighborhood notice mailed to the "community" and affidavit of mailing. "Community" for the purposes of the section shall include all properties within a five hundred (500) foot radius of the project boundaries, or any Homeowners Association, Condominium Association, or special district. Notice shall be mailed regular U.S. mail and postmarked no less than fifteen (15) days prior to the filing of the application. The developer notice shall include the following information:

a. The project name, all property owner(s) and applicant(s); and

b. The existing zoning and requested rezoning, the physical address or location of the project, and a brief description of the application request; and

c. The developer's project coordinator contact information, including name, mailing address, telephone number, and email address; and

d. The following statement in prominent font:

"Please contact the developer's project coordinator directly if a courtesy neighborhood informational meeting is requested of the developer. The courtesy neighborhood informational meeting will be presented by the developer, not by County staff. It is not an official County meeting or hearing on the project application. The developer neighborhood notice is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing. The developer neighborhood notice is an additional, courtesy informational tool provided to the public to facilitate early, voluntary, and direct communication between the community and PUD development applicants. This document was prepared by the developer. The County does not warrant its accuracy. The official complete application public record will be available for review after filing with the Nassau County Planning Department."

Section 25.05. PUD Procedures.

(A) General:

(1) To develop a planned unit development (PUD) in Nassau County, the property must be rezoned to PUD. Rezoning shall be subject to approval of the PUD narrative text and preliminary development plan by ordinance of the Board of County Commissioners. Within one (1) year ~~after approval of the preliminary development plan, the developer must submit a final development plan to the planning and zoning board for review and to the board of county commissioners for approval. The board of county commissioners, upon request from the developer and for good cause shown, may extend the one (1) year time period for submitting the final development plan. Such extension shall not exceed one (1) year of PUD ordinance approval, the developer~~

must submit a site engineering plan conforming to the approved preliminary development plan to the development review committee for review and approval.

- (a) If a development project is constructed in phases, the PUD and the PDP must clearly define the project phasing, including delivery of any special conditions. The site engineering plan must be in compliance with the approved PUD narrative text and preliminary development plan.
- (2) If the developer fails to submit a ~~final development~~site engineering plan, in accordance with the procedures set forth above, within the one (1) year period specified by this ordinance and has not been granted an extension, the approved preliminary ~~development plan and PUD zoning~~ shall ~~be revoked~~terminate, and the site shall revert to its previous zoning classification(s) pursuant to section 25.04(A)(4)b.vii. above. ~~A notice of such revocation, containing a legal description of the site, shall be recorded into the public records of Nassau County. A copy of this revocation shall be sent to the developer.~~
- (3) If development actions required by the PUD ordinance ~~creating a PUD~~ are not taken within any time limits set by the Board of County Commissioners in such ordinance, the approval of the PUD ~~as provided in such ordinance~~ shall ~~become invalid and no further action shall be permitted under same~~. The board of county commissioners may extend such time limits for a reasonable length of time if probable cause is shown be reviewed by the Planning and Zoning Board pursuant to the requirements of section 25.04(A)(4)b.vii. above.
- (4) If substantial construction, as determined by the ~~board of county commissioners~~development review committee in accordance with the criteria set forth in Section 5.07.F.4. of the Land Development Code has not begun within five (5) years after approval of the ~~final development~~site engineering plan(s), or portion thereof as defined by the PUD phasing schedule, the approval of the PUD ~~will shall terminate~~lapse, and the area not compliant shall revert to its previous zoning classification(s) pursuant to section 25.04(A)(4)b.vii. above. ~~At its discretion and for good cause, the board of county commissioners may extend for one (1) additional year the period for beginning construction. If the approved PUD lapses terminates under this provision, the property owner must resubmit a PUD application to evaluate the impacts of the PUD on public facility capacity under current conditions. Upon receiving the recommendations of the planning and zoning board, the board of county commissioners shall hold a public hearing to determine if additional measures are required to mitigate the impacts of the PUD and shall approve or approve subject to conditions the reinstatement of the PUD pursuant to the requirements of this Article 25.~~
- (B) PUD Preliminary development plan approval procedure:
- (1) Preapplication conference: Before submitting the ~~preliminary development plan~~PUD application, narrative text, and preliminary development plan for approval as a PUD, the developer shall meet with the ~~senior planner, county engineer and health department official~~applicable members of the development review committee as

- determined by the Planning Director and such other personnel as may be necessary to determine the feasibility and suitability of the application. This step is required so that the developer may obtain information and guidance from county personnel before entering into any binding commitments or incurring substantial expenses of the site and plan preparation.
- (2) ~~Five (5) copies of the~~ The preliminary development plan application shall be submitted with the application for PUD rezoning to the ~~senior planner~~ Planning Department at least ~~forty-five~~ one hundred and twenty (45/20) days prior to the meeting of the Pplanning and Zzoning Bboard, at which meeting such application is to be considered in a duly noticed public hearing. The application fee established by the Bboard of Ceounty Ceommissioners shall be collected.
 - (3) The ~~senior planner and the public works director~~ appropriate county departments, as determined by the Planning Director, shall review the PUD narrative and preliminary development plan ~~application~~ to determine its conformity with the Nassau County Comprehensive Plan, county policies, developer agreements, development orders, regulations, and the requirements of this ~~section~~ Article and shall make their recommendation to the Pplanning and Zzoning Bboard.
 - (4) The Pplanning and Zzoning Bboard shall review the PUD application in a duly noticed public hearing during which time public comment will be accepted. Upon completion of the review of the preliminary development plan application and all exhibits, the Pplanning and Zzoning Bboard shall recommend to the Bboard of Ceounty Ceommissioners the approval, approval subject to conditions, or ~~disapproval~~ denial of the ~~preliminary plan~~ PUD application. The Pplanning and Zzoning Bboard shall consider the ~~recommendation of the public works director and the senior planner,~~ public input Planning Department analysis, competent and substantial evidence presented at the public hearing, and the applicable review criteria ~~established in this section~~ when making its recommendations.
 - (5) Upon receiving the recommendations of the Pplanning and Zzoning Bboard, the Bboard of Ceounty Ceommissioners shall hold a duly noticed public hearing to review the Pplanning and Zzoning Bboard's recommendations and review the PUD preliminary development plan application. The Bboard of Ceounty Ceommissioners shall approve, approve subject to conditions, or ~~disapprove~~ deny the ~~preliminary development plan~~ PUD application. ~~Approval of the preliminary development plan indicates approval of the PUD zoning, subject to acceptance of the final development plan.~~ The decision of the Bboard of Ceounty Ceommissioners shall take into consideration the applicable review criteria ~~established in this section~~.
 - (6) ~~If the preliminary development plan application is approved by the board of county commissioners, a copy of the application and required exhibits, if deemed necessary by the county, shall be recorded in the public records.~~

(C) ~~Preliminary development plan~~PUD review criteria: The ~~P~~planning and ~~Z~~oning ~~B~~board and the ~~B~~board of ~~C~~ounty ~~C~~ommissioners shall consider the following criteria when reviewing ~~applications for rezoning to the preliminary development plan for a~~ PUD:-:

- (1) Degree of consistency of the proposed PUD with the surrounding area in terms of character and density.
- (2) Provision for and adequacy of future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation.
- (3) The nature, ~~intent and compatibility and overall provision~~ of common open space, including the proposed method for the maintenance and conservation of open space.
- (4) The feasibility and compatibility of the specified ~~stages-proposed land uses and features~~ contained in the ~~PUD narrative and~~ preliminary development plan to exist as an independent development.
- (5) The benefits inherent in a PUD classification to the general public that justify the requested departure from standard land use requirements.
- (6) The conformity and compatibility of the proposed PUD with the Nassau County Comprehensive Plan.
- (7) The avoidance of urban sprawl as defined in the adopted Nassau County Comprehensive Plan.
- (8) The provision of a layout that minimizes disturbance of environmentally sensitive lands including special flood hazard areas and jurisdictional wetlands. In urban infill areas, disturbance to environmentally sensitive lands may be permitted consistent with state and federal permitting requirements.
- (9) Conformity with any applicable regulations, development order, development agreement, and/or other binding agreement governing the subject site.
- (10) Demonstrated consistency with the Overarching Standards of Review as defined in this Article.

(D) ~~Preliminary development plan~~PUD application:

- (1) General: The ~~preliminary development plan~~PUD application shall contain the names of the developer, surveyor and engineer who prepared the ~~preliminary~~ development plan and topographic data map, and the name of the proposed PUD. The PUD application ~~It~~ must ~~also~~ contain a written ~~narrative~~ description of the intended plan of development, clearly indicating ~~where-how~~ approval of the PUD would ~~benefit the community as a whole~~ meet the criteria and standards of review for PUD rezoning approval as set forth in this Article; provide a public benefit; and fulfill the ~~purpose and~~ intent of ~~a~~ PUD ~~as set forth in this Article.~~
- (2) Exhibits: The following exhibits shall be attached to the ~~preliminary development plan~~PUD application.

- (a) Vicinity map indicating the relationship between the PUD and its surrounding area, including adjacent streets, thorough fares and adjacent land uses.
- (b) The preliminary development plan shall ~~also~~ contain, but not be limited to, the following information:
1. Proposed name or title of project, the name of the engineer, architect and developer.
 2. North arrow, scale of one inch equals two hundred feet (1" = 200') or larger, date and legal description of the proposed site.
 3. Boundaries of the tract shown with surveyed bearings, distances, closures and bulkhead lines. All existing easements, section lines, streets and physical features in and adjoining the project and zoning.
 4. Names and locations of adjoining developments and subdivisions.
 5. Proposed parks, school sites or other public and private open space.
 6. Vehicular and pedestrian circulation systems, ~~including off-street parking and loading areas, driveways and access points.~~
 7. Tabulations for gross site acreage; approximate parking areas and specific parking ratio(s); preliminary jurisdictional wetlands and wetland buffers with width calculations; submerged areas; preliminary total landscaped areas, open space, and buffers, excluding wetland buffers. Provide maximum/minimum floor area ratio and maximum impervious surface ratio. Site data, including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary residential, secondary nonresidential uses and open space uses, the total number of dwelling units and square feet of gross nonresidential building area.
 8. Proposed common open space, including the proposed improvements and any complementary structures, and the tabulation of the percent of the total area devoted to common open space. Areas qualifying for common open space shall be specifically designated on the ~~site~~ plan.
 9. General statement indicating proposed means of drainage for the site to ensure conformity with natural drainage within the vicinity area or with the drainage plan established within the vicinity area.
 10. ~~Delineation of specific areas designated as a proposed stage~~Development phasing schedule:-
 - a. Phase lines. Delineation of areas to be developed according to the order of construction.

b. Schedule or thresholds for the construction and improvement of common open space, streets, utilities, and any other necessary improvements for each development phase or stage.

c. Phase or threshold schedule for the delivery of any special condition of the PUD.

d. Proposed build-out dates by phase.

11. Proposed uses. Maximum number of residential dwelling units by unit type for residential uses and proposed lot sizes. Maximum/Minimum gross floor area of all non-residential uses and identification of proposed uses.

12. General location within the site of each primary residential and secondary nonresidential use, ~~and the proposed amount of land to be devoted to individual ownership.~~

13. General statement indicating source of potable water and wastewater disposal ~~including conceptual points of connection.~~

14. The proposed method of dedication and administration of the proposed common open space.

15. Conceptual streetscape plans and architectural renderings of mixed-use, commercial, residential, and industrial buildings to determine compliance with applicable design standards.

16. Property dimensions and existing and proposed easements that impact the character of development or design, location of the primary spine network and major roadways in the development (as differentiated from local streets serving residential units), location of proposed structures (except individual single family dwellings), conceptual area of all principal structures (except single family detached), their maximum/minimum height and maximum/minimum number of stories, maximum/minimum setbacks; conceptual location and approximate size of stormwater ponds and approximate location of major stormwater conveyance systems; jurisdictional wetlands; floodways and special flood hazard areas; approximate driveway location (except individual single family dwellings); general location of parking, minimum and maximum parking ratios, shared parking standards and characteristics of parking (e.g. on-street, off-street, etc.), cross-access locations; conceptual locations of off-street loading areas for passengers or freight; conceptual drive-through locations including stacking and escape lanes; landscaped areas and streetscape themes; bicycle and pedestrian circulation and facilities plan.

17. Conceptual location of turn lanes; public transit stop(s) and/or child pick-up/drop-off area(s).

18. Ancillary items. Conceptual location of exterior sales, service or storage areas; maximum height and shielding requirements of exterior lighting; proposed locations of fences and walls. If proposing signage is different than the County's general sign code then provide the proposed approximate sign location(s), dimensions, signage type, and height.
 19. Environmental assessment. The assessment may employ aerial photographs; land use and cover classifications per Florida Land Use Classification Codes (FNAI.org/gisdata.cfm); wetlands identified by the National Wetlands Inventory, SJRWMD (SJRWMD.com/gisdevelopment) or ground truthing; wildlife corridors and strategic habitat conservation areas identified by the Florida Fish and Wildlife Conservation Commission's Florida Natural Areas Inventory and Florida Department of Environmental Protection supplemented, as appropriate, by field surveys. Archaeological and historic resources shall be identified by reference to the Florida Master Site File.
- (c) Topographic data map drawn to a scale of one inch equals two hundred feet (1" = 200') or larger by a registered surveyor and/or engineer, showing:
1. The location of the existing property lines for private property and public property, streets, buildings, watercourses, transmission lines, sewers, bridges, culverts and drain pipes, water mains and any public utility easements.
 2. Wooded areas, streams, lakes, marshes, floodprone areas and any other physical conditions affecting the site.
 3. Existing contours, based on U.S. Coast and Geodetic data with a contour interval of two (2) feet, and proposed finished elevations.

(E) ~~RESERVED~~ Final development plan approval procedure:

- ~~(1) Five (5) copies of the final development plan shall be submitted to the senior planner forty-five (45) days prior to the next planning and zoning board meeting. During this forty-five (45) day period, the senior planner shall distribute copies of the final development plan to the appropriate county departments for review and comment. Each department shall conduct its review and submit written comments to the senior planner within fifteen (15) days after receipt of the final development plan.~~
- ~~(2) The senior planner shall submit the final development plan along with a written analysis and recommendations to the planning and zoning board for review at its next meeting. The analysis and recommendations submitted to the planning and zoning board shall reflect the review and comments of the other county departments involved in the review of the final development plan.~~
- ~~(3) The planning and zoning board shall hold a public hearing to review the final development plan for consistency with the preliminary development plan, conformance with the provisions of this ordinance and other related county regulations. The planning and zoning board shall submit written recommendations to the board of county commissioners.~~

- ~~(4) The board of county commissioners shall hold a public hearing to review the final development plan and consider the recommendations of the planning and zoning board. The board of county commissioners shall approve, approve with conditions, or deny the final development plan.~~
- ~~(F) Final development plan: The final development plan shall include the following exhibits, which shall be prepared for each development phase:~~
- ~~(1) The final development plan must be based upon the preliminary development plan and written plan of development adopted by Nassau County as part of the rezoning to the PUD district. Where a development standard is not specifically addressed by the PUD in conflict with the provisions of this land development code, the provisions of this code will govern. The final development plan will contain the information and exhibits required by section 5.07(C)(2) of this code, Class III preliminary binding site plans.~~
- ~~(2) Additional information required in final development plan:~~
- ~~(a) A statement of dedication signed by the owner of the PUD dedicating any improvements to Nassau County.~~
- ~~(b) Proposed lot lines (if any), lot and block numbers and dimensions of all residential uses and nonresidential uses and common open space.~~
- ~~(c) The proposed architectural and landscape deed restrictions that clearly reflect the compatibility of the variety of primary and secondary uses proposed.~~
- ~~(d) Location and width of canals, waterways and floodprone areas.~~
- ~~(e) Reservations, easements, alleys and any areas to be dedicated for public use and sites for other than residential use, with notes stating their purpose and any limitations.~~
- ~~(3) Development schedule:~~
- ~~(a) Delineation of areas to be developed according to their order of construction.~~
- ~~(b) Proposed dates for beginning and completing construction of each development phase or stage.~~
- ~~(c) Proposed schedule for the construction and improvement of common open space, streets, utilities, and any other necessary improvements for each development phase or stage.~~
- ~~(4) Required legal documents (where applicable):~~
- ~~(a) Deed restrictions: Any deed restrictions proposed by the developer of the PUD to preserve the character of the development's common open space and to establish compatible architectural and landscape design of structures.~~
- ~~(b) Property owners' association or nonprofit corporation: If the developer elects this method of administering common open space, the proposed bylaws of the property owners association or the certificate of incorporate and the corporate bylaws of the nonprofit corporation shall be submitted for approval by the board of county commissioners.~~

Section 25.06. Bonding.

Prior to beginning construction of each development phase of the PUD, the board of county commissioners shall require the developer to post a performance bond guaranteeing that all public improvements and common open areas will be constructed according to the approved final development site engineering plan. The board of county commissioners shall establish reasonable time limits for completing construction of the necessary improvements. The board of county commissioners shall have the sole right to extend such time limits if sufficient evidence is provided by the developer to substantiate an extension. The performance bond shall have a face value equal to the cost of constructing the required improvements.

Section 25.07. Silvicultural and agricultural activities.

Silvicultural and agricultural activities shall be allowed within parcels of a planned unit development until such time as building permits are issued for non-agricultural development on that parcel. Thereafter, such activities shall be limited to the range of allowable uses for the planned unit development, unless silvicultural and agricultural uses are otherwise provided for by the development order applicable to that parcel.

Section 25.08. Deviation from the approved final development plan or preliminary development plan.

Notwithstanding any provisions for deviations set forth herein, any deviation from a final development plan is required to conform to the regulations of any applicable development order, the Code of Ordinances, Land Development Code, and the PUD enacting ordinance.

(A) Major Deviation: Any major deviation adjustments which may be required to from the approved final or preliminary development plan during the development of the PUD, must be approved shall first be reviewed by the development review committee and require approval by the Board of County Commissioners upon recommendation of the Planning and Zoning Board. Any changes in the following criteria must be brought before the planning and zoning board for approval. Any one (1) of the following shall be considered a major deviation:

- (A1) Increase in the number of residential dwelling units.
- (B2) Increase in the amount of non-residential square footage.
- (C3) Significant decrease of greater than five percent (5%) in the amount of open space, common areas, or significant change in location as determined by the development review committee.
- (D4) Significant change in the location of roadways or other transportation improvements as determined by the development review committee.
- (5) Increase in the number of vehicular trips that will impact external roadway networks by the lesser of a five percent (5%) increase in gross average daily trips or 400 gross average daily trips.

(6) Changes to building placement that would substantially impact the urban form or characteristics of the development as determined by the planning director.

(7) Changes that would substantially impact environmentally sensitive areas proposed for preservation including special flood hazard areas and jurisdictional wetlands as determined by the development review committee.

(8) If applicable, changes that would decrease the amount of working agricultural lands by greater than five percent (5%) of the area dedicated for such purpose.

(B) Minor Deviation. Any minor deviation from the approved final or preliminary development plan shall be required to be reviewed by the development review committee. The following shall be considered a minor deviation:

(1) Any change that is not defined as a major deviation or has a similar effect of a major deviation.

Section 25.09. Site engineering plans, legal documents, and permits.

Following approval of the final development plan by the board of county commissioners and recordation in the public records, the applicant may file for site engineering plan approval and preliminary plat approval, if required, in accordance with article 5. In addition to the submittal requirements of subsection 5.07C., the developer will provide:

- ~~(1) *Bill of sale:* A bill of sale conveying to Nassau County, the property owners association or nonprofit corporation, or some other authority all water and sewer lines, mains, lift stations and any other improvements required to be installed by this Code. Acceptance by the county is entirely dependent on the discretion of the board of county commissioners.~~
- ~~(2) *Title opinion:* A signed statement from an attorney stating the status of the title of the site encompassed by the final development plan and all liens, encumbrances and defects, if any.~~
- ~~(3) *Tax receipts:* Paid tax receipts from the proper taxing authority, indicating that current taxes on the proposed site have been paid in full.~~
- ~~(4) *Other documents:* A document, in a format acceptable to the county attorney, signed by all persons having interest in the proposed site, dedicating all rights-of-way, easements, and other public land shown on the final development plan. Also a document signed by the developer indicating that all necessary off-site easements or dedications have been acquired.~~

SECTION 3. 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 4. CONFLICTING PROVISIONS.

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

SECTION 5. SEVERABILITY.

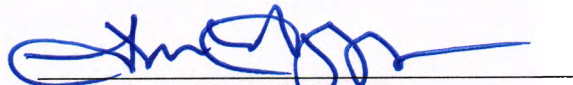
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality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

SECTION 6. EFFECTIVE DATE.

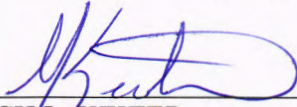
This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

ADOPTED THIS 25th DAY OF August, 2025 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


A. M. "HUPP" HUPPMANN
Chairman

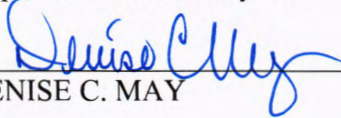
ATTEST AS TO CHAIRMAN'S SIGNATURE:



MITCH L. KEITER

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 2, 2025

Mitch L. Keiter
Clerk of the Circuit Court
Nassau County
76347 Veteran's Way, Suite 456
Yulee, Florida 32097

Dear Mitch L. Keiter:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2025-018, which was filed in this office on September 2, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

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