

ORDINANCE NUMBER 2025-021

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 32, DEFINITIONS; ADDING DEFINITIONS FOR DWELLING, TOWNHOUSE OR TOWNHOME, MIXED USE, INDUSTRIAL USE, RESILIENCY FACILITY, AND SMALL BATCH PRINTING PRESS; AMENDING THE DEFINITION OF DWELLING, MULTIFAMILY TO FURTHER DEFINE MULTIFAMILY DWELLINGS; DELETING REFERENCE TO SECTION 25.017 IN THE DEFINITION OF PLANNED UNIT DEVELOPMENT; AMENDING THE DEFINITION OF SETBACK TO CLARIFY THAT WETLAND BUFFERS CANNOT COUNT TOWARD MINIMUM SETBACK REQUIREMENTS; 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 Future Land Use Policy FL.10.05.

SECTION 2. AMENDING ARTICLE 32. DEFINITIONS to read as follows:

...

Dwelling: Any building or portion thereof which is designed for or used for residential purposes, but does not include a trailer coach or converted trailer, hotel, motel, lodging house or boardinghouse.

Dwelling, multifamily: A residential building designed for or occupied exclusively by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided. Multi-family dwellings are intended to be rented and maintained under central ownership and management; those which are under collective ownership and management including cooperative apartments, condominiums, and similar dwelling structures; and all other forms of multiple dwellings, regardless of ownership, management, taxation, or other consideration, where such form does not meet the requirements of this Code for a Single Family Dwelling.

Dwelling, single-family detached: A residential building not physically attached to any other principal structure used for family occupancy or a group dwelling of six (6) or fewer as per F.S. § 419.001(f)(2). This definition includes site-built structures and modular structures manufactured under the Florida Manufactured Building Act (F.S. § 553.35) and certified by the State of Florida as complying with the structural requirements of the Florida Building Code. This definition does not include mobile homes, recreational vehicles or other forms of temporary or portable housing.

Dwelling, townhouse or townhome: A single-family dwelling unit constructed in a group of three (3) or more attached units with property lines separating each unit in which each unit extends from foundation to roof and with a yard on at least two sides.

Dwelling, two-family: A residential building designed for or occupied by two (2) families, with the number of families in residence not exceeding the number of dwelling units provided (duplexes).

...

Housing for the elderly: A facility in the nature of multiple-family housing, with no provision for routine nursing or medical care. Where this ordinance permits housing for the elderly, such housing shall be used only for this purpose; if housing for the elderly is changed to multiple-family use, then the provisions of this ordinance shall be met before such multiple-family use is permitted.

Industrial uses means activities associated with the manufacture, assembly, distribution, processing, or storage of products or the performance of related services.

Impacted segment: Any segment of the major road network, except hurricane evacuation routes, on which peak hour traffic generated by a development contributes one (1) percent or more of the maximum service volume at the adopted level of service standard.

...

Mixed use: A development that provides more than one use or purpose within a shared building or development area. Horizontal integration is comprised of multiple single-use buildings on a development parcel. Vertical integration incorporates a range of uses in one building.

Mobile or manufactured home: A structure, transportable in one (1) or more sections, which is eight (8) body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein and constructed to standards promulgated by the United States Department of Housing and Urban Development. A mobile home fabricated on or after June 15, 1976, with each section bearing a seal certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standard Act may be referred to as a "manufactured home" pursuant to F.S. § 320.01(2)(b). For convenience, this Code may use the term "mobile home" or "manufactured home" to apply to all such structures, regardless of fabrication date, unless otherwise noted. This term does not apply to "modular, manufactured, or factory-built buildings" as defined in F.S. § 553.36(13) (see definition below).

...

Planned unit development (PUD): A development 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 must also include a program for the provision, maintenance, and operation of all areas, improvements, facilities, and necessary services for the common use of all occupants thereof. 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 that it achieves desirable goals that would not be possible in a conventional zoning district. ~~[See also section 25.017]~~

Planning and zoning board: A body appointed by the Nassau County Board of County Commissioners. The planning and zoning board shall review and advise the board of county commissioners on all planning and zoning related matters including the comprehensive plan.

...

Resiliency facility: means a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster as defined in s. 163.3210 as may be amended.

...

Setback: The distance between the lot line and the building setback line. Wetland buffers shall not count toward minimum setback requirements for the zoning district in which the lot is located.

Setback line: See building line.

...

Small batch printing press: A business, 50,000 square feet or less in size, that utilizes a machine or machines by which text and images are transferred from movable type to paper or other media.

Solar energy system: Equipment for capturing the energy of the sun and converting it to usable thermal or electrical energy. Such devices include solar photovoltaic devices and solar thermal panels.

...

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.

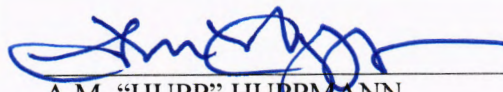
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality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

SECTION 6. EFFECTIVE DATE.

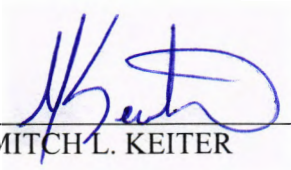
This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

**ADOPTED THIS 28th DAY OF July, 2025 BY THE
BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.**

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


A.M. "HUPP" HURPMANN
Chairman

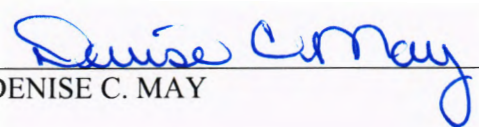
ATTEST AS TO CHAIRMAN'S SIGNATURE:



MITCH L. KEITER

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 31, 2025

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

Dear 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. 2025-021, which was filed in this office on July 31, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp