

ORDINANCE NO. 2010- 01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA PROVIDING A LOCAL GOVERNMENT DEVELOPMENT ORDER EXTENSION SIMILAR TO THAT PROVIDED IN SECTION 14 OF SENATE BILL 360; PROVIDING THAT NASSAU COUNTY DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, AND FAIR SHARE AGREEMENTS THAT HAVE AN EXPIRATION DATE OF SEPTEMBER 1, 2008 THROUGH JANUARY 1, 2012 BE EXTENDED AND RENEWED FOR A PERIOD OF TWO YEARS FOLLOWING THE DATE OF EXPIRATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida has passed legislation that will extend certain development orders, development agreements and fair share agreements and permits for a period of two years; and

WHEREAS, the current economy continues to limit the ability of developers to obtain adequate financing for their projects; and

WHEREAS, the financing issues have caused a slowdown in new construction activity in Nassau County, and throughout the State of Florida; and

WHEREAS, developers with approved development orders have been unable to commence development due to the economic situation; and

WHEREAS, a significant number of approved final orders and issued development orders have already been extended, the extension has or will soon expire, and if the expiring final orders and development orders cannot be further extended, a number of developers will incur significant costs to start the development process over again or be forced to drop their development plans, thus further exacerbating the slump in potential new construction; and

WHEREAS, any further reduction in the number of potential new development projects will adversely affect jobs and the economy of Nassau County; and

WHEREAS, pending litigation and the multiple subjects contained in SB 360 (2009) create a significant possibility that extensions granted conditionally pursuant thereto may evaporate upon the outcome of said litigation; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, find it to be in the best interest of the citizens of Nassau county to mirror and expand upon the recent action of the Florida State Legislation by further extending the expiration date on approved final orders, development agreements, and fair share agreements.

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

SECTION 1. DEVELOPMENT ORDER EXTENSION

All development orders, development agreements and fair share agreements, including concurrency approvals, which have an expiration date of September 1, 2008 through January 1, 2012, shall be and are hereby renewed for a period of two (2) years following the date of expiration in addition to any extension previously granted by the Board of County Commissioners. Any time related conditions associated with any such order, agreement or approval shall similarly be extended for a period of two years.

SECTION 2. 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.

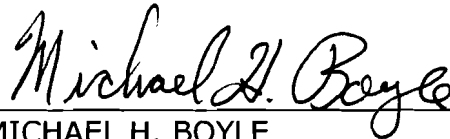
SECTION 3. ORDINANCE NOT TO BE CODIFIED

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be included and incorporated into the Land Development Code of Nassau County, Florida.

SECTION 4. EFFECTIVE DATE

The effective date of this ordinance is January 25, 2010, except that it is the intent of the Board of County Commissioners of Nassau County, Florida, that this ordinance shall operate nunc pro tunc to September 1, 2008.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



MICHAEL H. BOYLE
Its: Chairman

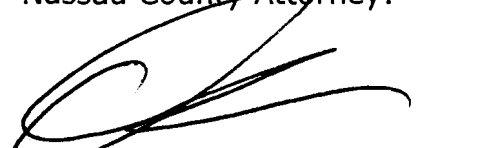
Attest as to Chairman's signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES 1/26/10

Approved as to form by the
Nassau County Attorney:



DAVID A. HALLMAN



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 2, 2010

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

Dear Mr. Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 26, 2010 and certified copy of Nassau County Ordinance No. 2010-01, which was filed in this office on February 1, 2010.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

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850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282



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Sincerely,

Liz Cloud
Program Administrator

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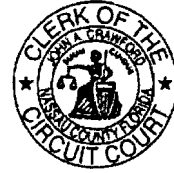
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JOHN A. CRAWFORD
Clerk of the Circuit Court / Comptroller
Ex-Officio Clerk to the Board of County Commissioners
Nassau County



VIA FEDERAL EXPRESS MAIL

January 26, 2010

Ms. Liz Cloud, Program Administrator
Department of State
Administrative Code Unit
R.A. Gray Building, Room 101
500 South Bronough Street
Tallahassee, FL 32399-0250

Dear Ms. Cloud:

Enclosed please find a certified copy of Ordinance No. 2010-01 adopted in Regular Session on January 25, 2010.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Crawford".

John A. Crawford
Ex-Officio Clerk

/bkl

Enclosure

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (NASSAU) COUNTY ORDINANCE # (2010-01)
(e.g., 93-001)

PRIMARY KEYFIELD
 DESCRIPTOR: (Land Use Planning)

SECONDARY KEYFIELD
 DESCRIPTOR: (Agreements)

OTHER KEYFIELD
 DESCRIPTOR: (_____)

ORDINANCE DESCRIPTION: (_____)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (_____); AMENDMENT # 2: (_____)

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____); REPEAL # 3: (_____);
 REPEAL # 2: (_____); REPEAL # 4: (_____);

(Others repealed: list all that apply) - _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: (_____)

KEYFIELD 1 CODE: (_____) KEYFIELD 2 CODE: (_____)

KEYFIELD 3 CODE: (_____)