

**ORDINANCE 2005 - 53**

AN ORDINANCE AMENDING ORDINANCE 2000-40, AS AMENDED, KNOWN AS THE "DEVELOPMENT REVIEW REGULATIONS"; SPECIFICALLY AMENDING SECTION 4, SUBDIVISIONS, TO INCLUDE STREET LIGHTING REQUIREMENTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has found it is in the best interest of the citizens of Nassau County to amend Ordinance 2000-40, as amended, in order to ensure that sufficient lighting can be provided where needed to promote safety and security.

NOW, THEREFORE, BE IT ORDAINED this 11th day of July, 2005 the Board of County Commissioners of Nassau County, Florida, that Ordinance 2000-40, as amended, is further amended as follows:

**SECTION 4. SUBDIVISIONS**

**4.1 GENERAL CONDITIONS**

Each subdivision shall contain improvements designed and constructed according to the requirements and specifications of this Ordinance, the Nassau County Road & Drainage Standards and the applicable policies, resolutions, regulations and ordinances of Nassau County, including the Nassau County Comprehensive Plan and the Laws of the State of Florida. The land proposed for subdivision shall be suitable for development and, upon completion of

the drainage construction described in the drainage plans, shall not be subject to damaging floods, poor drainage, erosion or other conditions detrimental to the health, safety and general welfare of the public.

#### **4.2 ROADS AND DRIVEWAYS**

All roads and driveways within the subdivision shall be paved and constructed in accordance with the requirements set forth herein and within the Nassau County Road & Drainage Standards, Ordinance 99-17. All subdivisions shall have direct paved access to the connection with a county maintained road or street dedicated to public use which has been accepted for maintenance by the County or Florida Department of Transportation. If the county maintained road or street is not paved the developer shall pave the county road or provided paved access from the subdivision to connect with a paved county road or street accepted by the County of the State. If the county road is paved but in substandard condition, improvements may be required of the developer in order to bring the road up to current county standards. If a driveway is not constructed or in substandard condition it is the responsibility of the developer to construct or improve the driveway to current county standards. Said paving and driveway construction

shall be in accordance with the requirements set forth herein and the Nassau County Road & Drainage Standards.

#### **4.3 RELATION TO ADJOINING STREET SYSTEM**

The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas (or their proper projection, where adjoining land is not subdivided) insofar as that may be deemed necessary by the Board for public requirements. The street arrangement shall not cause hardships to owners of adjoining property when they plat their own land and/or seek to provide convenient access to it. Offset streets shall be avoided but in no event shall there be less than one hundred fifty feet (150') between offsets. The angle of intersection between streets shall not vary by more than fifteen (15) degrees from a right angle.

#### **4.4 Street Lighting**

1. Street lighting shall be provided in accordance with a plan designed by the utility company, or using as a guideline the standards set forth by the Illuminating Engineering Society of North America (IES) Lighting Handbook, current edition.

2. Street lights shall be provided at all street entrances, intersections and curves, at required intervals along each street, and at the end of each cul-de-sac or

dead-end. Such lights may be required on interior streets, alleys, boundary streets, access paths and the like.

3. An individual, homeowner's association or other legal entity, shall be responsible for the care, maintenance and costs of street lighting.

4. Spacing of light poles or posts shall conform to the standards in the IES Lighting Handbook, current edition.

5. The maximum height of light poles or posts shall not exceed the maximum building height permitted or as may be specified by the zoning classification.

6. The height and shielding of lighting fixtures shall provide proper lighting without hazard to drivers or nuisance to residents, and the design of lighting fixtures shall be of a type appropriate to the development.

7. Lighting shall be designed and maintained to avoid unnecessary illumination of residential interiors.

#### **4.4 4.5 STREET NAMES**

New streets shall be appropriately marked at each intersection with street regulatory signs. The applicant shall be responsible for cost of all initial street signs in the subdivision. All street names require written approval of the 911 Coordinator. Streets shall be named in accordance with Nassau County Ordinance 88-23 as amended by Ordinance 92-14 and Ordinance 99-43 and any subsequent

amendments, and in accordance with procedures established by the Nassau County Sheriff's office.

~~4.5~~ **4.6 BLOCKS**

1. Where a tract of land is of such size and location as to prevent a lot arrangement related to a normal street design, there may be established courts, dead-end streets, or cul-de-sacs, provided; however, that proper access shall be given to all lots from a dedicated street or court and a cul-de-sac or other turnaround device is installed that meets all County requirements.

2. Residential blocks shall be not more than two thousand two hundred feet (2,200') in length. The width of any residential block shall be sufficient to allow two (2) tiers of appropriate depth, except where lots abut directly upon an expressway, major arterial, lake, waterway, or a land use other than residential. Block requirement will vary according to zoning requirements for industrial and commercial subdivisions.

~~4.6~~ **4.7 CUL-DE-SACS**

Where a street does not extend beyond the boundary of the subdivision area its continuation is not required by the Board for access to adjoining property, its terminus shall not normally be nearer to such boundary than fifty feet (50'). However, the Board may require the reservation of an

appropriate easement to accommodate drainage facilities, pedestrian traffic, utilities, or emergency access. A cul-de-sac turnaround shall have a minimum 50-foot paved radius and shall be provided at the end of a permanent dead-end street in accordance with Nassau County Road & Drainage Standards available at the Public Works Department. For greater convenience to traffic, permanent dead-end streets shall be limited in length to one thousand feet (1,000') from the nearest intersection unless otherwise approved by the Public Works Director.

**4.7 4.8 INTERSECTIONS**

1. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be approximately at right angles for at least one hundred feet (100') there from. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Public Works Director.

2. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with an existing intersection on the opposite side of such street. In the case of local streets, such jogs with centerline offsets of less than one hundred fifty feet

(150') shall not be permitted except where the intersected street has separated, dual drives, without median breaks at either such intersection. Where local streets intersect with major streets, their alignment shall be continuous. Intersections of major streets shall be a minimum of eight hundred feet (800') apart.

~~4.8~~ **4.9 ACCESS**

All proposed developments shall meet the standards set forth in the Nassau County Roadway & Drainage Standards Ordinance 99-17. All access easements shall be a minimum width of sixty (60) feet. A sixty (60) foot easement can serve up to five (5) dwelling units. Any additional dwelling units will require the approval of the Public Works Director, or his designee.

~~4.8.1~~ **4.9.1 Required Number of Access Points**

All subdivisions consisting of 25 lots or more shall provide at least two (2) points of access subject to the approval of the Development Review Committee. One access may be closed to public access provided that it is approved by the Emergency Services Director or his designee as being accessible to County emergency services.

~~4.9~~ **4.10 LOTS**

1. The minimum building setbacks required are those stipulated in the Zoning Ordinance for the pertinent

district and in Policy 2.03.04 of the Traffic Circulation Element of the Comprehensive Plan for lots on arterials and collectors.

2. Lots shall have a minimum width as stipulated in the Zoning Ordinance for the pertinent district.

3. Corner lots shall have dimensions sufficient to permit the establishment of front building lines on each side of the lots having street frontage.

4. The arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of the surrounding development.

5. Restrictions requiring building to be set back to such building lines shall be shown on the plat.

6. All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Such variations must be approved by the Director of Public Works.

7. When the specification of this subsection conflicts with the zone requirements of the regulations and restrictions stipulated in the Zoning Ordinance, the more restrictive shall prevail.



8. The size and dimensions of lots for industrial or commercial uses will vary and shall be consistent with the requirements stipulated in the Zoning Ordinance for that particular use. For industrial subdivisions a minimum lot size of two (2) acres will be required unless varied by the Board.

~~4.10~~ **4.11 EASEMENTS**

Easements at least seven and one half feet (7 ½') in width shall be provided on each side of all back lot lines, and five feet (5') in width on each side of side lot lines where necessary for poles, wires, conduits, sewers, gas, water or drainage swales. Easements of greater width may be required along or across lots where necessary for proper drainage for street rights-of-way.

~~4.11~~ **4.12 EASEMENT ALONG STREAMS OR CANALS**

Wherever any street or important surface drainage course is located in any area being developed, the developer shall provide an easement, whose width will be determined by the Public Works Director or his designee, along the stream for the purpose of widening, deepening, improving or for drainage use.

~~4.12~~ **4.13 WATER LINES**

~~4.12.1~~ **4.13.1 Connection to Public Water Supply; Installation of Fire Hydrants**

Where an approved public water supply is reasonably accessible, as determined by the County Department of Health and pursuant to Florida State Statutes and Florida Administrative Code, each lot within the subdivision shall be provided with a connection to such water supply. The water service for each lot will be installed at the time of the application for a building permit. All mains, to be under paving, will be constructed prior to the paving installation. Fire hydrants will be installed in all subdivisions where an existing public water supply can be extended within dedicated or proposed right-of-way that is within one quarter ( $\frac{1}{4}$ ) mile of said proposed development. The developer will extend the water supply and provide the fire hydrants at five hundred foot (500') intervals. The location of fire hydrants and water main size shall be approved by the Fire Chief or his designee. The Public Works Director shall review development plans to ensure that the public water supply is located in a manner that provides least susceptibility to hurricane impacts. Potable water infrastructure shall be phased into operation as development proceeds on barrier islands.

~~4.12.2~~      4.13.2 Private Water Supply Systems; Fire Hydrants

Where no existing public water supply is available and the installation of a public water supply system will be required at the time of application for a building permit, the private water supply system shall be constructed in such a manner that an adequate supply of potable water will be available to each lot. The rules and regulations of the Nassau County Health Department shall govern the installation of the system. Stub outs for fire hydrants shall be provided and the fire hydrants shall be installed by the developer at the time the water system is placed in use. The Public Works Director shall review development plans to ensure that the private water supply is located in a manner that provides least susceptibility to hurricane impacts. Potable water infrastructure shall be phased into operation as development proceeds on barrier islands.

~~4.12.3~~      **4.13.3 Alternative Fire Protection Measures Where Public Water Supply Not Available**

Where no existing public water supply is available and it is anticipated that a public water supply will not be made available, the Board may require alternative fire protection measures. The alternative fire protection measures will be based on recommendations of the Fire Chief or his designee and may include, but not be limited to the installation of wells, pumps, drafting hydrants and other

measures to allow adequate fire protection for the area being subdivided.

~~4.13~~ **4.14 SANITARY SEWER**

~~4.13.1~~ **4.14.1 Connection to Accessible Sanitary Sewer**

Where an adequate sanitary sewer is reasonably accessible, as determined by the County Department of Health and pursuant to Florida State Statutes and Florida Administrative Code, each lot in the subdivision area shall be provided with a connection to such sanitary sewer. The subdivision sewer system and all connections shall comply with the regulations of the Department of Environmental Protection. The Public Works Director shall review development plans to ensure that the sanitary sewer system is located in a manner that provides least susceptibility to hurricane impacts.

~~4.13.2~~ **4.14.2 Installation of Sewage Collection and Treatment System Where Sewers Not Accessible and Septic Tanks Not Permissible**

Where sewers are not accessible and septic tanks are not permissible as determined by the County Department of Health and pursuant to Florida State Statutes and Florida Administrative Code, the owner or developer shall install and operate a sewage collection and treatment system of a capacity sufficient to serve the entire subdivision and all contemplated additions. All such systems shall be

constructed in accordance with the regulations and requirements of and approval of the County Health Officer or appropriate State agency. The owner or owners must furnish written proof to the Public Works Director to the effect that provisions for sanitary sewage disposal of the entire subdivision meet with the approval of the County Health Officer or appropriate State agency. No construction is to begin until this condition has been met. Issuance of building permits will be conditioned upon demonstration of wastewater treatment systems. All industrial developments with private sewage treatment plants shall provide monitoring reports to the Department of Environmental Protection concerning their sewage treatment plants as required by Statute or Code.

4.14 **4.15 PUBLIC USES**

4.14.1 **4.15.1 Open Space, Parks and Recreational Areas**

1. **Recreational Standards:** The Board shall require that land be reserved or dedicated for parks, playgrounds, beach access, boat ramps or other recreational purposes in locations designated on the Comprehensive Plan or otherwise where such reservations would be appropriate. Each reservation or dedication shall be of suitable size, dimension, topography and general character and shall have adequate road access, for the particular purpose envisioned

by the Board. The area shall be shown and marked on the plat, "Reserved for Park and/or Recreational Purposes". When recreation areas are required, the Board shall determine the number of acres to be reserved using the basis of two and one half (2-½) acres for every one hundred (100) dwelling units. Development plans shall provide open space for both passive and active recreation in accordance with the established level of service specified in the Comprehensive Plan.

2. **Recreation Sites:** Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, play field or other active recreation purposes and shall be relatively level and dry. The Amelia Island Bicycle Trail, as delineated, shall be implemented by requiring developments to construct that section related to their development. Such development shall receive appropriate credit from recreation and/or transportation impact fees. Greenways which provide links between nature reserves, parks, cultural and historic sites, natural wetlands, beaches and other water bodies may also be used for recreation sites.

3. **Other Recreation Reservations:** The provisions of this section are minimum standards. None of the above

paragraphs shall be construed as prohibiting a developer from reserving other land for active or passive recreation in addition to the requirements of this section.

~~4.14.2~~      **4.15.2 Public Beach Access**

Within an average of one-half mile increments, the County shall require the dedication of public access to beaches from developments located on the Atlantic Coast beach.

~~4.15~~ **4.16 Vacation and Annulment of Plats, Easements and Rights-of-Way**

~~4.15.1~~      **4.16.1 Plats**

Plats subdividing land may be vacated or annulled in accordance with Section 177.101, Florida Statutes.

1. The Board, in public hearing, may annul a registered subdivision after 60 months if the development proposed in the subdivision plat has not proceeded in a timely manner as stated in the County's adopted Concurrency Management.

2. Applications for vacations of plats shall be accompanied by proof of legal notice publication in 2 weekly issues of a newspaper of general circulation in Nassau County, together with paid tax certificates.

3. Every vacating and annulment resolution adopted by the Board shall have the effect of vacating all streets and alleys which have not become highways necessary for use by the traveling public. Such vacation shall not become effective until a certified copy of such resolution has been filed in the office of the Circuit Court Clerk and duly recorded in the public records of Nassau County.

~~4.15.2~~      **4.16.2 Easements & Rights of Way**

1. The Board, in public hearing, may vacate, abandon, discontinue, and close any existing public or private street, alleyway, road or highway in accordance with Section 336.09, Florida Statutes.

2. Applications for vacation or abandonment of public or private streets, alleyways, roads or highways shall be accompanied by proof of legal notice publication in two (2) weekly issues of a newspaper of general circulation in Nassau County.

3. Such vacation and/or abandonment shall not become effective until a certified copy of such resolution has been filed in the office of the Circuit Court Clerk and duly recorded in the public records of Nassau County.

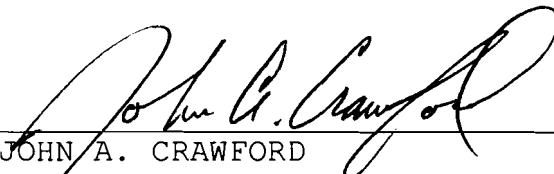


2. This Ordinance shall become effective upon it being filed in the Office of the Secretary of State.

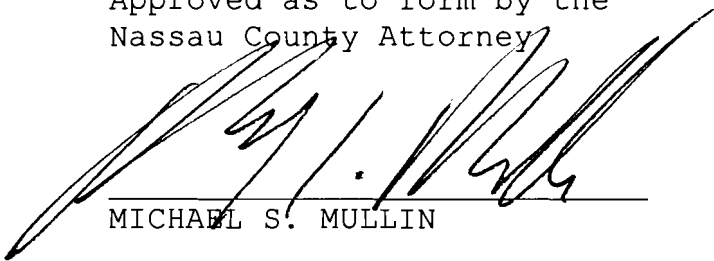
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
ANSLEY N. ACREE  
Its: Chairman

ATTEST:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney

  
\_\_\_\_\_  
MICHAEL S. MULLIN

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