

ORDINANCE 2012- 25

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE CODE OF ORDINANCES BY CREATING A NEW ARTICLE 42 OF THE LAND DEVELOPMENT CODE "INDUSTRIAL PARK (IP) DISTRICT"; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on May 14, 2012, the Nassau County Board of County Commissioners adopted the Economic Development Element to the Nassau County Comprehensive Plan ; and

WHEREAS, The Economic Development Element Objectives refer to attraction, retention and expansion of targeted Businesses and protection of existing land designated for employment generating uses.; and

WHEREAS, The proposed Industrial Park (IP) district furthers the Objectives of the Economic Development Element; and

WHEREAS, The proposed Industrial Park (IP) district increases the competitiveness of Nassau County in the southeastern United States to attract job-creating uses; and

WHEREAS, the Planning and Zoning Board conducted a public hearing on this ordinance on June 19, 2012 and voted to recommend approval; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

SECTION 1. FINDINGS

This ordinance is consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan, in particular Objectives ED.02 and ED.05

SECTION 2. AMENDMENT

Article 42 of the Land Development Code is adopted and shall read as follows:

Article 42

Industrial Park: IP

Intent

1. Industrial Park planned developments are intended to allow for a variety of structures and a diversity of building arrangements to encourage creative multi-use developments.

2. To provide the opportunity for the retention and expansion of Nassau County's economic base activities. Parcels of land designated as Industrial Park shall be part of a contiguous IP zoned district of at least 100 acres in size and located near transportation corridors such as highways or access to rail lines or a port.

3. To allow diversification of industrial uses and structures and commercial uses compatible and/or ancillary to industrial uses.

4. To ensure that development will occur according to the use, design, density, coverage and phasing or staging stipulated on an approved development plan.

Uses Permitted

The following uses shall be permitted in the Industrial Park zoning district provided they meet specific Tier requirements:

Tier 1 Uses (Contiguous IP zoned areas 100 acres or more in size)

A. Silviculture and Agriculture - Silviculture and Agricultural activities are allowed until such time as a building permit is issued for a development parcel that has silviculture or agricultural activity.

B. Forest products and agricultural products manufacturing and processing.

C. Wholesaling, warehousing, storage, or distribution establishments and similar uses.

D. Manufacturing, processing (including all types of food and beverage processing), packaging or fabricating.

E. Automobile, truck, and utility vehicle processing and/or manufacturing, including but not limited to, installation of vehicle parts and accessories in assembly operation in enclosed facilities and in outdoor installation, manufacturing, and/or processing facilities.

F. Boat, machinery and equipment, mobile home, processing and/or manufacturing in enclosed facility and in outdoor installation, manufacturing, and/or processing facility.

- G. Aircraft engine and engine parts manufacturing.
- H. Printing, lithographing, publishing or similar establishments.
- I. Service establishments catering to commerce and industry including linen supply, laundry but not dry cleaning plants, freight movers, communications services, business machine services.
- J. Restaurants.
- K. Automobile and truck service stations and similar uses.
- L. Business and professional offices.
- M. High cube warehouses used for storage of manufactured goods prior to distribution.
- N. Vocational, technical, trade or industrial schools or similar uses.
- O. Educational, scientific and industrial research facilities, research laboratories, and medical, optical or dental laboratories.
- P. Medicinal, botanical and pharmaceutical preparation manufacturing.
- Q. Express offices, terminal facilities and similar uses.
- R. Radio or television transmitters, or antennas.
- S. Railroad lines, switching facilities, repair and storage areas for railway equipment (not including stacking yards).
- T. Freight, trucking, shipping or other similar terminals.
- U. Ancillary commercial uses within buildings devoted to primary industrial uses.
- V. Residential facility located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.
- W. Research and development: Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale. Uses include aerospace and biotechnology firms, and non-toxic computer component manufacturers. This classification also includes assembly, testing and repair of components, devices, equipment, systems, parts and components; research and development laboratories including biochemical and chemical development facilities, pharmaceutical, and medical research.

- X. Port-related activities.
- Y. Borrow pits.
- Z. Fiber optics.
- AA. Train/railroad service facilities

Tier 2 Uses (Contiguous IP zoned areas 200 acres or more in size)

- BB. All uses included in Tier 1.
- CC. Tire manufacturing and synthetic rubber manufacturing.
- DD. Dry Cleaning Plants
- EE. Heavy machinery manufacturing and processing.
- FF. Electric generation and/or co-generation.
- GG. Aggregate storage and processing.

Tier 3 Uses (Contiguous IP zoned areas 500 acres or more in size)

- HH. All uses included in Tiers 1 and 2.
- II. Regional train/railroad yards.
- JJ. Bulk storage of petroleum products.
- KK. Chemical manufacture.
- LL. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
- MM. Paper and pulp manufacture and textile product mills.
- NN. Petroleum refining and/or bulk storage of petroleum products, including flammable liquids and acids.

Permitted Accessory Uses:

Any other private, public or semi-public use complementary to, and compatible with, planned industrial, office or commercial developments may be included. Such uses include but are not limited to the following: water and wastewater plants, civic and

governmental buildings, parking garages, parks and open space or any other use similar to or compatible with the uses permitted in this district.

Conditional Uses:

Industrial, manufacturing, distribution or storage uses which are not otherwise listed.

Uses Not Permitted: Commercial mining, sexually oriented businesses.

Distance Requirements

The primary building can be no closer than the following from the adjoining lot line with a residential use or a residential Future Land Use

- A) Tier 1 uses: One Hundred (100) feet
- B) Tier 2 uses: Two Hundred (200) feet
- C) Tier 3 uses: Three Hundred (300) feet

Building Restrictions

Maximum building height: None

Maximum Intensity Standards (Comprehensive Plan)

- A. FAR 50%
- B. Lot Coverage 75%

Measurement of FAR in IP districts may take into account open space created by a master drainage plan servicing multiple parcels.

Special Restrictions

All Tier 2, Tier 3 and conditional uses that are subject to Federal and State regulations must show compliance with all applicable Federal, and State regulations in order to obtain Preliminary Binding Site Plan (PBSP) approval in accordance with Article 5. Any annual reports required, by State or Federal agencies, shall also be submitted annually to the Growth Management Department.

Approval procedure:

The procedure for obtaining development approval within the Industrial Park shall be as follows:

Fast-Track Permitting. The applicant shall follow the Site Development Plan Review procedures enumerated in Article 5, Section 5.07 of the Land Development Code, as amended by Nassau County Ordinance 2010-08. Industrial Park development applications shall be deemed to meet the requirements of a Class IV development for purposes of Section 5.07.

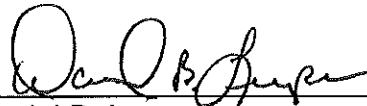
SECTION 3. EFFECTIVE DATE

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

ADOPTED THIS 13th DAY OF August, 2012 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

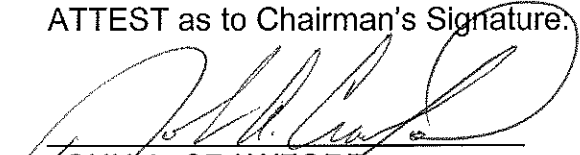
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA

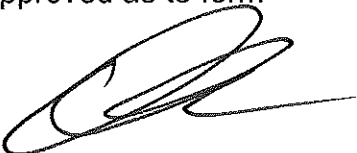


Daniel B. Leeper
Its: Chairman

ATTEST as to Chairman's Signature:


JOHN A. CRAWFORD
Its: Ex-Officio Clerk
MES 08-14-12

Approved as to form



David A. Hallman,
County Attorney