

ORDINANCE NO. 84- 1

AN ORDINANCE AMENDING ORDINANCE 83-19 ESTABLISHING A COMPREHENSIVE ZONING CODE FOR THE UNINCORPORATED PORTIONS OF NASSAU COUNTY, FLORIDA; PROVIDING THAT A NEW ZONING CLASSIFICATION KNOWN AS PDD BE INCLUDED IN ARTICLE 7 OF ORDINANCE 83-19; CREATING A NEW ARTICLE 25 IN ORDINANCE 83-19 SETTING FORTH THE PARTICULARS OF A PDD; RENUMBERING ARTICLES 25 THROUGH 30 OF ORDINANCE 83-19; PROVIDING THAT A "PDD" UNLESS WAIVED, SHALL BE A CONTIGUOUS TRACT OF LAND IN EXCESS OF TEN (10) ACRES UNDER UNIFIED CONTROL WHICH THE OWNER HAS NOT SUBMITTED A PROPOSED PLAN OF DEVELOPMENT AND THE ULTIMATE DEVELOPMENT THEREOF IS BETTER SERVED BY ESTABLISHING THIS ZONING DISTRICT REGULATION(S); PROVIDING THAT THE EXISTING ZONING COULD BE RECLASSIFIED BY THE BOARD OF COUNTY COMMISSIONERS AS A "PDD"; PROVIDING THAT IF A PUD WAS NOT APPROVED, THE DEVELOPMENT OF THE LAND SHOULD BE IN ACCORD WITH THE MOST RESTRICTIVE DESCRIPTION SO INDICATED IN THE COMPREHENSIVE LAND USE PLAN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Nassau County Board of County Commissioners finds that due to the rapid growth in Nassau County, it is imperative that there should be adequate controls on said growth for the protection of the health, welfare, and safety of the citizens of Nassau County; and

WHEREAS, the Planning Board of Nassau County, after public hearings, has determined that, to adequately plan for controlled growth, there should be a procedure for the establishment of a holding or transient zone of larger tracts of land under a unified ownership until the landowner/developer is prepared to submit preliminary and final plans as provided in the planned unit development Article 24; and

WHEREAS, The Board of County Commissioners, after public hearings, has determined that a zoning classification of "PDD" is in accordance with the purpose of the comprehensive land use plan,

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Nassau County that Ordinance 83-19 be amended as follows:

I. ARTICLE 7: ZONING TRACTS AND ZONING ATLAS

A new zoning district shall be created and shall be indicated on page 15 as follows:

<u>District</u>	<u>Abbreviation</u>
PLanned Development District	PDD

II. ARTICLE 25 PDD: Present Article 25 entitled SUPPLEMENTARY REGULATIONS shall become Article 26. Article 25 shall read as follows:

ARTICLE 25: PLANNED DEVELOPMENT DISTRICT: PDD

INTENT

The purpose of this Article (Section) is to provide a procedure for the establishment of a holding or transient zone of larger tracts of land under a unified ownership until the landowner and/or developer is prepared to submit preliminary and final plans as provided in the Planned Unit Development, Article 24. Said plans are necessary in order to encourage ingenuity, imagination and designed to produce developments which are in keeping with the Comprehensive Plan and overall land use intensity open space, environmental and public service considerations which are best provided by permitting more flexible land use regulations under the concept of Planned Unit Development.

SECTION 25.01 PDD Defined

A contiguous tract of land in excess of ten (10) acres, unless waived per Section 25.04, under unified control of which the owner has not submitted a proposed plan of development and the ultimate development thereof is better served by establishing this Zoning District Regulation(s).

SECTION 25.02 Procedures

The Board of County Commissioners may designate contiguous tracts of land as provided herein. Any designation by the Board shall be considered in the same fashion as an amendment outlined in Article 5. The criteria for such designation by the Board shall include:

- A. The criteria set forth in the Comprehensive Land Use Plan.
- B. Environmental sensitivity especially as it pertains to beaches, dunes areas, as well as marshland and coastal hammock areas.
- C. Public service considerations such as the ability to provide police, fire and sanitary capacity, the hurricane protection and evacuation.
- D. Traffic and related concerns.

SECTION 25.03 Permitted Uses

Any use which is permitted or permissible as a conditional use in any zoning district may be included in a PDD.

SECTION 25.04 Site Requirement

All PUDS should have a minimum site area of ten (10) acres. The ten (10) acres requirement may be waived by the Planning Commission and County Commission to insure orderly development of a particular area.

SECTION 25.05 Special Requirements

The special development requirements shall be governed by the special requirements of Section 24.03 of Article 24. SECTION 25.06 Procedures, Criteria, Application and Plans

A. General

1. Prior to any development (carrying out of any building or the making of any material change in use or appearance of any structure or on land or a material increase of structures), the owner(s) of a property designated as PDD must have abided by the preliminary and final development plan procedures of Section 24.05 (B) through (E).
 2. If development actions required by this ordinance in creating a PUD are not taken within the time limits set forth by the ordinance or time limits set by the Board of County Commissioners, such ordinance shall become invalid and no further action shall be permitted under same.
 3. If development actions as stated in paragraph two are not taken within the time limits set forth or if the PUD application is not approved within one year unless the time is mutually extended then development on the tract of land designated as a PDD will be in accord with the most restrictive designation so indicated in the Comprehensive Land Use Plan.
 4. If the tract of land reverts to a designation indicated in the Comprehensive Land Use Plan, the owner of record may petition the Board of County Commissioners or may file an application to rezone the tract of land in accordance with procedures within Section 5.02.
- B. Preliminary development plan review procedure and criteria and application.
The procedure, criteria and application shall be as stipulated in Article 24, Section 24.05(B), (C), and (D), respectively.
- C. Final Development plan procedure and plan.
The procedure and plan shall be as stipulated in Article 24, Section 24.05(E) and (F), respectively.

SECTION 25.07 Bonding, see Section 24.06.

SECTION 25.08 Deviations, see Section 24.07.

SECTION 25.09 Permits, see Section 24.08.

- III. Article 26 shall become Article 27.
- IV. Article 27 shall become Article 28.
- V. Article 28 shall become Article 29.
- VI. Article 29 shall become Article 30.
- VII. Article 30 shall become Article 31.

VIII.

This Ordinance shall become effective upon being signed by the Chariman of the Board of County Commissioners of Nassau County, Florida.

ADOPTED this 14th day of February, 1984.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY

By: *John E. Claxton*
JOHN CLAXTON
Its: Chairman

ATTEST:

By: *T. J. Greeson*
T. J. GREESON
Its: Ex-Officio Clerk