

ORDINANCE 94 - 27

AN ORDINANCE AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, TO ENTER INTO DEVELOPMENT AGREEMENTS THAT MEET THE REQUIREMENTS OF THE FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT; PROVIDING A PURPOSE AND INTENT; PROVIDING FOR NOTICE AND PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has found it necessary to enact this Ordinance.

NOW, THEREFORE, BE IT ORDAINED this 9th day of May, 1994, by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1. PURPOSE AND INTENT

The purpose of this Ordinance is to allow Nassau County to enter into development agreements that meet the requirements of the Florida Local Government Development Agreement Act, Sections 163.3220 - 163.3248, Florida Statutes. The development agreement provides assurance to a developer that upon receipt of his permits under Nassau County's land development regulations, he/she may proceed in accordance with existing ordinances and regulations, subject to the conditions of the development agreement. This amendment will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development. A development agreement is in addition to all other local development permits or approvals required by Nassau County land development regulations. A development agreement does not relieve the developer of the necessity of complying with all Nassau County land development

regulations in effect on the date that the agreement is executed.

SECTION 2. DEVELOPMENT AGREEMENT APPROVAL PROCEDURES

a. The Board of County Commissioners (the "Board") shall have the authority to enter into a development agreement by resolution with any person having a legal or equitable interest in real property located within the unincorporated area of Nassau County if:

(1) The development agreement meets all of the requirements of the Florida Local Government Development Agreement Act, Section 163.3220-163.3243, Florida Statutes;

(2) The development agreement shall be considered at two (2) public hearings and approved by the Board at the second public hearing or thereafter;

(3) The first public hearing may be conducted by the Planning and Zoning Board if the Board so directs; and

(4) Notice of such public hearings shall be given in accordance with Section 163.3225, Florida Statutes.

b. This Ordinance is not intended to amend or repeal any existing ordinances or regulations. To the extent of any conflict between this Ordinance and other County ordinances or regulations, the more restrictive is deemed to be controlling.

SECTION 3. SEVERABILITY


If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or portion of this

Ordinance shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective upon its being filed in the office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



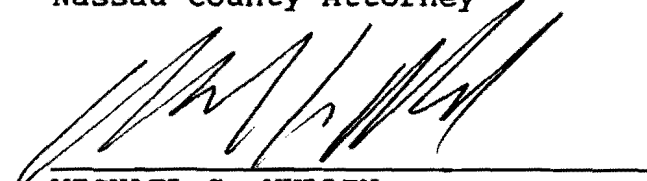
JOHN A. CRAWFORD
Its: Chairman

ATTEST:



T. J. GREESON
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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