

ORDINANCE 94 - 39

AN ORDINANCE AMENDING ORDINANCE 83-19, AS AMENDED, WHICH ESTABLISHED A COMPREHENSIVE ZONING CODE AND ZONING MAPS FOR THE UNINCORPORATED PORTIONS OF NASSAU COUNTY; SPECIFICALLY AMENDING ARTICLE 22, OPEN RURAL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has found it necessary to further amend Ordinance 83-19, as amended.

NOW, THEREFORE, BE IT ORDAINED this 8th day of August, 1994, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 83-19, as amended, be further amended as follows:

I. ARTICLE 22: OPEN RURAL: OR

SECTION 22.01 - PERMITTED USES AND STRUCTURES

A. Agricultural, horticultural and forestry uses, ~~including~~ the keeping and raising of farm animals and poultry, provided structures for same shall not be located within one hundred (100) feet of any property line; and, further, provided that goats, sheep, or swine shall not be kept or permitted within two hundred (200) feet of any residence under different ownership.

The non-commercial keeping and raising of horses and ponies is permitted; provided, however, that no more than one (1) horse or pony six (6) months of age or older shall be permitted per one-half (1/2) acre of land. Structures for horses or ponies shall not be located in a required front yard. No structure used for the keeping of horses or ponies shall be located closer than thirty-

five(35) feet to any property line of different ownership.

B. Permanent or temporary housing of farm labor in conjunction with a permitted agricultural or farming activity. All housing for such use shall be in compliance with the county's building and housing codes and in the case of mobile homes as per state requirements.

C. Roadside stands where the major portion of products offered for sale are grown on the premises.

D. Dude ranch, riding academy, or boarding stable, provided structures for the housing of animals shall not be located within one hundred (100) feet of any property line.

E. Public Parks, camping grounds and recreational areas, playgrounds, playfields and government structures.

F. Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs, control structures, ~~and wells~~ and similar uses.

G. ~~Churches, monasteries, convents,~~ Temporary revival establishments (not to exceed 30 days).

H. ~~Schools, colleges and universities with conventional academic curriculums~~ Borrow Pits, not more than one (1) acre in size.

I. Single family dwellings and mobile homes on individual lots.

J. Day nurseries, and kindergartens, day care and child care centers licensed for less than fifteen (15) children.

K. Governmental uses.

L. U-Pick berry, fruit or vegetable farms, christmas tree farms and similar uses.

M. Wholesale plant nurseries, provided that all associated structures (ie: greenhouses, shade houses, raised starting tables etc.) shall not be closer than fifty (50) feet to the property line of an adjoining residential use unless there is an intervening opaque buffer per Section 27.09.

II. ARTICLE 22: OPEN RURAL: OR

SECTION 22.03 - CONDITIONAL USES

A. See Article 27, Section 27.15.

B. Radio or television broadcasting office, studio, transmitter, antenna, and line of sight relay device.

C. ~~Garbage dump and solid waste landfill, provided state and county health requirements are met.~~ Class III Landfill and Construction and Demolition (C&D) debris disposal sites (as defined by Section 17-701, Fla. Administrative Code, subject to the following conditions:

1. Minimum lot size of ten (10) acres (excluding wetlands as defined by the Department of Environmental Protection (DEP) and areas located within a flood hazard zone as depicted on the Flood Insurance Rate Maps for Nassau County.

2. Maintain a minimum of one hundred (100) foot setback from any DEP defined wetland or property boundary under different ownership.

3. Provide and maintain an opaque buffer of vegetation within the surrounding setback area.

4. Obtain required approval and permits from DEP and SJRWMD.
5. Record the use on any deeds or surveys of the property.
 - D. Race Track for vehicles or animals.
 - E. Animal hospital, veterinary clinic, agricultural, animal and environmental science and research and education center, animal boarding place, fur farm, dog kennel, provided no structure for the housing of animals shall be located within two hundred (200) feet of any residence of different ownership.
 - F. Rifle, shotgun or pistol shooting range, field archery range, golf course, golf driving range, ~~and~~ par three golf course, country clubs and private clubs.
 - G. Private outdoor recreational uses such as parks and playgrounds, sports fields and courts, swimming pools, camps, camping areas, ~~and recreational areas~~ private indoor recreational and entertainment facilities such as bowling alleys, gymnasiums, spas, exercise facilities, swimming pools, meeting rooms, theaters and game rooms, and similar uses.
 - H. Marina, bait and tackle shop, commercial hunting or fishing camp.
 - I. Hospitals, Sanitariums, mental health centers, rest homes, nursing homes, convalescent homes, group homes, and homes for orphans and aged.
 - J. General store, feed store, or convenience store.
 - K. Churches, monasteries, convents, cemeteries, crematories, columbariums, and mausoleums.
 - L. Borrow pits (in excess of one (1) acre in size),

Sawmills, borrow pits, railroad yards, railroad right-of-way and trackage.

M. Aircraft landing fields and fly-in developments, provided all Federal Aviation Administration (FAA) rules and regulations are met.

N. Poultry and animal slaughtering and dressing facility, livestock auction facility.

O. Lodge halls.

P. Gasoline dispensing facility containing not more than one (1) pump island with not more than four (4) gasoline and/or fuel pumps, provided no repairs or other automobile services are offered, are permitted.

Q. Truck and Equipment Storage and Repair. Truck and equipment storage and repair, if the truck and/or equipment is used in the agricultural, timber cutting, horticulture, forestry, or silviculture business. No automobile repair or automobile body work shall be permitted.

R. Day nurseries, kindergartens, day care and child care centers licensed for fifteen (15) or more children.

S. Bed and Breakfast Inns.

T. Schools, colleges and Universities.

U. Educational and research institutions, foundations and other not-for-profit organization involved primarily in agricultural, environmental, and animal science, and cultural and artistic research, training, and education.

V. Administrative office space associated with and/or

for the specific support of permitted and other conditional uses of property.

W. Housing and lodging facilities associated with and/or for the specific support of permitted and other conditional uses of the property.

X. Home Occupations, subject to the requirements in Section 27.15(A).

III. ARTICLE 22: OPEN RURAL: OR

SECTION 22.04 - Minimum Lot Requirements.

A. Single family dwelling or mobile home on individual lot:

1. Minimum lot width: ~~One hundred (100) feet.~~

a. Land with a Future Land Use Map (FLUM) designation of AGRICULTURAL, (parcels of property exceeding three hundred twenty (320) acres in size, as recorded on January 28, 1994): Two hundred (200) feet.

b. Land with a Future Land Use Map (FLUM) designation of RURAL (parcels of property three hundred twenty (320) acres in size or less, as recorded on January 28, 1991): One hundred (100) feet.

(1) Exceptions: All lots or parcels fronting or provided access to Arterials (principal or minor), or Rural Collectors (minor or major) shall meet the following minimum lot requirements:

(a) Principal or Minor Arterial - One hundred fifty (150) feet.

(b) Major or Minor Rural Collector - One hundred twenty-five (125) feet.

2. Minimum lot area: ~~One (1) acre (43560 square feet).~~

a. Land with a Future Land Use Map (FLUM) designation of AGRICULTURAL (parcels of property exceeding three hundred twenty (320) acres in size as recorded on January 28, 1991): Twenty (20) acres.

(1) May be subdivided into minimum of one (1) acre parcels if occupied by members of the immediate family. [Comprehensive Plan - Policy 1.02.05(A)(2)(b)].

(2) May divide a maximum of two (2) parcels, a minimum of one (1) acre in area per calendar year, providing the property has been held by the current owner for a minimum of five (5) years and Homestead Exemption is current in the year(s) subdivided. [Comprehensive Plan - Policy 1.02.05(A)(2)(c)].

(3) May file for a Planned Unit Development (PUD) overlay provided the density and intensity of the mixture of uses does not exceed the FLUM designation. [Comprehensive Plan - Policy 1.02.05(I)(1)].

b. Land with a Future Land Use Map (FLUM) designation of RURAL and land which carries a FLUM designation of AGRICULTURAL with a further classification of RURAL RESIDENTIAL (parcels of property three hundred twenty (320) acres in size of less as recorded on January 28, 1991): One (1) acre. [Comprehensive Plan - Policy 1.02.05(A)(1)].

B. Churches including temporary revival establishments:

1. Minimum lot width: One hundred fifty ~~(100)~~ (150) feet.

2. Minimum lot area: Two (2) acres.

C. Golf course (other than par three): Minimum lot area: One hundred (100) acres.

D. Other permitted or permissible uses or structures: None Two (2) acres, unless otherwise listed.

E. Limited Development Overlay Areas: The Comprehensive Plan and Future Land Use Map (FLUM) series established Limited Development Overlays on areas depicted as conservation, wetlands and floodplains. [Comprehensive Plan - Policy 1.02.05(H) and Policy 1.02.05(I)(3)].

1. Areas depicted on the FLUM as wetlands may not be developed at a density greater than one (1) unit per five (5) acres. Development within the Limited Development Overlay areas must be clustered on the upland or least environmentally sensitive portion of the site. Comprehensive Plan - Policies 1.01.07, 1.02.05(H), 1.02.05(I)(3), 1.04A.02, 6.02.02, and 6.03.02.

IV. ARTICLE 22: OPEN RURAL: OR

SECTION 22.05 - Minimum Yard Requirements: The following minimum building line setbacks measured from the property lines are required for all principal and accessory buildings, unless otherwise listed. Principal buildings that met setback or other yard requirements at the time of construction may be enlarged or expanded, provided, however, no enlargement or expansion extends to a greater degree into current adopted minimum yard requirements.

All other requirements of Article 28: Nonconforming Lots, Uses, and Structures shall apply.

- A. Front yard: Thirty-five (35) feet.
- B. Side yard: Fifteen (15) feet.
- C. Rear yard: Twenty-five (25) feet.

V. ARTICLE 22: OPEN RURAL: OR

SECTION 22.07 - Density Requirements: The following density requirements are based on the Future Land Use Map (FLUM) designation of the subject property. [Comprehensive Plan - Policy 1.02.05(A)(1)].

A. Land with FLUM designation of Agricultural, (parcels of property exceeding three hundred twenty (320) acres in size, as recorded on January 28, 1991).

1. Residential Development (subject to Minimum Lot Requirements, Section 22.04):

a. Maximum Density - One (1) unit per twenty (20) acres.

b. Minimum Lot Size - One (1) acre.

B. Land with a FLUM designation of Agricultural with further classification as Rural Residential, (Parcels of property three hundred twenty (320) acres or less, as recorded on January 28, 1994, or graphically depicted as "Rural" on the FLUM), (Subject to Minimum Lot Requirements, Section 22.04):

1. Residential development:

a. Maximum density - One (1) unit per acre.

b. Minimum lot size - One (1) acre.

C. Land classified as Open Rural, which carries a FLUM designation with a higher density/intensity may develop under the provisions of Section 22.07(2) or may apply for a zoning change if conditions warrant a rezoning.

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

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



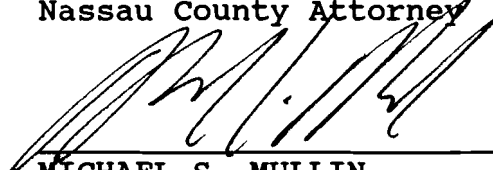
JOHN A. CRAWFORD
Its: Chairman

ATTEST:



T. J. GREESON
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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