



according to the criterion as set forth in Ordinance No. 97-19, as amended, Article 25, Planned Unit Development.

**NOW THEREFORE, BE IT ORDAINED** this 22nd day of March 2004, by the Board of County Commissioners of Nassau County, Florida, that the application for the Hampton Lakes Planned Unit Development is hereby approved and the Hampton Lakes Lands shall be re-zoned as a Planned Unit Development (PUD) in accordance with and subject to the provisions of Ordinance No. 97-19, as amended, Article 25, Planned Unit Development and further subject to the additional conditions, requirements and findings described below:

**SECTION 1.** The Hampton Lakes Planned Unit Development concept shall be as indicated on the Hampton Lakes PUD Preliminary Development Plan attached hereto as Exhibit "B". The Hampton Lakes Planned Unit Development is further subject to the requirements of Ordinance No. 97-19, as amended, in effect on the date hereof except as otherwise provided herein.


**SECTION 2.** Owner and Description. Rayland, LLC currently owns the Hampton Lakes Lands re-zoned by this Ordinance and the applicant/Developer is Hampton Lakes, LLC.

**SECTION 3.** Conditions: The conditions set forth as Exhibit "C" (the "Hampton Lakes PUD Conditions") shall be made a part of this Hampton Lakes Planned Unit Development, and the Hampton Lakes Lands shall be subject to said Hampton Lakes PUD Conditions. Further, the conditions of the Nassau County Zoning Ordinance Code established pursuant to Ordinance 97-19, as amended, established for the final development plan review are applicable, as are Goals and Objectives of the Nassau County Comprehensive Plan as is currently in effect in Nassau County, Florida.


**SECTION 4.** This Ordinance shall take effect upon its being filed in the Office of the Secretary of State.

ADOPTED this 22nd day of ~~March~~ April, 2004.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
FLOYD L. VANZANT  
Its: Chairman

ATTEST:

  
\_\_\_\_\_  
J. M. "CHIP" OXLEY, JR.  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney:

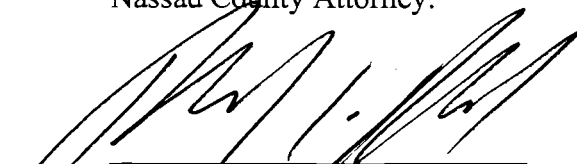
  
\_\_\_\_\_  
MICHAEL S. MULLIN

EXHIBIT "A"

(HAMPTON LAKES LANDS)

LEGAL DESCRIPTION OF A PORTION OF SECTIONS 12, 13, 24, 39, AND 40, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SECTIONS 12, 13, 24, 39, AND 40, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 24 AND RUN SOUTH 88°-27'-11" WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 24, A DISTANCE OF 2138 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY EDGE OF MARSH OF LOFTON CREEK; RUN THENCE IN GENERALLY A NORTHWESTERLY DIRECTION ALONG THE MEANDERINGS OF SAID NORTHEASTERLY EDGE OF MARSH OF LOFTON CREEK, THE SAME BEING THE SOUTHWESTERLY LINE OF LANDS NOW OR FORMERLY OF RAYLAND, LLC (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 579, PAGE 407), A DISTANCE OF 5,475 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 18°-00'-00" EAST, A DISTANCE OF 40 FEET, MORE OR LESS, FROM A 1/2 INCH PIPE FOUND; RUN THENCE NORTH 18°-00'-00" EAST TO AND ALONG THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF NORTH HAMPTON, LLC (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 967, PAGE 522), A DISTANCE OF ±1004 FEET, MORE OR LESS, TO A POINT; RUN THENCE NORTH 40°-00'-00" EAST ALONG THE SOUTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1650.02 FEET TO A POINT; RUN THENCE NORTH 15°-00'-12" EAST, ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 1460.22 FEET TO A POINT; RUN THENCE NORTH 28°-01'-01" WEST ALONG THE NORTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 2498.71 FEET TO A POINT; RUN THENCE NORTH 04°-00'-00" WEST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, TO AND ALONG THE EASTERLY LINE OF TRACT 10, NORTH HAMPTON ~ PHASE ONE (ACCORDING TO PLAT RECORDED IN PLAT BOOK 6, PAGE 215 OF THE PUBLIC RECORDS OF SAID COUNTY), A DISTANCE OF 1681.71 FEET TO A POINT ON THE NORTH ON THE SOUTHERLY LINE OF PARCEL 2 OF SAID NORTH HAMPTON PHASE ~ ONE; RUN THENCE NORTH 87°-43'-05" EAST ALONG THE SOUTHERLY LINE OF LAST MENTIONED LANDS, TO AND ALONG A SOUTHERLY LINE OF THE AFOREMENTIONED LANDS OF NORTH HAMPTON, LLC, A DISTANCE OF 2478.42 FEET TO A POINT ON THE WESTERLY LINE OF A 150-FOOT WIDE EASEMENT (ACCORDING TO DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 933, PAGE 803); RUN THENCE SOUTH 03°-27'-00" EAST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 489.40 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED WESTERLY LINE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 5579.58 FEET, A CHORD DISTANCE OF 141.20 FEET, TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 02°-43'-30" EAST; RUN THENCE SOUTH 02°-00'-00" EAST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF

1881.51 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED WESTERLY LINE, SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 1104.93 FEET, A CHORD DISTANCE OF 415.86 FEET TO A POINT ON THE EASTERLY LINE OF AFOREMENTIONED SECTION 13, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 12°-50'-48" EAST; RUN THENCE SOUTH 01°-14'-16" EAST ALONG LAST MENTIONED SECTION LINE, A DISTANCE OF 3420.44 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED SECTION 24; RUN THENCE SOUTH 01°-33'-59" EAST ALONG THE EASTERLY OF SAID SECTION 24, A DISTANCE OF 5320.31 FEET TO SOUTHEAST CORNER THEREOF FOR THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 673 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD THAT LIE WITHIN.



**EXHIBIT "C"**  
**("HAMPTON LAKES PUD CONDITIONS")**  
(Dated July 25, 2003)

**I. General Conditions:**

The Hampton Lakes Lands described in Exhibit A to the accompanying PUD Rezoning Ordinance (the "Hampton Lakes Lands") will be developed in phases consisting of distinct Villages as delineated on the preliminary development plan attached as Exhibit B to the accompanying PUD Rezoning Ordinance (the "Hampton Lakes Preliminary Development Plan"). The preliminary location of the Villages is shown on the Hampton Lakes PUD Preliminary Development Plan. The Hampton Lakes Preliminary Development Plan incorporates by reference the terms of these Hampton Lakes PUD Conditions and the Developer's statements made in the related rezoning application, which collectively set forth the Developer's written plan of development for the Hampton Lakes Lands, and which are intended to clearly demonstrate that approval of the Hampton Lakes PUD will benefit the community as a whole and fulfill the applicable policies of the Nassau County Comprehensive Plan, and intent of Article 25, Planned Unit Development, of Ordinance 97-19, as amended through the date hereof, the Nassau County Zoning Code (the "Zoning Code"). The proposed preliminary phasing schedule is attached as Schedule 1 hereto (the "Phasing Schedule"). The Phasing Schedule is depicted on the Hampton Lakes Preliminary Development Plan. The Developer may choose to develop the Hampton Lakes Lands in a different phasing order other than as set forth in the Phasing Schedule and at its option, may elect to commence all or multiple phases at one time, subject to prior notification of any planned changes to the phasing schedule, as outlined herein as Schedule 1, to the County Planning Director and Director of Engineering Services. As part of the final development plan submittals to Nassau County for any phase of the project, the Developer will update, as necessary, the Phasing Schedule based on market conditions at the time of the final development plan approval and engineering plan review for any phase of the PUD. Within one (1) year after approval by the Nassau County Board of County Commissioners of the Hampton Lakes PUD Preliminary Development Plan, the Developer shall submit a final development plan for the Developer's selected initial phase(s) of development for the project to the Nassau County Planning and Zoning Board for review and to the Nassau County Board of County Commissioners for approval pursuant to the provisions of Article 25 of the Zoning Code and Ordinance 2000-40, otherwise known as the Development Review Regulations. The Board of County Commissioners, upon request from the Developer and for good cause shown, may extend the one (1) year time period for submitting the final development plan. Such extension shall not exceed one (1) year. The location and size of all lots, roads, project entrances, recreation/open space and other areas shown on the Hampton Lakes PUD Preliminary Development Plan is conceptual such that the final location of any Village and any roads, project entrances, recreation/open space and other areas will be depicted on the final development plan and the final engineering plans for particular phases of the project and subject to the approval of the Board of County Commissioners, so long as the proposed changes will not trigger the deviation criteria described in Article 25, Section 25.07, Items A, B, C or D of the Zoning Code unless otherwise approved by the Planning and Zoning Board as described in Section 25.07. The PUD will consist of up to seven hundred forty nine (749) single family dwelling units and related amenities and accessory uses located in Villages 4, 5, 6, 7, 8 and 9, and will consist of neighborhood and

community commercial uses in Villages 1, 2 and 3. Village 3 will also contain recreational amenities serving the project.

## **II. Specific Conditions:**

1. Recreational Amenities, Open Space and Common Areas: Recreational amenities, open space and common areas shall be provided for the project. Passive recreational amenities may include, but are not limited to, walking, bicycling and/or nature trails, wetland observation areas, etc. Recreational areas may be developed, operated and maintained within Village 3, any other Village and within any of the areas depicted as Recreation/Open Space on the Hampton Lakes PUD Preliminary Development Plan. The location of these recreational areas will be determined at time of final development plan approval for each applicable phase of the PUD, provided the Developer is committing to locate the following recreational amenities in Village 3 (i) swimming pool; (ii) amenity center; (iii) a children's playground and picnic table; and (iv) two tennis courts (the "Village 3 Recreational Facilities"). Additional active recreational activities may be provided for the project by the Developer at its discretion. The commencement of construction of the Village 3 Recreational Facilities shall be evidenced by Developer's issuance of a notice to proceed to the constructing contractor not later than the time of issuance of the certificate of occupancy for the 100<sup>th</sup> completed home in the first single family phase of the project. The Village 3 Recreational Facilities shall be conveyed to the homeowners association or property owners association formed by the Developer not later than the issuance of the certificate of occupancy for the last single family home to be constructed in the first single family home phase of the project.

Active recreational facilities and accessory structures in the Project shall be constructed within Village 3, within the fifteen percent (15%) of excess open space provided within the project, or within any other Village, consistent with the open space requirements of Article 25. The Developer will determine the specific amenity improvements to be made within the Hampton Lakes PUD based on market, environmental, permit and design factors, conditions and requirements of the Developer provided the Developer has committed to construct the Village 3 Recreational Facilities. The Developer, or the homeowners association or property owners association after acquiring title to the common areas, and recreational amenities within the Hampton Lakes PUD, may adopt rules and regulations governing the use of the same by the residents of Hampton Lakes PUD. The Developer will have no obligations to maintain or improve the recreational amenities, open space or common areas after conveyance to the homeowners association or property owners association, subject to fulfillment of the recreation and open space requirements herein. In all events, the Developer will provide not less than a cumulative total of six (6) acres of park sites within the Hampton Lakes Lands as part of the recreational amenities for the project. The recreational amenity areas and related maintenance and use restrictions shall be evidenced by recorded deed restrictions or recorded Declaration(s) of Covenants and Restrictions (collectively, the "Covenants and Restrictions"). As shown on the Site Data Table in the Hampton Lakes Preliminary Development Plan, the Developer has committed over twenty percent (20%) of the gross acreage of the Hampton Lakes Lands for use as recreation and/or open space, and such calculation has been made in accordance with the requirements of the Zoning Code, Article 25, § 25.04(F). All privately owned recreation/open space shall continue to conform to its intended use as shown in the final development plan and final engineering plans for that applicable phase of the project.



If the Developer elects to administer common open space through a property owners and/or homeowners association or other nonprofit corporation, such organizations shall conform to the following requirements.

- A. The Developer must establish the applicable association or nonprofit corporation prior to the sale of any lots or units by the Developer to any third party within the Hampton Lakes Lands.
- B. Membership in the association or nonprofit corporation shall be mandatory for all property owners within the portion of such Hampton Lakes Lands governed by such entity.
- C. The Developer may elect to form separate and/or multiple property owners and/or homeowners association for the Hampton Lakes Lands which shall be responsible for the maintenance of any private roads and common areas, including the master stormwater system for the project consistent with these PUD Conditions.
- D. The applicable associations and/or nonprofit corporations shall manage all common areas, recreational and open space and recreational facilities that are not dedicated to the public and that are within the lands that are subject to the jurisdiction of such association or nonprofit corporation; shall provide for the maintenance, administration and operation of such portions of the Hampton Lakes Lands and any other lands within the Hampton Lakes Lands not publicly or privately owned; and shall secure adequate liability insurance governing such areas owned or operated by such association or nonprofit corporation

All open space and recreational facilities for the applicable phase of the project shall be included in the final development plan for the applicable phase of the Project provided the Village 3 Recreational Facilities will be completed by the Developer and conveyed to the homeowners association or property owners association formed by the Developer not later than the issuance of the certificate of occupancy for the last single family home to be constructed in the first single family home phase of the project. Such common areas, open space and recreational facilities shall be constructed and fully improved according to the development schedule established for each accompanying development phase of the project.

The Hampton Lakes PUD shall be subject to Recreation Impact Fees for Community and Regional Parks pursuant to the applicable requirements of Ordinance 2003-25. If the Developer chooses to construct active Community Park recreation facilities, subject to the criteria established in the Regional Planning Council Report on Recreation Impact Fees, dated December 9, 2002, the Developer may receive impact fee credits for constructed active Community Park recreation facilities in accordance with Ordinance No. 87-17, as amended by Ordinance No. 2003-25. The Developer may be entitled to such impact fee credits for the Village 3 Recreational Facilities constructed by the Developer in accordance with Ordinance No. 87-17, as amended by Ordinance No. 2003-25.

2. Stormwater Facilities: The Hampton Lakes Lands will be served by a stormwater system, which shall adhere to the applicable standards of the St. Johns River Water Management District and Nassau County for stormwater systems, and shall be conveyed to the homeowners association and/or property owners association by deed and/or easement for maintenance and operation by the homeowners association and/or property owners association. Pursuant to the requirements of the Development Review Regulations Section 3.4, prior to the commencement of construction of improvements within any applicable phase of the project, the Developer will submit copies of any St Johns River Water Management Permit and any applicable Nassau County permits for the the stormwater facilities to be constructed in such phase of the project to the Development Review Coordinator.

3. Residential Development Standards:

The Hampton Lakes Lands will include not more than seven hundred forty nine (749) single family dwelling units located in Villages 4, 5, 6, 7, 8 and 9. The following types of single-family lots with accompanying site development standards will be allowed in any Village:

A. NON ZERO LOTS

Minimum Lot Requirements:

- i. Minimum lot width: forty (40) feet
- ii. Minimum lot area: four thousand (4,000) square feet
- iii. Maximum allowable height: thirty-five (35) feet

Minimum Setbacks:

- i. Front: twenty (20) feet
- ii. Side yard: five (5) feet
- iii. Rear yard: ten (10) feet

B. ZERO LOTS

Minimum Lot Requirements:

- i. Minimum lot width: thirty-five (35) feet
- ii. Minimum lot area: three thousand five hundred (3,500) square feet
- iii. Maximum allowable height: thirty-five (35) feet

Minimum Setbacks:

- i. Front: twenty (20) feet
- ii. Side yard: Adjacent units may be attached on one side, but must maintain a minimum of ten (10) feet separation between exterior walls of adjacent structures.
- iii. Rear yard: ten (10) feet

C. ATTACHED LOTS

Minimum Lot Requirements:

- i. Minimum lot width: twenty (20) feet
- ii. Minimum lot area: two thousand (2,000) square feet
- iii. Maximum allowable height: thirty-five (35) feet

within Villages 1, 2 and 3 shall be subject to the following site development standards:

A. Minimum Lot Requirements:

- i. Minimum lot width: one hundred (100) feet
- ii. Minimum lot area: ten thousand (10,000) square feet

B. Minimum Setbacks:

- i. Front: fifteen (15) feet
- ii. Rear yard: twenty (20) feet
- iii. Side yard: fifteen (15) feet. No side yard shall be required where two (2) or more commercial buildings adjoin side by side, however, in the case of a series of adjoining building of lots of single and/or separate ownership abutting and paralleling a public right-of-way, a passage of not less than thirty (30) feet in width shall be provided at grade levels at intervals not more than four hundred (400) feet where required for public access.

C. Building Restrictions:

- i.. Maximum building height: Thirty-five (35) feet as measured and defined in accordance with the Florida Building Code (2001 Edition).
- ii. Maximum lot coverage: Lot coverage by all buildings and structures shall not be more than fifty percent (50%) of the lot.

D. Landscaping: The minimum landscape area shall not be less than ten percent (10%) of the total lot area and shall be in conformance with the Section 28.17 of the Zoning Code. The landscaping of off-street parking and loading areas shall be subject to Section 28.17 of the Nassau County Zoning Code.

E. Off-street Parking and Loading: Commercial development within Villages 1, 2 and 3 shall be subject to the applicable off-street parking and loading required for such use pursuant to the Article 31 of the Zoning Code.

F. Landscape Buffers: Villages 1, 2 and 3 shall be separated from any adjacent residential Villages by a natural vegetative or planted landscape buffer that is a minimum of fifty (50) feet in width. The width of any adjacent public roadways separating a residential Village from a commercial Village or connecting to the commercial Village or to the residential Village shall be subtracted from the required buffer. Any existing buffer on any adjacent residential Village or commercial Village shall also be subtracted from the required buffer between any commercial Village and any residential Village. Any such required buffers must be constructed and maintained by the owners of the development or an incorporated property owners association or homeowners association. Buffers

Minimum Setbacks:

- i. Front: twenty (20) feet
- ii. Side yard: Adjacent units may be attached on both sides, but must maintain a minimum of ten (10) feet separation between exterior walls of adjacent structures.
- iii. Rear yard: ten (10) feet

- D. All minimum yard requirements shall be measured from the face of the exterior walls to the property line. Lot widths shall be measured as an average on irregular shaped lots. Cantilevered projections from dwelling units shall be permitted to project no more than five (5) feet into the required minimum yard setback.
- E. All screened pool enclosures, whether attached, semi-attached or detached from the principal building, shall adhere to a minimum yard setback requirement of ten (10) feet and shall not be located in the front yard.
- F. Home Occupations: Home occupations shall be allowed as a conditional use within any single-family residential parcel, in accordance with the provisions of Section 28.14 of the Zoning Code.
- G. Off-Street Parking & Loading: Residential development within Villages 4, 5, 6, 7, 8 and 9 shall be subject to the applicable off-street parking and loading required for such use, pursuant to the Article 31 of the Zoning Code.

4. Neighborhood and Community Commercial Development Standards: The Hampton Lakes Lands located in Villages 1, 2 and 3 may be developed with neighborhood and community commercial uses which may include a shopping center, business and professional offices, restaurants, retail uses, convenience store with or without gas pumps (provided no repairs or other automobile services are provided and provided any convenience store with gas pumps shall be limited to not more than eight (8) fueling positions), banks, self storage facilities or any other permitted use or accessory use or conditional uses allowed in the Commercial Neighborhood zoning district, pursuant to the Zoning Code, Article 15, and subject to those permitted conditional uses being approved as a conditional use by the Planning and Zoning Board. Each commercial use shall be allowed one (1) drive-thru lane and multiple drive thru windows, provided bank and pharmaceutical uses may have multiple drive-thru lanes and one (1) drive-thru window. Sale of alcoholic beverages for on-site consumption will be allowed for restaurant use pursuant to and subject to the one thousand (1,000) feet airline distance separation requirement of Section 15.05 of the Zoning Code with respect to any established school or church. For purposes of permitted alcoholic beverage consumption provided herein, "restaurant" shall mean any establishment whose principal business is the sale of food to the consumer in a ready-to-consume state, and whose principal method of operation includes customers who are served foods or beverages by a restaurant employee at the same table or counter at which the items are consumed, and is licensed and authorized by the health department. The neighborhood and community commercial development

may include a solid masonry wall, opaque wood fence or compact shrubbery, which will grow to the required height of at least six (6) feet within twelve (12) months. There shall be no other landscaping buffer requirements applicable to Hampton Lakes Lands except as shown on the Hampton Lakes PUD Preliminary Development Plan or as otherwise specifically provided in these PUD Conditions or unless otherwise required by the provisions of the Nassau County land development regulations applicable to the Hampton Lakes PUD as of the effective date of this PUD. In the event of a conflict between the specific landscape and other buffers required by these PUD Conditions and the Preliminary Development Plan and any of the provisions of the Nassau County land development regulations, the provisions of these PUD Conditions and the Hampton Lakes Preliminary Development Plan shall control, provided if a provision of the Nassau County land development regulations is not addressed in these PUD Conditions or in the Hampton Lakes Preliminary Development Plan, the provisions of the Nassau County land development regulations shall prevail.

5. **Signage:** The Hampton Lakes Lands may have an entry feature and related project identification signage at all external entrances to the Hampton Lakes Lands. External entrance project identification signs shall not exceed one hundred and fifty (150) square feet on each face. Each Village shall also be entitled to project identification signage identifying the Village and the various owners and tenants within any commercial Village. Each distinct development area and recreational area within a Village shall also be entitled to identification signage. Village and distinct development area or recreational area identification signage shall not exceed fifty (50) square feet on each sign face. All project signs may be designed as ground-mounted signs or integrated into or mounted on landscape features such as walls and fences. All lighting of signs may be sign mounted or ground mounted units projecting onto the sign. The signs at each external project entrance, Village and distinct development areas or recreational area may be single faced or double faced and the external entrance signage may include two (2) separate signs, one on each side of the entrance. Temporary marketing and/or promotional signage shall be allowed within the Hampton Lakes Lands adjacent to the current or future Amelia Concourse right of way until all of the residential lots, completed residences and neighborhood and community commercial lands are sold and during the lease up period for any neighborhood and community commercial lands within the Hampton Lakes Lands (the "Temporary Marketing Signage"). The Temporary Marketing Signage may consist of up to two (2) marketing signs. Each Temporary Marketing Sign may be single faced or double faced and each sign shall be limited to a maximum cumulative signage area of no more than one hundred (100) square feet. Traffic and street name signage may include aesthetic framing, however, any applicable FDOT/Nassau County standards for sign face, elevations, etc. will be maintained, by the Developer and/or homeowners' association as appropriate to these conditions, for such traffic and street name signage consistent with the provisions of this paragraph. Nassau County will not be required to maintain the decorative portion of any signage accepted by Nassau County for maintenance. There are no other specific reserved signage approvals requested for the Hampton Lakes Lands, provided any residential Village shall be entitled to any signage allowed for single family residential districts and Villages 1, 2 and 3 shall be entitled to any signage allowed in residential districts and commercial districts pursuant to Article 30 of the Zoning Code. Home occupations, approved as a conditional use as detailed herein, shall be allowed signage in accordance with

Section 28.14(A)(3) of the Zoning Code.

6. Sidewalks and Street Lights: Sidewalks and Street Lights: Four (4) foot sidewalks with a five (5) foot wide minimum accessible passing zone every two hundred (200) feet shall be provided on both sides of all local streets and five (5) foot sidewalks on minor collectors. Driveways may act as passing zones if they do not exceed a two percent (2%) cross slope. Streetlights will also be provided along all streets.

7. Construction Standards: Except as specifically provided herein, all development in Hampton Lakes Lands shall be in accordance with Nassau County's subdivision and land development standards, and any applicable State standards, in effect as of the date of the Ordinance creating the Hampton Lakes PUD and any applicable JEA or other utility providers standards with respect to any water, sewer, or electrical utilities for Hampton Lakes Lands served by the JEA or other utility provider. All utilities shall be underground where possible, unless otherwise provided in the Code or Nassau County subdivision regulations or land development regulations. Prior to the issuance of any building permit for a dwelling unit or active recreational facilities, water mains and fire hydrants shall be installed and operational and the sub base of all roads stabilized in the phase of development in which such unit or active recreational facility is located. (Foundation only permits shall be exempt from this provision).

8. Wetland Buffers: All wetlands within the Hampton Lakes Lands as depicted on the Hampton Lakes PUD Preliminary Development Plan shall be protected with undisturbed buffers of native vegetation between any developed area and such wetland with buffers that have an average width of fifty feet (50') and a minimum width of twenty-five feet (25') and provided access ways of no more than twenty feet (20') wide may be provided through the wetland buffer pursuant to the current requirements of Nassau County Ordinance No. 2000-40, Section 6.5, adopted May 17, 1999, revised February 28, 2000 and revised September 25, 2000. The exact boundaries of wetlands and wetland buffers shown on the Hampton Lakes PUD Preliminary Development Plan will be depicted on the final engineering plans for applicable phases of the Hampton Lakes PUD consistent with the above requirements.

9. Resident Boat and RV Storage Area: The Developer reserves the right to provide a boat and RV storage area as a permitted accessory use and structure within the Hampton Lakes Lands specifically designated by the Developer for use by residents of the PUD. This use shall not be considered a commercial use and is separate from any similar commercial use that the Developer may develop in the commercial Villages. Any boat and RV storage area shall be buffered in accordance with the provisions of Section 28.08 of the Zoning Code to the extent applicable.

10. Temporary Uses: Temporary sales offices, including modular units, for the sale of the lots and/or completed residences and/or commercial lands or improvements, will be permitted within Hampton Lakes Lands, provided that the total number of units located upon the Hampton Lakes Lands will not exceed (5) units at any given time, as delineated on the Preliminary Development Plan until all of the residential lots, completed residences, and neighborhood and community commercial lands are sold. The Developer shall indicate with a note on any site plan submitted to the Development Review Committee for approval the location of said units. The Temporary Marketing Signage described in Section II, Paragraph 5 shall also be allowed as provided therein.

The Developer, or its designated successor, assign or designee, will be required to maintain a copy of the approved Planned Unit Development Ordinance, including the Preliminary Development Plan and PUD Conditions in any builder sales office located upon the Hampton Lakes Lands which is available for inspection by project residents and landowners, including the posting for public viewing of the preliminary development plan in any builder sales office, and this obligation shall be contained in the Covenants and Restrictions described below that are placed on the residential lands within the project. The Covenants and Restrictions shall also disclose that commercial and office uses are allowed within portions of the project pursuant to the terms of these PUD Conditions and that the residents will be subject to the terms of these PUD Conditions as landowners within the project. The siting of temporary construction trailers shall be allowed on Hampton Lakes Lands during construction. The temporary construction trailers must be removed within thirty (30) days of completion of the improvements for which the temporary construction trailers are being utilized, provided the right to temporary construction trailers shall continue until build-out of the project.

11. Alterations: Changes in the location of the road(s), project entrances, stormwater system improvements, and to the boundaries, size and configuration of lots, Villages and Recreation/Open Space areas, as depicted on the Hampton Lakes PUD Preliminary Development Plan to accommodate environmental, permitting and design factors, conditions and requirements of the Developer is allowed, so long as the proposed changes will not trigger the deviation criteria described in Article 25, Section 25.07, Items A, B, C or D of the Zoning Code unless otherwise approved by the Planning and Zoning Board as described in Section 25.07 and provided the integrity of the original application is maintained, provided the same shall be finalized by the Developer during final development plan and final engineering plan approval for the applicable phase of development and approved by the Nassau County Board of County Commissioners pursuant to Article 25 of the Zoning Code.

12. Silviculture: The Hampton Lakes Lands may continue to be used for agriculture/silviculture activity until such time as construction begins for a specific portion of the site, and any portions not then subject to construction may continue to be used as agriculture/silviculture.

13. Ownership And Maintenance: The Hampton Lakes Lands and related uses/facilities associated therewith (other than individual lots or commercial parcels), will be owned, maintained and or operated as follows. Any areas associated with the development (i.e., amenities, recreation/open space areas, signage, landscape, stormwater systems, etc.) will be managed through a homeowners association(s) and/or a property owners association(s). To ensure that all of the recreation and open space areas described in these PUD Conditions and depicted in the approved Hampton Lakes Preliminary Development Plan for any phase of the project will be used as intended, the Covenants and Restrictions described above will contain provisions consistent with terms of this Section II, Paragraphs 1 and 13 and any deed from the Developer to third party purchasers in the project will incorporate such Covenants and Restrictions by reference to the Covenants and Restrictions in each deed. Such deed restrictions created by the Covenants and Restrictions shall run with the land in order to protect both present and future property owners within the Hampton Lakes Lands. The roadways and associated non-exclusive relocatable drainage easements shall remain private (but will provide emergency service access in accordance with Nassau County Land Development Code requirements applicable to private roads and emergency

service access) and the maintenance of the same will be the responsibility of the homeowners association or property owners association described in Section II, Paragraphs 1 and 13. The water/sewer improvements will be the responsibility of the private utility company, which provides service for this area, which is currently the JEA.

14. Access: Access to and from the Hampton Lakes Lands will be provided as shown on the Hampton Lakes PUD Preliminary Development Plan. The location of all external and internal project entrances, accesses and roadways may change based on environmental, permitting and design factors, conditions and requirements of the Developer, provided the same are approved as part of the final development plan for the applicable phase of the project pursuant to Section 25.05 of the Zoning Code. The Developer will finalize the location of all external and internal project entrances, accesses and roadways during the final development plan and final engineering approval for the applicable phase of the project, so long as the proposed changes will not trigger the deviation criteria described in Article 25, Section 25.07, Items A, B, C or D of the Zoning Code unless otherwise approved by the Planning and Zoning Board as described in Section 25.07. There will be no certificates of occupancy issued by Nassau County for completed residential units or for neighborhood and community commercial development in the project until legal access is documented to exist from the project to Amelia Concourse. Each dwelling unit or other permitted use shall be provided access, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way or homeowners association or property owners association maintained easement. County owned vehicles shall be permitted access on privately owned roads, easements and common open spaces in order to perform and in contemplation of the County's performance of, basic County services such as fire and police protection, including traffic enforcement, emergency service needs of PUD residents, and site inspection by the Planning, Engineering and Code Enforcement departments to monitor adherence to County regulations and the PUD Conditions contained herein.

15. MSBU:

- A. The Developer acknowledges that the Board of County Commissioners of Nassau County has approved assessment areas and authorized the imposition of assessments to fund the construction of the four lane improvements to Amelia Concourse pursuant to Resolution 2003-109 adopted August 11, 2003 and pursuant to Resolution 2003-141 adopted November 10, 2003 (the "MSBU"). Developer acknowledges that the MSBU will subject the residential units and commercial development within the Hampton Lakes Lands to MSBU assessments.
- B. Pursuant to the MSBU, Nassau County entered into that certain Development Agreement dated September 8, 2003, and recorded on December 12, 2003 in OR Book 1195, Page 238, of the public records of Nassau County, Florida (the "Development Agreement") which granted concurrency for the lands benefited by the Development Agreement, including the Hampton Lakes Lands in accordance with the terms of the Development Agreement.

16. The approval of the Hampton Lakes PUD by the Nassau County Board of County Commissioners is contingent upon the Developer obtaining from the DCA and submitting to the



County a DRI Clearance Letter from the Florida Department of Community Affairs confirming that Hampton Lakes is not a Development of Regional Impact (DRI) that requires review and approval under the provisions of Florida Statutes, Chapter 380. If the DRI Clearance Letter is not obtained by the Developer within one hundred twenty (120) days from the date of the Nassau County Board of County Commissioners approval of the Hampton Lakes PUD rezoning, the Hampton Lakes PUD rezoning shall be rescinded.

**III. Justification for Planned Unit Development Classification for this Project and Approval of the Preliminary Development Plan:**

The proposed project allows for development of the Hampton Lakes Lands for single family residential and neighborhood and community commercial uses in a manner that warrants flexibility in the application of land use controls for Nassau County, Florida consistent with the intent of Article 25 of the Zoning Code. The project design is in harmony with the general purpose and intent of the Nassau County Comprehensive Plan and the Zoning Code. The design and layout of the Hampton Lakes Planned Unit Development implemented by these PUD Conditions:

1. Is creative in its approach through the use of natural features of the site and its approach to development of the project;
2. Accomplishes a more desirable environment than would be possible through the strict application of minimum requirements of the Zoning Code;
3. Provides for an efficient use of the Hampton Lakes Lands, resulting in small well-designed networks of utilities and streets and thereby lowers development costs;
4. Enhances the appearance of the area through preservation of natural features, the provision of underground utilities as provided in Section II(7), where possible, and the provision of recreation and open space areas in excess of existing Zoning Code and subdivision requirements;
5. Provides an opportunity for new approaches to ownership through implementation of a variety of lot types and styles that will allow opportunities for home ownership by a broad range of individuals;
6. Provides an environment of stable character compatible with the surrounding areas;
7. Retains property values over the years and makes a substantial improvement of the quality of development of the Hampton Lakes Lands after the date hereof; and
8. The Hampton Lakes PUD Preliminary Development Plan which incorporates by reference the terms of these PUD Conditions and the statements made by the Developer in the related zoning exception includes the criteria required for the Nassau County Planning and Zoning Board and the Nassau County Board of County Commissioners to review and approve the Hampton Lakes PUD Preliminary Development Plan.

**Schedule 1**  
**“Phasing Schedule”**

HAMPTON LAKES ESTIMATED PHASING SCHEDULE						
Phase	Villages	Year	Use	Quantity	Units	Cumulative Total
1	1,2,3,4,5,6,8	2005	Single Family	200	Dwelling Units	200
			Commercial	50,000	Square Feet	50,000
2 <sup>1</sup>	1,2,6,7,8	2007	Single Family	182	Dwelling Units	382
			Commercial	75,000	Square Feet	125,000
			Office	22,500	Square Feet	22,500
3 <sup>2</sup>	1,2,9	2009	Single Family	193	Dwelling Units	575
			Commercial	50,000	Square Feet	175,000
			Office	22,500	Square Feet	45,000
4	9	2011	Single Family	174	Dwelling Units	749
			Commercial	0	Square Feet	175,000
			Office	0	Square Feet	45,000

<sup>1</sup> Phase 2 shown on the Hampton Lakes Preliminary Development Plan also includes the Commercial and Office use that will be developed in Villages 1 and 2.

<sup>2</sup> Phase 3 shown on the Hampton Lakes Preliminary Development Plan also includes the Commercial and Office use that will be developed in Villages 1 and 2.