

ORDINANCE 2005 - 26

AN ORDINANCE AMENDING ORDINANCE 99-06, AS AMENDED, KNOWN AS THE NASSAU COUNTY CONCURRENCY MANAGEMENT ORDINANCE; SPECIFICALLY AMENDING SECTION 7.2, PLANNING AND ZONING DEPARTMENT; SECTION 7.3, COMPLETENESS OF APPLICATION; AND SECTION 7.4, CONCURRENCY REPORT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has found it necessary to further amend Ordinance 99-06, as amended.

NOW, THEREFORE, BE IT ORDAINED this 11th day of April, 2005 by the Board of County Commissioners of Nassau County, Florida, that Ordinance 99-06, as amended, shall be further amended as follows:

1. Section 7.2 ~~PLANNING AND ZONING~~ ENGINEERING SERVICES DEPARTMENT

The person in the Department, as designated by the ~~Public Works~~ Engineering Services Director, shall be responsible for receiving the Concurrency Applications and for coordinating the findings and shall prepare a Concurrency Report. The Engineering Services Department shall review and approve small projects, as provided in Section 7.1.5.

2. Section 7.3 COMPLETENESS OF APPLICATION

7.3.1 Completeness Review. Within ten (10) working days of receiving an application for a Development permit as provided in Section 8.1, the Department shall determine

whether the application is complete. Copies of the application shall be provided to the ~~Public Works Engineering Services~~ Director, County ~~Coordinator Administrator~~, County Attorney, ~~Growth Management Coordinator~~, and Concurrency Coordinator. If the Department finds that the Application is not complete, a letter shall be sent to the Applicant within five (5) working days after the ten (10) day period identifying all additional or revised information which is required, and the Department shall take no further action on the application until the information is received. If the Department finds that the application is complete, the review process shall commence.

7.3.2 Completeness Appeal. A determination of incompleteness by the Department can be appealed to the ~~Planning and Zoning Board~~ Board of County Commissioners within twenty (20) calendar days of the Department sending a Letter of Incompleteness, pursuant to Section 7.3.1 of this Ordinance. The ~~Planning and Zoning Board~~ Board of County Commissioners shall hear the appeal at a regularly scheduled meeting.

7.3.3 Sufficiency Review by Planning and Zoning Engineering Services Department. If the application is deemed to be complete, the ~~Planning and Zoning Engineering Services~~ Department shall have twenty (20) working days to

determine whether the application provides sufficient information. If additional or revised information is required, the ~~Planning and Zoning~~ Engineering Services Department shall notify the applicants identifying all additional or revised information that is required. The Applicant shall have up to sixty (60) calendar days from the date the letter is sent to submit all additional or revised information. The Department shall take no further action on the application until the requested information is received. If the applicant does not submit the requested information within the described sixty (60) calendar days, the application will be deemed withdrawn.

If the applicant submits additional information within the time limit specified herein, the Department shall then determine whether additional or revised information is required and shall send a letter to the applicant identifying all additional or revised information that is required.

The Applicant shall have up to twenty (20) calendar days from the date the letter is sent to submit all additional or revised information as specified by the Department. If such information does not meet the requirements specified by the Department, the Department shall notify the applicant in writing that the application is deemed withdrawn. The

applicant may appeal to the ~~Planning and Zoning Board~~ Board of County Commissioners pursuant to Section 7.3.2 of this Ordinance.

Upon final determination by the ~~Planning and Zoning Engineering Services~~ Department that the application is sufficient, a letter will be issued that determines the Level of Service of facilities which will be impacted by the project, the extent of the impact generated by the project and whether those facilities have sufficient capacity to serve the proposed project at or above the adopted Level of Service.

3. SECTION 7.4 CONCURRENCY REPORT

The ~~Planning and Zoning Engineering Services~~ Department shall be responsible for compiling the level of service evaluations and recommendations for a Concurrency Report. The Concurrency Report shall determine whether Public Facilities and Services are or will be available at the adopted Level Of Service when the impacts of the development occur, and shall include a determination stating the Development Order shall be approved, approved with conditions or deferred. Each Concurrency Report shall be based on Findings of Facts and document:

7.4.1 the conditions related to land uses and to public facility availability and capacity upon which the evaluations were based;

7.4.2 the specific public facilities impacted by the project;


7.4.3 the extent of the impact of those facilities generated by the Project; and

7.4.4 conditions or stipulations regarding the timing and phasing of the Project or provision of facility improvements necessary to ensure that adequate facilities will be available concurrent with the impact of the development.

4. EFFECTIVE DATE

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

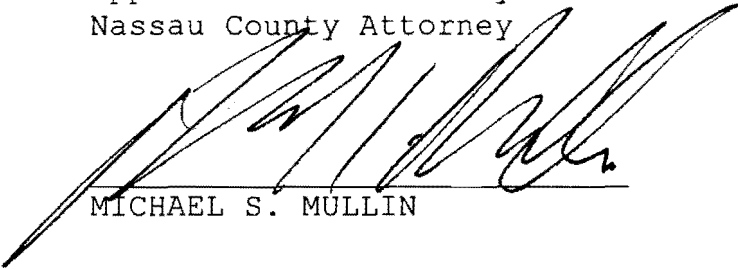
BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


~~ANSLEY N. ACREE~~ THOMAS D. BRANAN, JR.
Its: ~~Chairman~~ Vice Chairman

ATTEST:


JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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