

ORDINANCE 2005-77

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE 91-4, AS AMENDED, KNOWN AS THE "COMPREHENSIVE PLAN OF NASSAU COUNTY"; SPECIFICALLY, AMENDING POLICY 1.02.05 OF THE FUTURE LAND USE ELEMENT TO ADD A "MULTI-USE" FLUM DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners to prepare and enforce comprehensive plans for the development of the County; and,

WHEREAS, Section 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the Board of County Commissioners to (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans or elements or portions thereof; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, numerous jurisdictions in the State of Florida have recognized the need for and adopted a multi-use designation within their Comprehensive Plans to facilitate developments which feature a variety of uses;

WHEREAS, the Department of Community Affairs for the State of Florida and the Northeast Regional Council have recognized this need and encouraged the adoption of such designations to

facilitate certain developments, minimize the need for Future Land Use Map amendments and provide a better means of illustrating land uses on the adopted Future Land Use Map;

WHEREAS, Nassau County has received a number of inquiries for development scenarios which would be better served by the adoption of such a designation;

WHEREAS, Nassau County finds such a designation will enable developments of superior quality while also reducing the need for Future Land Use Map amendments and providing a better illustration of such developments on the Future Land Use Map;

WHEREAS, Nassau County finds that a multi-use future land use designation which is tied to developments of regional impact should provide for increased flexibility in land use allocation within the confines of the geographic land area for which the development is proposed;

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the Board of County Commissioners, by Ordinance 97-19 as amended, duly designated the Planning and Zoning Board as the Local Planning Agency for the unincorporated area of Nassau County; and,

WHEREAS, the Planning and Zoning Board has held duly noticed public hearings to address the proposed text amendment to the adopted Nassau County Comprehensive Plan; and,

WHEREAS, the Planning and Zoning Board, based on these public hearings, has recommended to the Board of County

Commissioners that the proposed text amendment to the adopted Nassau County Comprehensive Plan be approved; and,

WHEREAS, the Board of County Commissioners finds that it is in the best interests of the citizens of Nassau County to further amend Ordinance 91-4, as amended.

NOW, THEREFORE BE IT ORDAINED this 27th day of March, 2006, by the Board of County Commissioners of Nassau County, Florida that Ordinance 91-4, as amended, be amended as follows:

**NASSAU COUNTY
FUTURE LAND USE ELEMENT**

OBJECTIVE 1.02 REDEVELOPMENT/RENEWAL/COMPATIBILITY

Upon Plan adoption, the County will locate future land uses where they appear most compatible with surrounding land uses and will establish the following policies to implement the redevelopment and renewal of blighted areas.

- 1.02.01 Future industrial development shall be located in planned industrial parks or in areas with compatible surrounding land uses.
- 1.02.02 The Land Development Regulations will include criteria to reduce the intrusion of incompatible commercial, industrial and other land uses into residential areas.
- 1.02.03 Permit future development to proceed only in accordance with land uses designated on the Future Land Use Map.
- 1.02.04 Promote the clustering of planned commercial land uses through incentives and regulations such as density bonuses and improved access.
- 1.02.05 Land Development Regulations adopted to implement this Plan shall be based upon the land use standards described below and spatially displayed on the Future Land Use Map.

Designated land use categories to be used for FLUM. Designations are as follows:

Conservation (I, II, III and IV)

Agriculture (A)

- Parcels under single ownership of 320 acres or more: 1 unit per 20 acres
- Parcels under single ownership under 320 acres: 1 unit per 1 acre

Recreational (REC)

Low Density Residential (LDR) (greater than 1 dwelling units per acre up to 2 dwelling units/acre)-LDR

Medium Density Residential (MDR) (greater than 2 dwelling units per acre up to 3 dwelling units per acre)-MM

High Density Residential Bonus (greater than 5 dwelling units per acre up to 10 dwelling units per acre with bonus density to 12) subject to approval by the Board of County Commissioners based on a recommendation of the Planning and Zoning Board and Staff.

Public Buildings and Grounds (P)

Commercial (C)

Other Public Facilities (PF)

Industrial (I)

A. Agriculture

1. Agriculture (Crops/Pasture/Silviculture)

Agriculture land, in a parcel 320 acres or more, used primarily for the cultivation of silviculture, crops or other active agricultural uses. Agriculture designated land may be developed at a density not to exceed 1 unit per 20 acres. Agriculture land in a parcel of 320 acres or less may be developed at a density not to exceed one unit per one acre.

2. Exceptions

Notwithstanding the density assigned for Agriculture designated lands on the Future Land Use Map, the following exceptions apply:

- a. Parcels of property twenty (20) acres or less which are not shown on the

Future Land Use Map and are single lots of record which were established by deed of record on or before January 28, 1991 may be developed at the density provided for the parcel on current zoning maps.

- b. The land development regulations shall provide for the use of a parcel of property solely as a homestead by an individual who is the grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the person who conveyed the parcel to said individual, notwithstanding the density or intensity of use assigned to the parcel by the Future Land Use Map of the Comprehensive Plan. Such a provision shall apply only once to any individual. The regulations to implement this policy shall provide procedures for lot splits or subdivision of land for the purpose of conveying a lot or parcel to individuals meeting these requirements for the establishment of a homestead and shall provide for a minimum lot size of the lot so created and the remaining lot. Lot splits or subdivisions of land permitted pursuant to this policy shall be subject to compliance with all other applicable Comprehensive Plan policies and Federal, State, Regional, and County regulations.
- c. Parcels of Agriculture land under individual ownership that have been held by the current owner for a minimum of 5 years and upon which the Homestead Exemption is current may be sold at a maximum of two (2) one acre parcels per year subject to subdivision regulations.
- d. Any other application to subdivide Agricultural designated land shall be considered favorably for revision through the plan amendment process so long as the proposed subdivision of land furthers:
 - 1. A concentration of development that will enhance the potential for implementing central/regional water/sewer systems; or
 - 2. Contributing to the development of mixed-use communities that provide for integrated live/work/recreation population centers; and
 - 3. The clustering of permitted development within agricultural designated lands so as to minimize potential impact on the agricultural productivity of the areas.

NOTE:

- 1. The exceptions noted above relate to density only; any development must (a) be consistent with the other provisions of the Plan including, but not limited to, concurrency.

2. Agricultural land uses provide for a variety of agricultural activities and shall be protected from the intrusion of land uses that are incompatible with the conduct of agriculture.

B. Residential

Residential land use category provides for a variety of land use densities and housing types. Residential land use permits single-family detached (including mobile homes), single-family attached, duplex, and multi-family housing. Parcels of land designated for residential land use are intended to be used predominately for housing and shall require buffering from intrusion of land uses that are incompatible with residential density of from 1 unit per acre to 12 units per acre.

Uses permitted in areas designated residential (low, medium or high) shall include residential uses at the applicable density; neighborhood and community commercial uses on a scale suited to the residential developments to be served; and community/public facilities approved pursuant to an exception or conditional use permit, such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities, parks and schools.

Residential land use is divided into four categories of density:

1. Agriculture land in single ownership parcels under 320 acres: 1 unit per 1 acre.
2. Low Density Residential greater than 1 dwelling units per acre up to 2 dwellings per acre.
3. Medium Density Residential: Greater than 2 dwelling units per acre up to 3 dwelling units per acre.
4. High Density Residential: Greater than 5 dwelling units per acre up to 10 dwelling units per acre with bonus density to 12 units per acre and subject to approval by the Board of County Commissioners based on a recommendation of the Planning and Zoning Board and Staff.

Residential development within a permitted DRI, PUD or otherwise established subdivision by an issued development order shall be limited to the number of dwelling units approved in the DRI or development order.

Residential development within the 100-year floodplain shall be required to meet FEMA regulations, the requirements of Policy 1.01.07 and County Department of Health regulations regarding the installation of septic tanks.

Mobile homes will be permitted in accordance with F.S. 320.8285(5); manufactured homes will be permitted in accordance with F.S. 553.38(2) and Community Residential homes shall be permitted in accordance with F.S. 419.001(2) and (3).

C. Commercial

Land designated for commercial use is intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service. Commercial land uses shall be physically (wall, vegetative screen) or spatially (distance) buffered from adjacent land uses of lesser density or intensity of use.

The intensity of commercial land use is controlled by the Zoning Code (Land Development Regulation), which specifies Floor Area Ratios, parking area requirements for various types of commercial activity, height restrictions, signage, etc.

Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, construction and demolition debris disposal facility or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. The intensity of commercial use, as measured by land coverage, should not exceed 70 percent of the parcel. The maximum height should not exceed 40 feet.

D. Industrial

Land designated for industrial use is intended for activities that are predominately associated with the manufacturing, assembly, processing, or storage of products. Industrial land uses provides for a variety of intensities of use including heavy industry, light industry, and industrial park operations. Such uses shall be physically (wall, vegetation, etc.) or spatially (distance) buffered from adjacent land uses of lesser density or intensity of use.

The intensity of industrial land use is controlled by the County's Zoning Code (Land Development Regulations), which specifies permitted uses on industrial lands designated as industrial or light industrial. The Zoning Code also controls amount of parking area required, Floor Area Ratios, height restrictions, signage, etc.

The intensity of industrial use, as measured by land coverage should not exceed 50

percent of the parcel. The maximum height of development may not exceed 45 feet.

Commercial mining operations that impact an area of 5 acres or more shall be permitted only under Industrial land use. These operations, including oil, gas, mineral, rock and sand extraction shall be regulated the standards of 62C-16.0051 FAC.

E. Recreation

Land designated for recreation is intended for a variety of leisure time activities. Included in this land use classification are both resource-based and activity-based sites and facilities. Resource-based sites and facilities are oriented toward natural resources; activity-based sites and facilities are those that require major development for the enjoyment of a particular activity. Activity-based site and facilities include ball fields, golf courses, tennis courts, etc.; resource-based facilities include lakes, hiking trails, wilderness campsites, etc.

The use of land for recreational purposes shall follow performance standard guidelines that control noise, pollution, etc., to ensure compatibility with adjacent land uses.

Impervious surface land coverage of recreation land use should not exceed 50 percent for active recreational development; 10 percent for passive recreational development.

F. Public Building and Grounds

Lands designated in this category of use include a broad variety of public and quasi-public activities such as hospitals, schools, churches, governmental buildings, etc.

The siting of public buildings and grounds shall be controlled by Zoning Regulations, which include public participation in the permitting process for community input regarding compatibility.

The intensity of development in this land use category, as measured by land coverage, shall not exceed 70 percent. The maximum height shall not exceed 60 feet.

G. Other Public Facilities

Lands designated as Other Public Facilities are intended for use as potable water, sanitary sewer treatment facilities, landfill, stormwater/drainage control structures, etc. The siting of public facilities shall be controlled by Zoning Regulations that include public participation in the permitting process. Public facilities construction, as measured by land coverage, shall not exceed 90 percent of impervious surface with

height restrictions specified in implementing LDRs.

H. SR 200/A1A Access Management Overlay District

Consistent with Policy 2.05.07 of the Traffic Circulation Element, the SR 200/A1A Access Management Overlay District is created. The SR 200/A1A Access Management Overlay District provides a further means for the County to manage development along SR 200/A1A. This district is shown in map form as part of the Future Land Use Map Series. It lies generally within 1000 feet of each side of SR 200/A1A and stretches from Edwards Road (which is one mile west of the I-95 and SR 200/A1A interchange) to the Intracoastal Waterway. The following policies, in addition to the countywide access management requirements specified by Policy 2.05.06 of the Traffic Circulation Element shall also apply to development within the 200/A1A Access Management Overlay District:

1. Direct access to SR 200/A1A shall be controlled to preserve the safety, efficiency, and character of this regionally important transportation route. Individual property access shall not be provided to SR 200/A1A where alternative access is available, or can be provided by the land developers, as defined in the LDRs.
2. Accessibility to land development along SR 200/A1A shall be provided through the use of parallel roads side streets, joint access driveways and cross access easements connecting adjacent developments.
3. Activity centers with unified access and circulation systems shall be required. The purpose for requiring such centers is to provide an alternative to strip development with individual driveways.
4. Activity centers shall be centered at and extend outward in a radius at the following intersections:

SR 200/A1A and I-95
SR 200/A1A and SR 107
SR 200/A1A and SR 107 (Nassauville Road)
SR 200/A1A and US 17
SR 200/A1A and SR 200A (Old Chester Road)

5. Development standards for Activity Centers shall include:

Driveways within 500 of the Activity center's intersection shall be prohibited unless otherwise allowed by state law.

Adjacent non-residential properties shall provide a cross access drive and pedestrian access to allow circulation between sites.

All other standards of the SR 200/A1A Overlay District shall apply to development proposed within an Activity Center.

6. In accordance with the State Road 200/A1A Access Management Study, Florida Department of Transportation, 1995 future developments should be set back an additional 25 feet on each side of the existing right-of-way.
7. When issuing any permit for access to any State Road in Nassau, the County shall document that it has followed the criteria and procedures for State Highway System Connection Permits in F.A.C. Rule 14-96. In addition, the County shall require the applicant, as appropriate, to document that the permit request is consistent with the Florida Department of Transportation's Access Management Rule (F.A.C. Rules 14-96 and 14-97), the Access Management Classification System and Standards in F.A.C. Rule 14-97.

I. Conservation

The Conservation Land Use shall designate land areas of ecological value within the County on which development must proceed with restrictions. These are areas, which may be altered by development and so must be protected. Development on conservation lands in private ownership shall take place only in such a manner that will ensure the long-term function of natural hydrologic or ecological systems. Conservation I, II lands (which are jurisdictional wetlands) may be developed with all permitted development clustered on the upland portion of the site or on that portion of the site which will be least environmentally impacted by construction/development. Other permitted uses include passive recreation and silviculture. Development for purposes other than recreation or residential may be allowed as a special exception. If there is an indication that a wetland is present on a proposed development site, the developer shall be required to provide a wetland determination.

Consistent with Policy 6.02.03k of the Conservation Element, the Conservation land use designation is defined in the following manner:

Conservation I: This land use designation includes all jurisdictional wetlands. This category of land use is not an overlay district and is shown on the Future Land Use Map. Land uses allowed in this category include passive recreation uses, residential and agriculture uses that use BMPs and have received all required regional and state permits. The Future Land Use Map Setback distances for development shall be no less than 25 feet to the wetland boundary. Density shall be one unit per five acres or less. The only fill allowed in this type of wetland shall be the minimum necessary to allow for the construction of the proposed dwelling(s) clustered at the density allowed and for transportation access. The clearing of native vegetation shall not be allowed except for that which is required to construct the dwelling and accessory structures and to maintain transportation access.

Conservation II: This land use designation includes all jurisdictional wetlands under two acres in size. This category of land use is not an overlay district and is shown generally on the Future Land Use Map. Land uses allowed in this category include passive recreation uses, residential and agriculture uses that use BMPs and have received all required regional and state permits. Setback distances for development shall be no less than 25 feet to the wetland boundary as required by the SJRWMD and other state/federal agencies as appropriate. Density shall be one unit per five acres or less. The only fill allowed in this type of wetland shall be the minimum necessary to allow for the construction of the proposed dwelling(s) clustered at the density allowed and for transportation access. The clearing of native vegetation shall not be allowed except for that which is required to construct the dwelling and accessory structures and to maintain transportation access.

Conservation III: All 100 year floodplains as determined by Federal Emergency Management Agency Criteria shall contain an undisturbed native vegetative buffer 50 feet wide with not less than 60 percent of the adjacent developed area to the wetlands, but in no event less than 25 feet wide for 40 percent of said developed area with a balance of width required for 50 feet being added to the 60 percent as it fronts the developed area. This land use designation is an overlay district. As such, the Future Land Use Map shows an underlying land use designation. Density shall be as allowed by the underlying land use. Development shall be protected from flooding as required by the Nassau County floodplain regulations:

Conservation IV: This land use designation is for publicly owned conservation lands. Development is limited to that which is allowed by the site's management plan or guidelines as administered by a State, Federal, or County agency. For County lands that have no management plan or guidelines, development shall be limited to that which is deemed appropriate by a state or federal agency. Setback distances for development shall be no less than 25 feet to the wetland boundary as designated by the SJRWMD and other state/federal agencies as appropriate.

J. Overlays Districts

1. Planned Unit Development (PUD)

Planned Development may be applied as an optional overlay district over any underlying land use when application is made by the developer under the Zoning Code (Land Development Regulations) and when the County Planning Board approves such application as being an improvement in land use utilization over that permitted by Zoning Code categories.

The PUD land use overlay will not require a Future Land Use Element amendment so long as the proposed use does not increase the intensity* or density of use specified on the Future Land Use Map for the underlying land use.

- a. Intensity of use is based upon the mix of land use activities requiring no greater demand for traffic, water, sewer and solid waste than the designated underlying land use.

The PUD overlay can allow mixed uses and can disregard traditional zoning requirements, such as set back line and lot coverage requirements in order to achieve better site design. The PUD designation allows the developer and County to negotiate elements of site designated density in order to achieve individual goals. The PUD overlay may not increase the density and intensity of use specified for the Limited Development Overlay.

The PUD primarily is residential in nature with the following acceptable mix of uses:

- Residential - no less than 65 percent
- Commercial - no greater than 15 percent
- Recreational - As determined by the LDRs.

Residential, commercial and recreational land uses within the PUD shall carry the same intensity/density of use as defined in Policy 1.02.05, B. (Residential), C. (Commercial), and E. (Recreational).

The PUD overlay is granted upon application of the developer; hence, it is not a designation that can be shown in advance on the Future Land Use Map.

2. Mixed-Use Development (Floating District)

Sections within the County, upon application, may be designated for Mixed-Use Development. This type of development differs from the PUD in that components to the Mixed-Use development may be sponsored at various times by owners of individual properties within the designated mixed-use district. Unlike the PUD, Mixed Use Development must meet the requirements of the County Zoning Code and Subdivision Regulations. Development within the mixed-use district is controlled further by performance standards, which ensure compatibility among land uses and a numerical cap which limits the intensity/density of land use within the district.

Mixed Used Districts are primarily commercial or industrial in nature with the following acceptable mix of uses:

Commercial Mixed Use-MUC

- Residential 35 to 45 percent
- Commercial 55 to 65 percent

Industrial Mixed Use-MUI

- Commercial 36 to 45 percent

- Industrial 55 to 65 percent

Residential, commercial, and industrial land uses within the Mixed Use Overlay shall carry the same intensity/density of use as defined in Policy 1.02.05 B, C and D.

Like the PUD, Mixed-Use Districts are granted upon application by landowners within the proposed district and so cannot be shown in advance on the Future Land Use Map. Also like the PUD, the Mixed-Use District will not require a land use amendment so long as the proposed uses do not increase the overall density or intensity* of use shown for the aggregate underlying land uses on the Future Land Use Map proposed for mixed use or encroach upon "Agricultural" land use or the Limited Development Overlay area.

- See definition of "intensity" of use under PUD.

3. Conservation III (100 Year Flood Plain)- See item "I", above.
4. SR 200/A1A Access Management Overlay District. See item "H", above.
5. White Oak Plantation Limited Development Overlay

The existing White Oak Plantation was established in 1938 and has expanded over the years to 6,430.56 acres, agriculturally, especially silviculturally based, single user property which presently supports other uses that are not commonly found in agricultural areas of the County. These uses include a large animal conservation program, supported by the Howard Gilman Foundation, a conference facility which seats forty (40), a dance studio and entertainment space that seats seventy-five (75), about forty (40) rooms of lodging, eleven (11) residences for key staff, administrative space for White Oak Plantation and Gilman Building Products, a variety of indoor and outdoor recreational facilities, and various buildings and sheds associated with agricultural, conservation and maintenance activities. Under this White Oak Plantation Limited Development Overlay these existing uses of the property may be expanded to the extent described below. These uses are found to be compatible with the objectives of this Nassau County Comprehensive Plan.

The uses and activities allowed under this Limited Development Overlay and related conditions are as follows:

1. Traditional agricultural and silviculture uses subject to appropriate best management practices.
2. Environmental conservation, research and education programs associated with animal conservation and the property's natural resources including veterinary, zoological, environmental, silviculture and agricultural sciences.

3. An internationally known conservation center specializing in the breeding of rare and endangered animal species.
4. Resource-based recreational uses that are common to agricultural lands including hunting, fishing, boating, hiking, bird watching, nature study, horseback riding and similar activities.
5. A golf course.
6. A conference facility to seat no more than sixty (60) conferees.
7. Entertainment space, dance studio, and a rehearsal and workshop space with no more than eighty (80) seats.
8. Lodging associated with all Plantation activities not to exceed eighty (80) rooms.
9. Residences for key staff, not to exceed Twenty (20).
10. Administrative space for the Howard Gilman Foundation, Gilman Building Products and other Foundation entities of no more than 45,000 square feet (but not including offices that make up no more than fifteen (15) percent of the space in agricultural, maintenance or other primary use building or small ancillary offices that support predominantly outdoor activities).
11. Various buildings and sheds associated with agricultural, conservation and maintenance activities.
12. Facilities-based indoor and outdoor recreational and entertainment uses and activities including tennis, swimming, field sports, bowling, billiards, dining and food services, lounge and bar, fitness and health, and other similar uses used for the entertainment of guests.
13. White Oak shall continue to provide and maintain its own roadway, potable water, sewage disposal, fire fighting, security, stormwater, and solid waste collection and recycling systems.
14. White Oak shall continue to maintain all internal roadways and parking areas appropriate to their function, with White Oak determining the selection of surface material, and in such manner to support emergency access.

15. White Oak shall adhere to the following procedures in adhering to the technical codes adopted by Nassau County.
 - a. White Oak will retain an engineer or architect who will serve as an Inspector pursuant to Section 105.3 of the Code. Such engineer or architect shall submit his/her credentials pursuant to Section 468 F.S. to the County Building Official who will certify such architect or engineer as being qualified to perform building inspections;
 - b. White Oak will file the standard building permit application and two drawing sets with wind loading design signed and sealed by an engineer;
 - c. Upon issuance of the building permit, the qualified inspector shall perform all inspections except the Certificate of Occupancy as required by the Code and file certified inspection reports on all inspections that are required by the adopted code;
 - d. The County Building Official shall be responsible for the Certificate of Occupancy inspection;
 - e. The County Building Official or Building Department staff may visit any building project that is permitted pursuant to this paragraph at any time during construction and make such inspections as the Building Official deems necessary.
16. All future buildings and animal facilities shall be at least 100 feet from any property line.
17. Because the terms and conditions of this Overlay are detailed and site specific, Development review requirements shall not apply to development associated with the uses and activities allowed under this Limited Development Overlay. Only building and related permits (electrical, plumbing, etc.), where required, will be necessary for further implementation of this Overlay.
18. Commencing in the year 1996, and in January of each year, White Oak will submit to Nassau County a status report describing the development activity of the preceding year and enumerating the total number of residences, lodging units, entertainment/dance studio seats, and square footage of administrative space.
19. This overlay does not exempt the owner from obtaining appropriate required permits from the State of Florida, the United States Government, or the St. Johns River Water Management District, or Nassau County,

except as Nassau County codes are affected by the language of this Overlay.

20. Since this Overlay was adopted by the County Commission prior to the adoption of the County's Concurrency Ordinance, the development contemplated by this Overlay is exempt from the Concurrency Ordinance. Any change in the Limited Development Overlay that will increase impacts or demand for solid waste, potable water, sanitary sewer, drainage, recreation or streets and intersections should be subject to concurrency review.

K. Multi-Use

Land designated for Multi-Use is intended to accommodate, in a more innovative fashion, development or redevelopment of areas in a larger size and scale. The major purposes of this designation are to facilitate mixed-use development with horizontal and vertical land use integration, reduce the need for automobile travel, provide incentives for quality development and give definition to the urban form. Design, aesthetics, environmental protection and enhancements, are to be emphasized as part of the Multi-Use land use designation. This designation will only be applied to areas that are of regional significance and offer a more practical means of their illustration of the Future Land Use Map (FLUM).

Areas which are appropriate for the Multi-Use designation include development which meets or exceeds the thresholds for a Development of Regional Impact (DRI), Florida Quality Development (FQD), or Regional Activity Centers (RAC) under Chapter 380, Florida Statutes, or areas which have been approved as a Transportation Management Area with a Chapter 163 Agreement (TMA). These are the only areas to which the Multi-Use designation may apply. **Only Developments of Regional Impact (DRI) which meet all of the statutory requirements of the proportionate-share mitigation approach as outlined in Chapter 163.3180(12), F.S. and Rule 9J-5.0055(9), F.A.C. in the multi-use category** are authorized to use a proportionate share contribution provision in accordance with the provisions of Florida Statutes 163.3180(12) concerning transportation improvements.

The density and intensity of land uses permitted within the Multi-Use land use category shall be specified in the Future Land Use Element of the County's Comprehensive Plan. Additionally, this land use category would also still follow the set of circumstances under which proposed development in the designated area would be required to be reviewed through the provisions of Chapter 380, Florida Statutes DRI process, or through the provisions of an approved TMA.

For an area to qualify for the Multi-Use land use category, the following criteria must be met:

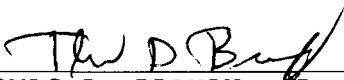
1. This land use designation shall not be approved where other land use designations within the County land use plan provide sufficient flexibility for the existing or proposed land uses.
2. The density and intensity of land uses permitted within this category shall include at least two (2) different land uses and of these no one land use can exceed seventy (70) percent of the land area involved in the particular amendment.
3. Multi-Use land uses will be of regional significance and either a DRI, RAC, FOD or TMA.
4. Multi-Use uses of this magnitude shall be a DRI, FOD, RAC or TMA and may be located in such areas as in community redevelopment areas and areas surrounding regional community facilities such as airports, ports, convention centers or governmental complexes, commerce centers, regional activity centers and areas near a major arterial roadway which are planned for intensive development.
5. Each Multi-Use land use designation shall be a defined geographical area, delineated on the Future Land Use Map (FLUM) of the Future Land Use Element of the 2000-2010 Comprehensive Plan. In addition, on the Map within the defined geographical area, the name of the multi-use development shall be inserted with an asterisk. Elsewhere on the map next to the asterisk shall be a cross reference to the specific policy in the Future Land Use Element which refers to the development by name. Within that policy shall be enumerated all the future land use categories which will be utilized by the development without specific locations so that any land use category may be used anywhere in the development subject to the requirements of other applicable local land development.
6. The Multi-Use category differs from the Mixed Use Floating District in that there is no prescribed mix of uses and a comprehensive plan amendment will be required to obtain such a FLUM designation. Unlike the Mixed Use category, the Multi-Use category permits transportation impacts to be mitigated through the use of a proportionate share formula pursuant to Florida Statute 163.3180(12).

SECTION 4. EFFECTIVE DATE.

The Board of County Commissioners shall file this Ordinance with the Department of Community Affairs after adoption. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No


development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If the Administration Commission issues a final order of noncompliance, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



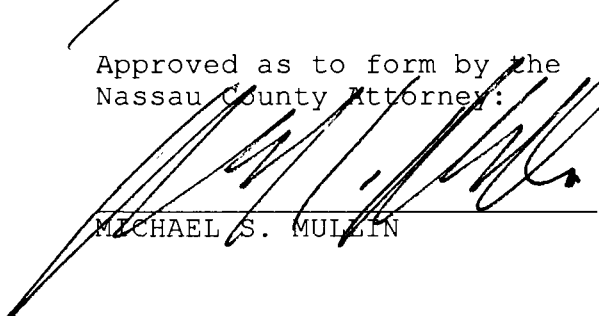
THOMAS D. BRANAN, JR.
Its: Chairman

ATTEST:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULRIN