

ORDINANCE 2006 - 79

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF NASSAU COUNTY; AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING APPROXIMATELY 311 ACRES FROM MEDIUM- AND HIGH-DENSITY RESIDENTIAL, RECREATION AND CONSERVATION TO MULTI-USE; AMENDING POLICY 1.02.05(K) OF THE FUTURE LAND USE ELEMENT TO PROVIDE REQUIRED REFERENCE TO THE PLM WEST DEVELOPMENT OF REGIONAL IMPACT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Amelia Island Company, owner, seeks in Application CPA 06-006 to reclassify land designated on the Future Land Use Map from Medium- and High-Density Residential, Recreation and Conservation to Multi-Use; and

WHEREAS, the Nassau County Planning And Zoning Board held duly noticed public hearings to address the requested Amendment to the Future Land Use Map and provided a recommendation to the Nassau County Board of County Commissioners on June 6, 2006; and

WHEREAS, the Board of County Commissioners held a public hearing on July 10, 2006 and authorized transmittal copies of the proposed Future Land Use Map Amendment pursuant to Section 163.3184, F.S.; and

WHEREAS, the Florida Department of Community Affairs has issued an Objections, Recommendations and Comments Report, dated September 25, 2006, which finds the proposed Future Land Use Map amendment to be consistent with Chapter 163, F.S. and Chapter 9J-5, FAC, subject to revisions to the proposed language of Policy 1.02.05(K)(2) as contained herein;

WHEREAS, the Board of County Commissioners of Nassau County held an adoption hearing on October 23, 2006, and further considered all oral and written comments received during the public hearing, as well as the Objections, Recommendations, and Comments Report of the Department of Community Affairs; and

WHEREAS, in exercise of its authority, the Board of County Commissioners has determined that the amendment on the Future Land Use Map of the Comprehensive Plan and the Reclassification of the land as set forth herein, is consistent with the overall Comprehensive Plan and Future

Land Use Map, and the orderly development of Nassau County, Florida, and the specific area; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, public hearings have been held with due public notice having been provided, on the Future Land Use Map amendment, reclassifying land designated Medium- and High-Density Residential, Recreation and Conservation to Multi-Use, and with written advance notice of such public hearings having been provided to the State Land Planning Agency;

NOW, THEREFORE, BE IT ORDAINED this 23rd day of October, 2006, by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1. PURPOSE AND INTENT.

This Ordinance is enacted pursuant to the requirements of Chapter 163, Florida Statutes, and Chapter 9J-5, F.A.C. Specifically, the authority for this Ordinance is Section 163.3184, Florida Statutes. The Future Land Use Element of the Nassau County Comprehensive Plan is hereby amended to add the following language to Policy 1.02.05 (K):

**A. NASSAU COUNTY
FUTURE LAND USE ELEMENT**

Approved Multi-Use Designations:

- (2) The PLM West Development of Regional Impact and Planned Unit Development (DRI/PUD), which carries the Multi-Use Designation on the Future Land Use Map, shall allow the following land uses: Residential (to include Medium and High Density up to a maximum of six hundred seventy (670) dwelling units), Recreation and Conservation.**

SECTION 2. PROPERTY RECLASSIFIED.

The real property described in Section 3 is reclassified from Medium- and High-Density Residential, Recreation and Conservation to Multi-Use on the Future Land Use Map of Nassau County.

SECTION 3. OWNER AND DESCRIPTION.

The land reclassified by this Ordinance is owned by Amelia Island Company, and is described as follows:

See Exhibit "A" attached hereto and made a part hereof by specific reference.

SECTION 4. SEVERABILITY.

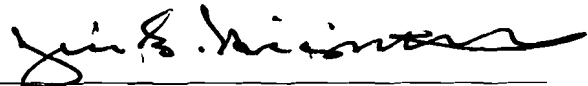
If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be filed with the Department of Community Affairs after adoption by the Board of County Commissioners. This Ordinance shall become effective upon notification by the Department of Community Affairs that the amendment is found to be in compliance, and upon receipt of the official notification by the Department of Community Affairs, this Ordinance shall become effective


upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



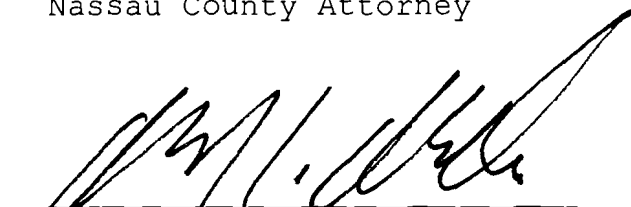
~~THOMAS D. BRANAN, JR.~~ JIM B. HIGGINBOTHAM
Its: ~~Chairman~~ Vice Chairman

ATTEST:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

EXHIBIT A
Legal Description

215 Century 21 Drive
Jacksonville, Florida 32216
Phone (904) 724-9433

PLM WEST

bassett

December 19, 1983

Work Order Number 12-83-53

File S-1837-T

Description for A. J. Land, Inc.

A part of Sections 38 and 39, Township 1 North, Range 29 East and part of Sections 1 and 42 and all of Sections 43 and 44, Township 1 North, Range 28 East all in Nassau County, Florida, being more particularly described as follows:

For a point of reference, commence at the intersection of the Westerly Right of Way line of Florida State Road No. 105 (S.R. A1A) as now established as a 200 foot right of way with the Northerly line of Unsurveyed Section 1, Township 1 North, Range 28 East of said county; thence South $19^{\circ} 33' 10''$ East, along said Westerly Right of Way line, a distance of 323.72 feet to the point of beginning.

From the point of beginning thus described, continue South $19^{\circ} 33' 10''$ East, along said Westerly Right of Way line, a distance of 4799.97 feet to a point of curve of a curve concave Northwesterly having a radius of 3337.75 feet; thence Southwesterly, along the arc of said curve an arc distance of 2400 feet, more or less, to its intersection with the division line of the Uplands and Marshlands, said division line also being the same as the Mean High Water line of Nassau Sound and South Amelia River; thence Northerly, Northeasterly, Easterly Southeasterly, Southerly, Southwesterly, Westerly and Northwesterly, along said Mean High Water line, a distance of 31,200 feet, more or less, to its intersection with a line bearing South $29^{\circ} 59' 50''$ West from the point of beginning; thence North $29^{\circ} 59' 50''$ East, a distance of 124 feet, more or less, to the point of beginning.

Lands thus described contain 311 acres, more or less.