

**ORDINANCE NO. 2007- 15**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA; AMENDING ORDINANCE 97-19; AMENDING THE LAND DEVELOPMENT CODE, ARTICLE 32, DEFINITIONS; ADDING THE DEFINITION OF SELF-SERVICE STORAGE FACILITY (MINI-WAREHOUSE FACILITY); AMENDING ARTICLE 28, SUPPLEMENTARY REGULATIONS; CREATING SECTION 28.20, SELF-STORAGE FACILITIES FOR THE ESTABLISHMENT OF USE AND DESIGN STANDARDS FOR SELF-STORAGE FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners have determined that certain provisions of Ordinance 97-19, as amended, require modification in order to better promote the general health, public safety and welfare of the citizens of Nassau County; and

**WHEREAS**, Policy 1.02.02 of the Comprehensive Plan of Nassau County directs the County to adopt land regulations that include criteria to reduce the intrusion of incompatible commercial, industrial and other land uses into residential areas; and

**WHEREAS**, the Nassau County Board of County Commissioners recognizes the need to include a definition for self-service storage facilities and use restrictions for the same finds that it is in the best interest of the citizens of Nassau County to further amend the Land Development Code as indicated herein.

**WHEREAS**, the Planning and Zoning Board, also acting in their capacity as Local Planning Agency for Nassau County, conducted a duly noticed public hearing on this Ordinance on May 1, 2007 and voted to recommend approval; and

**WHEREAS**, legal notice of this Ordinance has been provided in accordance with Sec. 125.66, F.S.

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:**

**SECTION 1. FINDINGS**

- A. This Ordinance is consistent with the Nassau County Comprehensive Plan, in particular Policy 1.02.02.

## **SECTION 2. ADOPTION**

**PART I. That a new definition is hereby adopted and incorporated into Article 32 of the Land Development Code and shall read as follows:**

Self-service storage facility (mini-warehouse facility) means any real property designed and used for the purpose of renting or leasing individual storage space to tenants who are to have access to such space for the purpose of storing and removing personal property. No individual storage space may be used for residential purposes or as a place of business.

**PART II. Article 28, SUPPLEMENTARY REGULATIONS, are hereby amended with the creation of Section 28.20, Self-Storage facilities to read as follows:**

### Section 28.20 Self –Service Storage Facilities (Mini-Warehouse)

Self –Service Storage Facilities (Mini-Warehouses) are subject to the following:

- 1) Such use shall not be directly adjacent to residentially zoned property on more than one side.
- 2) Maximum length of any self-storage building shall be 250 feet.
- 3) No separate storage of combustible or flammable liquids, combustible fibers or explosive materials as defined in the fire prevention code, or toxic materials, shall be permitted within the self-storage building or upon the premises. A lease agreement between the lessee and lessor shall state:
  - a. That no flammable, combustible or toxic materials shall be stored or used on premises; and
  - b. That the property shall be subject to periodic and unannounced inspections for flammable, toxic and other hazardous materials by Fire Marshal.
- 4) No storage outside of the self-storage buildings shall be permitted except for designated areas for RV, boat and trailer parking.
- 5) Except as provided in this section, the use of the rental spaces shall be limited to storage only and shall not be used for operating any other business, for maintaining or repairing of any vehicles, recreational equipment or other items, or for any recreational activity, hobby or purpose other than the storage of personal items and business items as hereinbefore set forth.
- 6) Landscaping shall be provided as follows:
  - a) A landscape strip of no less than ten (10) feet shall be provided along all road frontages and adjacent nonresidential properties. This landscape strip shall include a minimum of one (1) canopy tree every twenty (20) feet of frontage. Each canopy tree must measure a minimum of three (3) inches in diameter at a point measured four feet six inches (4'6") off the ground.
  - b) Common property lines adjacent to established residential uses or residential districts are subject to the landscaping and buffering requirements found in this Code.

- c) Parking areas must be landscaped in accordance with this Code. If parking areas are located along property boundaries, the landscaping requirements in subsection (a) shall prevail.
- d) Additional landscaping requirements may be required if the site is located within the State Road 200/A1A Access Management Overlay District
- 7) A security manager's apartment may be permitted to reside on the premises to the extent required by such use.
- 8) All access aisles, parking areas and walkways on the site shall be graded, drained, hard surfaced and maintained in accordance with the standards and specifications of Nassau County.
- 9) Limited retail sales to tenants of products and supplies incidental to the principal use, such as packing materials, packing labels, tape, rope, protective covers and locks and chains shall be permitted on the site devoted to this use.
- 10) No occupational license shall be issued to a rental space with the exception of the self-storage facility itself.

**SECTION 3. CODIFICATION**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall be included and incorporated into the Land Development Code (LDC) of Nassau County, Florida. The codifier may re-letter or renumber sections to conform to the uniform numbering and style of the LDC.

**SECTION 4. SEVERABILITY**

It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**SECTION 6. EFFECTIVE DATE**

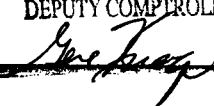
This ordinance shall take effect upon filing with the Secretary of State as provided in Section 125.66, Florida Statutes.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

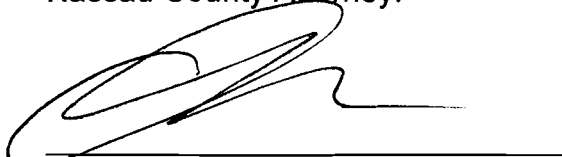
  
\_\_\_\_\_  
JIM B. HIGGINBOTHAM  
Its: Chairman

Attest as to Chairman's  
Signature:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

REVIEWED BY GENE KNAGA  
DEPUTY COMPTROLLER  
 DATE 6/11/07

Approved as to form and legality by the  
Nassau County Attorney:

  
\_\_\_\_\_  
DAVID A. HALLMAN