

ORDINANCE NO. 2010 - 11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA CREATING AND ADOPTING THE 2030 NASSAU COUNTY COMPREHENSIVE PLAN; AMENDING THE RECREATION AND OPEN SPACE, TRANSPORTATION (FORMERLY TRAFFIC CIRCULATION), PUBLIC SCHOOL FACILITIES, PUBLIC FACILITIES, HOUSING, CONSERVATION, COASTAL MANAGEMENT, REGIONAL COORDINATION (FORMERLY INTERGOVERNMENTAL COORDINATION), FUTURE LAND USE AND CAPITAL IMPROVEMENTS ELEMENTS OF THE NASSAU COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENTS TO THE 2010 COMPREHENSIVE PLAN BASED ON THE 2008 EVALUATION AND APPRAISAL REPORT; PROVIDING FOR CONSIDERATION OF THE STRATEGIES AND OBJECTIVES OF THE VISION 2032 FINAL REPORT; PROVIDING FOR DATA AND ANALYSIS SUPPORTING ADOPTION OF GOALS, OBJECTIVES AND POLICIES; PROVIDING FOR ADOPTION OF AMENDMENTS, ADDITIONS AND DELETIONS TO THE GOALS, OBJECTIVES AND POLICIES OF THE ELEMENTS COMPRISING THE 2030 COMPREHENSIVE PLAN; PROVIDING FOR ADOPTION PURSUANT TO CHAPTER 163.3187, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3191, F.S. requires a local government's comprehensive plan to be periodically reviewed through an Evaluation and Appraisal Report in accordance with a schedule promulgated by the Florida Department of Community Affairs; and

WHEREAS, Nassau County adopted its Evaluation and Appraisal Report on July 14, 2008 ; and

WHEREAS, the Department of Community Affairs issued a sufficiency determination on September 23, 2008 finding the Nassau County Evaluation and Appraisal Report (EAR) sufficient; and

WHEREAS, Section 163.3191(10), F.S. requires a local government to complete EAR-based amendments within 24 months of the date the Evaluation and Appraisal Report is found sufficient ; and

WHEREAS, the Planning and Zoning Board, in their capacity as the Local Planning Agency for Nassau County, reviewed the proposed amendments and conducted public hearings on January 12, January 19, February 9, February 11, February 16, February 23, March 2, March 3, March 16, March 23, March 30, April 6, April 13 and April 20, 2010 and recommended approval of the proposed amendments; and

WHEREAS, on May 10, 2010 the Board of County Commissioners authorized transmittal of the proposed amendments to the Department of Community Affairs; and

WHEREAS, on July 13, 2010 the Department of Community Affairs issued an Objections, Recommendations and Comments Report addressing the proposed amendments; and

WHEREAS, Nassau County has considered and addressed the Objections, Recommendations and Comments Report issued by the Department of Community Affairs; and

WHEREAS, public notice of all public hearings has been provided in accordance with Chapters 163 and 125, F.S.

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

SECTION 1. FINDINGS

This action complies with Chapter 163, Part II, Florida Statutes and Rule 9J-5, F.A.C.

SECTION 2. EAR-BASED AMENDMENTS

The goals, objectives and policies of the Recreation & Open Space, Transportation (including the Future Transportation Map Series), Public School Facilities (including School Concurrency and Future Public Schools Maps), Public Facilities, Housing, Conservation, Coastal Management, Regional Coordination, Future Land Use (including the Future Land Use Map series) and Capital Improvements Elements of the Nassau County Comprehensive Plan are hereby amended and adopted as set forth in Appendix "A" attached hereto and made a part hereof. These goals, objectives, policies and maps constitute the 2030 Nassau County Comprehensive Plan.

SECTION 3. CONFLICTING PROVISIONS

All ordinances, or parts of ordinances, in conflict with this action are hereby repealed to the extent of such conflict.

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 5. EFFECTIVE DATE

This Ordinance shall be filed with the Office of the Secretary of State. This Ordinance shall become effective upon the earlier of:

- i. The Department of Community Affairs issues a final order determining the adopted amendments are found to be in compliance; or
- ii. The Administration Commission issues a final order determining the adopted amendments to be in compliance.

ADOPTED THIS EIGHTEENTH DAY OF OCTOBER, 2010 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS,
NASSAU COUNTY, FLORIDA



MICHAEL H. BOYLE,
Its: Chair


ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

EAC
10/21/10

Approved as to form by the
Nassau County Attorney



DAVID A. HALLMAN,
County Attorney