

ORDINANCE 2012-30

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE CODE OF ORDINANCES; ADOPTING A NEW ARTICLE 27 OF THE LAND DEVELOPMENT CODE, "PLANNED DEVELOPMENT FOR EAST NASSAU COMMUNITY PLANNING AREA (PD-ENCPA)"; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The Goals, Objectives and Policies of the Nassau County Comprehensive Plan encourage the use of master planned, mixed-use development projects that will reduce the costs of infrastructure, preserve valuable open space, expand housing choices, and improve the County's jobs-to-housing balance; and

WHEREAS, Consistent with the Multi-Use Community Planning Area land use provisions of Future Land Use Element Policy FL.01.02, the East Nassau Community Planning Area (ENCPA) was created and adopted as part of the 2030 Comprehensive Plan on October 18, 2010; and

WHEREAS, Nassau County executed a Stipulated Settlement Agreement, on May 23, 2011, with the Department of Community Affairs (now the Department of Economic Opportunity) and Terra Pointe LLC to address those parts of the adopted 2030 Comprehensive Plan requiring a remedial amendment; and

WHEREAS, Pursuant to Sec. 163.3245(10), the Department of Community Affairs entered into an agreement with the County on August 2, 2011 that the adopted master plan for the ENCPA meets the requirements of a long-term master plan for a Sector Plan consistent with Sec. 163.3245(3)(a); and

WHEREAS, The long-term master plan for the ENCPA Sector Plan shall be implemented through adopted detailed specific area plans consistent with the requirements of Sec. 163.3245(3)(b) and the long-term master plan; and

WHEREAS, a zoning district is required to accommodate the special nature of development within the ENCPA and to recognize the detailed specific area plans as the basis of land development regulation within the ENCPA Sector Plan; and

WHEREAS, the Planning and Zoning Board conducted a public hearing on this ordinance on September 18, 2012 and voted to recommend approval;

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

SECTION 1. FINDINGS

This ordinance is consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan, in particular Future Land Use Objective FL.13 and its associated Policies, Future Land Use Policy FL.10.06, Public Facilities Policies WAT.03.01 and SEW.03.01, Economic Development Policy ED.05.02, Housing Policy H.01.01, and Conservation Policy CS.08.01.

SECTION 2. AMENDMENT

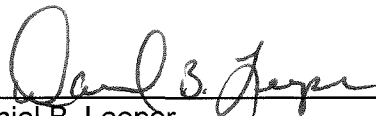
Article 27 of the Land Development Code is amended as set forth in Exhibit "A" attached hereto and made a part hereof.

SECTION 3. EFFECTIVE DATE

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


ADOPTED THIS 22ND DAY OF OCTOBER, 2012 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.
BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA

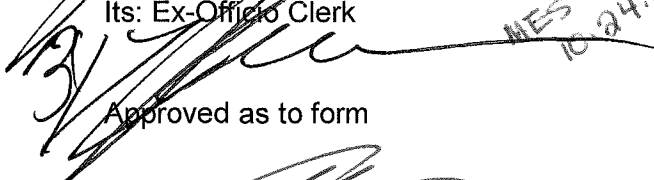


Daniel B. Leeper
Its: Chairman


ATTESTATION: Only to Authenticity as to
Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk


Approved as to form

MES
10-24-12



David A. Hallman,
County Attorney

EXHIBIT "A"

ARTICLE 27

RESERVED PLANNED DEVELOPMENT FOR EAST NASSAU COMMUNITY PLANNING AREA: PD-ENCPA

Section 27.01 Intent and Purpose of District

The intent and purposes of the Planned Development District for the East Nassau Community Planning Area (PD-ENCPA) are as follows:

- A. To implement Policies FL.13.01-13.17 relating to the East Nassau Community Planning Area (ENCPA) and the ENCPA Master Land Use Plan/FLUMS-6 of the Nassau County 2030 Comprehensive Plan.
- B. To provide for multiple uses within the ENCPA where the primary uses may be residential, commercial, office, tourist commercial or industrial. The PD-ENCPA also is intended to allow for a variety of structures and a diversity of building arrangements compatibly and harmoniously designed in conjunction with performance standards that are designed to be more innovative and flexible than those found in conventional zoning categories or subdivision regulations.
- C. To allow diversification of uses, structures and open spaces in a manner compatible with existing and permitted land uses on abutting properties.
- D. To reduce improvement and energy costs through a more efficient use of land design and more compact networks of utilities and streets than is possible through application of other, more conventional zoning districts and subdivision requirements.
- E. To ensure that development will occur according to limitations of use, design, density, coverage, and phasing or staging stipulated in Policies FL.13.01-13.17 of the Nassau County 2030 Comprehensive Plan.
- F. To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of scenic and functional open areas, including the Conservation and Habitat Network and the St. Mary's River Greenway.
- G. To encourage an increase in the amount and use of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional zoning districts.
- H. To provide maximum opportunity for application of innovative concepts of site planning in the creation of aesthetically pleasing living, shopping and working environments on properties of adequate size shape and location.
- I. The PD-ENCPA District is a flexible zoning district which is intended to provide an appropriate balance between the intensity of development and the ability to provide adequate capacity within the necessary support services and facilities.

Section 27.02 Uses Permitted

The following uses shall be permitted in the PD-ENCPA district:

- A. ENCPA Policy and Master Land Use Plan Sub-Categories
The uses permitted in Policy FL. 13.06-13.07 and the adopted ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan, including uses permitted in the land use sub-category descriptions set forth in U.S. 17 Transit Oriented Development (TOD), Conservation and Habitat

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Network (CHN), Regional Center (RC), Employment Center (EC), Village Center (VC), Residential Neighborhood (RN), Neighborhood Center (NC), and Resort Development (RD).

B. Master Planned Communities

Including residential, commercial, office and/or industrial uses that are compatibly and harmoniously designed into the total community within the PD-ENCPA. Planned developments may be single use or multiple use and should be designed either to incorporate existing County development standards or to propose new standards that will promote innovative planning approaches to achieve the goals and objectives in the Nassau County 2030 Comprehensive Plan.

C. Supporting Uses

Any other private, public or semi-public use which is supporting of and compatible with residential, commercial, office, or industrial uses. Such uses include but are not limited to the following: water and wastewater plants, schools, churches, civic and governmental buildings, parking garages, parks and open space or any other use similar to or compatible with the uses permitted in this district.

D. Silvicultural and Agricultural Activities

Policy FL. 13.13 of the Nassau County 2030 Comprehensive Plan contemplates the continuation of existing silviculture and agriculture activities until parcels are developed in the long range planning horizon.

E. The location and configuration of the permitted uses is set forth in the adopted ENCPA Master Land Use Plan.

Section 27.03 Approval Procedure for Rezoning to PD-ENCPA

Review of PD-ENCPA: The procedure for review of the application for a rezoning to PD-ENCPA shall be as set forth in Section 5.02 of this code.

Section 27.04 Detailed Specific Area Plan (DSAP) Required Prior to Development

Pursuant to Section 163.4245, Florida Statutes, no development within an approved PD-ENCPA zoning classification may proceed unless and until a Detailed Specific Area Plan (DSAP) is approved for the property within which development is proposed. The procedures for the approval of a DSAP are set forth in Section 27.06 of this code.

Section 27.05 Adjustments to PD-ENCPA

Any adjustments to the PD-ENCPA which may be required in conjunction with a proposed DSAP or a Preliminary Development Plan (PDP) must be reviewed for consistency with Policy FL. 13.14 of the Nassau County 2030 Comprehensive Plan. Adjustments meeting the criteria set forth in Policy F. 13.14 may be approved without a Comprehensive Plan amendment; adjustments not meeting such criteria require a Comprehensive Plan amendment. Adjustments which are sought in conjunction with a DSAP DO and which require a Comprehensive Plan amendment are subject to the review and approval of the Board of County Commissioners pursuant to procedures the set forth in Section 5.02 of this code. Adjustments which are sought in conjunction with a PDP and which do not require Comprehensive Plan amendment are subject to the review and approval of the planning director pursuant to the procedures set forth in Section .08 of this code.

Section 27.06 Approval Procedure for Detailed Specific Area Plan (DSAP) Development Orders within ENCPA

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Review of DSAP DO: Pursuant to Section 163.3245, Florida Statutes, parcels generally of more than 1,000 acres within the ENCPA shall be included in a DSAP DO, which shall be subject to the review and approval of the Board of County Commissioners. The procedure for review of the application for a DSAP DO shall be as follows:

- A. An application for a DSAP DO must be filed with the planning director. Applications are available in the planning director's office. The planning director shall submit the application to the Planning and Zoning Board for review at its next meeting.

- B. When applying for DSAP DO, the applicant shall provide the following information:
 1. General: The DSAP DO application shall contain the proposed name or title of the development, names of the landowner or developer, planner, surveyor, and other professionals who prepared the application.

 2. Narrative and exhibits required to demonstrate consistency with Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan and the PD-ENCPA.

 3. Legal description of the property in the DSAP, lot and block numbers included;

 4. Names and addresses of all owners of the property in the DSAP;

 5. A statement of the petitioner's interest in the property in the DSAP, including a copy of the last recorded warranty deed; and
 - a. If joint or several ownership, all owners of record must consent, in writing, to the DSAP DO.
 - b. If a contract purchase, a copy of the purchase contract and the written consent of the seller/owner must be submitted.
 - c. If an authorized agent for the property owner, a copy of the agency agreement or the written consent of the owner is required.
 - d. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said representative has the delegated authority to represent the corporation or other business entity is required.
 - e. A complete list of all property owners, mailing addresses and legal description of all property within three hundred (300) feet of the parcel to be included in the DSAP. This information must be taken from the latest county tax rolls which are kept in the county property appraiser's office.
 - f. The signature of the owner or owners of the property and the person or agent filing the application.
 - g. Any other pertinent information as deemed necessary.
 - h. A Land Use Plan, which shall include:
 - i. Proposed name or title of DSAP.
 - ii. North arrow, scale of one inch equals two hundred feet (1" = 200') or larger, date, and legal description.
 - iii. Boundaries of the DSAP. All existing section lines, major streets, major natural features, and physical features in and adjoining the DSAP.
 - iv. Names and locations of adjoining developments and subdivisions.
 - v. Site data, including tabulation of the total number of gross acres in the DSAP, the proposed acreage to be devoted to each of the several types of residential and nonresidential uses and for each such use:
 - (a) Residential. Minimum and maximum gross densities, total number of units, types of units, and applicable development standards, including applicable ranges of minimum lot sizes (fee simple ownership), maximum building heights in number of stories (multifamily), typical setbacks, and open space and recreation area requirements.

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- (b) Commercial Office or Tourist Commercial. Gross floor area, types of uses, and applicable development standards, including applicable ranges of maximum building heights, typical setbacks/buffers, and open space requirements.
 - (c) Industrial. Gross floor area, types of uses, and applicable development standards, including applicable ranges of maximum building heights, typical setbacks/buffers, and open space requirements.
 - i. Proposed public parks, preservation areas, and school sites in the DSAP.
 - j. Proposed private open space in the DSAP.
 - k. The general location of collector and arterial streets and highways proposed in the DSAP, right-of-way widths, and the location of access points to abutting streets and highways.
 - l. General statement indicating proposed means of drainage for the DSAP to ensure conformity with natural drainage within the vicinity area or with the drainage plan established within the vicinity area.
 - m. General statement indicating source of wastewater disposal in the DSAP.
 - n. The proposed method of dedication and administration of the proposed common open space in the DSAP.
 - o. A buildout date [see Section 163.3245(5)(d)].
6. Additional information as may be required in the DSAP DO by Section 163.3245, Florida Statutes, including:
- a. Development or conservation of an area of at least 1,000 acres consistent with the ENCPA Master Land Use Plan/FLUMS-6 of the Nassau County 2030 Comprehensive Plan. The Board of County Commissioners may approve detailed specific area plans of less than 1,000 acres based on local circumstances if it is determined that the detailed specific area plan furthers the purposes of Chapters 163, Part II, and Chapter 380, Part I, of the Florida Statutes.
 - b. Detailed identification and analysis of the maximum and minimum densities and intensities of use and the distribution, extent, and location of future land uses.
 - c. Detailed identification of water resource development and water supply development projects and related infrastructure and water conservation measures to address water needs of development in the DSAP.
 - d. Detailed identification of the transportation facilities to serve the future land uses in the DSAP.
 - e. Detailed identification of other regionally significant public facilities, including public facilities outside Nassau County, any impacts of future land uses within the DSAP on those facilities, and required improvements consistent with the ENCPA Master Land Use Plan.
 - f. Public facilities necessary to serve development in the DSAP, including developer contributions in the 5-year capital improvement schedule. Such information may include a mobility plan as to transportation-related improvements.
 - g. Detailed analysis and identification of specific measures to ensure the protection and, as appropriate, restoration and management of lands within the boundary of the DSAP identified for permanent preservation through recordation of conservation easements consistent with s. 704.06, which easements shall be effective before or concurrent with the effective date of the DSAP and other important resources both within and outside Nassau County.
 - h. Detailed principles and guidelines addressing the urban form and the interrelationships of future land uses; achieving a more clean, healthy environment; limiting urban sprawl; providing a range of housing types; protecting wildlife and natural areas; advancing the efficient use of land and other resources; creating quality communities of a design that promotes travel by multiple transportation modes; and enhancing the prospects for the creation of jobs.
 - i. Identification of specific procedures to facilitate intergovernmental coordination to address extrajurisdictional impacts from the DSAP.
7. The planning director shall review all applications for a DSAP DO for consistency with Section 163.3245, Florida Statutes, Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan, and the PD-ENCPA, and shall provide a written

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recommendation to the Planning and Zoning Board regarding the merits of the request based upon the goals, objectives and policies of the adopted comprehensive plan.

- a. The Planning and Zoning Board shall review the DSAP-DO application and submit a written recommendation to the Board of County Commissioners within sixty (60) days after receiving the application. The Planning and Zoning Board shall review the application based upon the consistency with Section 163.3245, Florida Statutes, Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau 2030 Comprehensive Plan, and the PD-ENCPA. The Planning and Zoning Board shall hold a public hearing, or hearing with due public notice, to consider the DSAP DO and to receive public input. The applicant shall be responsible for showing proof that public notice requirements have been met. The Planning and Zoning Board's written report to the Board of County Commissioners shall contain a recommendation for denial or approval.
8. The Board of County Commissioners shall review the Planning and Zoning Board's recommendations. Said review shall be based on the consistency with Section 163.3245, Florida Statutes, Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan, and the PD-ENCPA. The Board of County Commissioners shall hold a public hearing, with due public notice, to consider the DSAP DO.
9. The planning director shall be responsible for giving due public notice of the public hearings held by the Planning and Zoning Board and the Board of County Commissioners.
10. Following said public hearings, the Board of County Commissioners, by ordinance, shall adopt, amend, modify, change, or deny the proposed DSAP DO, utilizing the criteria set forth in Section 163.3245, Florida Statutes, Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan, and the PD-ENCPA. An amendment, modification, change or denial shall contain written findings for the action and shall be based upon the criteria set forth in Section 163.3245, Florida Statutes, Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan, and the PD-ENCPA.
11. Any person or persons jointly or severally aggrieved by a DSAP DO decision made by the Board of County Commissioners may file an appeal in the circuit court which serves the county in which the Board of County Commissioners is located. This appeal must be filed thirty (30) days after the Board of County Commissioners has rendered its decision.

Section 27.07 Adjustments to DSAP DO

- A. Any adjustments to the DSAP DO meeting the following criteria are subject to the review and approval of the Board of County Commissioners pursuant to procedures the set forth in Section 27.06 of the this code:
 1. Any change to the location or total acreage or number of dwelling units or square feet of gross nonresidential building area permitted for any of the several types of residential and nonresidential uses in the approved DSAP, if such a change reduces the ratio of jobs to the number of projected employed residents (jobs divided by employed residents) proposed at buildout of the DSAP, as calculated pursuant to Policy FL. 13.11 of the Nassau County 2030 Comprehensive Plan.
 2. Any change to the data provided in Sub-section 27.06(B)(5)(h)(v) above, if such a change proposes any increase(s) in maximum(s) or decrease(s) in minimum(s) provided in the DSAP.
 3. Any change which proposes to decrease the gross area of proposed public parks and preservation areas in the DSAP or proposes to decrease the gross area of a proposed school site in the DSAP.

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4. Any relocation of a proposed public park, preservation area, or school site in the DSAP, if such relocation provides access for the proposed public use by means of a lower classification of roadway (for example, if the relocation changes access from an arterial to a collector) or reduces the net developable area required for the proposed public use.
 5. Any change to the general location of collector or arterial roadway(s) proposed in the DSAP, if (a) such a change results in a decrease in projected level of service on such roadway(s), or (b) if a mobility plan for the DSAP is adopted, such a change results in an increase in projected vehicle miles traveled to or from existing or proposed development within the DSAP.
- B. Adjustments which are determined by the planning director not to meet the criteria above are subject to the review and approval of the planning director pursuant to the procedures set forth in Section .08 of this code.
- C. All Adjustments to the DSAP DO shall be reviewed for compliance with Section 163.3245, Florida Statutes, consistency with Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan and consistency with the PD-ENCPA.

Section 27.08 Approval Procedure for Preliminary Development Plans (PDP) within DSAPs

- A. Individual proposed development parcels within the PD-ENCPA and within a DSAP shall be developed pursuant to a Preliminary Development Plan (PDP), as defined in Policies FL.13.01-13.17 of the Nassau County 2030 Comprehensive Plan. A PDP under this Article differs from a preliminary development plan under Article 25 of this Code. A PDP under this Article is subject to the review and approval of the planning director in accordance with the following procedure:
1. Five (5) copies of the PDP shall be submitted to the planning director. The planning director shall distribute copies of the PDP to the appropriate staff in the growth management department for review and comment. Within [] days after submittal of the PDP to the planning director, the director shall approve, approve with conditions, or deny the PDP. At the request of the applicant, review of the PDP shall occur simultaneous with the review of Site Plans as provided in Section .10 of this code.
 2. An applicant for a PDP approval may challenge a condition imposed or denial of the PDP by the planning director and request a hearing before the Planning and Zoning Board by filing a written petition for hearing, along with the appropriate fee, with the Clerk of Court within 30 calendar days from the date of the decision of the planning director. The petition shall include a statement and supporting material setting forth the particular basis for the challenge, including the criteria alleged to have been applied erroneously, and setting forth the different result which would occur if the criteria were correctly applied. Upon receipt of a timely and complete petition, the matter shall be duly noticed and placed on the agenda of the Planning and Zoning Board, which shall conduct the hearing within 45 days after filing, unless otherwise agreed to by the parties. At the conclusion of the hearing, the Planning and Zoning Board may uphold the planning director's decision, overturn the decision, or modify the conditions of approval.
- B. Review Criteria for PDP
PDP review criteria: The planning director shall consider the following criteria when reviewing the PDP application:
1. Consistency with Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan.

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2. Consistency with the PD-ENCPA.
3. Consistency with the development order approving the DSAP.

C. Requirements for PDP Application

1. General: The PDP application shall contain the proposed name or title of the development, names of the landowner or developer, planner, surveyor, and other professionals who prepared the application.
2. The PDP shall include a narrative and exhibits to demonstrate consistency with Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan and the development order approving the applicable DO.
3. The PDP shall include the following exhibits:
 - a. General: The PDP application shall contain the names of the developer, surveyor and engineer who prepared the PDP and topographic data map, and the name of the proposed PDP.
 - b. Exhibits: The following exhibits shall be attached to the PDP application:
 - i. Vicinity map indicating the relationship between the PDD and its surrounding area, including adjacent streets and thoroughfares.
 - ii. The PDP shall also contain, but not be limited to, the following information:
 - (a) Proposed name or title of project, the name of the engineer, architect and developer.
 - (b) North arrow, scale of one inch equals two hundred feet (1" = 200') or larger, date and legal description of the proposed PDP parcel.
 - (c) Boundaries of the parcel shown with bearings, distances, closures and bulkhead lines. All existing easements, section lines, streets and physical features in and adjoining the project and zoning.
 - (d) Names and locations of adjoining developments and subdivisions.
 - (e) Proposed parks, school sites or other public and private open space.
 - (f) Vehicular and pedestrian circulation systems, including off-street parking and loading areas, driveways and access points.
 - (g) Site data, including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary residential, secondary nonresidential uses and open space uses, the total number of dwelling units and square feet of gross nonresidential building area.
 - (h) Proposed common open space, including the proposed improvements and any complementary structures, and the tabulation of the percent of the total area devoted to common open space.
 - (i) General statement indicating proposed means of drainage for the site to ensure conformity with natural drainage within the vicinity area or with the drainage plan established within the vicinity area.
 - (j) General location within the site of each primary residential and secondary nonresidential use, and the proposed amount of land to be devoted to individual ownership.
 - (k) General statement indicating source of potable water and wastewater disposal.
 - (l) The proposed method of dedication and administration of the proposed common open space.
4. Additional standards to be addressed in the PDP application:
 - a. Block size and connectivity standards.
 - b. Minimum and maximum lot area and size.
 - c. Maximum lot depth and width.
 - d. Principle building setbacks (buildings close to and oriented to the street).

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- e. Other building setbacks (including balconies, canopies, accessory structures, porches, stoops, driveways, other encroachment limitations, etc.)
- f. Building heights measured by the number of stories.
- g. Accessory dwelling unit standards.
- h. Street-front building transparency standards (window and doors).
- i. Other building façade and street orientation standards.
- j. Parking location, delivery and loading standards.
- k. Recreational trails, multi-use pathways, sidewalks and roadways standards (conflicts between pedestrian and vehicular movements decided in favor of the pedestrian).
- l. Street cross sections.
- m. Alley requirements for residential lots less than sixty (60') in width.
- n. Common open space and storm water retention location and general design.
- o. Landscaping standards.
- p. Pedestrian and amenities such as benches and bicycle parking along neighborhood sidewalks and multi-use paths.
- q. Buffering and screening standards.
- r. Sign standards.
- s. Public, civic and park space standards.
- t. Public area lighting standards.

Section 27.09 Adjustments to Preliminary Development Plan

- A. Any adjustment to a PDP is subject to the review and approval of the planning director pursuant to procedures the set forth in Section 27.08 of this code.
- B. All adjustments to the PDP shall be reviewed for consistency with Policies FL.13.01-13.17 and the ENCPA Master Land Use Plan of the Nassau County 2030 Comprehensive Plan, compliance with the PD-ENCPA, and compliance with the applicable DSAP DO.

Section 27.10 Approval Procedure for Site Plans within DSAP/PDP

An applicant, within the approved DSAP, may simultaneously file with the submittal of a Preliminary Development Plan or following approval of a Preliminary Development Plan, site engineering plans for processing as follows:

A. Simultaneous PDP filing:

- 1. The procedure for review of the PDP shall be as set forth on Section 27.08. The PDP must be approved in order for the D.R.C. to grant approval of the site engineering plans.

B. Site Engineering plan informational requirements.

- 1. Eight (8) sets with a minimum of three (3) sets on 24" x 36" sheets. The balance may be on 11" x 17" sheets, all to be signed and sealed by the engineer of record together with a digital file in a format usable by Nassau County.
- 2. The Preliminary Development Plan approval, if applicable. Site engineering plans shall conform to approved Preliminary Development Plans.
- 3. Engineer or engineering company identified on each sheet of the site engineering plans together with executed certificate of completeness (signed and sealed statement by the engineer of record that the design complies with the requirements of the Nassau County Code). Improvements shall be designed in accordance with requirements of the utility company and approved by the county engineer or his/her designee.

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4. Paving and grading plans showing plan views, profiles and detail sheets in accordance with Ordinance 99-17, as amended, and the engineering services' technical review checklist.
 5. Drainage and geotechnical reports meeting the criteria of Ordinance 99-17, as amended, and engineering services' technical review checklist.
 6. Sediment and erosion control measures.
 7. Lighting plan conforming to Ordinance 2005-53, as same may be amended from time to time.
 8. Water and wastewater plans and profiles as applicable to the franchised utility provider and FDEP.
 9. SJRWMD permit or compliance letter; FDOT permit or notice of intent letter, and any other state or federal permits. No construction shall be allowed to commence until all permits have been obtained, and no preconstruction meeting shall occur prior to all necessary permits being obtained.
- C. The point of intake shall be the Growth Management Department. The DRC shall review the site engineering plans and Provide written comments to the applicant within twenty-one (21) days after submittal and meet with the applicant and their agent within twenty-eight (28) days after submittal. At that meeting the DRC will approve, approve subject to conditions or deny for cause the site engineering plans. If growth management has not approved the P.D.P or if the applicant has appealed a decision of growth management as to the P.D.P. then D.R.C. cannot approve, approve subject to conditions or deny for cause the site engineering plans. The D.R.C. decision shall be continued until the P.D.P. process is complete. Following a denial or approval subject to conditions, the applicant has a maximum of forty-five (45) calendar days to resubmit site engineering plans to the development review coordinator. The re-submittal will also include a written reiteration of the original comment(s) followed by a response. The DRC will reconsider the amended site engineering plans at a regular meeting to take place not more than fourteen (14) days following re-submittal. The re-review shall be based upon satisfaction of initial comments. The Growth Management Director will do all things necessary and appropriate to abbreviate the review time for applications.
- D. Appeals and variances.
1. An aggrieved person who wishes to challenge a decision of the development review committee with respect to a site engineering plan, including a denial of an application or a condition of approval, shall file a written petition for hearing, along with the appropriate fee, to the Clerk of Court within thirty (30) calendar days from the date of final decision.
 2. The petition shall be on a form provided by Nassau County and shall include a statement and supporting material setting forth the particular basis for the challenge, including the applicable code sections alleged to be applied in error, and setting forth the different result which would occur if the provisions were correctly applied.
 3. Upon receipt of a timely and complete petition, the matter shall be duly noticed and placed on the agenda of the Planning and Zoning Board. The Planning and Zoning Board shall conduct the hearing within thirty (30) days of filing, unless otherwise mutually agreed to by the parties. Hearings will be open to the public.
 4. At the conclusion of the hearing, the Planning and Zoning Board may uphold the DRC decision, overturn the DRC decision, or modify the conditions of approval.
 5. Decisions of the Planning and Zoning Board may be appealed in the manner set forth in Sec. 5.06.
- E. Fees: Fees for Preliminary Development Plan (s) and site engineering plans approvals shall be established from time to time by the resolution of the Board of County Commissioners.