

**ORDINANCE 2019 - 26**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ARTICLE 25 OF THE LAND DEVELOPMENT CODE, PLANNED UNIT DEVELOPMENT (PUD), RESCINDING REQUIREMENT FOR RECORDING OF THE FINAL DEVELOPMENT PLAN OF A PLANNED UNIT DEVELOPMENT IN THE PUBLIC RECORDS; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Policy FL.10.05 of the Nassau County Comprehensive Plan requires the County to review existing regulations in the Land Development Code and revise as necessary in order to implement the Future Land Use Plan; and

**WHEREAS**, the Board of County Commissioners has found it in the best interest of the citizens of Nassau County to amend the Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Board conducted a public hearing on this Ordinance on October 15, 2019 and voted to recommend approval.

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida conducted a public hearing on this ordinance on October 28, 2019.

**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, Policies FL.01.01, FL.01.02, FL.10.05 and ED.05.02.

**SECTION 2. AMENDMENT**

A. Article 25 of the Land Development Code, Planned Unit Development (PUD), Section 25.05, Procedures, subsections E and F are amended as set forth herein:

**Section 25.05. - Procedures.**

(E) Final development plan approval procedure:

(1) Five (5) copies of the Final Development Plan shall be submitted to the senior planner forty-five (45) days prior to the next planning and zoning board meeting. During this forty-five (45) day period, the senior planner shall distribute copies of the final development plan to the appropriate county departments for review and comment. Each department shall conduct its review and submit written comments to the senior planner within fifteen (15) days after receipt of the final development plan.

(2) The senior planner shall submit the Final Development Plan along with a written analysis and recommendations to the Planning and Zoning Board for review at its next meeting. The analysis and recommendations submitted to the Planning and Zoning Board shall reflect the review and comments of the other County departments involved in the review of the Final Development Plan.

(3) The Planning and Zoning Board shall hold a public hearing to review the final development plan for consistency with the preliminary development plan, conformance with the provisions of this ordinance and other related county regulations. The planning and zoning board shall submit written recommendations to the board of county commissioners.

(4) The Board of County Commissioners shall hold a public hearing to review the final development plan and consider the recommendations of the Planning and Zoning Board. The Board of County Commissioners shall approve, approve with conditions, or deny the final development plan.

~~(5) Upon approval by the board of county commissioners, the Nassau County Clerk of the Circuit Court shall record the final development plan in the public records.~~

(F) Final development plan: The Final Development Plan shall include the following exhibits, which shall be prepared for each development phase:

(1) The Final Development Plan must be based upon the preliminary development plan and written plan of development adopted by Nassau County as part of the rezoning to the PUD district. Where a development standard is not specifically addressed by the PUD in conflict with the provisions of this land development code, the provisions of this code will govern. The Final Development Plan will contain the information and exhibits required by Section 5.07(C)(2) of this code, Class III preliminary binding site plans.

(2) Additional information required in final development plan:

(a) A statement of dedication signed by the owner of the PUD dedicating any improvements to Nassau County.

(b) Proposed lot lines (if any), lot and block numbers and dimensions of all residential uses and nonresidential uses and common open space.

(c) The proposed architectural and landscape deed restrictions that clearly reflect the compatibility of the variety of primary and secondary uses proposed.

(d) Location and width of canals, waterways and floodprone areas.

(e) Reservations, easements, alleys and any areas to be dedicated for public use and sites for other than residential use, with notes stating their purpose and any limitations.

~~(f) The final development plan shall be properly signed and executed by the developer as required for recording.~~

**SECTION 3. SEVERABILITY**

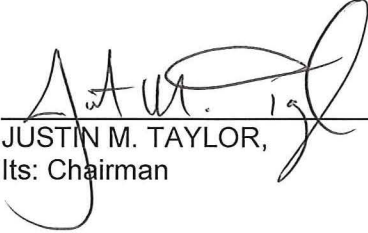
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality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

**SECTION 4. EFFECTIVE DATE**

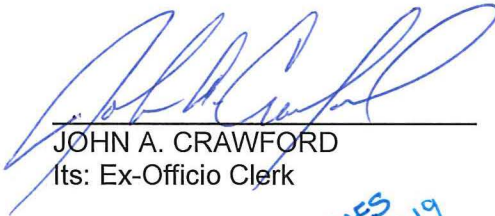
This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

PASSED and ADOPTED this 28th day of October, 2019.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

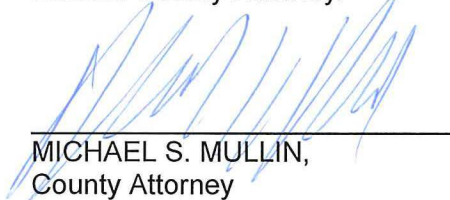
  
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JUSTIN M. TAYLOR,  
Its: Chairman

ATTEST as to Chairman's Signature:

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

MES  
10-29-19

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

  
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MICHAEL S. MULLIN,  
County Attorney