

**ORDINANCE 2023 - 034**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ARTICLE 12 OF THE LAND DEVELOPMENT CODE, RESIDENTIAL, GENERAL: RG-1; SPECIFICALLY AMENDING SECTION 12.04, MINIMUM LOT REQUIREMENTS, TO REVISE SUBSECTION 12.04(C)(2), MINIMUM LOT AREA FOR MULTIPLE-FAMILY DWELLINGS; SPECIFICALLY AMENDING SECTION 12.06, BUILDING RESTRICTIONS, TO DELETE SECTION 12.06(C)(2), MAXIMUM DENSITY FOR TOWNHOUSES AND MULTIFAMILY UNITS; AMENDING ARTICLE 13 OF THE LAND DEVELOPMENT CODE, RESIDENTIAL, GENERAL 2: RG-2; SPECIFICALLY AMENDING SECTION 13.04, MINIMUM LOT REQUIREMENTS, TO REVISE SUBSECTION 13.04(A)(4)(b), MINIMUM LOT AREA FOR MULTIPLE-FAMILY DWELLINGS AND OTHER PERMITTED STRUCTURES; SPECIFICALLY AMENDING SECTION 13.06, BUILDING RESTRICTIONS, TO DELETE SUBSECTION 13.06(C), MAXIMUM DENSITY; PROVIDING FOR FINDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; 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**, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163 Florida Statutes and the Nassau County Land Development Code; and

**WHEREAS**, the Board of County Commissioners finds this ordinance serves the health, safety, and welfare of the residents of and visitors to Nassau County, Florida.

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Nassau County that the following regulation is hereby adopted.

## **SECTION 1. FINDINGS**

The above findings are true and correct and are incorporated herein by reference. This Ordinance is consistent with the goals, objectives, and policies of the Nassau County Comprehensive Plan, specifically Future Land Use Policy FL.10.05.

## **SECTION 2. AMENDING ARTICLE 12**

A. Land Development Code Article 12, Section 12.04, is hereby amended to read as follows:

### **Section 12.04. Minimum lot requirements.**

- (A) Single-family dwellings and duplexes.
  - (1) Minimum lot width: Seventy-five (75) feet.
  - (2) Minimum lot area: Eight thousand seven hundred (8,700) square feet.
- (B) Townhouses.
  - (1) Minimum lot width:
    - (a) Interior lot: Twenty (20) feet.
    - (b) Exterior lot: Thirty (30) feet.
  - (2) Minimum lot area:
    - (a) Interior lot: Two thousand (2,000) square feet.
    - (b) Exterior lot: Three thousand (3,000) square feet.
- (C) Multiple-family dwellings:
  - (1) Minimum lot width: Seventy-five (75) feet.
  - (2) Minimum lot area: Eight thousand seven hundred (8,700) square feet ~~plus five thousand five hundred (5,500) square feet for each dwelling unit in excess of two (2).~~

B. Land Development Code Article 12, Section 12.06, is hereby amended to read as follows:

### **Section 12.06. Building restrictions.**

- (A) Maximum building height:
  - (1) Single-family: Thirty-five (35) feet.
  - (2) Duplexes and townhouses: Thirty-five (35) feet.
  - (3) Multiple-family dwellings: Thirty-five (35) feet.
- (B) Maximum lot coverage: Thirty-five (35) percent.
- (C) Maximum density:
  - (1) Single-family dwellings and duplexes: Five (5) dwelling units per acre.
  - ~~(2) Townhouses and multifamily units:~~
    - ~~(a) Normal maximum: Eight (8) units per acre.~~

~~(b) Bonus density: Twelve (12) units per acre may be permitted when units are clustered so as to reduce frontage and entry cuts on major county or state roads. (Comprehensive Plan Policy 1.03.04)~~

### **SECTION 3. AMENDING ARTICLE 13**

A. Land Development Code Article 13, Section 13.04, is hereby amended to read as follows:

#### **Section 13.04. Minimum lot requirements.**

- (A) Single-family dwellings and duplexes.
  - (1) Minimum lot width: Seventy-five (75) feet.
  - (2) Minimum lot area: Eight thousand seven hundred (8,700) square feet.
  - (3) Townhouses.
    - (a) Minimum lot width:
      - 1. Interior lot: Twenty (20) feet.
      - 2. Exterior lot: Thirty (30) feet.
    - (b) Minimum lot area:
      - 1. Two thousand (2,000) square feet.
      - 2. Three thousand (3,000) square feet.
  - (4) Multiple-family dwellings and other permitted structures:
    - (a) Minimum lot width: One hundred twenty-five (125) feet.
    - (b) Minimum lot area: Fifteen thousand (15,000) square feet ~~plus four thousand three hundred five (4,305) square feet for each dwelling unit in excess of four (4), exclusive of land dedicated or reserved for street right-of-ways, marshlands and other similar open space as may be determined by the planning and zoning board in the site plan review.~~

B. Land Development Code Article 13, Section 13.06, is hereby amended to read as follows:

#### **Section 13.06. Building restrictions.**

- (A) Maximum building height:
  - (1) Single-family dwellings, duplexes, and townhouses: Thirty-five (35) feet.
  - (2) Multiple-family dwellings and other permitted structures may exceed a height of thirty-five (35) feet, subject to meeting all requirements specified herein provided that no structure shall exceed eighty-five (85) feet or seven (7) stories. Within the unincorporated areas of Amelia Island, maximum building height is forty-five (45) feet. For buildings on Amelia Island and in existence on June 14, 2021, the applicable maximum height in the event of reconstruction shall be the building height prior to reconstruction.
- (B) Maximum lot coverage:
  - (1) Single-family dwellings, duplexes, and townhouses: Thirty-five (35) percent.

- (2) Multiple-family dwellings exceeding thirty-five (35) feet in height shall comply with the following lot coverage percentages:
  - (a) Thirty-five (35) feet—Twenty-six (26) percent.
  - (b) Forty-five (45) feet—Twenty-five (25) percent.
  - (c) Fifty-five (55) feet—Twenty-three (23) percent.
  - (d) Sixty-five (65) feet—Twenty-one (21) percent.
  - (e) Seventy-five (75) feet—Nineteen (19) percent.
  - (f) Eighty-five (85) feet—Seventeen (17) percent.

~~(C) Maximum density:~~

~~(1) Single family dwellings and duplexes: Five (5) dwelling units per acre.~~

~~(2) Townhouses and multifamily units:~~

~~(a) Normal permitted density: Ten (10) units per acre.~~

~~(b) Bonus density: Twelve (12) units per acre may be permitted when units are clustered so as to reduce frontage and entry cuts on major county or state roads. (Comprehensive Plan Policy 1.03.04)~~

#### **SECTION 4. CODIFICATION.**

It is the intent of the Board of County Commissioners for Nassau County that the provisions of this Ordinance shall become and shall be made part of the Code of Ordinances of Nassau County, Florida. The sections of this Ordinance may be re-numbered or re-lettered and the words may be changed to section, article or other such appropriate word or phrase in order to accomplish such intention. The Nassau County Clerk of Courts will ensure that this Ordinance is codified into, and published, as part of the Nassau County Code of Ordinances.

#### **SECTION 5. CONFLICTING PROVISIONS.**

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

#### **SECTION 6. 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.

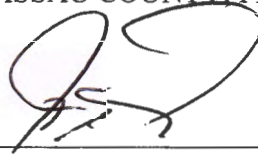
[The remainder of this page is intentionally left blank.]

**SECTION 7. EFFECTIVE DATE.**

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

**ADOPTED THIS 28th DAY OF August, 2023 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.**

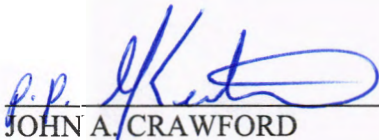
BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



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KLYNT A. FARMER  
Chairman

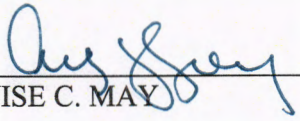
ATTEST AS TO CHAIRMAN'S SIGNATURE:



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JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:

for  \_\_\_\_\_  
DENISE C. MAY



**FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

September 6, 2023

Honorable John A. Crawford  
Clerk of the Circuit Court  
Nassau County  
76347 Veteran's Way, Suite 456  
Yulee, Florida 32097

Attention: Heather Nazworth

Dear Honorable John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2023-034, which was filed in this office on September 6, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh

2023-034

**Heather Nazworth**

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**From:** Municode Ords Admin <MunicodeOrds@civicplus.com>  
**Sent:** Thursday, September 7, 2023 12:18 PM  
**To:** Heather Nazworth  
**Subject:** \*EXTERNAL\*: RE: Nassau County, FL Code of Ordinances - 2023(11325) OrdBank

**This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

We have received your files.

Thank you and have a nice day.

Ords Administrator  
[Municodeords@civicplus.com](mailto:Municodeords@civicplus.com)  
1-800-262-2633  
P.O. Box 2235  
Tallahassee, FL 32316

When available, please send all documents in WORD format to [Municodeords@civicplus.com](mailto:Municodeords@civicplus.com). However, if WORD format is not available, we welcome any document format including PDF.

**SVj (she/her/hers)**

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Powering and Empowering Local Governments

**From:** Heather Nazworth <hnazworth@nassauclerk.com>  
**Sent:** Wednesday, September 6, 2023 12:47 PM  
**To:** Municode Ords Admin <MunicodeOrds@civicplus.com>  
**Subject:** Nassau County Ordinance

Gentlemen:

Enclosed please find a certified copy of Ordinance No. 2023-034 adopted by the Nassau County Board of County Commissioners in Regular Session on August 28, 2023. **Also, please provide a confirmation email.**

Please include these ordinances in the supplement. Thank you for your assistance in this matter.

On behalf of John A. Crawford, Ex-Officio Clerk



Heather Nazworth  
Chief Deputy Clerk Services/BOCC/VAB  
Nassau County Clerk of the Circuit Court/Comptroller  
76347 Veterans Way, Ste. 456  
Yulee, FL 32097

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Website: [www.nassauclerk.com](http://www.nassauclerk.com)

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