

ORDINANCE 2024-006

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE 2030 NASSAU COUNTY COMPREHENSIVE PLAN; AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE FUTURE LAND USE ELEMENT; AMENDING POLICY FL.11.08.D REQUIRING THE LIMITED DEVELOPMENT OF THE SUBJECT PROPERTY; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Nassau County Board of County Commissioners is empowered to adopt Ordinances pursuant to Chapter 125.66, Florida Statutes; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Community Planning Act (the “Act”), empowers and requires the Nassau County Board of County Commissioners to: (a) plan for the County’s future development and growth; (b) adopt and amend comprehensive plans or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations or elements thereof; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, the Nassau County Planning and Zoning Board has been established and designated as the Local Planning Agency (“LPA”) for unincorporated Nassau County, Florida, pursuant to section 163.3174, Florida Statutes; and

WHEREAS, the Boards have in the preparation of the amendments to the Nassau County Comprehensive Plan 2010-2030 performed or caused to be performed the necessary studies and surveys, the collection of appropriate data, the holding of such public hearings, workshops and meetings as necessary, and have effectively provided for public participation, notice, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, communication programs, information services, considerations of, and response to, public and official comments; 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.

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

SECTION 1. FINDINGS.

The above findings are true and correct and are hereby incorporated herein by reference.

SECTION 2. PURPOSE AND INTENT.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Chapter 163, Part II, Florida Statutes, and Chapter 125, Florida Statutes.

SECTION 3. AMENDMENTS TO COMPREHENSIVE PLAN.

(A) The Board of County Commissioners of Nassau County, Florida, hereby amends and revises the Future Land Use Element of the Nassau County Comprehensive Plan 2010-2030 as adopted by Ordinance Number 2010-11, as amended. The Future Land Use Element shall be revised as shown in Attachment "A".

(B) The amendment described herein was fully considered after a public hearing pursuant to legal notice duly published as required by law and enumerated above.

(C) To make the Nassau County Comprehensive Growth Management Plan available to the general public, a certified copy of this Ordinance, the Nassau County Comprehensive Plan 2010-2030, and any Amendments thereto, shall be located in the Nassau County Planning Department, located at 96161 Nassau Place, Yulee, Florida, 32097. The Planning Department, through its Director, shall make copies available for public inspection, and provide duplication for a reasonable publication and copy charge.

SECTION 4. APPLICABILITY AND EFFECT.

The applicability and effect of the Nassau County Comprehensive Plan 2010-2030 shall be as provided by the Community Planning Act, Chapter 163, Part II, Florida Statutes, and this Ordinance. All provisions of the Nassau County Comprehensive Plan 2010-2030 not amended herein shall remain in full force and effect.

SECTION 5. 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. FILING.

A certified copy of this Ordinance, as well as Certified Copies of the Nassau County Comprehensive Plan 2010-2030, and subsequent amendments thereto, shall be filed with the Nassau County Clerk of the Circuit Court.

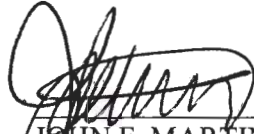
SECTION 7. EFFECTIVE DATES.

(A) The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the County that the plan amendment package is complete, pursuant to Section 163.3184(3)(c)4. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

(B) A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.


ADOPTED THIS 10th DAY OF June, 2024 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



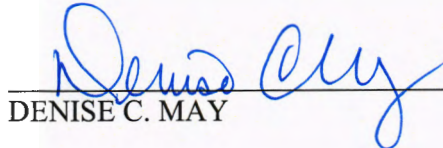
JOHN F. MARTIN
Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY

ATTACHMENT A
Future Land Use Element Amendment

Policy FL.11.08

Notwithstanding the entitlements provided under this Comprehensive Plan, certain property owners have voluntarily proffered, and Nassau County does hereby accept, an agreement to limit the development of their property in accordance with the adopted policies under this objective and subject to compliance with all applicable development standards and procedures.

Voluntary proffered agreements to limit development on specific property shall be approved by the County through the Comprehensive Plan amendment process and memorialized in an adopted policy that specifies the location and ownership of the property at the time of amendment adoption. The policy shall specify the maximum development program to be allowed on the subject property and any other limitations agreed upon with the county. Unless otherwise specified, the limitations shall remain on the subject property regardless of ownership or future subdivision of the property.

The location of the subject property of an approved voluntary proffered agreement shall be delineated on the Future Land Use Map (FLUM) and annotated with a description of the maximum development program for the property. *This Policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(a-f).*

- A) ***CPA06-007 Corporate Realty Advisors (Ordinance 2008-09)***: Approximately 25 acres in Section 39, Township 2N, Range 26 East and Section 44, Township 2N, Range 27 East located in the northeast quadrant of the interchange of Interstate 95 and S.R. 200 lying north of the electric transmission line easement recorded in O.R. 123 at page 284. This property was the subject of CPA06-007 (Ordinance 2008-09) and is owned by Corporate Realty Advisors of Jacksonville Beach. Said parcel is limited to 250,000 square feet of shopping center, ITE Code 820 or an equivalent commercial use, or combination of uses, generating no more than 982 new p.m. peak hour trips (total trips minus pass-by trips). *This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(a).*
- B) ***CPA08-005 17/95 RV Park LLC (Ordinance 2008-20)***: Approximately 149.88 acres lying in Section 35, Township 4N, Range 26 East and Section 02, Township 3N, Range 26 East located in the northwest quadrant of the interchange of Interstate 95 and U.S. Highway 17. This property was the subject of CPA08-005 (Ordinance 2008-20) and is owned by 17/95 RV Park LLC of Fernandina Beach. Said parcel is limited to 1,209,300 square feet of general light industrial, ITE Code 110 or an equivalent combination of industrial uses generating no more than 1,572 p.m. peak hour trips. *This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(b).*
- C) ***CPA08-004 Harts Road LLC (Ordinance 2008-19)***: Approximately 200 acres lying in Section 42, Township 2N, Range 27 East located near the intersection of William Burgess Blvd. and Harts Road. This property was the subject of CPA08-004 (Ordinance 2008-19) and is owned by Harts Road LLC of Fernandina Beach. Said parcel is limited to 2,050,000 square feet of High Cube Warehouse, ITE Code 152 or an equivalent combination of industrial uses generating no more than 305 p.m. peak hour trips. *This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(c).*
- ~~D) ***CPA09-002 ICI Villages LLC (Ordinance 2009-20)***: Approximately 487.19 acres lying in Sections 29, 30 and 31, Township 2S, Range 23 East located between U.S. Route 90 and Interstate 10. This property was the subject of CPA09-002 (Ordinance 2009-20) and is owned by ICI Villages LLC of Daytona Beach, Florida. Conservation easements shall be established pursuant to Sec. 704.06 F.S. in order to preserve and maintain a minimum of seventy-five (75) acres south of the CSX rail~~

~~line and shall be classified as Conservation I. The easements shall be established prior to the first site plan approval on the industrial site. The limits of this conservation area are subject to minor refinement to reflect a more exacting description when the property has been issued an Environmental Resource Permit by the St. Johns River Water Management District.~~

~~Development of the Subject property shall be limited to 2,350,000 square feet of uses permitted in the Industrial portion and 40,000 enclosed square feet of uses permitted in the Commercial portion that altogether generate no more than 688 external p.m. peak hour trips. Any development of the property that would generate more than 688 peak hour trips must be preceded by an amendment to the Schedule of Capital Improvements including any roadway improvements needed to achieve and maintain the adopted level of service based upon the maximum development potential. The Capital Improvements contained in the Comprehensive Plan Amendment shall be derived from a traffic impact study whose methodology is acceptable to the City of Jacksonville Planning and Development Department, Nassau County Growth Management Department, and the Florida Department of Transportation. *This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(e).*~~

- E) ***CPA 10-001 Terra Pointe, LLC (Ordinance 2010-06)***: Approximately 1,814 acres lying in Sections 2, 3, 4, 9, 10 and 11, Township 1 North, Range 24 East located near the intersection of U.S. Highway 301 and Crawford Road. This property was the subject of CPA10-001 and is owned by Terra Pointe, LLC of Fernandina Beach. A minimum of 309 acres of wetlands shall be preserved within the site. Development of the remaining portions of the property shall be limited to 780,000 sq. ft. of General Light Industrial (ITE 110), 780,000 sq. ft. of Manufacturing (ITE 140), and 3,640,000 sq. ft. of High Cube Warehouse (ITE 152) or any equivalent use(s) permitted by the industrial FLUM category generating no more than 1,942 p.m. peak hour trips. If at any time of development either:

- i) Link 83 (CR119 to Crawford Rd and Link 84 (Crawford Road to Pickett Road) on US Highway 301 are widened to 4 lanes; or
- ii) Links 83 and 84 are in FDOT's Five-Year Work Program; or
- iii) Links 83 and 84 are moved into the County's adopted Capital Improvements Schedule;

then development consistent with the Industrial FLUM category that generates up to 2,507 additional external pm peak hour trips shall be allowed for the subject property (4,449 total trips). No commercial mining operations shall be permitted within the property. *This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(f).*



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 17, 2024

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

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. 2024-006, which was filed in this office on June 14, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Aleina Colon

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Monday, June 17, 2024 8:12 AM
To: Aleina Colon
Subject: *EXTERNAL*: RE: Nassau County, FL Code of Ordinances - 2023(11325) OrdBank

You don't often get email from municodeords@civicplus.com. [Learn why this is important](#)

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
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

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

SVj (she/her/hers)

Production Support Specialist Supplement Department • CivicPlus
civicplus.com



Powering and Empowering Local Governments

From: Aleina Colon <acolon@nassauclerk.com>
Sent: Friday, June 14, 2024 3:39 PM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Cc: Heather Nazworth <hnazworth@nassauclerk.com>
Subject:

You don't often get email from acolon@nassauclerk.com. [Learn why this is important](#)

Gentleman:

Enclosed, please find a certified copy of Ordinance No. 2024-005, 2024-006, and 2024-007 adopted by the Nassau County Board of County Commissioners in Regular Session on June 10, 2024. 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

Aleina Colón

Administrative Records Specialist I
Nassau County Clerk Of Courts/Comptroller
76347 Veterans Way
Yulee, FL 32097
Direct: (904) 548-4512
Fax: (904) 548-5449
Toll-Free: (800) 958-3496
Email: acolon@nassauclerk.com
Website: www.nassauclerk.com

***We are public servants!
Our every effort shall be dedicated to
protecting and preserving the public trust!***