

RESOLUTION 85-15

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING RESOLUTION 85-11 WHICH APPROVED THE APPLICATION FOR DEVELOPMENT APPROVAL OF SUMMER BEACH, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, on April 4, 1984, Summer Beach, LTD., hereinafter referred to as "Applicant", submitted in Nassau County, an application for development approval (ADA) for Development of Regional Impact (DRI) known as "Summer Beach", in accordance with Section 380.06, Florida Statutes; and

WHEREAS, Summer Beach proposes to develop approximately 2,415 dwelling units and related uses as defined on revised maps H-1 and H-2 and tables 12A-2 and 12A-3 of the DRI application upon real property located in Nassau County, Florida and owned by Summer Beach, LTD., as further described in the attached Exhibit "A" and made a part hereof; and

WHEREAS, The Board of County Commissioners, as the governing body of the local government having jurisdiction, pursuant to Section 380.031 and 380.06, Florida Statutes, is authorized and empowered to consider applications for development approval; and

WHEREAS, pursuant to Section 380.06 (7), Florida Statutes, a Notice of Public Hearing of these proceedings was duly published; and

WHEREAS, upon publication and furnishing of due notice, a public hearing was commenced in these proceedings on August 3, 1984 and said hearing was continued and further hearings have been held on September 13, 1984, October 16, 1984, October 22, 1984, and November 19, 1984, before the Board of County Commissioners of Nassau County, Florida; and

WHEREAS, the Nassau County Planning Commission has had the opportunity to review the application for development

approval and the Planned Unit Development Application and has recommended approval to the Board of County Commissioners; and

WHEREAS, pursuant to Section 380.06 (11) Florida Statutes, The Northeast Florida Regional Planning Council (NEFRPC), the appropriate regional planning agency, prepared and submitted to Nassau County its report and recommendations on the regional impact of the development; and

WHEREAS, the Board of County Commissioners and said Planning Commission have considered the testimony, reports and other documentary evidence submitted at said public hearings by said Summer Beach, NEFRPC, as well as Nassau County staff, and the public in attendance at said public hearings; and

WHEREAS, The Board of County Commissioners having been made aware, by the Department of Community Affairs, that a portion of the Resolution 85-11 pertaining to transportation conditions must be amended to include the state and regional roads in addition to county roads, and

WHEREAS, the Developer having been apprised of the proposed amendment agrees to said amendment, and

WHEREAS, the Board of County Commissioners has considered the proposed amendment at a duly held public meeting;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, that Resolution 85-11 is amended as follows:

1. Paragraph 3.9 of the Attachment "B" states:

If, based upon the Island-wide transportation study and monitoring report, Nassau County, through its engineer, determines that traffic generated by Summer Beach is impacting a roadway or intersection in the County road system within the project's primary impact area on Amelia Island not addressed by the Summer Beach development order, the Applicant shall be required to pay his proportionate share of the cost of improving such roadways. Nassau County, through its engineer, shall review the annual traffic reports prior to making its determination. The applicant's proportionate share of improvement cost shall be based on the percentage of Summer Beach Traffic using such improvements. The Applicant shall pay his share of improvement cost to the County. This stipulation applies only to those county maintained roads that are within the primary impact area as established in the Summer Beach ADA.

2. Paragraph 3.9 is hereby amended to read as follows:

If, based upon the Island-wide transportation study and monitoring report, Nassau County, through its engineer, determines that traffic generated by Summer Beach is impacting a roadway or intersection in a state, regional or county road system within the project's primary impact area on Amelia Island not addressed by the Summer Beach Development Order, the Applicant shall be required to pay his proportionate share of the cost of improving such roadways. Nassau County, through its engineer, shall review the annual traffic reports prior to making its determination. In addition, should the FDOT determine that traffic generated by Summer Beach is impacting roadway or intersections of the state or regional road system not addressed by the Development Order, the applicant shall be required to pay his proportionate share of the cost of improving such roadways. The Applicant's proportionate share of improvement cost shall be based on a percentage of Summer Beach traffic using such

improvements. The Applicant shall pay his share of the improvement cost with the agency having jurisdiction over the road(s) warranting improvements. This stipulation applies only to those State, Regional and County maintained roads that are within the primary impact area as established in the Summer Beach ADA.

PASSED AND ADOPTED this 6th day of February 1985.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

By: John F. Clayton
Its Chairman

ATTEST:

By: T. J. Greeson
T. J. Greeson
Its Ex-officio Clerk