

RESOLUTION 86-8

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY, FLORIDA, FINDING THAT THE AMENDMENT TO THE SUMMER BEACH PUD AND SUMMER BEACH DEVELOPMENT ORDER ARE NOT A SUBSTANTIAL DEVIATION PURSUANT TO SECTION 380.06 (17) FLORIDA STATUTES, AND FURTHER FINDING THAT THE PUD DEVELOPMENT ORDER SHOULD BE AMENDED.

WHEREAS, The Nassau County Board of County Commissioners on the 19th day of December, 1984, approved Resolution 85-11, and

WHEREAS, Resolution 85-11 approved the application for development approval of Summer Beach subject to certain conditions and

WHEREAS, Resolution 85-11 incorporated the rezoning of the parcels of land known as Summer Beach to that of a P.U.D., and

WHEREAS, the developer of Summer Beach has filed an amendment to said P.U.D., and

WHEREAS, the Planning Commission has reviewed said amendment and conducted public hearings, and made a finding that the amendments do not constitute a substantial deviation pursuant to Section 380.06 (17), Florida Statutes, and

WHEREAS, the Planning Commission has recommended approval of changes and amendments with specific provisions.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The changes proposed to the P.U.D. and development order do not constitute a substantial deviation pursuant to Florida Statutes, Section 380.06(17)(b).

2. The P.U.D. and Development Order should be amended as stated below.

THE REVISIONS SHOULD BE AS FOLLOWS:

I. Revisions to the main body of Resolution 85-11

1. Following items: 2(h), page 4, add:

i. An application to amend development order submitted to Nassau County by letter dated July 8, 1985.

j. Revised maps H-1R(1) and H-2R(1) dated September 9, 1985.

k. Revised tables 12-A-2 and 12-A-3 dated September 9, 1985.

2. Paragraph 6(j), add: and the annual water quality report on the lake system of the golf course and the discharge from parcels C and J.

II. Revisions to Attachment B, Resolution 85-11.

1. Article 1.1 - change "H" to "K".

2. Article 3.0 - add:

Section 3.12: The applicant shall construct a grade separated crossing on A.I.A. for golf carts and pedestrians connecting parcels B and C prior to opening the course and another grade crossing of the parking connecting parcels B and J with traffic signals in conjunction with the roadway entrances to parcels B and J (push button pedestrian type).

3. Article 4.1(a) - Add at the end: The applicant agrees to preserve, as a part of this commitment, the following specific hammock parcels:

(1) All of Parcel G - 4.16 acres.

(2) All of Parcel H - 13.31 acres.

(3) All of Parcel I - 4.87 Acres.

(4) In Parcel A, a continuous buffer a minimum of 200' in width along the southern property boundary and along the Amelia Island Parkway frontage of Parcels A-5 and A-6. A minimum 75' buffer along the rest of the Parkway frontage with the exception of the sub-phase known as Sailmaker which has been approved with a 47 foot buffer. This buffer can be crossed for two roadway entrances, the existing beach access easement, and one multi-purpose trail.

(5) The developer shall retain natural buffers along the roadway frontage of parcels B,C and J with final approval

reserved to the Planning Commission for each final development plan of each parcel.

4. Add Article 4.9: The Applicant shall retain a professional biologist as a consultant to the golf course architect. The course shall be designated to minimize and mitigate the negative impacts of the course on the various habitats of the site and/or create features which enhance habitat diversity.

5. Add Article 4.10: Each final development plan is to show the existing and proposed grading of the parcel as well as a construction pad (area) requirements for the development of the structures, roadways and parking on each parcel. This is to insure that there shall be a maximum amount of preservation of natural vegetation.

6. Article 5.3 should be deleted and should read as follows: "The Applicant shall work with the Amelia Island Waterworks to make all possible efforts to dispose of treated sewage effluent on the golf course and other open spaces within Summer Beach by means of a spray irrigation system. The Applicant shall provide for the disposal of the maximum amount of effluent commensurate with state regulations and maintenance of a healthy golf course. All plans and agreements developed for the disposal of effluent shall be submitted to the County, and all applicable state agencies for review and recommendations prior to initial development."

7. Add Article 5.6: The Applicant shall prepare an annual monitoring of the water quality of the golf course lake system and the drainage discharge from parcels C and J to assure that fertilizers and pesticides levels to not exceed standards established by DER and SJRWMD. The report shall meet the standards and format established by the DER and SJRWMD. The Applicant shall ensure that only biodegradable fertilizers and

EPA and DER approved pesticides and fungicides are used. This report shall be included in the Annual Monitoring Report and submitted to DER and SJRWMD and shall be prepared annually for five years after completion of the golf course.

8. Add Article 5.7: The golf course shall be designed so that sheet flow from grassed areas into any pond or wetland area does not occur during the first one-half inch of rainfall in a storm event. This shall be accomplished by the design of slopes and use of berms.

9. Add Article 5.8: In all manmade ponds provided in the golf course, including the existing borrow pits in Parcel J. bottom slopes of the pond area shall be designed to support a freshwater wetlands vegetation association in areas adjacent to hammock preserves, buffers and other appropriate areas. The design of these slopes and vegetation shall be approved by the DER, SJRWMD and Florida Game and Fresh Water Fish Commission.

10. Add Article 5.9: The Applicant shall prepare and distribute educational literature on the design of the golf course and its features that are specifically related to enhancement of environmental diversity.

11. Add Article 5.10: If the Applicant elects to utilize the existing well located in the land area added to parcel J, all regulations of the St. Johns River Water Management District and DER shall be complied with.

12. Add Article 5.11: The Applicant shall amend the SJRWMD Conceptual Stormwater Management Permit issued on the site to include the land added to Parcel J.

13. Add Article 11.9: The Applicant shall prepare deed restrictions that provide for the perpetual use of the golf course as open space/recreational use.

14. Add Article 11.10: Parcel C-7 should be dedicated to the City of Fernandina Beach.

15. Article 12.8: Delete paragraphs titled parcel G and Parcel H.

16. Article 12.8: Add to the end of the paragraph titled Parcel J: "Emergency only" entrances may be provided to Scott Road and/or SR AIA if required by the Director of Emergency Services of Nassau County.

17. Add at end of Article 12.12:unless altered in the final development pland review process.

DATED this 22nd day of October, 1985.

BOARD OF COUNTY COMMISSIONERS,
NASSAU COUNTY, FLORIDA.

BY: James E. Testone
JAMES E. TESTONE, CHAIRMAN

ATTEST:

BY: T. J. Greeson
T. J. GREESON
Its: Ex-Officio Clerk