

ORDINANCE 2019 - 28

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ARTICLE 15 OF THE LAND DEVELOPMENT CODE, COMMERCIAL NEIGHBORHOOD (CN), ALLOWING FOR THE SALE OF ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT ABOVE FOURTEEN (14) PERCENT FOR ON-PREMISES CONSUMPTION AS A CONDITIONAL USE IN THE COMMERCIAL NEIGHBORHOOD (CN) DISTRICT; 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 public hearings on this ordinance on October 28, 2019 and November 18, 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 15 of the Land Development Code, Commercial Neighborhood (CN), Section 15.04, Conditional Uses, is amended as set forth herein:

Section 15.04. - Conditional uses.

- (A) Antique shops.
- (B) Plant nurseries.
- (C) Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on-premises or off-premises, or the sale of alcoholic

beverages with alcoholic content above fourteen (14) percent for on-premises consumption.

- (D) Gasoline dispensing facility containing not more than one (1) pump island with not more than four (4) gasoline and/or fuel pumps; provided no repairs or other automobile services are permitted.
- (E) Multifamily dwelling when located above a permitted principal use as listed above.
- (F) Fraternal clubs, lodges, and social and recreational clubs.
- (G) Video game parlor and/or game rooms.
- (H) Private/nonpublic school.

SECTION 3. SEVERABILITY

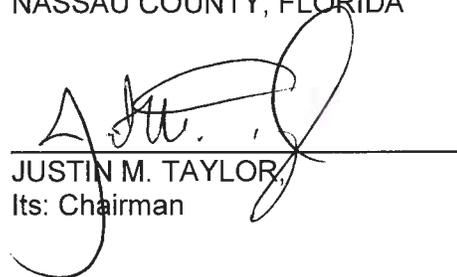
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality 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.

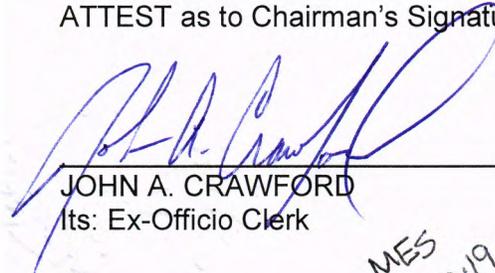
PASSED and ADOPTED this 18th day of November 2019.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JUSTIN M. TAYLOR
Its: Chairman

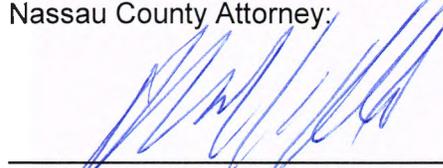
ATTEST as to Chairman's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
11.20.19

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



MICHAEL S. MULLIN,
County Attorney