

ORDINANCE NUMBER 2025-022

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE; SPECIFICALLY AMENDING ARTICLE 15, COMMERCIAL NEIGHBORHOOD; ADDING SMALL BATCH PRINTING PRESS AS A CONDITIONAL USE; ADDING SUPPLEMENTARY REGULATIONS FOR PLANT NURSERIES; AMENDING ARTICLE 16, COMMERCIAL, GENERAL; AMENDING SECTION 16.03, CONDITIONAL USES; ADDING SUPPLEMENTARY REGULATIONS FOR PLANT NURSERIES; AMENDING ARTICLE 17, COMMERCIAL, INTENSIVE; AMENDING SECTION 17.01, PERMITTED USES AND STRUCTURES; REMOVING MINI STORAGE FACILITY; ADDING SELF-STORAGE FACILITY (MINI-WAREHOUSE FACILITY) SUBJECT TO SUPPLEMENTARY REGULATIONS; AMENDING SECTION 17.04, CONDITIONAL USES, CLARIFYING SUPPLEMENTAL REGULATIONS FOR TRAVEL TRAILER PARKS AND CAMPGROUNDS; AMENDING ARTICLE 18, COMMERCIAL, HIGHWAY AND TOURIST; AMENDING SECTION 18.01, PERMITTED USES AND STRUCTURES, REMOVING SELF STORAGE FACILITIES; AMENDING ARTICLE 20, INDUSTRIAL, WAREHOUSE; AMENDING SECTION 20.01, PERMITTED USES AND STRUCTURES; REMOVING RV AND BOAT STORAGE FACILITIES; AMENDING SECTION 20.03, CONDITIONAL USES, ADDING SELF-STORAGE FACILITIES (MINI-WAREHOUSE); ADDING RV AND BOAT STORAGE; AMENDING ARTICLE 21, INDUSTRIAL, HEAVY; AMENDING SECTION 21.03 TO ADD SELF-STORAGE FACILITIES (MINI-WAREHOUSE); AMENDING ARTICLE 22, OPEN RURAL, AMENDING SECTION 22.01 PERMITTED USES AND STRUCTURES AND SECTION 22.03 CONDITIONAL USES ALLOWING FOR SOLAR FARMS AS A PERMITTED USE; AMENDING ARTICLE 24, RECREATION AND OPEN SPACE; AMENDING SECTION 24.03, CONDITIONAL USES; ADDING SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

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 Future Land Use Policy FL.10.05.

SECTION 2. AMENDING ARTICLE 15. COMMERCIAL, NEIGHBORHOOD: CN.

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Section 15.04. Conditional uses.

- (A) Antique shops.
- (B) Plant nurseries subject to supplementary regulations in Section 28.16.
- (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.

(I) Small batch printing press.

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SECTION 3. AMENDING ARTICLE 16. COMMERCIAL, GENERAL: CG.

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Section 16.03. Conditional uses.

(A) Drive-in restaurants and theaters.

(B) Auto service stations and repair garages.

(C) Auto sales lots.

(D) Private/nonpublic schools.

(E) Establishments or facilities selling alcoholic beverage for on-site or off-site consumption.

(F) Any use listed as a permitted use in the Commercial Intensive District, section [17.01], excluding sexually oriented businesses.

(G) Plant nursery subject to supplementary regulations in Section 28.16.

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SECTION 4. AMENDING ARTICLE 17. COMMERCIAL INTENSIVE: CI.

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Section 17.01. Permitted uses and structures.

(A) Retail outlets for the sale of general merchandise including new or used automobiles, trucks and tractors, motorcycles, mobile homes, boats, automotive vehicle parts (but not automobile wrecking or storage yards, junk yards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery (including outside display) or landscape contractor, lumber and building supplies, food and drugs, medical marijuana treatment center dispensing facilities, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops, musical instruments, florist or gift shop, delicatessen, bakery (but not wholesale bakery), home furnishing and appliances (including repair incidental to sales), office equipment or furniture, antiques, secondhand merchandise, hardware, and similar uses.

(B) Service establishments of all kinds including automobile service stations or truck stops, repair and service garages, motor vehicle body shops, rental of automotive vehicles, trailers, and trucks, auto laundries, small engine repair, restaurants (including drive-in restaurants),

veterinarian or animal boarding kennels in soundproofed buildings, pest control, carpenter or cabinet shops, home equipment rental, ice delivery stations, marinas, radio or television broadcasting studios, offices, transmitter and antenna facilities, barber or beauty shops, shoe repair shops, interior decorator, reducing salons or gymnasiums, tailors or dressmakers, laundry or dry cleaning establishments, pick up stations or package plants in completely enclosed buildings using nonflammable liquids such as perchloroethylene and with no odor, fumes or steam detectable to normal senses from off the premises, funeral homes (including crematory), blueprinting, job printing (including newspaper), radio and television repair shops, travel agencies and similar uses. Motor vehicle body shops shall store wrecked automobiles in an area completely screened by a fence or other suitable visual barrier at least six (6) feet in height.

- (C) Commercial, recreational and entertainment facilities such as carnivals or circuses, shooting galleries, video games, game rooms, arcades, billiard rooms, skating rinks, pony rides, go-kart tracks, athletic complexes, arenas, auditorium convention centers, dance halls and similar uses.
- (D) Palmists, astrologists, psychics, clairvoyant, phrenologists and similar uses.
- (E) Outdoor fruit, vegetable, poultry or fish markets.
- (F) All types of professional and business offices.
- (G) Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- (H) Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one and one-half ton (1½) capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises, ~~mini-storage facility~~.
- (I) Hotels and motels (including convention facilities).
- (J) Building trades contractors not requiring outside storage; nor the use of any vehicle in excess of one and one-half (1½) ton capacity; nor any machinery, ditching machines, tractors, bulldozers, or other heavy construction equipment.
- (K) Theaters (including drive-in or open air theaters).
- (L) Express or parcel delivery offices, telephone exchanges, commercial parking lots, motor bus or other transportation terminals (but not truck terminal) and similar uses.
- (M) All uses permitted in the Commercial General District, except nursing homes and churches which are conditional uses.
- (N) Sexually oriented businesses, subject to the provisions of Ordinance No. 2005-10 [section 26½-1 et seq.], and article 33, section 33.02.
- (O) Self-service storage facility (mini-warehouse facility) subject to supplementary regulations in Section 28.20.

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Section 17.04. Conditional uses.

- (A) Child care facilities.
- (B) Hospitals.
- (C) Wholesale, warehouse, or storage uses.
- (D) Building trades contractors with outside storage yards and heavy construction equipment.
- (E) Boat yards, boat repair or construction facilities, dry docks, boat railways and similar uses.
- (F) Light manufacturing, processing (including food processing but not slaughterhouses), packaging or fabricating.
- (G) Bulk storage yards including bulk storage of flammable liquids.
- (H) Automobile wrecking or storage yards (but not scrap processing yards or junk yards) shall be completely screened by a fence or other suitable visual barrier at least six (6) feet in height.
- (I) Commercial or noncommercial race tracks for animals or vehicles.
- (J) Travel trailer parks and campgrounds, subject to ~~site plan review by the planning and zoning board as required in article 28, section 28.16~~ supplementary regulations in Section 28.09.
- (K) Private/nonpublic schools.
- (L) Churches.
- (M) Assisted living facilities.
- (N) Adult day care centers.
- (O) Nursing homes.

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SECTION 5. AMENDING ARTICLE 18 COMMERCIAL, HIGHWAY AND TOURIST: CHT.

Section 18.01. Permitted uses and structures.

- (A) Automobile service stations, including service stations with convenience stores and/or car washes.
- (B) Hotels and motels.
- (C) Restaurants, including drive-through restaurants.
- (D) Retail outlets for sale of general merchandise, food and drugs.

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline

- (E) Professional and business offices.
- (F) Medical and dental offices or clinics (including urgent care facilities).
- (G) Banks, including drive-through banking facilities.
- ~~(H) Self service storage facilities, subject to supplementary standards in section 28.20.~~
- (H) An establishment or facility for the retail sale and service of all alcoholic beverages for consumption either on-premises or off-premises or both.

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SECTION 6. AMENDING ARTICLE 20. INDUSTRIAL, WAREHOUSE: IW.

Section 20.01. Permitted uses and structures.

- (A) Wholesaling, warehousing, storage, or distribution establishments and similar uses.
- (B) Light manufacturing, processing (including food processing, but not slaughter houses), packaging or fabricating.
- (C) Printing, lithographing, publishing or similar establishments.
- (D) Building trades contractors with outside storage yards and heavy construction equipment.
- (E) Outdoor storage yards and lots including automobile wrecking or storage yards and junk yards (but not scrap processing yards). Automobile wrecking or storage yards and junk yards as defined herein shall be completely screened by a fence or other suitable visual barrier at least six (6) feet in height. Junk yards shall be located no closer than one hundred fifty (150) feet to a public right-of-way.
- (F) Service establishments catering to commerce and industry including linen supply, laundry, dry cleaning plants, freight movers, communications services, business machine services, restaurants (including drive-through restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops and similar uses.
- (G) Vocational, technical, trade or industrial schools and similar uses.
- (H) Medical establishments in connection with industrial activities.
- (I) Bus, truck or other transportation terminals, commercial parking lots and garages, express offices and terminal facilities; telephone exchanges, repair or installation facilities; and similar uses.
- (J) Radio or television broadcasting offices, studios, transmitters, or antennas.
- (K) Sexually oriented businesses, subject to the provisions of Ordinance No. 2005-10 [section 26½-1 et seq.], and article 33, section 33.02.
- ~~(L) RV and boat storage facilities, subject to supplemental design standards in article 28, section 28.23 of this Code.~~

Additions = red underline

Deletions = ~~red strikethrough~~

Relocated = green double underline

(LM) Marine or waterfront-related industrial development including:

- (1) Piers, docks and wharves;
- (2) Boat yards and commercial marinas;
- (3) Facilities for construction, maintenance and repair of vessels; [and]
- (4) Commercial fishing establishments and related processing and packing.

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Section 20.03. Conditional uses.

- (A) Any industrial or commercial use which is not otherwise permitted and is not listed as a conditional use in the Industrial Heavy District.
- (B) Establishments for the retail or wholesale of all types of merchandise including new or used vehicles of all kinds, mobile homes, automotive parts and accessories, heavy machinery and equipment, boats, farm equipment, machinery, and supplies, lumber and building supplies, and similar uses.
- (C) Establishments or facilities for the retail sale of beer or wine for either on-site or off-site consumption, or both.
- (D) Any use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.
- (E) Bulk storage of petroleum products and other flammable liquids and acids.
- (F) Business and professional offices.
- (G) Cemeteries.

(H) Self-service storage facilities (mini-warehouse) subject to supplemental design standards in Article 28.20.

(I) RV and boat storage subject to supplemental design standards in Section 28.23.

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SECTION 7. AMENDING ARTICLE 21. INDUSTRIAL, HEAVY: IH.

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Section 21.03. Conditional uses.

- (A) Scrap processing yards.
- (B) Chemical and fertilizer manufacture.
- (C) Explosives manufacturing or storage.
- (D) Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
- (E) Paper and pulp manufacture.
- (F) Petroleum refining and/or bulk storage of petroleum products, including flammable liquids and acids.
- (G) Stockyards or feeding pens, livestock auctions.
- (H) Establishments for the retail or wholesale sale of all types of merchandise including all types of new or used vehicles, mobile homes, automotive parts and accessories, heavy machinery and equipment, boats, farm equipment, machinery, and supplies; lumber and building supplies, and similar uses.
- (I) Any use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general, by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.
- (J) An establishment or facility for the retail sale and service of beer or wine either for consumption on-site, or both.
- (K) Commercial mining operations. Commercial mining operations must meet the requirements of chapter 17, Mining Operations.
- (L) RV and boat storage facilities, subject to supplemental design standards in article 28, section 28.23 of this Code.
- (M) Self-service storage facilities (mini-warehouse) subject to supplemental design standards in Section 28.20.

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SECTION 8. AMENDING ARTICLE 22. OPEN RURAL: OR.

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Section 22.01. - Permitted uses and structures.

- (A) Agricultural, horticultural and forestry uses, also the keeping and raising of farm animals and poultry, provided structures for same shall not be located within one hundred (100) feet of any property line; and, further, provided that goats, sheep, or

swine shall not be kept or permitted within two hundred (200) feet of any residence under different ownership.

The noncommercial keeping and raising of horses and ponies is permitted; provided, however, that no more than one (1) horse or pony six (6) months of age or older shall be permitted per one-half (½) acre of land. Structures for horses or ponies shall not be located in a required front yard. No structure used for the keeping of horses or ponies shall be located closer than thirty-five (35) feet to any property line of different ownership.

- (B) Permanent or temporary housing of farm labor in conjunction with a permitted agricultural or farming activity. All housing for such use shall be in compliance with the county's building and housing codes and in the case of mobile homes as per state requirements.
- (C) Roadside stands where the major portion of products offered for sale are grown on the premises.
- (D) Dude ranch, riding academy, or boarding stable, provided structures for the housing of animals shall not be located within one hundred (100) feet of any property line.
- (E) Public parks, camping grounds and recreational areas, playgrounds, playfields and government structures.
- (F) Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs, control structures, wells and similar uses.
- (G) Temporary revival establishments (not to exceed thirty (30) days).
- (H) Borrow pits and ponds, as defined herein.
- (I) Single-family dwellings and mobile homes on individual lots.
- (J) Child care facilities licensed for less than fifteen (15) children.
- (K) Governmental uses.
- (L) U-Pick berry, fruit or vegetable farms, Christmas tree farms and similar uses.
- (M) Wholesale or retail plant nurseries, subject to supplementary development standards found in section 28.16.

(N) Solar Farms consisting of acreage developed with multiple photovoltaic solar panels devoted to the commercial collection and conversion to usable electrical energy.

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Section 22.03. - Conditional uses.

- (A) See article 28, section 28.14.
- (B) Radio or television broadcasting office, studio, transmitter, antenna, and line of sight relay device.

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(X) Home Occupations, subject to the requirements in section 28.14(A), including production of food under Florida cottage food laws in F.S. § 500.80.

~~(Y) Solar Farms consisting of acreage developed with multiple photovoltaic solar panels devoted to the commercial collection and conversion to usable electrical energy.~~

(Z) Assisted living facilities.

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SECTION 9. AMENDING ARTICLE 24. RECREATION AND OPEN SPACE: ROS.

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Section 24.03. Conditional uses.

(A) Race tracks for animals or vehicles.

(B) Ball park stadiums or arenas.

(C) Recreational vehicle parks (subject to the restrictions defined in section 28.09).

(D) Sale of alcoholic beverages.

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SECTION 10. 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 11. 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 12. SEVERABILITY.

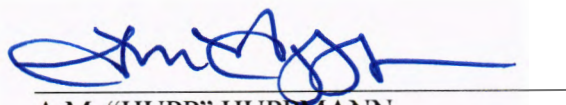
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 13. 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 July, 2025 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



A.M. "HUPP" HUPPMANN
Chairman

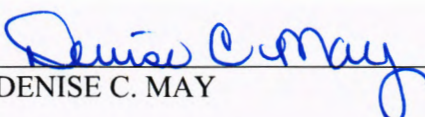
ATTEST AS TO CHAIRMAN'S SIGNATURE:



MITCH L. KEITER

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY

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Deletions = ~~red strikethrough~~
Relocated = green double underline



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 31, 2025

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

Dear 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. 2025-022, which was filed in this office on July 31, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp