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Return: Joyce Bradley *

ORDINANCE NO. 97-30

AN ORDINANCE AMENDING ORDINANCE NO. 84-14, AS AMENDED, WHICH REZONED AND RECLASSIFIED THE PROPERTY HEREINAFTER DESCRIBED TO A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS "NASSAU LAKES"; SPECIFICALLY AMENDING EXHIBIT "C"; "NASSAU LAKES PRELIMINARY DEVELOPMENT PLAN MAP"; PROVIDING AN EFFECTIVE DATE

WHEREAS, the owners of the P.U.D. known as "Nassau Lakes" has requested an amendment to Ordinance 84-14, as amended.

NOW, THEREFORE, BE IT ORDAINED this 8th day of December, 1997, by the Board of County Commissioners of Nassau County, Florida, that Ordinance No. 84-14, as amended, be further amended as follows:

1. Exhibit "C"
1. The triangular parcel of property indicated on the attached Exhibit "A", and borders State Road 107, shall not be included in the P.U.D.
2. The Developer of each parcel shall enter into negotiations with the Board of County Commissioners regarding impact fees as the project will impact the fire, police, and rescue capabilities as well as the park and recreation services and the road systems of Nassau County. The negotiations should commence prior

Rec 129.00

to approval of any final development plans and the impact fees should be determined prior to the approval of any final development plans, however, the negotiations may be continued based upon the mutual agreement of the parties.

3. The Board finds that, based upon their public hearings, the recommendations of the Planning Board and the comprehensive land use plan, that the tract of land on Exhibit "B", adjacent to State Road 107, designated by the developer as 13.00 acres of neighborhood commercial is, as of the date of this ordinance, not a justifiable nor permissible use. However, the tract shall be designated for planning purposes for commercial neighborhood uses as set forth in Article 15, Section 15.01 of Ordinance 83-19 with the following stipulations:

- a. The total acreage to be utilized for commercial neighborhood purposes within the 13-acre tract, shall be determined by the Board of County Commissioners based upon the recommendations of the Planning Board. The Planning Board shall submit its recommendations to the Board no later than the approval of the final development plan

for Phase Three (3). The developer may furnish information to the Planning Board at any time for the Planning Board's review and the Planning Board shall make a report to the Board of County Commissioners within forty-five (45) days of the receipt of the information.

b. The location and types of commercial uses within the designated tract shall be determined by the Board of County Commissioners based upon the recommendations of the Planning Board. The developer shall submit specific requests to the Planning Board indicating the types of commercial use and the location of the buildings. The Planning Board shall submit its recommendations to the Board of County Commissioners within forty-five (45) days of the receipt of the request.

c. The Planning Board, in considering its recommendations as to acreage, uses and sites, shall among other items, consider the following:

(a) Criteria for commercial acreage and uses as provided by the Northeast Florida Regional Planning Council;

(b) Market studies provided by the developer;

(c) All other relevant information submitted to the developer;

(d) Comments of the appropriate county department heads.

4. The developer of Phase II shall install water lines in a "looped system" along Parliament Drive and Nassau Lake Circle during construction of the horizontal improvements (water lines, sewer lines, road construction, etc.) in Phase II. In addition, five (5) hydrants shall be installed at approximately five hundred (500) feet intervals (as approved by the County Development of Emergency Services) in accord with N.F.P.A. standards.
5. The developer of each Phase shall be permitted to have one (1) active model or sales office for the duration of development of the respective phase for the purpose of showing and selling the product offered within the development.
6. The project shall be built in phases as indicated on the revised "Preliminary Development Plan - Nassau Lakes", as Phases I, II, and III. Phase I-A development has commenced and shall continue as currently platted. Phase I-B has been platted, but no

horizontal improvements have been made. Phases II and III shall commence construction within three (3) years from the date of this Amended Development Order. Any phase that has not commenced construction of horizontal improvements (water lines, sewer lines, roadways, etc.) within three (3) years from the date of this Amended Development Order will lose its development approval and is subject for re-review. The Amended Development Order shall remain in full force for a period of five (5) years from the date of approval by the Board of County Commissioners and may be extended subject to a public hearing in accordance with Chapter 163.3221 F.S.

7. The Developer of each phase shall regularly and routinely consult with the Public Safety Director, Sheriff, County Engineer, and Planning and Zoning Director regarding the final development plans and wherever practical and consistent with the development principles of this P.U.D. ordinance and Ordinance 83-19, Section 24.05, include the suggestions of the aforementioned officials in the final development plans. The aforementioned officials should regularly make written reports to the Board of County

Commissioners and Planning Board as to the said recommendations and consultations.

8. ~~The amount of recreation and open space shall be consistent with the requirements in the Zoning Code, Ordinance 83-19, Section 24.04(F). A minimum of twenty percent (20%) of the gross site acreage shall be reserved for recreation purposes in each Phase (or combination of phases). Water bodies (i.e.: lakes and ponds) and jurisdictional wetlands that are reserved as "Greenway Corridors" under a conservation easement, may be used to fulfill up to fifty percent (50%) of the required open space requirement. The Board of County Commissioners will favorably consider an off site recreation dedication that will meet the above acreage requirements providing the off site location in the same geographic service area (within a radius of approximately three (3) miles. In lieu of the requirement for on-site recreation and open space, Rayland and/or its assigns will deed to Nassau County seventeen (17) acres adjacent and contiguous to the proposed Nassauville Regional Park. This dedication of land to the County will satisfy all obligations of the Nassau Lakes P.U.D. in conjunction to the recreation~~

and open space requirements for Phase II and Phase III.
Any areas identified for recreation or parks within
Phase II and III shall be designated for residential
use with the satisfaction of this requirement.

9. The recommendation of the County Engineer, dated April 26, 1984, and attached hereto as "ADDENDUM I" shall be a part of the stipulation.
10. The maximum lot coverage for the phase three multi-family area shall be as indicated in Article 13, Section 13.06(b).
11. Phase I may utilize septic tanks as may be approved by the Nassau County Health Department. If community water and/or sewer service is available prior to commencement of development of the commercial area or any Phase, the developer of that Phase shall include the installation of community water and/or sewer service.
12. Developer shall, to aid in the patrolling of the development, install security lights as recommended by the Nassau County Sheriff's Office. Utility bills and maintenance of the security lights will be the responsibility of the Property Owner's Association.

13. The developer, prior to obtaining approval of any final development plans or issuance of any permits, shall obtain a binding letter from the Department of Community Affairs that said development does not constitute a development of regional impact. If a binding letter of determination indicates that this P.U.D. independently constitutes a development of regional impact, then no further development plans shall be approved hereunder except in accordance with the procedures of 380.06 of Florida Statutes. In addition, the County retains the right to amend the P.U.D. ordinance based upon local issues that are addressed in the D.R.I. review process.
14. The developer shall place all utilities under ground.
15. The covenants and restrictions shall be presented to the Board of County Commissioners for approval prior to the approval of any final development plans. Said covenants and restrictions shall be recorded.
16. All other provisions of Ordinance 83-19; Article 24 shall be adhered to.
17. The residential lots in Phase I shall be allowed to develop up to ninety-three (93) single-family detached dwellings. Phase II shall be allowed up to one hundred

seventy (170) residential single-family detached dwellings. All minimum lot requirements, minimum yard requirements and building height and lot coverage requirements of Article 9 (RS-2), Zoning Code, shall apply to Phases I and II. Phase III shall be allowed up to two hundred thirty (230) single family or multi-family units. The provisions for lot requirements, yard requirements, building height and lot coverage requirements of Article 12 (RG-1), Zoning Code, shall apply to Phase III.

18. A buffer of native vegetation shall be reserved by easement. The buffer shall "average" ~~fifty (50)~~ twenty-five (25) feet in width or the amount required by the Comprehensive Plan at the time of development along the perimeter of depicted jurisdictional wetlands.
19. Upon receipt of a request by the Developer, the Board of County Commissioners will consider a credit for any contribution of land for a public facility or construction, expansion of a public facility required by the Development Order toward an impact fee or exaction for the same need where the construction, expansion or contribution exceeded the required adopted Level of Service (LOS) for the subject development.

The authorization for credit against a local exaction or impact fee expires five (5) years from the date of this Amended Development Order.

20. The owner/developer of each Phase shall submit an annual report on the progress of the development detailing any development (i.e.: installation of infrastructure, number of dwellings completed, lots developed, etc.) during the previous twenty (12) months. The Annual Monitoring Report shall be filed with the Planning Department on January 1 of each year.

21. In addition, the developer for Phases II and III should:

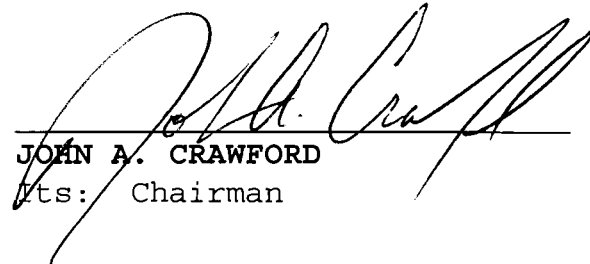
- a. Include internal bicycle/pedestrian paths and show them on the development plan.
- b. Show all FEMA flood plains on the Preliminary and Final Development Plan.
- c. Show the Hurricane inundation area for Category 1, 2, and 3 hurricanes on the Preliminary Development Plans.

22. Parliament Drive, if approved by the County Departments, may be cul-de-saced in Phase I and Phase II.

2. EFFECTIVE DATE: This Ordinance shall become

effective upon its being filed in the Office of the
Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JOHN A. CRAWFORD
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN

PRELIMINARY DEVELOPMENT PLAN - NASSAU LAKES

A-140 BLVD
To A-141 →

SINGLE FAMILY PHASE 1
SINGLE FAMILY PHASE 2

EXISTING PARK SITE
PROPOSED PARK SITE

PARLIAMENT DRIVE
To SR 107 →

NASSAU LAKES CIRCLE

(STAFF NOTATION:

(STAFF NOTATION:
Existing Park Site is part of Phase I development)

REVISED PUD SITE PLAN - NASSAU LAKES

NASSAU LAKES
NASSAU COUNTY, FLORIDA

S, J, M

STONE, JOCA & MAHONEY INC.

1730 IMMEDIATELY AFTER THE BATTLE OF CASSIN

LAND USE TABULATION

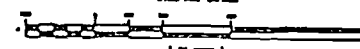
RECREATION AND		
OPEN SPACE	43.71 ACRES	25.77%
BUTTERS	5.31 ACRES	
LAKE	28.09 ACRES	
OPEN SPACE/PARKS	12.96 ACRES	
SINGLE FAMILY	78.95 ACRES	45.36%
MULTI-FAMILY	33.27 ACRES	19.02%
ROADS	16.71 ACRES	9.85%
TOTAL AREA	181.83 ACRES	100.00%

LEGEND

WETLANDS
IN OPEN SPACE



GRAPHING SEALS

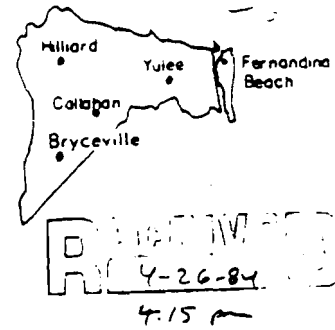


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NASSAU COUNTY

DEPARTMENT OF TRANSPORTATION

RICHARD L. KING, P. E. County Engineer



BOARD OF COUNTY COMMISSIONERS

ENE R. BLACKWELDER
ST. NO. 1 Fernandina Beach

AZEL JONES
ST. NO. 2 Fernandina Beach

DON F. CLAXTON
ST. NO. 3 Yulee

AMES E. TESTONE
ST. NO. 4 Hilliard

DON F. ARMSTRONG, SR.
ST. NO. 5 Callahan

ADDENDUM I

April 26, 1984

JERRY GREESON
Ex-Officio Clerk

ARTHUR I. JACOBS
Attorney

TO: Nassau County Zoning Board
Ann Coonrod, Chairman

FROM: R. L. King, Nassau County Engineer

REGARDING: Evaluation of Drainage and Construction Plans
For Nassau Lakes

I have met with Mrs. Margaret Campbell and her staff regarding the P.U.D. for Nassau Lakes and would like to point out the following requirements that will be necessary in order for me to approve the engineer's design.

I. DRAINAGE

- A. Overflow from retention areas (existing lakes) will be properly connected to the existing channeled waterway in the Northeast corner of the property which outfalls directly to marsh and box culverts under S.R. 200 (A1A). This ditch is to be constructed in such a manner that will not affect the culvert and outfall system from S.R. 107.
- B. A perimeter ditch will be required in low areas where sheet runoff could affect the adjacent property owners, especially adjacent to the Northerly property line in the Mt. Zion area. After a more detailed drainage has been presented, there may be other perimeter ditches required.
- C. No roadside drainage in the Mt. Zion area will be permitted.
- D. All roadside drainage within the project shall be subject to final review by the County Engineer and shall be according to the Subdivision Regulations.
 1. Swale or open ditch section design
 2. Curb and gutter, storm sewer design

(cont.)

An Affirmative Action/Equal Opportunity Employer

REPLY TO ☐

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Callahan, Florida 32046
404 366 2003
404 365 3610

Route 3 Box 176
Fernandina Beach, FL 32034
(904) 261 7274
(904) 366 6670
(904) 261 6041

- E. All drainage shall be subject to D.E.R. and D.N.R. for approval; but, will be subject to final approval by the County Engineer.
- F. All outfall systems shall be by recorded easement to positive drainage.

II. ROADWAY SYSTEM

A. Access to S.R. 107

- 1. Access to S.R. 107 will be in a State designated 30 mile per hour zone. This main access to S.R. 107 poses a minor concern regarding sight distance. I have reviewed this in the field and feel with the traffic at the required design speed, this should pose no problem regarding safety.
- 2. In order to improve the flow of traffic on S.R.107, a deceleration lane should be constructed in Phase I, minimizing the interference of the flow of the traffic going South; which, in turn, also improves the Northerly sight distance.
- 3. Because of the curve condition, the no passing zone should be extended through this area.
- 4. Due to sight distance and entry problems for the commercial area to S.R. 107, a service road will be required rather than the business having direct contact with the State highway. No traffic light will be required under the proposed P.U.D.

B. Access to Blackrock Road, C-107 area

- 1. During the construction of Phase II the access road from the development will be required to be paved to S.R. 200 (AlA) by the developer and at the developer's cost.
- 2. The Easterly Mt. Zion Road connection to this development should be omitted for safety purposes. Under the proposed layout, Blackrock Road connection should be sufficient.

C. Evaluation of Roads

- 1. I have indicated to the developer no lengthy dead-end roads (cul-de-sac) should be considered because of mail carriers, school buses, fire, rescue and police control.

(cont.)

2. When constructing Phase I, no deadend roads will be permitted. Temporary cul-de-sacs will be required and shall be removed during the construction of Phase II.
3. All road rights of way shall be according to Subdivision Regulations. All development of roads and drainage for the entire project shall be according to current Nassau County Subdivision Regulations and shall be subject to permits from the Florida Department of Transportation and D.N.R. and D.E.R.