

Nassau County 2030 Comprehensive Plan Future Land Use Element (FL) Goals, Objectives and Policies

Goal ~~1.0~~

To-Effectively manage growth ~~and development~~ by ~~designating areas for anticipated future development which satisfy market demand in a cost-efficient and environmentally acceptable manner.~~ encourage~~ing~~ and ~~e/accommodate~~~~ing~~ land uses which ~~make Nassau County a viable community,~~ create~~ing~~ a sound revenue base and offering diverse opportunities for a wide variety of living, working, shopping, and leisure activities, with minimum adverse impacts on the natural environment.

OBJECTIVE ~~1.01~~FL.01

~~Upon adoption of the EAR-based Plan amendment,~~The County ~~will~~ shall use the Future Land Use Map to correlate future land uses with the appropriate environmental conditions, ~~and~~ the availability of supporting infrastructure, and where they are most compatible with surrounding land uses.

Policy ~~1.01.01~~

~~Protect estuaries by mitigating the harmful effects of sanitary sewer wastewater and stormwater discharge into Class II and Class III waters by implementing the policies of this comprehensive Plan, which include, but are not limited to, initiating a countywide storm water management plan, requiring the use of best management practices for silviculture requiring the provision of natural vegetated upland buffers between developed areas and wetlands and water bodies as established in Policy 1.04A.02, and establishing criteria for reuse as cited in Policy 1.04A.07.~~

Policy ~~1.01.02~~

~~Criteria shall be included in the Land Development Regulations to include requirements to preserve/replace the natural/native vegetation along perennial streams and waterways as defined in best management practices for silviculture to maintain the natural beauty of the area, to control erosion, and to retard runoff.~~

Policy ~~1.01.03~~

~~Protect natural resources by working closely with various local, state, and federal agencies in collecting information, coordinating development permitting and reporting violations of laws and regulations, which would have a negative impact on the environment.~~

Policy FL.01.01

The County shall permit future development to proceed consistent with the land use categories, overlay districts, master land use plans, and other maps in the adopted Future Land Use Map Series. The Future Land Use Map Series in effect as of the 2002 EAR-based amendment adoption (DCA No. 01-1ER) shall remain in full force and effect except as specifically added, deleted, or modified herein.

Policy 1.01.04

~~Require that consideration of amendments to the Future Land Use Map pertaining to the availability of supporting infrastructure in accordance with Chapter 9J-5.0055(2) (a), (b), and (c) F.A.C.~~

Policy 1.01.05

~~Ensure through the Zoning Code and Subdivision Regulations that future land uses provide for drainage and stormwater management, open space, and safe and convenient on-site traffic flow, considering needed vehicle parking.~~

Policy 1.01.06

~~Require that post-development conditions for stormwater run-off shall equal or be less than pre-development run-off conditions. These standards will be incorporated into the revised land development code.~~

Policy 1.01.07

~~This policy addresses development standards within the 100-year floodplain. The land use designation of the 100-year floodplain is Conservation III (as per Policy of this Plan). The Conservation III land use designation is an overlay zone. Development within Conservation III areas (e.g., the 100-year flood plain) may develop as allowed by the underlying land use, unless otherwise restricted by the policies of this Comprehensive Plan and the County's Flood Plain Ordinance. Nassau County shall include controls in its Land Development Regulations, based upon the latest version of the Flood Insurance Rate Maps and model "Flood Damage Prevention Ordinance" promulgated by FEMA to establish the location of the 100-year floodplain and flood prone areas in Nassau County. The LDRs then, shall require new construction in these areas to meet FEMA regulations. Our policy will be to control development in flood-prone areas to match FEMA requirements to qualify for Community Rating System.~~

~~In addition, the following criteria will apply to development in the 100-year floodplain:~~

- ~~a. Clearing of native vegetation will be minimized in the 100-year floodplain by requiring a 60% open space ratio for all new development. However, if the 100-year floodplain is also within a jurisdictional wetland, the following shall apply:—~~

~~Conservation I and II (jurisdictional wetlands), the clearing of native vegetation shall not be allowed except for that which is required to construct the dwelling and accessory structures and to maintain transportation access. Agricultural uses are allowed if they use BMPs, where available, and have received all required~~

~~regional and state permits. Passive recreation uses are also allowed in all jurisdictional wetlands. This requirement shall apply to all jurisdictional wetlands, regardless of whether the wetland is located within the 100-year floodplain.~~

- b. ~~Use of septic tanks in flood-prone areas will be restricted as specified by the County Department of Health and all such sewage disposal systems may be required to connect to central sewage systems when system collection lines are made available consistent with Chapter 381.0065, Florida Statutes. The availability of public sewer facilities, as defined by this statute is described below:~~

~~"Available," as applied to a publicly owned or investor-owned sewerage system, means that the publicly owned or investor-owned sewerage system is capable of being connected to the plumbing of an establishment or residence, is not under a Department of Environmental Protection moratorium, and has adequate permitted capacity to accept the sewage to be generated by the establishment or residence; and:~~

- ~~1. For a residential subdivision lot, a single-family residence, or an establishment, any of which has an estimated sewage flow of 1,000 gallons per day or less, a gravity sewer line to maintain gravity flow from the property's drain to the sewer line, or a low pressure or vacuum sewage collection line in those areas approved for low pressure or vacuum sewage collection, exists in a public easement or right-of-way that abuts the property line of the lot, residence, or establishment.~~
- ~~2. For an establishment with an estimated sewage flow exceeding 1,000 gallons per day, a sewer line, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment or is within 50 feet of the property line of the establishment as accessed via existing rights-of-way or easements.~~
- ~~3. For proposed residential subdivisions with more than 50 lots, for proposed commercial subdivisions with more than 5 lots, and for areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within one-fourth mile of the development as measured and accessed via existing easements or rights-of-way.~~
- ~~4. For repairs or modifications within areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within 500 feet of an establishment's or residence's sewer stub-out as measured and accessed via existing rights-of-way or easements.~~
 - ~~a. Any development within a flood-prone area will maintain the natural topography and hydrology of the development site.~~

OBJECTIVE 1.02

~~Upon Plan adoption, the County will locate future land uses where they appear most compatible with surrounding land uses and will establish the following policies to implement the redevelopment and renewal of blighted areas.~~

Policy 1.02.01

~~Future industrial development shall be located in planned industrial parks or in areas with compatible surrounding land uses.~~

Policy 1.02.02

~~The Land Development Regulations will include criteria to reduce the intrusion of incompatible commercial, industrial and other land uses into residential areas.~~

Policy 1.02.03

~~Permit future development to proceed only in accordance with land uses designated on the Future Land Use Map.~~

Policy 1.02.04

~~Promote the clustering of planned commercial land uses through incentives and regulations such as density bonuses and improved access.~~

Policy 1.02.05 FL.01.02

All **Land Development** regulations adopted to implement this Plan and development permits issued shall be consistent with the land use categories described below and spatially displayed on the Future Land Use Map. The Future Land Use Map shows the proposed general distribution and location of land for various purposes. The categories establish long-range, maximum **(and in some cases minimum)** densities and intensities of land uses.

Density refers to the number of dwelling units per gross acre. The gross land area includes all land owned within the property boundaries of the subject parcel. While the basic concept of density is straightforward, factors affecting the actual yield of a parcel may include the existence of jurisdictional wetlands **(Conservation I and II)**, submerged areas, and the availability of **public** facilities and services. Intensity is measured by Floor Area Ratio (FAR) and Impervious Surface Ratio (ISR). Floor Area Ratio is the ratio of the total floor area of building(s) divided by the gross area of the lot or parcel on which it is constructed. The Impervious Surface Ratio equals the total area of impervious surface divided by the lot area. Impervious surface area includes any hard surfaced area that does not readily absorb or retain water such as main and accessory buildings, parking and driveways, sidewalks and other paved or roofed areas.

Designated land use categories to be used for FLUM. **Designations** are as follows:

Conservation (CSV I, II, III and IV)

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Agriculture ~~(AGR)~~

~~Parcels under single ownership of 320 acres or more: 1 unit per 20 acres~~

~~Parcels under single ownership under 320 acres: 1 unit per 1 acre~~

~~Recreational (REC)~~

Low Density Residential (LDR)

Medium Density Residential (MDR)

High Density Residential ~~(HDR)~~ ~~Bonus—(greater than 5 dwelling units per acre up to 10 dwelling units per acre with bonus density to 12)—subject to approval by the Board of County Commissioners based on a recommendation of the Planning and Zoning Board and Staff.~~
Public Buildings and Grounds ~~(P)~~

Commercial ~~(C)~~ ~~(COM)~~

~~Other Public Facilities (PF)~~

Industrial ~~(I)~~ ~~(IND)~~

~~Recreation (REC)~~

~~Public Buildings and Facilities (PBF)~~

Conservation (CSV I and II)

Multi-Use

A) Agriculture

~~1. ——— Agriculture (Crops/Pasture/Silviculture)~~

Agriculture land, in a parcel 320 acres or more, used primarily for the cultivation of silviculture, crops or other active agricultural uses. Agriculture designated land may be developed at a density not to exceed 1 unit per 20 acres. Agriculture land in a parcel of 320 acres or less may be developed at a density not to exceed one unit per one acre.

~~2. ——— Exceptions~~

Notwithstanding the density assigned for Agriculture designated lands on the Future Land Use Map, the following exceptions apply:

- ~~a.1.~~ Parcels of property twenty (20) acres or less which are not shown on the Future Land Use Map and are single lots of record which were established by deed of record on or before January 28, 1991 may be developed at the density provided for the parcel on current zoning maps.
- ~~b.2.~~ The land development regulations shall provide for the use of a parcel of property solely as a homestead by an individual who is the grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the person who conveyed the parcel to said individual, notwithstanding the

density or intensity of use assigned to the parcel by the Future Land Use Map of the Comprehensive Plan. Such a provision shall apply only once to any individual. The regulations to implement this policy shall provide procedures for lot splits or subdivision of land for the purpose of conveying a lot or parcel to individuals meeting these requirements for the establishment of a homestead and shall provide for a minimum lot size of the lot so created and the remaining lot. Lot splits or subdivisions of land permitted pursuant to this policy shall be subject to compliance with all other applicable Comprehensive Plan policies and Federal, State, Regional, and County regulations.

- ~~e.3.~~ Parcels of Agriculture land under individual ownership that have been held by the current owner for a minimum of 5 years and upon which the Homestead Exemption is current may be sold at a maximum of two (2) one acre parcels per year ~~subject to subdivision regulations~~
- ~~d. 4.~~ Any other application to subdivide ~~Agricultural~~^e designated land shall be considered favorably for revision through the plan amendment process so long as the proposed subdivision of land furthers:
 - ~~1.a)~~ A concentration of development that will enhance the potential for implementing central/regional water/sewer systems; or
 - ~~2.b)~~ Contributing to the development of mixed-use communities that provide for integrated live/work/recreation population centers; and
 - ~~3.c)~~ The clustering of permitted development within agricultural designated lands so as to minimize potential impact on the agricultural productivity of the areas.

NOTE:

- ~~1.~~ The exceptions noted above relate to density only; any development must ~~(a)~~ be consistent with the other provisions of the Plan including, but not limited to, concurrency.
- ~~2.~~ Agricultural land uses provide for a variety of agricultural activities and shall be protected from the intrusion of land uses that are incompatible with the conduct of agriculture.

B) Residential

The Low-, Medium- and High- Density Residential land use categories provides for a variety of ~~land-use~~ densities and housing types. ~~Residential land-use permits including~~ single-family detached, ~~(including~~ mobile homes), single-family attached, duplex, and multi-family housing. Parcels of land designated for residential land use are intended to be used predominately for housing and shall require buffering from intrusion of land uses that are incompatible with residential ~~density of from 1 unit per acre to 12 units per acre.~~ uses.

~~Uses permitted in areas designated residential (low, medium or high)~~ The primary uses in the Low-, Medium- and High- Density Residential land use categories ~~shall~~ may include residential uses at the applicable density; ~~neighborhood and community commercial uses on a scale suited to the residential developments to be served;~~ and community/public facilities approved pursuant to an exception or conditional use permit, such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities, parks and schools.

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Within a Planned Unit Development (PUD) or similar master planned developments, neighborhood and community commercial uses may be permissible on a scale suited to the residential developments to be served. Such uses should provide adequate access from a collector or arterial roadway and provide adequate setbacks, buffers, and other design features to ensure compatibility with surrounding residential uses.

Residential land use is divided into four categories of density:

The maximum gross densities permitted in Residential land use categories are as follows:

1. Agriculture land in single ownership parcels under 320 acres: 1 unit per 1 acre.
2. Low Density Residential: ~~greater than 1 dwelling units per acre~~ up to 2 dwellings per gross acre.
3. Medium Density Residential: ~~Greater than 2 dwelling units per acre~~ up to 3 dwelling units per gross acre
4. High Density Residential: Greater than ~~5~~ 3 dwelling units per acre up to 10 dwelling units per gross acre ~~with bonus density to 12 units per acre and subject to approval by the Board of County Commissioners based on a recommendation of the Planning and Zoning Board and Staff.~~

An affordable housing density bonus may be awarded to qualifying master-planned development projects in all residential land use categories pursuant to the requirements of Policy FL.01.03.

Residential development within a permitted DRI, PUD or otherwise established subdivision by an issued development order shall be limited to the number of dwelling units approved in the DRI or development order.

Residential development within the 100-year floodplain shall be required to meet FEMA regulations, ~~the requirements of Policy 1.01.07~~ and County Department of Health regulations regarding the installation of septic tanks.

Mobile homes will be permitted in accordance with 320.8285(5) F.S.; manufactured homes will be permitted in accordance with 553.38(2) F.S. and Community Residential homes shall be permitted in accordance with 419.001(2) and (3) F.S.

C) Commercial (COM)

Land designated for Commercial use is intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service. ~~Commercial land uses shall be physically (wall, vegetative screen) or spatially (distance) buffered from adjacent land uses of lesser density or intensity of use.~~

Typical uses in the Commercial land use category may include medical or professional offices, shopping centers and other retail uses of varying intensity, vehicle sales and service, restaurants of all types, hotels and other lodging, personal services and other similar commercial or professional services. Commercial land uses should be physically or spatially buffered from adjacent land uses of lesser density or intensity of use.

The ~~intensity of specific~~ **criteria for** commercial land use is controlled by the ~~Zoning Code (Land Development Regulation)~~, Land Development Code which specifies permitted and conditional

uses; Floor Area Ratios (FARs) or lot coverage restrictions, parking area requirements for various types of commercial activity, height restrictions, signage, etc.

~~Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, construction and demolition debris disposal facility or other similar business activities. Public/institutional uses and recreational uses are allowed within the commercial land use category.~~

The maximum intensity of commercial use shall not exceed:

Maximum Commercial Intensity Standards			
FAR	.40 (40%)	ISR	.67 (67%)

Public facilities such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities, parks and schools shall be permitted at appropriate locations. Specific criteria for the siting of public facilities in this category shall be included in the Land Development Code.

D) Industrial (IND)

Land designated for Industrial use is intended for activities that are predominately associated with the manufacturing, assembly, processing, or storage of products. ~~Industrial land uses~~ and provides for a variety of intensities of use including heavy industry, light industry, and industrial park operations. Industrial development should be located in areas with access to major transportation assets and other supporting infrastructure.

Typical uses in the Industrial land use category may include office and research parks; wholesaling, warehousing, storage, or distribution establishments; manufacturing, packaging or fabricating; food processing; railroad facilities and freight, trucking, or shipping terminals.

The specific criteria for industrial land use is controlled by the Land Development Code which specifies permitted and conditional uses; Floor Area Ratios (FARs) or lot coverage restrictions, parking area requirements, height restrictions, signage, etc.

The maximum intensity of industrial land use shall not exceed:

Maximum Industrial Intensity Standards			
FAR	.50 (50%)	ISR	.75 (75%)

Commercial mining operations that impact an area of 5 acres or more shall be permitted only under Industrial land use. These operations, including oil, gas, mineral, rock and sand extraction shall be regulated the standards of 62C-16.0051 FAC.

Public facilities such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities shall be permitted at appropriate locations. Schools and recreational facilities are not permitted in the Industrial land use category. Specific criteria for the siting of public facilities in this category shall be included in the Land Development Code.

E) Recreation (REC)

Land designated for recreation is intended for a variety of leisure time activities. Included in this

land use classification are both resource-based and activity-based sites and facilities. Resource-based sites and facilities are oriented toward natural resources; activity-based sites and facilities are those that require major development for the enjoyment of a particular activity. Activity-based site and facilities include ball fields, golf courses, tennis courts, etc.; resource-based facilities include lakes, hiking trails, wilderness campsites, etc.

~~The use of land for recreational purposes shall follow performance standard guidelines that control noise, pollution, etc., to ensure compatibility with adjacent land uses.~~

The impervious surface land coverage ratio (ISR) of recreation land use should not exceed .5 (50 percent) for active recreational development; .1 (10 percent) for passive recreational development.

F) Public Buildings and Grounds Facilities (PBF)

Lands designated ~~in this category of use~~ Public Buildings and Facilities include a broad variety of public and ~~quasi-public activities such as hospitals, schools, churches, governmental buildings, etc. and institutional activities.~~

Typical uses will include hospitals, churches, government offices, emergency medical, fire protection and police facilities, parks and other recreational facilities, and schools.

Other uses permitted in this category may include water and wastewater facilities, stormwater/drainage control structures, electric power substation and transmission facilities, and any other public or institutional use.

The siting of public buildings and grounds facilities shall be controlled by ~~Zoning Regulations, the Land Development Code~~ which will specify floor area ratios (FARs) or lot coverage restrictions, height restrictions, signage, parking area requirements etc. The land development regulations should also specify the means of include public participation in the permitting process for community input regarding compatibility of public buildings and facilities with surrounding land uses.

The intensity of development in this land use category shall not exceed:

Maximum Public Building and Grounds Intensity Standards			
FAR	.40 (40%)	ISR	.67 (67%)

G. Other Public Facilities

~~Lands designated as Other Public Facilities are intended for use as potable water, sanitary sewer treatment facilities, landfill, stormwater/drainage control structures, etc. The siting of public facilities shall be controlled by Zoning Regulations that include public participation in the permitting process. Public facilities construction, as measured by land coverage, shall not exceed 90 percent of impervious surface with height restrictions specified in implementing LDRs.~~

H. SR 200/A1A Access Management Overlay District

~~Consistent with Policy 2.05.07 of the Traffic Circulation Element, the SR 200/A1A Access Management Overlay District is created. The SR 200/A1A Access Management Overlay District~~

~~provides a further means for the County to manage development along SR 200/A1A. This district is shown in map form as part of the Future Land Use Map Series. It lies generally within 1000 feet of each side of SR 200/A1A and stretches from Edwards Road (which is one mile west of the I-95 and SR 200/A1A interchange) to the Intracoastal Waterway. The following policies, in addition to the countywide access management requirements specified by Policy 2.05.06 of the Traffic Circulation Element shall also apply to development within the 200/A1A Access Management Overlay District:~~

- ~~1. Direct access to SR 200/A1A shall be controlled to preserve the safety, efficiency, and character of this regionally important transportation route. Individual property access shall not be provided to SR 200/A1A where alternative access is available, or can be provided by the land developers, as defined in the LDRs.~~
- ~~2. Accessibility to land development along SR 200/A1A shall be provided through the use of parallel roads, side streets, joint access driveways and cross access easements connecting adjacent developments.~~
- ~~3. Activity centers with unified access and circulation systems shall be required. The purpose for requiring such centers is to provide an alternative to strip development with individual driveways.~~
- ~~4. Activity centers shall be centered at and extend outward in a radius at the following intersections:

SR 200/A1A and I-95
SR 200/A1A and SR 107
SR 200/A1A and SR 107 (Nassauville Road)
SR 200/A1A and US 17
SR 200/A1A and SR 200A (Old Chester Road)~~
- ~~5. Development standards for Activity Centers shall include:

Driveways within 500 of the Activity center's intersection shall be prohibited unless otherwise allowed by state law.

Adjacent non-residential properties shall provide a cross access drive and pedestrian access to allow circulation between sites.

All other standards of the SR 200/A1A Overlay District shall apply to development proposed within an Activity Center.~~
- ~~6. In accordance with the State Road 200/A1A Access Management Study, Florida Department of Transportation, 1995 future developments should be set back an additional 25 feet on each side of the existing right-of-way.~~
- ~~7. When issuing any permit for access to any State Road in Nassau, the County shall document that it has followed the criteria and procedures for State Highway System Connection Permits in F.A.C. Rule 14-96. In addition, the County shall require the applicant, as appropriate, to document that the permit request is consistent with the Florida Department of Transportation's Access Management Rule (F.A.C. Rules 14-96 and 14-97), the Access Management Classification System and Standards in F.A.C. Rule 14-97.~~

I. G) Conservation (CSV I and II)

The Conservation **(CSV I and II)** land uses **categories** shall designate land areas of ecological value within the County on which development must proceed with restrictions. These are areas, which may be altered by development and so must be protected. Development on conservation lands in private ownership shall take place only in such a manner that will ensure the long-term function of natural hydrologic or ecological systems. Conservation ~~I, II~~ lands (which are jurisdictional wetlands) may be developed with all permitted development clustered on the upland portion of the site or on that portion of the site which will be least environmentally impacted by construction/development. Other permitted uses include passive recreation and silviculture. Development for purposes other than recreation or residential may be allowed as a special exception. If there is an indication that a wetland is present on a proposed development site, the developer shall be required to provide a wetland determination.

Consistent with Policy **6.02.03k CS.02.11** of the Conservation Element, the Conservation land use designation is defined in the following manner:

Conservation I (CSV I): This land use designation includes all jurisdictional wetlands. This category of land use is not an overlay district and is shown on the Future Land Use Map. Land uses allowed in this category include passive recreation uses, residential and agriculture uses that use BMPs and have received all required regional and state permits. Density shall be one unit per five acres or less. The only fill allowed in this type of wetland shall be the minimum necessary to allow for the construction of the proposed dwelling(s) clustered at the density allowed and for transportation access. A natural vegetative upland buffer, as established in Policy **1.04A.02-FL.04.01**, shall be required and maintained between developed areas and contiguous (i.e., non-isolated) wetlands to protect the water quality of the wetlands.

~~Conservation II: This land use designation includes all jurisdictional wetlands under two acres in size. This category of land use is not an overlay district and is shown generally on the Future Land Use Map. Land uses allowed in this category include passive recreation uses, residential and agriculture uses that use BMPs and have received all required regional and state permits. Density shall be one unit per five acres or less. The only fill allowed in this type of wetland shall be the minimum necessary to allow for the construction of the proposed dwelling(s) clustered at the density allowed and for transportation access. The clearing of native vegetation shall not be allowed except for that which is required to construct the dwelling and accessory structures and to maintain transportation access. A natural vegetative upland buffer, as established in Policy 1.04A.02, shall be required and maintained between developed areas and contiguous (i.e., non-isolated) wetlands to protect the water quality of the wetlands.~~

~~Conservation III: This land use designation includes all 100-year floodplains as determined by Federal Emergency Management Agency Criteria. This land use designation is an overlay district. As such, the Future Land Use Map shows an underlying land use designation. Density shall be as allowed by the underlying land use. Development shall be protected from flooding as required by the Nassau County floodplain regulations. A natural vegetative upland buffer, as established in Policy 1.04A.02, shall be required and maintained between developed areas and contiguous (i.e., non-isolated) wetlands to protect the water quality of the wetlands.~~

Conservation IV (CSV II): This land use designation is for publicly owned conservation lands. Development is limited to that which is allowed by the site's management plan or guidelines as administered by a State, Federal, or County agency. For County lands that have no management plan or guidelines, development shall be limited to that which is deemed appropriate by a state or federal agency.

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A natural vegetative upland buffer, as established in Policy **1.04A.02-FL.04.01**, shall be required and maintained between developed areas and contiguous (i.e., non-isolated) wetlands to protect the water quality of the wetlands.

J. Overlays-Districts

1. Planned Unit Development (PUD)

~~Planned Development may be applied as an optional overlay district over any underlying land use when application is made by the developer under the Zoning Code (Land Development Regulations) and when the County Planning Board approves such application as being an improvement in land use utilization over that permitted by Zoning Code categories.~~

~~The PUD land use overlay will not require a Future Land Use Element amendment so long as the proposed use does not increase the intensity* or density of use specified on the Future Land Use Map for the underlying land use.~~

- a. ~~Intensity of use is based upon the mix of land use activities requiring no greater demand for traffic, water, sewer and solid waste than the designated underlying land use.~~

~~The PUD overlay can allow mixed uses and can disregard traditional zoning requirements, such as set back line and lot coverage requirements in order to achieve better site design. The PUD designation allows the developer and County to negotiate elements of site designated density in order to achieve individual goals. The PUD overlay may not increase the density and intensity of use specified for the Limited Development Overlay.~~

~~The PUD primarily is residential in nature with the following acceptable mix of uses:~~

~~Residential—no less than 65 percent
Commercial—no greater than 15 percent
Recreational—As determined by the LDRs.~~

~~Residential, commercial and recreational land uses within the PUD shall carry the same intensity/density of use as defined in Policy 1.02.05, B. (Residential), C. (Commercial), and E. (Recreational).~~

~~The PUD overlay is granted upon application of the developer; hence, it is not a designation that can be shown in advance on the Future Land Use Map.~~

3. ~~Conservation III (100 Year Flood Plain)—See item "I", above.~~
4. ~~SR 200/A1A Access Management Overlay District. See item "H", above.~~
5. ~~White Oak Plantation Limited Development Overlay~~

~~The existing White Oak Plantation was established in 1938 and has expanded over the years to 6,430.56 acres, agriculturally, especially silviculturally based, single user property which presently supports other uses that are not commonly found in agricultural areas of the County. These uses include a large animal conservation program, supported by the Howard Gilman Foundation, a conference facility which seats forty (40), a dance studio and entertainment space that seats seventy-five (75), about forty (40) rooms of lodging, eleven (11) residences for key staff,~~

~~administrative space for White Oak Plantation and Gilman Building Products, a variety of indoor and outdoor recreational facilities, and various buildings and sheds associated with agricultural, conservation and maintenance activities. Under this White Oak Plantation Limited Development Overlay these existing uses of the property may be expanded to the extent described below. These uses are found to be compatible with the objectives of this Nassau County Comprehensive Plan.~~

~~The uses and activities allowed under this Limited Development Overlay and related conditions are as follows:~~

- ~~1. Traditional agricultural and silviculture uses subject to appropriate best management practices.~~
- ~~2. Environmental conservation, research and education programs associated with animal conservation and the property's natural resources including veterinary, zoological, environmental, silviculture and agricultural sciences.~~
- ~~3. An internationally known conservation center specializing in the breeding of rare and endangered animal species.~~
- ~~4. Resource-based recreational uses that are common to agricultural lands including hunting, fishing, boating, hiking, bird watching, nature study, horseback riding and similar activities.~~
- ~~5. A golf course.~~
- ~~6. A conference facility to seat no more than sixty (60) conferees.~~
- ~~7. Entertainment space, dance studio, and a rehearsal and workshop space with no more than eighty (80) seats.~~
- ~~8. Lodging associated with all Plantation activities not to exceed eighty (80) rooms.~~
- ~~9. Residences for key staff, not to exceed Twenty (20).~~
- ~~10. Administrative space for the Howard Gilman Foundation, Gilman Building Products and other Foundation entities of no more than 45,000 square feet (but not including offices that make up no more than fifteen (15) percent of the space in agricultural, maintenance or other primary use building or small ancillary offices that support predominantly outdoor activities).~~
- ~~11. Various buildings and sheds associated with agricultural, conservation and maintenance activities.~~
- ~~12. Facilities-based indoor and outdoor recreational and entertainment uses and activities including tennis, swimming, field sports, bowling, billiards, dining and food services, lounge and bar, fitness and health, and other similar uses used for the entertainment of guests.~~
- ~~13. White Oak shall continue to provide and maintain its own roadway, potable water, sewage disposal, fire fighting, security, stormwater, and solid waste collection and recycling systems.~~

14. ~~White Oak shall continue to maintain all internal roadways and parking areas appropriate to their function, with White Oak determining the selection of surface material, and in such manner to support emergency access.~~
15. ~~White Oak shall adhere to the following procedures in adhering to the technical codes adopted by Nassau County.~~
 - a. ~~White Oak will retain an engineer or architect who will serve as an Inspector pursuant to Section 105.3 of the Code. Such engineer or architect shall submit his/her credentials pursuant to Section 468 F.S. to the County Building Official who will certify such architect or engineer as being qualified to perform building inspections;~~
 - b. ~~White Oak will file the standard building permit application and two drawing sets with wind loading design signed and sealed by an engineer;~~
 - c. ~~Upon issuance of the building permit, the qualified inspector shall perform all inspections except the Certificate of Occupancy as required by the Code and file certified inspection reports on all inspections that are required by the adopted code;~~
 - d. ~~The County Building Official shall be responsible for the Certificate of Occupancy inspection;~~
 - e. ~~The County building Official or Building Department staff may visit any building project that is permitted pursuant to this paragraph at any time during construction and make such inspections as the Building Official deems necessary.~~
16. ~~All future buildings and animal facilities shall be at least 100 feet from any property line.~~
17. ~~Because the terms and conditions of this Overlay are detailed and site specific, Development review requirements shall not apply to development associated with the uses and activities allowed under this Limited Development Overlay. Only building and related permits (electrical, plumbing, etc.), where required, will be necessary for further implementation of this Overlay.~~
18. ~~Commencing in the year 1996, and in January of each year, White Oak will submit to Nassau County a status report describing the development activity of the preceding year and enumerating the total number of residences, lodging units, entertainment/dance studio seats, and square footage of administrative space.~~
19. ~~This overlay does not exempt the owner from obtaining appropriate required permits from the State of Florida, the United States Government, or the St. Johns River Water management District, or Nassau County, except as Nassau County codes are affected by the language of this Overlay.~~
20. ~~Since this Overlay was adopted by the County Commission prior to the adoption of the County's Concurrency Ordinance, the development contemplated by this Overlay is exempt from the Concurrency Ordinance. Any change in the Limited Development Overlay that will increase impacts or demand for solid waste, potable water, sanitary sewer, drainage, recreation or streets and intersections should be subject to concurrency review.~~

K.H. Multi-Use

~~Land designated for~~ The primary purpose and intent of the Multi-Use designation is intended to accommodate, in a more innovative fashion, development or redevelopment of areas in a larger size and scale. ~~The major purposes of this designation are to facilitate mixed-use development with horizontal and vertical land use integration, reduce the need for automobile travel, provide incentives for quality development and give definition to the urban form. Design, aesthetics, environmental protection and enhancements, are to be emphasized as part of the Multi-Use land use designation. This designation will only be applied to areas that are of regional significance and offer a more practical means of their illustration of the Future Land Use Map (FLUM).~~

The guiding principles of this designation are to:

- Plan for communities, not a single use suburban development;
- Create community identity, a sense of place and definition through urban form;
- Promote innovative design standards through development orders and implementation of county development regulations;
- Facilitate mixed-use development with horizontal and vertical land use integration;
- Reduce the need for automobile travel by promoting multimodal transportation options;
- Promote energy efficiency and reductions in vehicle miles traveled (VMT);
- Create walkable neighborhoods connected by multi-use paths, recreational trails and streets;
- Provide opportunities for workforce housing;
- Provide economic development opportunities; and
- Protect and strengthen existing environmental systems and habitats

~~Areas which are appropriate for the Multi-Use designation include development which meets or exceeds the thresholds for a Development of Regional Impact (DRI), Florida Quality Development (FQD), or Regional Activity Centers (RAC) under Chapter 380, Florida Statutes, or areas which have been approved as a Transportation Management Area with a Chapter 163 Agreement (TMA). These are the only areas to which the Multi-Use designation may apply. Developments in the multi-use category are authorized to use a proportionate share contribution provision in accordance with the provisions of Florida Statutes 163.3180(12) concerning transportation improvements.~~

~~The density and intensity of land uses permitted within the Multi-Use land use category shall be specified in the Future Land Use Element of the county's Comprehensive Plan. Additionally, this land use Category would also still follow the set of circumstances under which proposed development in the designated area would be required to be reviewed through the provisions of Chapter 380, Florida Statutes DRI process, or through the provisions of an approved TMA.~~

~~For an area to qualify for the Multi-Use land use category, the following criteria must be met:~~

- ~~1. This land use designation shall not be approved where other land use designations within the county land use plan provide sufficient flexibility for the existing or proposed land uses.~~
- ~~2. The density and intensity of land uses permitted within this category shall include at least two (2) different land uses and of these no one land use can exceed seventy (70) percent of the land area involved in the particular amendment.~~
- ~~3. Multi-Use land uses will be of regional significance and either a DRI, RAC, FQD or TMA.~~
- ~~4. Multi-Use uses of this magnitude shall be a DRI, FQD, RAC or TMA and may be located in such areas as in community redevelopment areas and~~

~~areas surrounding regional community facilities such as airports, ports, convention centers or governmental complexes, commerce centers, regional activity centers and areas near a major arterial roadway which are planned for intensive development.~~

~~5. Each Multi-Use land use designation shall be a defined geographical area, delineated on the Future Land Use Map (FLUM) of the Future Land Use Element of the 2000-2010 Comprehensive Plan. In addition, on the Map within the defined geographical area, the name of the multi-use development shall be inserted with an asterisk. Elsewhere on the map next to the asterisk shall be a cross reference to the specific policy in the Future Land Use Element which refers to the development by name. Within that policy shall be enumerated all the future land use categories which will be utilized by the development without specific locations so that any land use category may be used anywhere in the development subject to the requirements of other applicable local land development.~~

~~6. The Multi-Use category differs from the Mixed Use Floating District in that there is no prescribed mix of uses and a comprehensive plan amendment will be required to obtain such a FLUM designation. Unlike the Mixed Use category, the Multi-Use category permits transportation impacts to be mitigated through the use of a proportionate share formula pursuant to Florida Statute 163.3180(12).~~

1. An area designated Multi-Use on the adopted Future Land Use Map (FLUM) shall meet the following criteria:
 - a) An area designated Multi-Use on the FLUM shall include a contiguous geographically defined area consisting of a minimum of 250 gross acres. For purposes of these criteria, areas divided only by a public right-of-way shall be considered contiguous. Smaller isolated tracts of land that are under common ownership with the primary Multi-Use area and which are located within a ½ mile of the primary Multi-Use area may also be included.
 - b) An area designated Multi-Use on the FLUM shall consist of a mixture of at least three (3) different land uses, with no single land use exceeding seventy (70) percent. One (1) of the **three (3)** required land uses shall be residential and provide for a minimum of seven-hundred fifty (750) dwelling units.
 - c) Future Land Use Element (FLUE) policies identifying a development program, underlying land use sub-categories, the desired urban form and general development guidelines for a Multi-Use area shall be adopted in conjunction with an amendment for the Multi-Use FLUM designation. As part of the specific Multi-Use policies, the development program distribution and the location of underlying land use sub-categories shall be generally depicted on a **Master** Land Use Plan.
 - d) The underlying land use sub-categories of a Multi-Use area, as generally depicted on the **Master** Land Use Plan, may consist of existing FLUM designations or new designations established to address the unique character of the Multi-Use area.
 - e) Any land area that is amended to Multi-Use after July 1, 2010, shall be subsequently shown as such on the adopted FLUM and recognized by the County as a "Community Planning Area". The FLUM shall delineate the defined geographical boundary and name for each adopted Community Planning Area.

- f) In conjunction with, or subsequent to the adoption of a Comprehensive Plan amendment to Multi-Use, development in areas that are or may be designated Multi-Use on the adopted FLUM shall be reviewed and approved as either a Development of Regional Impact (DRI) under Chapter 380.06, F.S.; or Florida Quality Development (FQD) under Chapter 380, F.S.
- g) Development within an area designated Multi-Use on the FLUM is to be designed so as to minimize the impact on natural resources and systems. Prior to the adoption of any FLUM amendment to Multi-Use, appropriate environmental studies must be completed as part of the application process in order to guide development away from the environmentally sensitive areas identified on the site. Such studies should utilize professionally recognized methodologies and should be based upon best available information, including the Florida Natural Areas Inventory (FNAI), the National Wetlands Inventory (NWI), SJRWMD Land Use Cover maps (FLUCCS) and the Uniform Mitigation Assessment Methodology (UMAM) adopted by DEP.
- h) An area designated Multi-Use on the adopted FLUM may be authorized to use a proportionate share contribution in accordance with the provisions of Florida Statutes Chapter 163.3180(12) and pursuant to development order approval by the Board of County Commissioners.
- i) In conjunction with, or subsequent to, the adoption of a Comprehensive Plan amendment for the Multi-Use FLUM designation, all properties involving development applications shall be rezoned as one or more districts, consistent with the uses, densities and intensities of the underlying land use sub-category.

2. The following are approved Multi-Use designations:

- ~~(1)~~a) The Three Rivers Development of Regional Impact (DRI), which carries the Multi-Use Designation on the Future Land Use Map (Ordinance 2006-81), shall allow the following land uses: Residential (to include Low, Medium and High Density) up to 3,200 dwelling units, retail uses up to 500,000 square feet of aggregate gross floor area; Office uses up to 50,000 square feet of aggregate gross floor area; Industrial uses up to 2500,000 square feet of aggregate gross floor area; Dry Storage of watercraft of up to 300; Recreation uses, Public Building and Grounds, and Conservation, consistent with the Multi-Use Designation. The development rights may be utilized only within the boundaries of the Three Rivers DRI. Within limits, the Developer may exchange land uses by utilizing the Land Use Conversion Tables contained in the Three Rivers Development Order.
- ~~(2)~~b) The PLM West Development of Regional Impact (DRI), which carries the Multi-Use Designation on the Future Land Use Map (Ordinance 2006-79), shall allow the following land uses: Residential (to include Medium and High Density) up to a maximum of six hundred seventy (670) dwelling units), Recreation and Conservation
- c) The East Nassau Community Planning Area (ENCPA), which carries the Multi-Use Community Planning Area designation on the Future Land Use Map (Ordinance 2010-), shall allow the following land uses: Residential (to include Low, Medium and High Density) up to 24,000 dwelling units, Non-Residential uses up to 11,000,000 square feet of aggregate gross floor area, consistent with the Multi-Use Community Planning Area designation. The development rights

may be utilized only within the boundaries of the East Nassau Community Planning Area (ENCPA) and all development must abide by the development standards specified under Objective FL.13 and its associated policies in the Future Land Use Element of this Plan.

Policy FL.01.03

The Land Development Code (LDC) shall include provisions for the awarding of an affordable housing density bonus for master-planned developments. The developer of an eligible development must enter into a development agreement with the County that will ensure that the development meets the following criteria:

- A) Eligible developments may claim a density bonus of one (1) market-rate unit for each affordable unit constructed up to and not to exceed 150 percent of the maximum density permitted by the underlying Future Land Use Map designation.
- B) Eligible developments must provide housing units that meet the criteria for "affordable" as defined in Sec. 420.0004 (3), Florida Statutes, for a period of no less than five (5) years.
- C) Affordable housing units in eligible developments shall be mixed with, and not clustered together or segregated in any way from, market-rate units of the same type.
- D) If the eligible development contains a phasing plan, the phasing plan shall provide for the development of affordable housing units concurrently with the market-rate units. No phasing plan shall provide that the affordable housing units built are the last units in an eligible development.
- E) The exterior appearance of affordable housing units in an eligible development shall be made similar to market-rate units by the provision of exterior building materials and finishes substantially the same in type and quality.
- F) In the case of for-sale affordable units, purchasers would have to be income-qualified, and appreciation of the dwelling unit would be calculated on the basis of certain listed factors to ensure that the unit remains affordable in the case of resale.
- G) In the case of for-rent affordable units, the development agreement would establish an income-qualification process to ensure that the affordable units are rented to eligible households.
- H) Eligible developments may not be located within a designated Coastal High Hazard Area (CHHA)
- I) Eligible developments must demonstrate the ability to maintain adopted Level of Service (LOS) standards for all applicable public facilities.

OBJECTIVE FL.02

The County shall adopt the following overlay districts to be used in conjunction with the Future Land Use Map to promote more efficient development patterns, preserve community character, and protect natural resources.

Policy FL.02.01

Planned Unit Development (PUD) Overlay District

A Planned Unit Development (PUD) may be applied as an overlay district to any residential land use designation(s) pursuant to the adoption of an ordinance authorizing a development order for a PUD, as required by the Land Development Code.

The purpose of a Planned Unit Development (PUD) is to allow site-specific design requirements (i.e. set back lines, lot coverage requirements, open space requirements, etc.). The PUD designation allows the developer and County to negotiate elements of use and site design in order to achieve more efficient development patterns which can lower costs for infrastructure, reduce traffic congestion, create more livable communities, and preserve open space. They generally provide for a balanced blend of mixed residential uses as well as some commercial uses and recreation areas to serve the residents of the development.

A PUD overlay will not require a Future Land Use Map amendment so long as the proposed uses within the PUD are permitted by and do not increase the density or intensity of uses specified on the underlying Future Land Use Map designation(s) and/or other overlay districts. Density refers to the number of dwelling units per gross acre. The gross land area includes all land owned within the property boundaries of the subject parcel. Intensity of use is based upon the mix of land use activities requiring no greater demand for traffic, water, sewer and solid waste than the designated underlying land use.

The PUD primarily is residential in nature with the following acceptable mix of uses:

Residential - no less than 65 percent of the gross land area

Commercial - no greater than 15 percent of the gross land area

Recreation - no less than 20 percent of the gross land area

Residential, commercial and recreational land uses within the PUD shall abide the same maximum density or intensity of use as defined in Policy **FL.01.02** for the Low-, Medium- and High-Density Residential, Commercial and Recreation land use categories.

Policy FL.02.02

100 -Year Floodplain Overlay District

This overlay includes all 100-year floodplains as determined by Federal Emergency Management Agency (FEMA) criteria. Development must be protected from flooding as required by the Nassau County floodplain regulations.

Development within the 100 year flood plain may develop as allowed by the underlying Future Land Use Map (FLUM) category unless otherwise restricted by the policies of this Comprehensive Plan and the County's Flood Plain Ordinance. Nassau County shall include controls in its Land Development Regulations based upon the latest version of the Flood Insurance Rate Maps promulgated by FEMA to establish the location of the 100-year floodplain and flood prone areas in Nassau County. The Land Development Code (LDC), shall require new construction in these areas to meet FEMA regulations. County policy will be to control development in flood prone areas to match FEMA requirements to qualify for Community Rating System.

In addition, the following criteria will apply to development in the 100-year floodplain:

- A) Clearing of native vegetation will be minimized in the 100-year floodplain by requiring a 60% open space ratio for all new development. However, if the 100-year floodplain is also within a jurisdictional wetland (Conservation I), the clearing of native vegetation shall not be allowed except for that which is required to construct the dwelling and accessory structures and to maintain transportation access.

Agricultural uses are allowed if they use Best Management Practices (BMPs), where available, and have received all required regional and state permits. Passive recreation uses are also allowed in all jurisdictional wetlands.

- B) Use of septic tanks in flood prone areas will be restricted as specified by the County Department of Health and all such sewage disposal systems may be required to connect to central sewage systems when system collection lines are made available consistent with Chapter 381.0065, Florida Statutes.

- C) Any development within a flood prone area will maintain the natural topography and hydrology of the development site.

Policy FL.02.03

SR 200/A1A Access Management Overlay District

The SR 200/A1A Access Management Overlay District provides a further means for the County to manage development along SR 200/A1A. This district is shown in map form as part of the Future Land Use Map Series. It lies generally within 1000 feet of each side of SR 200/A1A and stretches from Edwards Road (which is one mile west of the I-95 and SR 200/A1A interchange) to the Intracoastal Waterway. The following policies, in addition to the countywide access management requirements specified by the Transportation Element shall also apply to development within the 200/A1A Access Management Overlay District:

- A) Direct access to SR 200/A1A shall be controlled to preserve the safety, efficiency, and character of this regionally important transportation route. Individual property access shall not be provided to SR 200/A1A where alternative access is available, or can be provided by the land developers, as defined in the Land Development Code (LDC).
- B) Accessibility to land development along SR 200/A1A shall be provided through the use of parallel roads side streets, joint access driveways and cross access easements connecting adjacent developments. Adjacent non-residential properties shall provide a cross access drive and pedestrian access to allow circulation between sites.
- C) In accordance with the State Road 200/A1A Access Management Study, (Florida Department of Transportation, 1995) future developments should be set back an additional 25 feet on each side of the existing right-of-way.

Policy FL.02.04

St. Marys River Overlay District

The intent of the St. Marys River Overlay District is to protect and preserve the beautiful and unique St. Marys River, which possess excellent water quality, outstanding natural habitats, diverse wildlife, and have considerable recreational value.

The St. Marys River Overlay District applies to those properties along the St. Marys River within the upper and lower St. Marys River Basin that lie within Nassau County, Florida. The Overlay District shall be applicable to all Zoning Districts and may be supplemental to the requirements of each Zoning District. Minimum lot requirements for all parcels in all zoning districts within the district are as follows:

A. Minimum lot width:

1. One hundred (100) feet for lots directly adjacent to the riverbank.
2. Lots not directly adjacent to the riverbank shall be the same as the underlying zoning district as set forth in the land development regulations.

B. Minimum lot area:

1. Lots directly adjacent to the riverbank - one (1) acre.
2. Lots not located directly on the riverbank shall be the same as the underlying zoning district as set forth in the land development regulations.

The minimum yard requirements of the underlying zoning district shall apply, as set forth in the land development regulations.

Existing lots of one acre or less and existing structures, as of June 23, 2003 (the date of the adoption of this overlay by Ordinance 2003-34) are grandfathered in as conforming uses.

On-site sewage and disposal systems are prohibited within one hundred (100) feet of the riverbank, measured from the mean high-water line of the tidally influenced portions or from the normal annual flood line of the St. Marys River (whichever is more restrictive). "Tidally influenced" shall mean subject to the ebb and flow of the tides and has as its boundary a mean high-water line as defined in Section 177.27(15), Florida Statutes. All other State, Federal, and local regulations shall be applicable.

Policy FL.02.05

White Oak Plantation Limited Development Overlay District

White Oak Plantation is an agricultural- and silvicultural- based single-user property which supports other uses that are not commonly found in agricultural areas of the County. These uses include a large animal conservation program, supported by the Howard Gilman Foundation, a conference facility, a dance studio and entertainment space, lodge, residences for staff,

administrative space for White Oak Plantation and Gilman Building Products, a variety of indoor and outdoor recreational facilities, and various buildings and sheds associated with agricultural, conservation and maintenance activities. Under this White Oak Plantation Limited Development Overlay these existing uses of the property may be expanded to the extent described below. These uses are found to be compatible with the objectives of this Nassau County Comprehensive Plan.

- A) The uses and activities allowed under this Limited Development Overlay and related conditions are as follows:
1. Traditional agricultural and silvicultural uses subject to appropriate best management practices.
 2. Environmental conservation, research and education programs associated with animal conservation and the property's natural resources including veterinary, zoological, environmental, silvicultural and agricultural sciences.
 3. An internationally known conservation center specializing in the breeding of rare and endangered animal species.
 4. Resource-based recreational uses that are common to agricultural lands including hunting, fishing, boating, hiking, bird watching, nature study, horseback riding and similar activities.
 5. A golf course.
 6. A conference facility.
 7. Entertainment space, dance studio, and a rehearsal and workshop space.
 8. Lodge associated with all Plantation activities not to exceed one hundred twenty (120) rooms.
 9. Residences for use by White Oak Plantation, including residences for staff.
 10. Administrative space for the Howard Gilman Foundation, Gilman Building Products and other Foundation entities of no more than 45,000 square feet (but not including offices that make up no more than fifteen (15) percent of the space in agricultural, maintenance or other primary use building or small ancillary offices that support predominantly outdoor activities).
 11. Various buildings and sheds associated with agricultural, conservation and maintenance activities.
 12. Facilities-based indoor and outdoor recreational and entertainment uses and activities including tennis, swimming, field sports, bowling, billiards, dining and food services, lounge and bar, fitness and health, and other similar uses used for the entertainment of guests.
 13. An education/learning center and nature center

14. White Oak Plantation shall continue to provide and maintain its own roadway, potable water, sewage disposal, fire fighting, security, stormwater, and solid waste collection and recycling systems.
15. White Oak Plantation shall continue to maintain all internal roadways and parking areas appropriate to their function, with White Oak determining the selection of surface material, and in such manner to support emergency access.
16. White Oak Plantation shall adhere to the following procedures in adhering to the technical codes adopted by Nassau County.
 - a. White Oak Plantation will retain an engineer or architect who will serve as an Inspector pursuant to Section 105.3 of the Code. Such engineer or architect shall submit his/her credentials pursuant to Section 468 F.S. to the County Building Official who will certify such architect or engineer as being qualified to perform building inspections;
 - b. White Oak Plantation will file the standard building permit application and two drawing sets with wind loading design signed and sealed by an engineer;
 - c. Upon issuance of the building permit, the qualified inspector shall perform all inspections except the Certificate of Occupancy as required by the Code and file certified inspection reports on all inspections that are required by the adopted code;
 - d. The County Building Official shall be responsible for the Certificate of Occupancy inspection;
 - e. The County building Official or Building Department staff may visit any building project that is permitted pursuant to this paragraph at any time during construction and make such inspections as the Building Official deems necessary.
17. All future buildings and animal facilities shall be at least 100 feet from any property line.
18. Because the terms and conditions of this Overlay are detailed and site specific, Development review requirements shall not apply to development associated with the uses and activities allowed under this Limited Development Overlay. Only building and related permits (electrical, plumbing, etc.), where required, will be necessary for further implementation of this Overlay.
19. This overlay does not exempt the owner from obtaining appropriate required permits from the State of Florida, the United States Government, or the St. Johns River Water management District, or Nassau County, except as Nassau County codes are affected by the language of this Overlay.
20. Since this Overlay was adopted by the County Commission prior to the adoption of the County's Concurrency Ordinance, the development contemplated by this Overlay is exempt from the Concurrency Ordinance.

OBJECTIVE ~~1.03~~ FL.03

~~Upon Plan adoption, t~~ The County shall implement the following policies to eliminate or reduce land uses inconsistent with ~~the County's character and~~ the Future Land Use Map.

Policy FL.03.01

All enacted or amended regulations within in the Land Development Code shall be consistent with this adopted comprehensive plan, and any regulations existing at the time of adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent.

Policy ~~1.03.01~~ FL.03.02

Provisions in the Land Development Regulations Code (LDC) shall be adopted which set standards for buffering and separation between land uses of different densities or intensity of use so as to minimize interference between uses.

~~Policy 1.03.02~~

~~The County Building Official annually shall review the condition of structures that are suspected to be substandard and when found to be deficient, require that they be brought into compliance with adopted building codes.~~

~~Policy 1.03.03~~

~~Land Development Regulations shall provide density bonus incentives to direct commercial and multi-family into "cluster" development patterns, eliminating or reducing strip or ribbon developmen follows major County or state roads.~~

~~Policy 1.03.04~~

~~The County shall adopt and implement land use controls such as minimum set-back and property access points adjacent to major roadways in order to minimize hazardous traffic conditions and maximize traffic flow.~~

~~Policy 1.03.05 Land Development Regulations will be amended to provide language that discourages Future Land Use Map changes that increase density.~~

OBJECTIVE ~~1.04A~~ FL.04

~~Upon Plan adoption,~~The County shall ~~take positive action to protect natural resources create land use policies for the avoidance and minimalization of environmental damage while allowing appropriate new development~~ through implementation of the following policies:

Policy 1.04A.01

~~Nassau County shall assume an active role in protecting the integrity of agricultural land by enforcing Future Land Use Element Policies regarding agricultural land use densities.~~

Policy ~~1.04A.02~~ FL.04.01

The County shall restrict development in conservation areas to the maximum extent possible short of a "taking". Development in Conservation (~~Limited Development~~) I will be permitted at a density no greater than 1 unit per 5 acres with permitted density clustered on the upland portion of the parcel or on that part of the parcel that will be least environmentally affected by construction/development. Where the Future Land Use Map identifies an underlying land use of less density, the density of the underlying land use will prevail. Development will be prohibited in areas designated as Conservation-~~Preservation II~~ (Policy FL.01.02 (G)).

- A) Land alteration activity which destroys, reduces, impairs or otherwise adversely impacts a wetland or natural water body shall be prohibited unless specifically authorized and permitted by all applicable state and federal permitting agencies having jurisdiction, or as otherwise authorized by law
- B) A minimum undisturbed natural vegetative upland buffer of twenty five (25) feet shall be required and maintained between developed areas and contiguous (i.e., non-isolated) wetlands to protect the water quality of the wetlands. The twenty five (25) feet shall be measured from the St. Johns River Water Management District or Florida Department of Environmental Protection wetland jurisdictional line. It is the objective of this requirement that a minimum twenty five (25) foot upland buffer be established in all areas except for those circumstances where an averaging of the buffer width, because of an unavoidable buffer reduction, achieves a greater overall upland buffer width. In no instance shall the upland buffer be less than fifteen (15) feet, except for those areas adjacent to unavoidable wetland impacts such as road crossings.
 - 1. The buffering requirements stipulated above shall only apply to projects for which a permit is not required by the St. Johns River Water Management District (SJRWMD). Projects which do require such permitting shall reflect the buffers approved by SJRWMD upon submittal of development plans for County approval.
- C) In all cases, the applicable buffer shall be depicted on all site plans development plans, and other documents submitted to authorize the review for development.
- D) Upland buffers shall be maintained in their natural vegetated condition. Native vegetation removed or destroyed within the upland buffer in violation of this Policy shall be restored. These areas shall be replanted with comparable native vegetative species as were removed or destroyed.
- E) Noxious and exotic plant materials can be removed. Dead vegetation can be removed. Limbing can occur within the buffers, provided that the limbs to be removed are less than three (3) inches in diameter.
- F) An access way ~~of no more than twenty (20) feet~~ may be provided through the upland buffer.
- G) Agriculture and silviculture operations using "Best Management Practices" in the conduct of their operations shall be exempt form Policy 1.04A.02.

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

- H) All developments shall be subject to the buffer requirements as set forth in Land Development Regulations or other applicable regulatory documents on the date the Development Order was issued for that development.
- I) No development shall be permitted to deviate from these wetland buffer requirements except as authorized by the appropriate County, Regional, State and/or Federal agency and/or as authorized by law. Nassau County shall permit deviation from these standards only in those instances where the applicable Regional, State or Federal agency or applicable law has authorized the proposed deviation. In any case where a deviation is granted, it shall be the minimum necessary to permit reasonable use or access.
- J) In the event this Policy is found to be in specific conflict with any other County policy on the protection of wetlands, estuaries and natural water bodies, the more restrictive shall apply.

Policy ~~1.04A.02A~~ FL.04.02

The County shall not approve any plats that create lots that are not developable due to wetland constraints.

Policy ~~1.04A.02B~~ FL.04.03

An owner of an existing undevelopable wetland parcel that also owns an adjacent non-wetland parcel shall be required to combine the two parcels for development purposes so that the proposed development can be designed according to wetland protection policies of this Comprehensive Plan.

Policy ~~1.04A.03A~~ FL.04.04

In order to maintain the overall ecological integrity of the wetlands community, silviculture activities shall be encouraged to follow the best management practices outlined in the ~~publications titled~~ most recent Silviculture Best Practices Handbook ~~(Revised May 1993, published by the~~ Florida Department of Agriculture and Consumer Services, Division of Forestry).

Policy ~~1.04A.03B~~

~~The silviculture policies of this plan are consistent with the 1993 edition of the Florida Department of Agriculture and Consumer Services, Best Management Practices Handbook. As new editions of the Handbook are published, this plan will be reviewed to ensure that it remains consistent with each new edition.~~

Policy ~~1.04A.04~~

~~The County shall require that the quantity of stormwater runoff after development be equal or less than that which occurred prior to development.~~

Policy 1.04A.05

~~The County shall require that wastewater be reused where practical. New wastewater treatment plants shall be required to provide for the reuse and/or disposal of wastewater by best available technology, including agricultural or landscaping irrigation, percolation, or other permitted measures unless data are presented to support claims that such reuse will impact an unreasonable economic or engineering demand on the plant ownership.~~

Policy 1.04A.06 FL.04.04

The County shall control the number of septic tanks ~~sited in environmentally sensitive areas~~ through permitting only the units approved by the County Health Department based upon their determination of the soils' ability to function as an acceptable drain field. ~~Explore and establish a timetable or plan to extend public sewer lines where feasible to environmentally sensitive areas where population justifies it.~~

Policy 1.04A.07 FL.04.05

The County shall regulate mining operations as follows: Commercial mining operations include man-made water bodies or dry pits greater than 20 feet in depth, measured from the top of the bank. Mining operations shall be permitted only in Agricultural (up to 5 acres) and the Industrial land use category (5 acres or more). No mining operations ~~including or~~ petroleum, natural gas, and liquid natural gas drilling shall be permitted within 200 660 feet of a property line. ~~Mining operations impacting 5 acres of surface area or less or more acres of surface area will be regulated through LDRs to restrict the extent of borrow pits and dredge and fill activities to within 200 feet of property lines or wetland boundaries and to a depth not to exceed the top layer of overlying strata protecting potable water aquifers~~

Policy 1.04A.07A FL.04.06

Impacts from mining operations within the County's forested wetlands shall be minimized, through avoidance of disruption of occupied endangered or threatened species habitat or through requiring restoration of similar habitat when mining is approved in forested wetland. Mining operations and restoration of mined areas must meet the standards of Rule 62C-16.0051 FAC. For mining in wetlands, these standards include 62C-16.0051 (5), (6), (7), (9) and (10).

Policy 1.04A.07B

~~The County, within its ability to do under state law, shall prohibit any mining operations, which would negatively impact quality and quantity of groundwater supplies of existing users.~~

Policy 1.04A.07C FL.04.07

Nassau The County shall ~~adopt LDRs~~ include provisions in the Land Development Code (LDC) that:

- A) Define buffer zones around mining areas to protect surrounding land uses and natural resources ~~which cannot be restored and restrict mining activities to land outside those buffers;~~

- B) Require identification and protection of archaeological ~~properties~~ resources on sites proposed for mining;
- C) ~~restrict the use of land that contains economically recoverable mineral deposits and lies outside environmentally sensitive areas to activities that will not preclude later extraction of those minerals. Prohibit any mining operations which would negatively impact quality or quantity of groundwater supplies;~~
- D) Limit commercial mining operations to the Industrial Heavy (IH) zoning district (or to an equivalent successor zoning district to be adopted by the County) requiring a conditional use approval; and
- E) Limit commercial mining in areas where it is not compatible with existing development

OBJECTIVE ~~1.04B~~ FL.05

~~Upon Plan implementation, t~~ The County will coordinate with the Department of State, Division of Historical Resources ~~in the protection of~~ to protect historic and archaeological resources within the County. ~~The Building Official shall review available materials prior to issuing a building permit or other development order to determine whether the proposed development will impact an identified historical/archaeological site.~~

Policy ~~1.04B.01~~ FL.05.01

The ~~Planning and Zoning Department~~ County shall maintain an inventory of historic and archaeological resources within the County based on information obtained from the Florida Master Site File maintained by the Florida Dept. of State.

Policy ~~1.04B.02~~

~~The County shall protect and preserve known significant archaeological and historic sites through:~~

- ~~1. Pursuing state funds for the purchase of specific sites in eminent danger of destruction by the encroachment of development; and,~~
- ~~2. Requiring a restraint period in building permits to allow for scientific examination of the site before potential damage can occur from development activity.~~

Policy ~~1.04B.03~~ FL.05.02

The County shall provide incentives ~~such as bonus density incentives where possible to the private sector~~ in the Land Development Code to preserve the nature of historic areas.

Policy ~~1.04B.04~~

~~Through site plan review, the Growth Management Coordinator or his designee shall restrain development of projects that would infringe on significant historic and archaeological sites.~~

Policy 1.04B.05

~~The County shall request that the Department of State, Division of Historic Resources, make determination of significant, when encountered in conjunction with a proposed or in progress development.~~

Policy FL.05.03

Historic resources shall be protected through designation as historic sites by the State or County. Such designated sites shall require site plan review procedures for proposed alterations or remodeling that will ensure, through the permitting process, that the proposed activity will not degrade or destroy the historical/ archaeological significance of the site.

Policy FL.05.04

Adaptive reuse of historic structures shall be given priority over actions that would harm or destroy the historic value of such resources. Adaptive reuse shall include the permitting of historic structures to be remodeled or rehabilitated for a use that would be nonconforming to adjacent properties so long as the remodeling/rehabilitation does not affect the historical significance of the structure and the proposed use is, or can be made, compatible with adjacent land uses.

Policy FL.05.06

Proposed development projects shall be reviewed at the time of issuing a building permit or development order to determine potential impacts on known historic sites. When such construction or other development activity may adversely impact a historic/ archaeological site, the proposed development must provide sufficient buffering (spatial separation, physical wall, or other method approved by the County Planning and Zoning Board) before a permit is issued.

OBJECTIVE 1.05 FL.06

~~Upon Plan adoption, t~~ The County will coordinate future land uses in of the coastal areas to the ability to evacuate coastal areas in to reduce or maintain established evacuation times for a major hurricane event.

Policy FL.06.01

The County shall not amend the Future Land Use Map (FLUM) within the boundaries of the defined Coastal High-Hazard Area (CHHA) unless at least one of the following conditions is met:

- A) The requested change does not increase residential density;
- B) The requested change can be determined to not exceed the established hurricane evacuation times pursuant to Sec. 163.3178(9)(a)1 and 2; or
- C) Appropriate mitigation is provided for the requested change to reduce impacts on hurricane evacuation times pursuant to Sec. 163.3178(9)(a)3.

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Policy FL.06.02

Within the CHHA, the County will not make infrastructure improvements to accommodate development greater than the density or intensity than allowed by the Future Land Use Map (FLUM).

Policy FL.06.03

Redevelopment plans within the CHHA shall include reduced densities and the minimization of public facilities and expenditures to a level no greater than that necessary to support land uses in the affected areas as shown on the Future Land Use Map.

~~Policy 1.05.01~~

~~The Nassau County Office of Emergency Management will coordinate with the Northeast Florida Regional Planning Council to maintain updates of the Northeast Florida Hurricane Evacuation Study, 1998, as it pertains to population versus evacuation times. The Office of Emergency Management will ensure that population projections and road conditions used to project evacuation times correspond to current conditions.~~

~~Policy 1.05.02~~

~~The County Office of Emergency Management will maintain hurricane evacuation preparedness through simulation drills based upon "Clearance Times" for the County as defined in the Northeast Florida Hurricane Evacuation Study.~~

~~Policy 1.05.03~~ Reserved.

~~Policy 1.05.04~~

~~Evacuation routes will be given special consideration in the 5-year Capital Improvement Plan for improvement over other transportation facilities. (i.e., C.R. 107).~~

~~Policy 1.05.05~~

~~Update its hurricane evacuation plan and disaster preparedness plan every five years and also re-evaluate its effectiveness immediately after a major disaster event to recommend appropriate improvements.~~

Policy ~~1.05.05A~~ FL.06.04

Public expenditures that subsidize development permitted in Coastal High-Hazard Areas will be allowed for restoration or enhancement of natural resources.

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Policy ~~1.05.05B~~ FL.06.05

Public expenditures for sewer facilities in Coastal High Hazard Areas to serve existing development and future development allowed on the Future Land Use Map will be permitted in order to mitigate the potentially harmful effects of septic tanks on water quality.

Policy ~~1.05.06~~

~~The County shall maintain a current hurricane guide(s) showing evacuation routes, hurricane hazards, safety procedures, shelters, and other pertinent information for its citizens.~~

OBJECTIVE FL.07.01

The County will support the redevelopment and renewal of blighted areas by implementing the following policies:

Policy FL.07.01

The Land Development Code will include criteria to reduce the intrusion of incompatible commercial, industrial and other land uses into existing residential areas.

Policy FL.07.02

The County shall encourage infill development by facilitating infrastructure to infill areas, removing blighting influences, stabilizing neighborhoods, and providing private developers with information regarding available funding for infill development projects.

Policy FL.07.03

The County shall monitor code enforcement complaints, vacancies, declining assessed property values and other indicators of blight in order to identify areas in need of redevelopment.

Policy FL.07.04

When an area is determined by the County to be "blighted" or where a trend toward blight is indicated, the County will seek State, Federal and other funding sources in order to develop a redevelopment plan for the area and implement incentives for redevelopment.

OBJECTIVE ~~1.06~~ FL.08

~~Upon Plan adoption, t~~ The County shall ~~implement the following policies in order to~~ direct development into patterns, which will avoid the proliferation of urban sprawl.

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Policy ~~1.06.01~~ FL.08.01

The County shall ensure that development orders are conditioned upon the concurrency ~~with~~ of the provision of public facilities as identified in ~~the~~ this plan.

Policy ~~1.06.02~~ FL.08.02

Through interlocal agreements, the County shall strive to replace and/or consolidate public facilities and services in order to most efficiently establish and maintain established levels of service.

Policy ~~1.06.03~~ FL.08.03

The County shall promote compact growth within urban development areas by coordinating with municipalities and utility providers to encourage the use of urban service boundaries and facility extension policies, whereby the cost of providing public facilities and services that benefit new development is borne by those individuals that receive direct benefit.

~~Policy 1.06.04~~

~~Reserved.~~

~~Policy 1.06.05~~

~~Within 6 months of adopting the EAR-based plan amendment, the County shall initiate a Special Area Study (also referred to as locally defined sector plan) of the Yulee Planning District. The Special Area Study shall include principals and guidelines that provide for the continued and improved coordination of land use with the transportation system. In addition, the Special Area Study will provide additional strategies for limiting urban sprawl and for advancing the efficient use of land and other resources. The Special Area Study will also evaluate the need to establish priority areas for development wherein a proposed development may receive special incentives such as density bonuses. Other issues to be addressed by the Special Area Study will include the identification of regionally significant natural resources and a detailed identification and analysis of the distribution, extent and location of future land uses.~~

Policy ~~1.06.06~~ FL.08.04

The County shall discourage Urban Sprawl by requiring ~~residential land uses to have minimum and maximum density ranges. As shown by the density ranges on the Future Land Use Map This will allow~~ higher density compact development to occur in areas that are planned to be served by public facilities, ~~and provide~~ ing for sound and ~~more cost-reliable~~ -efficient public facility planning. It will also ~~allow for~~ require lower density development to occur in areas that are environmentally sensitive or in areas that are not planned to receive a high level of public facilities or services.

Policy FL.08.05

The Land Development Code shall provide incentives to direct commercial and multi-family residential uses into clustered or nodal development patterns, that eliminate or reduce strip or ribbon development following major County or state roads.

Policy FL.08.09

The Land Development Code shall provide incentives to encourage new residential and commercial development in rural and transitioning areas to accomplish the following:

- A) Develop in a pattern that is a logical extension of existing urban development patterns avoiding leapfrog or scattered development.
- B) Develop in clustered or nodal patterns, eliminating or reducing strip-style development along arterial and collector roads.
- C) Develop in a pattern that enhances the potential for the extension and maximization of central(regional) water and sewer systems.
- D) Contribute to the development of mixed-use communities that provide for integrated residential and employment opportunities; and provide for civic and public facilities including emergency medical, fire protection and police facilities, parks and other recreational facilities, schools, hospitals and other public or institutional uses.
- E) Minimize the potential impact of urban development on the agricultural productivity of the areas.
- F) Where appropriate, use enhanced standards to create urban-level infrastructure and design elements for new development, including but not limited to streets, stormwater management facilities, landscaping, and signage.

OBJECTIVE ~~1.07~~ FL.09

~~Upon Plan adoption, t~~ The County shall implement policies to ensure that adequate land is available in the future to support components of infrastructure and public school facilities required for projected population growth.

Policy ~~1.07.01~~ FL.09.01

~~An "Access" Land Development Regulation shall be adopted which establishes criteria for:~~ In order to ensure efficient traffic circulation, The Land Development Code (LDC) shall provide for:

- A) The specific numbers amount of parking spaces and feet-of-buffering buffer area required to supporting various commercial/industrial/recreational activities,
- B). ~~Road-right-of-way~~ Protection of right-of-way for major and minor arterials and collector roads ~~(Right-of-Way-Map)~~
- C) ~~Rights-of-way~~ Protection of right-of-way around the entrances to highway and interstate exchanges; and
- D) On-site circulation requirements to relieve congestion on major roadways.

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Policy ~~1.07.02~~ FL.09.02

Land suitable for utility facilities to support future development needs shall be identified by the Engineering Services Department and, by amendment, designated on the Future Land Use Map for private or public acquisition.

Policy ~~1.07.03~~ FL.09.03

The County will ensure sufficient land is available for public school facilities approximate to residential development in order to meet the projected needs for such facilities.

Policy ~~1.07.04~~ FL.09.04

Public schools shall be a permitted use in all land use categories except the Conservation and Industrial land use categories.

Policy FL.09.05

The County shall evaluate development plans to ensure that open space is provided for recreation in all proposed residential or mixed use development projects in accordance with the established level of service.

OBJECTIVE ~~1.08~~ FL.10

The County shall develop innovative land development regulations, ~~which assure that development is consistent with the future land use element.~~ in order to better implement the goals, objectives and policies of this Plan.

Policy ~~1.08.01~~

~~A land clearing ordinance shall be adopted. Provision shall be included in the Land Development Code to regulate the clearing of trees and vegetation from environmentally sensitive areas. Agriculture and silviculture operations using "Best Management Practices" in the conduct of their operations shall be exempt from this ordinance.~~

Policy ~~1.08.02~~

~~The County shall regulate mining operations as follows. No mining operations including petroleum, natural gas, and liquid natural gas drilling shall be permitted within 200 feet of property line. Mining operations greater than 5 acres of surface area shall be controlled through LDRs to restrict the extent of borrow pits and dredge and fill activities to within 200 feet of property lines or wetland boundaries and to a depth not to exceed the top layer of overlying strata protecting potable water aquifers.~~

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Policy FL.10.01

The Land Development Code shall permit the use of innovative land development techniques and allow for appropriate density bonuses to encourage construction of affordable housing units.

Policy FL.10.02

The Land Development Code shall require regulations for new construction in flood-prone areas that meet FEMA requirements for the County to qualify for the National Flood Insurance Program (NFIP) Community Rating System.

Policy ~~1.08.03~~ FL.10.03

The ~~County~~ Land Development Code shall include a landscape provisions ~~section in the Sub Division Regulations~~ that will establish **a-level standards for using the use of** native vegetation in landscape design for future developments.

Policy ~~1.08.04~~ FL.10.04

Requirements shall be incorporated into the Land Development ~~Regulations, Code~~ which limit outdoor signage to design specifications that are appropriate to its message without ~~excessive~~ size, height, or information ~~excessive relative~~ to its location.

Policy ~~1.08.05~~ FL.10.05

The County shall review existing ~~zoning ordinances and subdivision~~ regulations in the Land Development Code and revise as necessary in order to implement the Future Land Use Plan.

~~Policy 1.08.06~~

~~Review current ordinances, codes, and regulations and update code enforcement procedures to ensure compliance.~~

Policy ~~1.08.07~~ FL.10.06

The Land Development Code shall promote the construction of master planned and mixed use **developments by provideing** incentives such as density bonuses, **flexible design standards** and funding options for required infrastructure improvements. ~~extension of time limits for "Certificates of Concurrence" to promote the construction of "master planned and mixed use developments."~~

~~Policy 1.08.08~~

~~Investigate the use of incentives such as the "density bonus program" to promote "in-fill" development in order to reduce urban sprawl.~~

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

Policy 1.08.09

~~Evaluate development plans to ensure that open space is provided for both passive and active recreation for all proposed development projects in accordance with the established level of service.~~

OBJECTIVE 1.09 FL.11

~~Upon Plan adoption,~~ The County shall ensure the protection of private property rights and recognize the existence of private interests in land use.

Policy 1.09.01 FL.11.01

Nassau County will regulate the use of land only for valid public purposes and in a reasonable manner, in accordance with ~~due process~~ the Bert J. Harris, Jr., Private Property Rights Protection Act (Sec.70.001 F.S.).

Policy 1.09.02

~~Nassau County shall consider favorably any request for land use change that is consistent with the County's Comprehensive Plan.~~

Policy 1.09.03 FL.11.02

Areas identified on the FLUM as wetlands are generally defined. A landowner may provide more detailed data to the County to clarify jurisdictional wetland areas. Those land areas determined by the Board of County Commissioners, with the advice of the St. Johns River Water Management District, that are determined not to be jurisdictional wetlands, will be allowed to be developed at the least intense adjacent land use densities and intensities. Where the adjacent land use remains wetlands the county will allow the use to be the least intense use bordering on the surrounding wetland.

Policy FL.11.03

For wetlands located in the Conservation Habitat Network (CHN) land use sub-category as established in the East Nassau Community Planning Area, boundary adjustments to such wetlands are subject the criteria established in Policy FL.13.07(A)(1)(e)

Policy FL.11.04

Development within identified special flood hazard areas (i.e., the 100 year flood plain) may develop as allowed by the underlying land use, unless otherwise restricted by the policies of this Comprehensive Plan and the County's Flood Plain Ordinance. The County shall establish the location of special flood hazard areas in the Land Development Code based upon the latest version of the FEMA Flood Insurance Rate Maps (FIRMs). The LDC shall require new construction in these areas to meet FEMA requirements to qualify for the NFIP Community Rating System.

Except for an individual single family permit, development in identified special flood hazard areas are limited to 50% impervious surface ratio (ISR) for that portion of the development site lying within the special flood hazard area.

Policy 1.09.04

~~The County will foster the use of land for agricultural purposes by allowing non-nuisance agricultural operations in any land use category. It is the intent of the County that the Future Land Use Map will not affect any existing or future Greenbelt Exemptions when the use of the property is agricultural. Regardless of the designation indicated for land on the Future Land Use Map, no lands in the County which have been classified as agricultural for ad valorem property taxes shall be granted a development order for any purpose more intensive than agricultural use unless the property owner agrees to remove the agricultural classification of such land for ad valorem property taxes.~~

Policy 1.09.05 FL.11.05

Final development plans shall be vested for one year from the date of final plan approval. Developers who have been issued a final County development order within time of vesting, and whose development has been commenced in a timely manner, and is continuing in good faith shall be allowed to complete their project. Any amendments or modifications to the plans shall be required to meet the provisions of development plan approval.

Policy 1.09.06 FL.11.06

Approved final subdivision plats shall be vested for five years from the date of approval. Plats that have no signs of public facility development after five years, i.e.: infrastructure improvements, shall be reviewed by the Board of County Commissioners and may be vacated.

Policy 1.09.07 FL.11.07

This plan shall not limit or modify the rights of any person to complete any development or plat that has been authorized as a development of regional impact, planned unit development, or who has been issued a final County development order and whose development has commenced in a timely manner and is continuing in good faith.

Policy 1.09.08 FL.11.08

Notwithstanding the entitlements provided under this Comprehensive Plan, certain property owners have voluntarily proffered, and Nassau County does hereby accept, an agreement to limit the development of their property in accordance with the adopted policies under this objective and subject to compliance with all applicable development standards and procedures.

Voluntary proffered agreements to limit development on specific property shall be approved by the County through the Comprehensive Plan amendment process and memorialized in an adopted policy that specifies the location and ownership of the property at the time of amendment adoption. The policy shall specify the maximum development program to be allowed on the subject property and any other limitations agreed upon with the county. Unless otherwise

specified, the limitations shall remain on the subject property regardless of ownership or future subdivision of the property.

The location of the subject property of an approved voluntary proffered agreement shall be delineated on the Future Land Use Map (FLUM) and annotated with a description of the maximum development program for the property. This Policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(a-f).

- A) CPA06-007 Corporate Realty Advisors (Ordinance 2008-09): Approximately 25 acres in Section 39, Township 2N, Range 26 East and Section 44, Township 2N, Range 27 East located in the northeast quadrant of the interchange of Interstate 95 and S.R. 200 lying north of the electric transmission line easement recorded in O.R. 123 at page 284. This property was the subject of CPA06-007 (Ordinance 2008-09) and is owned by Corporate Realty Advisors of Jacksonville Beach. Said parcel is limited to 250,000 square feet of shopping center, ITE Code 820 or an equivalent commercial use, or combination of uses, generating no more than 982 new p.m. peak hour trips (total trips minus pass-by trips). This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(a).
- B) CPA08-005 17/95 RV Park LLC (Ordinance 2008-20): Approximately 149.88 acres lying in Section 35, Township 4N, Range 26 East and Section 02, Township 3N, Range 26 East located in the northwest quadrant of the interchange of Interstate 95 and U.S. Highway 17. This property was the subject of CPA08-005 (Ordinance 2008-20) and is owned by 17/95 RV Park LLC of Fernandina Beach. Said parcel is limited to 1,209,300 square feet of general light industrial, ITE Code 110 or an equivalent combination of industrial uses generating no more than 1,572 p.m. peak hour trips. This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(b).
- C) CPA08-004 Harts Road LLC (Ordinance 2008-19): Approximately 200 acres lying in Section 42, Township 2N, Range 27 East located near the intersection of William Burgess Blvd. and Harts Road. This property was the subject of CPA08-004 (Ordinance 2008-19) and is owned by Harts Road LLC of Fernandina Beach. Said parcel is limited to 2,050,000 square feet of High Cube Warehouse, ITE Code 152 or an equivalent combination of industrial uses generating no more than 305 p.m. peak hour trips. This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(c).
- D) CPA09-001 1995 Cook Limited Partnership LLC (Ordinance 2009-19): Approximately 203.58 acres lying in Section 8, Township 2N, Range 27 East located between the Nassau County Judicial Complex and the Florida State College at Jacksonville Nassau Campus. This property was the subject of CPA09-001 (Ordinance 2009-19) and is owned by 1995 Cook Limited Partnership LLC of Callahan, Florida. The development of said parcel is limited by the following phasing schedule. The parcel shall not be permitted to develop in advance of this schedule unless all infrastructure to support the phase is in place or included in a financially feasible capital improvement program of the State of Florida or Nassau County. This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(d).

PHASE DATES	DWELLING UNITS	EQUIVALENT PMPH TRIPS
Phase I, Effective date - 12/31/2015	268	232
Phase II, 1/1/2016 - 12/31/2025	212	142
Phase III, 1/1/2026	268	184

- E) CPA09-002 ICI Villages LLC (Ordinance 2009-20): Approximately 487.19 acres lying in Sections 29, 30 and 31, Township 2S, Range 23 East located between U.S. Route 90 and Interstate 10. This property was the subject of CPA09-002 (Ordinance 2009-20) and is owned by ICI Villages LLC of Daytona Beach, Florida. Conservation easements shall be established pursuant to Sec. 704.06 F.S. in order to preserve and maintain a minimum of seventy-five (75) acres south of the CSX rail line and shall be classified as Conservation I. The easements shall be established prior to the first site plan approval on the industrial site. The limits of this conservation area are subject to minor refinement to reflect a more exacting description when the property has been issued an Environmental Resource Permit by the St. Johns River Water Management District.

Development of the Subject property shall be limited to 2,350,000 square feet of uses permitted in the Industrial portion and 40,000 enclosed square feet of uses permitted in the Commercial portion that altogether generate no more than 688 external p.m. peak hour trips. Any development of the property that would generate more than 688 peak hour trips must be preceded by an amendment to the Schedule of Capital Improvements including any roadway improvements needed to achieve and maintain the adopted level of service based upon the maximum development potential. The Capital Improvements contained in the Comprehensive Plan Amendment shall be derived from a traffic impact study whose methodology is acceptable to the City of Jacksonville Planning and Development Department, Nassau County Growth Management Department, and the Florida Department of Transportation. This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(e).

- F) CPA10-001 Terra Pointe, LLC (Ordinance 2010-06): Approximately 1,814 acres lying in Sections 2, 3, 4, 9, 10 and 11, Township 1 North, Range 24 East located near the intersection of U.S. Highway 301 and Crawford Road. This property was the subject of CPA10-001 and is owned by Terra Pointe, LLC of Fernandina Beach. A minimum of 309 acres of wetlands shall be preserved within the site. Development of the remaining portions of the property shall be limited to 780,000 sq. ft. of General Light Industrial (ITE 110), 780,000 sq. ft. of Manufacturing (ITE 140), and 3,640,000 sq. ft. of High Cube Warehouse (ITE 152) or any equivalent use(s) permitted by the industrial FLUM category generating no more than 1,942 p.m. peak hour trips. If at any time of development either:

- i) Link 83 (CR119 to Crawford Rd and Link 84 (Crawford Road to Pickett Road) on US Highway 301 are widened to 4 lanes; or
- ii) Links 83 and 84 are in FDOT's Five-Year Work Program; or
- iii) Links 83 and 84 are moved into the County's adopted Capital Improvements Schedule;

then development consistent with the Industrial FLUM category that generates up to 2,507 additional external pm peak hour trips shall be allowed for the subject property (4,449 total trips). No commercial mining operations shall be permitted within the property. This policy shall succeed 2010 Comprehensive Plan Policy 1.09.08(f).

OBJECTIVE ~~1.10~~ FL.12

~~Upon Plan adoption, The County shall promote local economic development within the County by implementing the following policies: by designating and protecting areas suitable for job-creating land uses.~~

Policy FL.12.01

The County shall coordinate with the Nassau County Economic Development Board and other local economic development agencies to identify and protect suitable locations for a variety of industrial and business park uses throughout the County.

~~Policy 1.10.01~~

~~Coordinate with municipal and countywide economic development organizations to investigate the feasibility of developing and funding an optional economic development element consistent with the provisions of Chapter 163, F.S. and 9J-5, Florida Administrative Code.~~

~~Policy 1.10.02~~

~~Support the use of state and federal grants to fund infrastructure and low interest loans to encourage new and expanded business opportunities within the County.~~

~~Policy 1.10.03~~

~~Support the expansion of the amount of land designated for industrial and commercial development at strategic locations within the unincorporated area, as described by the following:~~

~~A. Callahan Planning District~~

~~The County supports an increase in the size of the Crawford Industrial Park.~~

~~The County, or its designees, shall promote development of the Crawford Industrial Park as an appropriate site for industries that require facility sites of 50 to 100 acres.~~

~~The County shall support private, state and federally funded improvements to transportation access to the site, which includes US 301, the CSX main rail line and a Norfolk Southern main rail line. The County also supports phased development of water and sewer facilities and an internal road system.~~

~~The County shall require that a master plan of the Crawford Industrial Park shall address, but not be limited to protecting wetlands, wildlife corridors, and open space. Also included will be a conceptual plan for transportation access and an assessment of the potential impact on concurrency.~~

~~B. Hilliard Planning District~~

~~The County hereby changes the use of land at two specific sites that are immediately adjacent to the Town of Hilliard. The first is south of the Winn-Dixie shopping center on US-1. This site is~~

~~currently zoned as open rural residential. The County supports changing the land use designation to commercial use.~~

~~The second site is located on Route 115 (Old Dixie Highway). It is currently zoned as open rural and is adjacent to a light industrial area that includes the Okefenokee rural Electric Office. The County supports reclassifying this land use to industrial use in order to promote the site for increased light industrial use.~~

~~Proposed development on these two sites shall be required to connect to municipal water and sewer services.~~

~~The County shall require that a master plan of each site be developed before the change of land use is approved. The master plan shall address, but not be limited to protecting wetlands, wildlife corridors and open space. Also included will be a conceptual plan for transportation access and public facilities and an assessment of the potential impact on concurrency.~~

C. Yulee Planning District

~~The County hereby expands the amount of land available for commercial and light industrial use at the SR 200/A1A and I-95 interchange as a way to promote economic development.~~

~~The County supports designating an area of approximately 2000 acres in the SR 200/A1A and I-95 interchange area as a commercial/industrial node for mixed-use commercial/industrial development. This would allow for the development of commercial, office, manufacturing, and distribution-type industries.~~

~~The County shall support state, private and federally funded improvements to transportation access to the site, which includes SR 200/A1A, I-95 and the CSX rail line.~~

~~The County shall more specifically address development strategies and proposed changes in land use for this location as part of a locally defined Sector Plan (also referred to as a special area study) that is being initiated for the Yulee Planning District. A master plan of the SR 200/A1A, I-95 Commercial/Industrial area shall address, but not be limited to protecting wetlands, wildlife corridors and open space. Also included will be a conceptual plan for transportation access and public facilities and an assessment of the potential impact on concurrency. If the issues to be addressed by the master plan are instead addressed by the Yulee Sector Plan, the County will consider this approach a reasonable alternative to the master plan requirement.~~

OBJECTIVE FL.13

East Nassau Community Planning Area

Consistent with the Multi-Use Community Planning Area land use provisions of Future Land Use Element Policy FL.01.02, the East Nassau Community Planning Area (ENCPA) is hereby created and adopted. The principles and standards of the following policies will be implemented during future development orders within the ENCPA and are enforceable as provided for in Chapter 163, F.S. The ENCPA shall recognize the inherent, integral relationship between transportation, land use and urban design and the degree that these elements affect one another and shall provide high value regional employment and economic development opportunities through the promotion of compatible and financially sustainable land use patterns. To facilitate the use of multiple modes of transportation, leading to a reduction in automobile use and vehicle miles traveled, development shall be in the form of complete communities that discourage urban sprawl; strengthen long range transportation planning efforts through creation of parallel transportation corridors, walkable and transit-supporting environments; preserve environmental resources; and create a greater diversity of housing types and prices.

Policy FL.13.01

Development Principles

Nassau County shall promote a sustainable and efficient land use pattern within the ENCPA by requiring development within the ENCPA to incorporate the following development principles:

- A) Protect certain unique physical and visual characteristics of the ENCPA which include bluff topography, the St. Mary's River, Lofton Creek and significant historic or archaeological resources; and
- B) Create a connected network of community amenities consisting of public parks, multi-use pathways, schools and playfields; and
- C) Provide a variety of housing types with the higher residential densities near village centers; and
- D) Design communities that support alternative modes of transportation with an emphasis on bicycle and pedestrian mobility and the opportunity for rail or bus rapid transit component located along the existing railroad corridor and U.S. 17 corridor; and
- E) Dedicated rights-of-way designed to accommodate necessary utility infrastructure, dedicated bike lanes and a variety of transit opportunities; and
- F) Enable regional employment and activity centers that encourage targeted economic development and job-supporting uses that maximize the benefits of existing or reserved highways, rail and transit-accommodating corridors; and
- G) Conserve energy, conserve water resources and reduce greenhouse gas emissions through innovative, energy-efficient building construction and development practices; and
- H) Establish a Conservation and Habitat Network of uplands, wetlands, blackwater creeks and wildlife corridors that define, connect and protect significant natural habitats; and
- I) Accommodate a new interchange at Interstate 95 to serve the ENCPA and facilitate implementation of the Long Range Transportation Plan.

Policy FL.13.02

Definitions and Interpretations

For the purpose of Objective FL.13 and its supporting Policies, the following terms, phrases, words and their derivations shall have the meaning contained herein, except where the context clearly requires otherwise. Terms not otherwise defined herein shall be first interpreted by reference to the Nassau County Land Development Code, if specifically defined therein; and secondly by reference to generally accepted planning, engineering, or other professional terminology if technical, and otherwise according to common usage, unless the context clearly indicates otherwise. In each case, the range of allowable uses shall be broadly interpreted so as to allow those types of uses compatible with listed uses in these ENCPA policies and consistent with the overall intent of the applicable land use sub-category.

- A) Block: A unit of land bounded by streets or a combination of streets and public land, railroad rights-of-way, waterways, or other barrier to the continuity of development.

- B) Block, Civic: A block where civic space or uses exceed 75% of the total block land area.
- C) Block, Mixed-Use: A block with a minimum of two (2) land uses, with one (1) of the land uses being residential. For any mixed use block containing only 2 land uses, neither land uses shall represent less than 25% of the total block floor area. For any mixed use block containing three (3) or more land uses, none of the land uses shall contain less than 15% of the total block floor area.
- D) Block, Office: A block where office uses exceed 75% of the total block floor area.
- E) Block, Residential: A block where residential uses exceed 75% of the total block floor area.
- F) Block, Retail: A block where retail, eating/drinking and service uses exceed 75% of the total block floor area.
- G) Common Area: Any portion of a development designed and intended to be used in common by the owners, residents or tenants of the development. These areas may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the owners, residents or tenants.
- H) Common Open Space: All open space, or portions thereof, including landscaping, screening, and buffering, which is part of a common area.
- I) Density (Residential): The number of residential dwelling units per unit of land.
- J) Density, Average Net (Residential): The residential density, based on the area of a development site, less waterbodies, wetlands, designated public lands, conservation uplands, public open space and stormwater management areas.
- K) Development Site: The property under consideration for a development, which may contain one or more potential building sites. Where the development site may contain more than one building site, any applicable development site setback requirements may be established from the development site perimeter.
- L) Intensity (of Use): The bulk or mass of a use upon a building site or development site, as expressed by either residential density or non-residential floor area ratio (F.A.R.), which is the gross floor area of all buildings or structures on a development site divided by its developable area.
- M) Minimum/Maximum Intensity Criteria: In land use sub-categories where mixed use development is permitted or required, a development site shall meet the following minimum and/or maximum intensity criteria.
 - 1. Minimum intensity criteria:
 - a) Residential development shall meet the minimum residential average net density required within the land use sub-category; or
 - b) Non-residential development shall meet the minimum F.A.R. required within the land use sub-category; or

- c) Where both residential and non-residential development is proposed or required, the percentage sum of both the minimum residential average net density and the minimum F.A.R., when calculated separately, equals or exceeds 100%.

2. Maximum intensity criterion:

- a) Where both residential and non-residential development is proposed or required, the maximum residential average net density and maximum F.A.R. standards shall be considered and applied separately.
- N) Preliminary Development Plan (PDP): The procedures, review criteria and application requirements provided for in the Nassau County Land Development Code. To ensure that development in the ENCPA achieves the principles of **Policy FL.13.01**, the PDP shall include a minimum of one-hundred (100) gross acres.

Policy FL.13.03

Green Development Practices

Development within the ENCPA shall promote sustainable community and building design techniques and energy conservation strategies consistent with recognized green building standards. These techniques and strategies shall be established during the Nassau County development review process and shall include the following:

- A) Protecting and enhancing natural systems, as provided for in **Policy FL.13.07.(A)**:
- B) Considering surface waters, conservation lands and environmental open space as a visual amenity;
- C) Encouraging alternative modes of transportation that reduce the average vehicle miles traveled and greenhouse gas emissions;
- D) Developing incentives for water conservation;
- E) Incorporating Florida water-wise vegetation and natural (native) planting area into site landscaping to limit and reduce the use of potable water;
- F) Providing education to promote green living practices; and
- G) Promoting energy conservation by encouraging green building practices.

Policy FL.13.04

Recreational Trails and Multi-Use Pathways

As a means of promoting walkability and connectivity, recreational trails and multi-use pathways shall be required as an integral component of development in the ENCPA. Such trails and pathways may be developed in lieu of a sidewalk when located alongside an arterial, collector or local roadway. In addition, minimum design and safety standards for all recreational trails and multi-use paths shall be established during the Nassau County development review process.

Policy FL.13.05

Multi-Modal Transportation District Design

In accordance with the requirements of Chapter 163.3184 F.S. and subject to approval by the Florida Department of Community Affairs (DCA) and the Florida Department of Transportation (FDOT), Nassau County may designate the ENCPA Regional Center as a Multi-Modal Transportation District (MMTD). **In anticipation of a future designation**, development within the ENCPA Regional Center **shall incorporate the following**:

- A) A complementary mix and range of land uses, including educational, recreational, and cultural uses;
- B) Interconnected networks of streets designed to encourage walking and bicycling, with traffic-calming where desirable;
- C) Appropriate densities and intensities of use within walking distance of transit stops;
- D) Daily activities within walking distance of residences, allowing independence to persons who do not drive; and
- E) Public uses, streets, and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and with parking not interfering with pedestrian, transit, automobile, and truck travel modes.

Policy FL.13.06

U.S. 17 Transit Oriented Development (TOD)

Transit Oriented Development (TOD) areas are designated on the **Master** Land Use Plan along the existing U.S. 17 and adjacent rail corridor. The Transit Oriented Developments (TOD) will be designed to support a multimodal transportation center. The TODs shall consist of residential, commercial, office, and employment generating land uses that benefit from the adjacent rail and highway corridor and will be designed to encourage walking, biking and transit ridership. The TODs shall be characterized by the following:

- A) Compact building and site design;
- B) A walking and biking environment;
- C) A mix of transit-supportive uses;
- D) Attention to pedestrian access;
- E) Highest concentration of population and employment will be located closest to transit stations;
- F) Transit-supportive parking;
- G) Development within an area designated as TOD shall contain the following percentage of block types.

1. Mixed Use Blocks - 15% to 80%

2. Retail Blocks - 0% to 50%

3. Office Blocks - 0% to 60%

4. Residential Blocks - 15% to 60%

5. Civic Blocks - 5% to 30%; and

H) On-site parking for commercial and office land uses shall be located behind or beside buildings fronting on primary streets (excluding internal access lanes).

Policy FL.13.07

Land Use Sub-Categories

The following land use sub-category descriptions and general development guidelines and standards shall be used by Nassau County in conjunction with the adopted ENCPA Master Land Use Plan (FLUMS-6) to implement the criteria of Objective FL.13:

Conservation and Habitat Network (CHN)

Regional Center (RC)

Employment Center (EC)

Village Center (VC)

Residential Neighborhood (RN) [and Neighborhood Center (NC)]

Resort Development (RD)

A) Conservation and Habitat Network (CHN): The Conservation and Habitat Network as depicted on Map FLUMS-6 (Master Land Use Plan) is designed to provide viable environmental communities that are sustained during and after development of the ENCPA. The CHN consists of natural waterbodies, wetlands, buffers and other uplands which will not be converted to development uses, but will allow for a variety of passive and nature-oriented recreational uses including, but not limited to, canoeing/kayaking, equestrian activities, walking/hiking and bicycle trails as well as timber management. The CHN contains the connected wetland strands encompassing over 80% of the ENCPA wetlands; and over 80% of the mapped 100 year floodplain. The CHN, as placed under a conservation easement, may be used as mitigation areas for state, Federal and local wetland permitting; and as protected habitats to fulfill state and Federal protected species permitting requirements.

1. CHN General Guidelines and Standards

The Conservation and Habitat Network shall be subject to the following general guidelines and standards:

a) Prior to development of portions of the ENCPA that abut boundaries of the CHN which preserve wildlife habitat, a management plan shall be developed that

promotes maintenance of native species diversity in such areas and which may include provision for controlled burns.

- b) New roadway crossings of wildlife corridors within the CHN for development activity shall be permitted in conjunction with the design of the internal road network, but shall be minimized to the greatest extent practical.
- c) Road crossings within the CHN will be sized appropriately and incorporate fencing or other design features as may be necessary to direct species to the crossing and enhance effectiveness of such crossings.
- d) Prior to commencement of development within the ENCPA, an environmental education program shall be developed for the CHN and implemented in conjunction with a property owners association, environmental group or other community association or governmental agency so as to encourage protection of the wildlife and natural habitats incorporated within the CHN.
- e) The boundaries of the CHN are identified on Map FLUMS-6. The boundaries of the CHN shall be formally established as conservation tracts or placed under conservation easements when an abutting development parcel to portions of the CHN undergoes development permitting in accordance with the requirements of the St. John's River Water Management District (SJRWMD) and pursuant to the following criteria:
 - i. As to wetland edges forming the CHN boundary, the final boundary shall be consistent with the limits of the jurisdictional wetlands and associated buffers as established in the applicable SJRWMD permit;
 - ii. As to upland edges forming the CHN boundary, the final boundary shall be established generally consistent with Map FLUMS-6, recognizing that minor adjustments may be warranted based on more or refined data and any boundary adjustments in the upland area shall (i) continue to provide for an appropriate width given the functions of the CHN in that particular location (i.e., wetlands species or habitat protection), the specific site conditions along such boundary and the wildlife uses to be protected and (ii) ensure that the integrity of the CHN as a wildlife corridor and wetland and species habitat protection area is not materially and adversely affected by alteration of such boundary; and
 - iii. Boundary modifications meeting all of the criteria described in this Policy subsection shall be incorporated into the Conservation and Habitat Network and the ENCPA Master Land Use Plan upon issuance of the applicable SJRWMD permits and shall be effective without the requirement for an amendment to the Nassau County Future Land Use Map, ENCPA Future Land Use Element Policies or any other Nassau County Comprehensive Plan Elements defined in Chapter 163, F.S.
- f) Silvicultural and agricultural activities allowed in the Agricultural classification of the Future Land Use Element of the Nassau County Comprehensive Plan, excluding residential land uses, shall continue to be allowed within the CHN. When the final boundaries of any portion of the CHN are established as described above, a silvicultural management plan will be developed in accordance with best management practices to protect the overall conservation objective of such portion of the CHN.

B) **Regional Center (RC):** The Regional Center land use sub-category shall be used to reflect compatible locations for a mixture of high density residential, highway commercial/interchange-related uses, regional-scale retail, commercial, hotel, office, business/research parks and light industrial development. The Regional Center shall provide residential and employment opportunities designed to be supported by the adjacent highway and rail corridors, while encouraging multi-modal transportation options and Transit Oriented Development ("TOD") as located on the **Master Land Use Plan.**

Range of Allowable Uses: Residential, retail (including highway-oriented, regional malls), vehicle sales, restaurants, big box retailers, and hotels/motels), office, research parks, personal services, business service and light industrial, parks/plazas and other civic uses, public facilities, transit stations and other land uses that are similar and compatible.

Average Net Density: Minimum - 4.0 du/ac.; 7.0 du/ac. in the TODs Maximum - 30 du/ac.

Intensity*: Minimum - 0.25 F.A.R.; 0.50 F.A.R. in the TODs Maximum - 3.00 F.A.R.

* Where residential and non-residential uses are included within the same structure, floor area ratio will exclude those portions devoted to residential dwelling units.

1. Regional Center General Development Guidelines

Development within the Regional Center land use sub-category shall be zoned to one or more zoning districts consistent with the uses, densities, intensities described above, which zoning shall include County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

- a) The Regional Center shall be designed to incorporate the key elements of a Multi-Modal Transportation District, pursuant to **Policy FL.13.05.**
- b) Residential development shall be permitted as detached single family units, attached townhomes, multi-family units; and live-work units; residential units may be located above ground floor commercial and professional office. Residential development within the Regional Center is not subject to density bonuses found elsewhere in the Comprehensive Plan.
- c) Subject to a binding agreement, shared parking areas shall be permitted for all Regional Center uses, including any public and civic land uses. The County's land development regulations may provide reduced minimum parking ratios for development located with a 15-minute walk of a rail transit stop or within a 5-minute walk of a feeder transit line.
- d) Development shall be designed to incorporate landscaping and pedestrian amenities such as benches and bicycle parking along neighborhood sidewalks and multi-use paths.
- e) Development shall be designed to incorporate high quality plazas and parks that serve residents, employees and visitors of the Regional Center.
- f) Development shall be designed to accommodate feeder bus/transit stops.

C) **Employment Center (EC):** The Employment Center land use sub-category is intended to provide residential, office, research park, technology, office and service uses, manufacturing, warehousing distribution, commercial and civic uses that serve greater Nassau County and the region. Employment Centers shall be located adjacent to or near other intense land uses and potential transit corridors, including Interstate 95, U.S. Highway 17, S.R. 200/ A-1-A and existing rail lines.

Range of Allowable Uses: Multi-family residential dwellings (whether free standing or part of a mixed use structure), office, personal services, research park, high technology, high value business industry and service uses, manufacturing, warehousing distribution, commercial, hotel and civic uses, public facilities, transit stations and other land uses that are similar and compatible.

Average Net Density: Minimum - 5.00 du/ac. Maximum - 20.00 du/ac.

Intensity*: Minimum - 0.00 F.A.R. Maximum - 1.00 F.A.R.

* Where residential and non-residential uses are included within the same structure, floor area ratio will exclude those portions devoted to residential dwelling units.

1. Employment Center General Development Guidelines

Development within the Employment Center land use sub-category shall be zoned to one or more zoning districts consistent with the uses, densities and intensities described above. Such zoning shall be subject to County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

- a) Development in the Employment Center land use sub-category shall be subject to the following land use mix percentage requirements:
 - i. Office, research park and business service - 15% to 90%;
 - ii. Industrial (manufacturing and warehousing distribution) - 0% to 60%;
 - iii. Support retail, hotel and services - 0% to 10%;
 - iv. Civic, public facilities and transit stations - 10% minimum; and
 - v. Residential - 0% to 10%
- b) Shared parking areas and garages shall be permitted for all Employment Center uses, including any civic and public facilities.
- c) Development shall be designed to incorporate landscaping and pedestrian amenities such as benches and bicycle parking along sidewalks and multi-use paths and streets.
- d) Development shall be designed to accommodate feeder bus, bus rapid transit and other transit stops.

D) **Village Center (VC):** The purpose of the Village Center land use sub-category is to recognize areas within the ENCPA which shall include a mixture of higher density residential development and larger-scale commercial, office or civic (including schools) land uses are appropriate. Village Centers are intended to support the needs of more than one neighborhood.

Range of Allowable Uses: Single family, two-family, ancillary (accessory) dwelling units; multi-family residential either free standing or in mixed use structures, retail sales, personal services, business and professional offices, recreational and commercial-working waterfront uses, parks/plazas, recreation and open spaces, government, other public uses and other land uses that are similar and compatible.

Average Net Density: Minimum - 7.0 du/ac. Maximum - 20.0 du/ac.

Intensity*: Minimum - 0.20 F.A.R. Maximum - 1.00 F.A.R.

* Where residential and non-residential uses are included within the same structure, floor area ratio will exclude those portions devoted to residential dwelling units.

1. Village Center General Development Guidelines

Development within the Village Center land use sub-category shall be zoned to one or more zoning districts consistent with the uses, densities, intensities described above. Such zoning shall be subject to County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

- a) Residential development shall be permitted as single family, multi-family or attached live-work units and shall be permitted above ground floor commercial and professional office.
- b) On-site parking for commercial and office land uses shall be located behind or beside buildings fronting on primary streets.
- c) Shared parking areas shall be encouraged for all Village Center uses, including any public and civic land uses.
- d) Sites shall be designed to incorporate landscaping and pedestrian amenities such as benches and bicycle parking along neighborhood sidewalks and multi-use paths.
- e) Sites shall be designed to incorporate plazas and parks that serve the Village Center and surrounding neighborhoods.
- f) Sites shall be designed to accommodate existing or future feeder bus/transit stops.

- E) Residential Neighborhood (RN): The Residential Neighborhood ("RN") land use sub-category is intended to create a variety of residential densities, housing types and neighborhoods that are organized around a community Village Center. Development shall be designed using compact land use patterns that are conducive to walking or bicycling.

All neighborhoods shall be served by a connected transportation network suitable for pedestrians, bicycles and motorized vehicles. Streets are to be constructed for slower vehicular travel speed and designed to accommodate transit through reservation of bus bays, etc. Neighborhoods should also be designed to provide public parks and accessible open space, including multi-use paths and trails.

The RN land use sub-category shall be based on a three-tiered residential density approach around designated Village Centers. Tier 1 shall be adjacent to, and generally

within, a ¼ mile of designated Village Centers and shall include the highest minimum average net densities of the three (3) tiers. Tier 2 shall be generally located within one (1) mile of designated Village Centers and include slightly lower minimum average net densities. Tier 3 shall be generally located beyond one (1) mile from Village Centers and provide opportunities for the lowest minimum average net densities and large rural lots, while allowing for a clustered residential development pattern. The allowable uses and average net densities for each tier are described below.

Average Net Density Proximate to Village Centers:

<u>Development Tier</u>	<u>Minimum Average Net Density</u>	<u>Maximum Average Net Density</u>
<u>Tier 1 - Adjacent to and generally within ¼ mile from Village Centers</u>	<u>5.0 du/ac.</u>	<u>N/A</u>
<u>Tier 2 - Generally between ¼ and one (1) mile from Village Centers</u>	<u>2.5 du/ac.</u>	<u>N/A</u>
<u>Tier 3 - Generally beyond one (1) mile from Village Centers</u>	<u>N/A</u>	<u>0.50 du/ac.*</u>

**Where residential development is not clustered as described in Policy FL 13.07(E)(2)(b), Tier 3 shall be limited to a maximum residential density of one (1) dwelling unit per 10 gross developable acres.*

Range of Allowable Uses: Single family detached, two-family, townhomes and multi-family residential; ancillary (accessory) dwelling units; clustered residential lots (in Tier 3); parks; schools and day care centers; other public/civic facilities; and neighborhood scale commercial and office (in Neighborhood Centers), and other land uses that are similar and compatible.

1. Residential Neighborhood General Development Guidelines - Tiers 1 and 2 Only

Development in Tiers 1 and 2 of the Residential Neighborhood land use sub-category shall be zoned to one or more zoning districts consistent with the uses, densities, intensities described above. Such zoning shall be subject to County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

- a) Private neighborhood parks, plazas and civic areas shall provide an identity for individual neighborhoods.
- b) Community or regional parks and community facilities shall be located near or adjacent to planned and existing public school facilities. Joint-use recreational facilities with a public school facility shall be encouraged.
- c) Private neighborhood parks are improved areas and shall provide recreational space and may include such amenities as informal play fields, play equipment, seating areas and other such improvements.
- d) Private neighborhood parks shall be generally a minimum of ¼ acre in size and publicly accessible.

- e) Public schools shall be located in accordance with Objective 10.3 of the Public Schools Facilities Element.
- f) Stormwater management areas shall be designed as a visual amenity and may count towards the minimum park and common open space requirements when publicly accessible.
- g) Transit stops, where public transit is available, should be incorporated as a focal point and designed as a civic feature in a visible and secure setting of the neighborhood.

2. Residential Neighborhood General Development Guidelines - Tier 3 Only

Within Tier 3, the County shall establish measures to achieve the desired rural land use pattern. Development in Tier 3 shall be zoned in one or more districts consistent with the uses, densities, intensities described above. Such zoning shall be subject to County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

- a) Development shall not exceed an average maximum density of one (1) dwelling unit per ten (10) gross acres. However, where development is clustered to preserve open space, the County shall permit densities up to an average maximum net density of one (1) dwelling unit per two (2) acres.
- b) Clustered development areas shall contain a minimum of eight (8) lots and a maximum of thirty (30) lots, with a maximum front lot width of 150 feet.

3. Neighborhood Center (NC) General Development Guidelines

The Residential Neighborhood land use sub-category may contain centrally located "Neighborhood Centers" that serve as a focal point of a neighborhood and provide limited neighborhood-serving land uses designed to support the daily needs of residents in accordance with the following criteria.

Range of Allowable Uses: General retail, personal services, offices, attached residential and civic uses including religious institutions, day care facilities, parks/plazas, other neighborhood- serving uses, and other land uses that are similar and compatible.

Average Net Density: Consistent with the Residential Neighborhood land use sub-category criteria above

Intensity: Maximum - 0.20 F.A.R.

Development within Neighborhood Centers shall be zoned to one or more zoning districts consistent with the uses, densities, intensities described above. Such zoning shall be subject to County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

- a) The gross land area for Neighborhood Centers shall include a maximum of twelve (12) acres and shall include a park square or green of at least one (1) acre in area.
- b) Residential development shall be permitted as attached live-work units or located above ground floor commercial and professional office.

c) Shared parking areas shall be permitted for all neighborhood center uses, including any public and civic land uses.

F) Resort Development (RD): The Resort Development land use sub-category is intended for a mixture of seasonal and year-round housing types in a neighborhood-like setting. Non-residential uses such as hotels, restaurants and resort-serving commercial, retail and service uses shall be permitted in the Resort Development land use sub-category.

Range of Allowable Uses: Seasonal and year-round single family detached, two-family, townhomes, apartments, condominiums, timeshares, and ancillary (accessory) dwelling units; parks; golf courses; resort commercial, personal services and office uses; recreational and commercial-working waterfront uses; hotels; educational facilities and day care; other civic facilities essential to neighborhood residents; and other land uses that are similar and compatible.

Average Net Density: Minimum - 4.0 du/ac. Maximum - 20.0 du/ac.

Intensity*: Minimum - 0.00 F.A.R. Maximum - 2.00 F.A.R.

* Where residential and non-residential uses are included within the same structure, floor area ratio will exclude those portions devoted to residential dwelling units.

1. Resort Development General Development Guidelines

Development in the Resort Development land use sub-category shall be zoned to one or more zoning districts consistent with the uses, densities, intensities described above. Such zoning shall be subject to County approval of a Preliminary Development Plan (PDP) and shall be consistent with the following general development guidelines:

a) Neighborhood parks may provide recreational space and include such amenities as play fields, play equipment, seating areas and other such improvements. Open space may provide alternatives to parks when it provides areas for uses such as hiking, biking or picnicking.

b) Parks shall be a minimum of ¼ acre in size. Parks shall be privately owned and maintained, unless accepted for public dedication.

Policy FL.13.08

General Development Standards

When applicable, the following General Development Standards shall be addressed for development within each land use sub-category, with more specific development standards established during the Preliminary Development Plan (PDP) review process.

A) Block size and connectivity standards;

B) Minimum and maximum lot area and size;

C) Maximum lot depth and width;

- D) Principle building setbacks (buildings close to and oriented to the street);
- E) Other building setbacks (including balconies, canopies, accessory structures, porches, stoops, driveways, other encroachment limitations, etc.);
- F) Building heights measured by the number of stories;
- G) Accessory dwelling unit standards;
- H) Street-front building transparency standards (window and doors);
- I) Other building façade and street orientation standards;
- J) Parking location, delivery and loading standards;
- K) Multi-use pathways, sidewalks and roadway standards (conflicts between pedestrian and vehicular movements decided in favor of the pedestrian);
- L) Street cross sections;
- M) Alley requirements for residential lots less than sixty-feet (60') in width;
- N) Common open space and storm water retention location and general design;
- O) Landscaping standards;
- P) Pedestrian amenities such as benches and bicycle parking along neighborhood sidewalks and multi-use paths;
- Q) Buffering and screening standards;
- R) Sign standards;
- S) Public, civic and park space standards; and
- T) Public area lighting standards.

Policy FL.13.09

St. Marys River Greenway

The St Mary's River Greenway ("Greenway") shall consist of areas with uniquely high topography adjacent to the St Mary's River or Bells River in locations as depicted on the adopted ENCPA Master Land Use Plan (Map FLUMS-6). The Greenway shall be developed in a manner to protect the view shed to and from the river bluffs and preserve portions of the unique visual and physical characteristics of the riverfront and its bluffs. The following development guidelines shall be enforced to ensure consistency with this Policy:

- A) The Greenway shall have an average minimum width of one-hundred feet (100'), with a minimum width of fifty feet (50');

Note: **HIGHLIGHTED TEXT** indicates changes made from Transmittal Draft of 5/10/2010 based upon the Objections, Recommendations, and Comments (ORC) Report issued by the Florida Dept. of Community Affairs (DCA) 7/13/2010

- B) Development within the Greenway shall include points of public access for the purposes of providing non-vehicular pedestrian connectivity to key locations in the resort area and to the internal ENCPA multi-use pathway system; and
- C) Development within the Greenway shall be limited to river access facilities, observation decks and walkways, educational or conservation centers, golf courses, walking trails and other passive recreational uses. Golf course areas within the Greenway shall not be permitted within the minimum required fifty feet (50') buffer area.

Policy FL.13.10

Sustainable Development Program

For the purpose of providing a more sustainable land use pattern, the ENCPA has been designed to restrict development within the designated Conservation Habitat Network and to establish a new regional employment center for Nassau County. Given the significant economic development potential formed by access to planned regional rail service along the U.S. 17 corridor, two existing interchanges and a planned new interchange for Interstate 95, these areas of the ENCPA are uniquely situated to foster job growth and have been designated as a regional employment center. To ensure that a functional land use mix is realized through the ENCPA, the following maximum development program quantities are hereby established:

2010-2015 MAXIMUM ENCPA DEVELOPMENT PROGRAM	
Residential	1,200 Dwelling Units
Non-Residential	1,210,000 Sq. Ft.
2030 MAXIMUM ENCPA DEVELOPMENT PROGRAM (Cumulative)	
Residential	24,000 Dwelling Units
Non-Residential	11,000,000 Sq. Ft.

Policy FL.13.11

Jobs-to-Housing Balance

The ENCPA shall provide a functional mix of land uses to assist the County in achieving a countywide jobs-to-housing balance goal of 1.19 jobs per employed resident. The primary intent for establishing an appropriate jobs-to-housing balance program is to:

- A) Support sustainable, energy efficient development patterns by placing residential and non-residential uses in close proximity to each other and thereby, effectively reduce commuting distances for a significant percentage of ENCPA and county residents;
- B) Encourage land use patterns that help attract additional job growth for Nassau County; and
- C) Maintain a mix of residential and non-residential land uses within the ENCPA that will meet or exceed the established jobs-to-housing balance ratio at buildout, while taking market conditions into consideration.

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For purposes of this Policy, ENCPA development shall be considered to have an acceptable jobs-to-housing balance (JHB) if the ratio of proposed jobs to the number of projected employed residents (jobs divided by employed residents) meets or exceeds 0.84 at buildout. Calculations shall be based upon 1.21 employed residents per household and typical 450 square feet per employee by land use.

Policy FL.13.12

Distribution of Uses by Land Use Sub-Category

The following minimum and maximum uses within each ENCPA land use sub-category are required to implement mixed-use controls, ensure an appropriate spatial relationship between housing and services and demonstrate the ability to achieve the desired jobs-to-housing balance ratio in Nassau County. The specific mixture of uses shall be established by the County during the Development of Regional Impact and monitored through the Preliminary Development Plan review processes.

<u>Land Use Sub-Category</u>	<u>Maximum Residential Uses* (dwelling units)</u>	<u>Minimum Non-residential Uses* (Building Sq. Ft.)</u>
<u>Regional Center and Employment Center (combined**)</u>	<u>7,500-9,000**</u>	<u>9,000,000 - 10,000,000</u>
<u>Resort Development</u>	<u>2,500 - 3,500</u>	<u>400,000 - 500,000</u>
<u>Village Center</u>	<u>2,000 - 3,000</u>	<u>700,000 - 850,000</u>
<u>Residential Neighborhood</u>	<u>9,000 - 11,000</u>	<u>150,000 - 200,000</u>

* Total residential units and non-residential square footage shall not exceed the committed development program of 24,000 residential units and 11,000,000 square feet of non-residential uses

** Residential Uses in the Employment Center land use subcategory shall not exceed 1,500 units

Policy FL.13.13

Silvicultural and Agricultural Activities

The size and scope of the ENCPA contemplates a long range planning horizon and the desire to allow for continued silvicultural and agricultural activities until parcels are otherwise developed. Silvicultural and agricultural activities, which include residential uses at a density not to exceed one dwelling unit per 20 acres, shall be allowed within planned development parcels of the ENCPA until such time as building permits are issued for a development parcel. Thereafter, such activities shall be limited to the range of allowable uses for the applicable land use sub-category, unless silvicultural and agricultural uses are otherwise provided for by the development order applicable to such parcel.

Policy FL.13.14

Master Land Use Plan

The East Nassau Community Planning Area (ENCPA) Master Land Use Plan, illustrated at a measurable scale on Map FLUMS-6, is adopted as part of the Future Land Use Map series. It is a guide for the development pattern within the ENCPA and depicts the general location of land use sub-categories required to support the ENCPA development principles and policies. The

character of each land use sub-category is further defined by residential density, range of permitted uses and non-residential intensities. The Master Land Use Plan may be modified in conjunction with a Development of Regional Impact (DRI) or DRI modification, to the extent the DRI program is applicable to the land subject to such modification, or in conjunction with a Preliminary Development Plan without a Comprehensive Plan amendment, provided that:

- A) The modification does not increase or decrease the ENCPA boundary; and
- B) The modification does not increase the overall development program as identified in Policy **FL.13.10**; and
- C) The modification is found consistent with the development principles and respective ENCPA FLUE policies; and
- D) The modification is approved in conjunction a development order, resolution or ordinance adopted by the Board of County Commissioners pursuant to public notice and public hearing; and
- E) Modifications to the Conservation Habitat Network (CHN) boundaries shall follow the general guidelines and standards set forth in Policy 1.11.7(A)(1).

Policy FL.13.15

Common Open Space

In addition to water bodies, wetlands, greenways and conservation areas which appear on the ENCPA **Master** Land Use Plan (Map FLUMS-6), the ENCPA land use sub-categories shall include areas designated as common open space. Common open space shall be in the form of neighborhood parks, squares, mews, greens, recreational trails and/or multi-use paths and shall be distributed throughout each respective Preliminary Development Plan. Stormwater facilities that are designed as a visual project amenity may also be counted towards this requirement.

Policy FL.13.16

Public Water and Wastewater Utilities

All development within the ENCPA shall be served by central water and wastewater service.