

**ORDINANCE NO. 2017- 30**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE NOS. 89-7, 90-5, AND  
95-4, KNOWN AS THE TRADEPLEX PUD/DRI ORDINANCE, SPECIFICALLY  
AMENDING EXHIBIT D – STIPULATION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 89-7 on February 21, 1999, which amended Ordinance No. 83-19, providing for the creation of a Planned Unit Development (“PUD”) known as the Fernandina International Tradeplex, as described in Exhibits A and B therein; and

**WHEREAS**, the Board of County Commissioners further amended Ordinance No. 89-7 by adopting Ordinance No. 90-5 and Ordinance No. 95-4; and

**WHEREAS**, Ordinance No. 95-4, included Exhibit “A” indicating the land uses for the 61.2 acres; and

**WHEREAS**, the Board finds it necessary to further amend the PUD in order to clarify the properties included and subject to the PUD; and

**WHEREAS**, the Board has determined that, notwithstanding anything in the Ordinances to the contrary, the reference to the surrounding 300 acres, except the Science First parcel, are not and have never been part of the PUD; and

**WHEREAS**, Resolution No. 2010-213, adopted December 13, 2010, included the property known as Science First, depicted on the attached Exhibit “B” (including legal description); and

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida, has found it necessary to show conclusively the property subject to the PUD/DRI and the land uses for Phases I and II, as set for in Exhibit “A” and Exhibit “B” attached hereto; and

**WHEREAS**, the Board of County Commissioners finds that Sections II, III, IV, V, VI, VII, VIII, IX and XI of Exhibit “D” of Ordinance No. 89-7 should be rescinded; and

**WHEREAS**, the Planning and Zoning Board conducted a public hearing on the proposed ordinance on September 5, 2017 and unanimously voted to recommend approval; and

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida, held a public hearing on the ordinance on September 25, 2017.

**NOW, THEREFORE BE IT ORDAINED** by the Board of County Commissioners of Nassau County, Florida, that Ordinance No. 89-7, as amended, shall be further amended to read as follows:

## **SECTION 1. FINDINGS**

This ordinance is consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan.

## **SECTION 2. AMENDMENT**

### **EXHIBIT D STIPULATION**

#### **I. PERMITTED USES**

1. 61.21 acres shall be used for the uses set forth in Exhibit "A" ~~industrial use~~, and 9.10 acres for an access road. The Science First uses are set forth on Exhibit "B". ~~The industrial acreage shall be limited to light manufacturing, warehousing, and office space.~~
  - a. ~~The industrial use shall be limited to 60,000 sq. ft. and approximately 15,000 sq. ft. of office space.~~

#### **~~H. SURROUNDING ACREAGE~~**

- ~~1. The surrounding 300 acres, if purchased by the Ocean Highway and Port Authority or utilized by the Ocean Highway and Port Authority or Prenmar, Inc., or any of Prenmar's or the Port Authority's designated agents or the Tradeplex entity, shall be included in the PUD/DRI.~~

**III. — ACCESS ROAD**

1. ~~Arrangements shall be made for adequate right of way width, as determined by the County Engineer, for the four-laning of the access road from SR 200/A1A to the Applicant's development, when necessitated by traffic volume projections based upon traffic studies for the Applicant's development and proposed developments in the surrounding three hundred (300) acres.~~

**IV. — CURB CUTS**

~~The Applicant's development and proposed developments in the surrounding three hundred (300) acres will be limited to one (1) curb cut and one (1) median cut on SR 200/A1A at the location the proposed access road intersects SR 200/A1A, as identified in the Interim Corridor Plan for SR 200/A1A between SR 107, Nassauville Road, and Lofton Creek as adopted by the Board of County Commissioners.~~

**V. — EXHIBITS**

1. ~~All Exhibits attached to the PDA, executed by the County on December 6, 1988, and the rezoning shall be made a part of this Ordinance.~~

**VI. — ORDINANCE NO. 83-19**

1. ~~The provisions of Ordinance 83-19, Section 26, shall be adhered to.~~

**VII. — PRELIMINARY DEVELOPMENT PLAN**

1. ~~The uses as set forth herein shall serve as a preliminary development plan subject to further review by the Planning Council and the Board of County Commissioners.~~

**VIII. — CONSULTATION WITH COUNTY OFFICIALS**

1. ~~The Applicant shall regularly and routinely consult with the County Engineer, Planning and Zoning Director, Public Safety Director, and the Sheriff regarding the final development plan and include, when possible, suggestions of the aforementioned officials~~

~~in all final development plans. All written recommendations of the aforementioned officials shall be provided to the Planning Council and the Board of County Commissioners.~~

## **~~IX.~~ IMPACT**

~~The development may impact existing infrastructure, and there is not sufficient infrastructure in place to provide adequate fire protection. The Applicant shall be subject to impact fees.~~

## **~~X.II.~~ D.R.I.**

This project is a Development of Regional Impact (DRI) as defined by Section 380.06, Florida Statutes. This project shall be subject to appropriate DRI reviews and procedures. Notwithstanding the adoption of this PUD ordinance, Nassau County may consider all regional and local issues as a result of the DRI review, pursuant to Chapter 380 of the Florida Statutes. The County may amend this Ordinance to address any local or regional issues as a result of the DRI review. The DRI consists of the 61.21 acres plus the 8.50 acres known as Science First.

## **~~XI.~~ SPECIAL REQUIREMENTS**

- ~~1. All conveyances and leases of any properties within the PUD shall contain a reference to the PUD.~~
- ~~2. The PUD shall be subject to permitting requirements of the various State agencies.~~
- ~~3. The owner of the surrounding three hundred (300) acres shall be notified of the PUD ordinance.~~
- ~~4. The Developer shall provide to the County a drawing of the A1A corridor between the Amelia River and the Yulee area. The drawing shall show the existing A1A right of way road pavement alignment with existing median crossings, intersections of all existing~~

~~streets and driveways and abutting land parcels with their ownership, acreage, existing land use, and zoning.~~

- ~~5. The Developer shall provide to the County a digitized map in Autocad format of the map regarding the above of the A1A corridor between the Amelia River and the Yulee area.~~
- ~~6. The Developer shall provide to the County a traffic analysis of A1A from the Amelia River to the Yulee area and the proposed F.I.T. facility.~~
- ~~7. The Developer will at its own expense provide Nassau County with a site plan and architectural/engineering plans and a two bay fire station to be constructed on a site near the project.~~
- ~~8. The Developer shall pay its proportional share of the Impact Fee Analysis and Transportation Study under the supervision of the County Engineer.~~

### **SECTION 3. SEVERABILITY**

It is the intent of the Board of County Commissioners of Nassau County, Florida and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance. that the provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of Nassau County, Florida. The codifier may re-letter or renumber sections to conform to the uniform numbering and style of the Code.

### **SECTION 4. CODIFICATION**

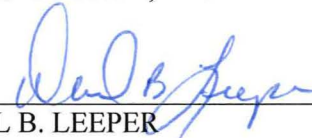
It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of Nassau County, Florida. The codifier may re-letter or renumber sections to conform to the uniform numbering and style of the Code.

**SECTION 4. EFFECTIVE DATE**

This Ordinance shall take effect upon filing with the Department of State provided for in Section 125.66, Florida Statutes.

**ENACTED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF  
NASSAU COUNTY, FLORIDA, this 25th day of September, 2017.**

BOARD OF COUNTY COMMISSIONERS OF  
NASSAU COUNTY, FLORIDA

By:   
DANIEL B. LEEPER  
Its: Chairman

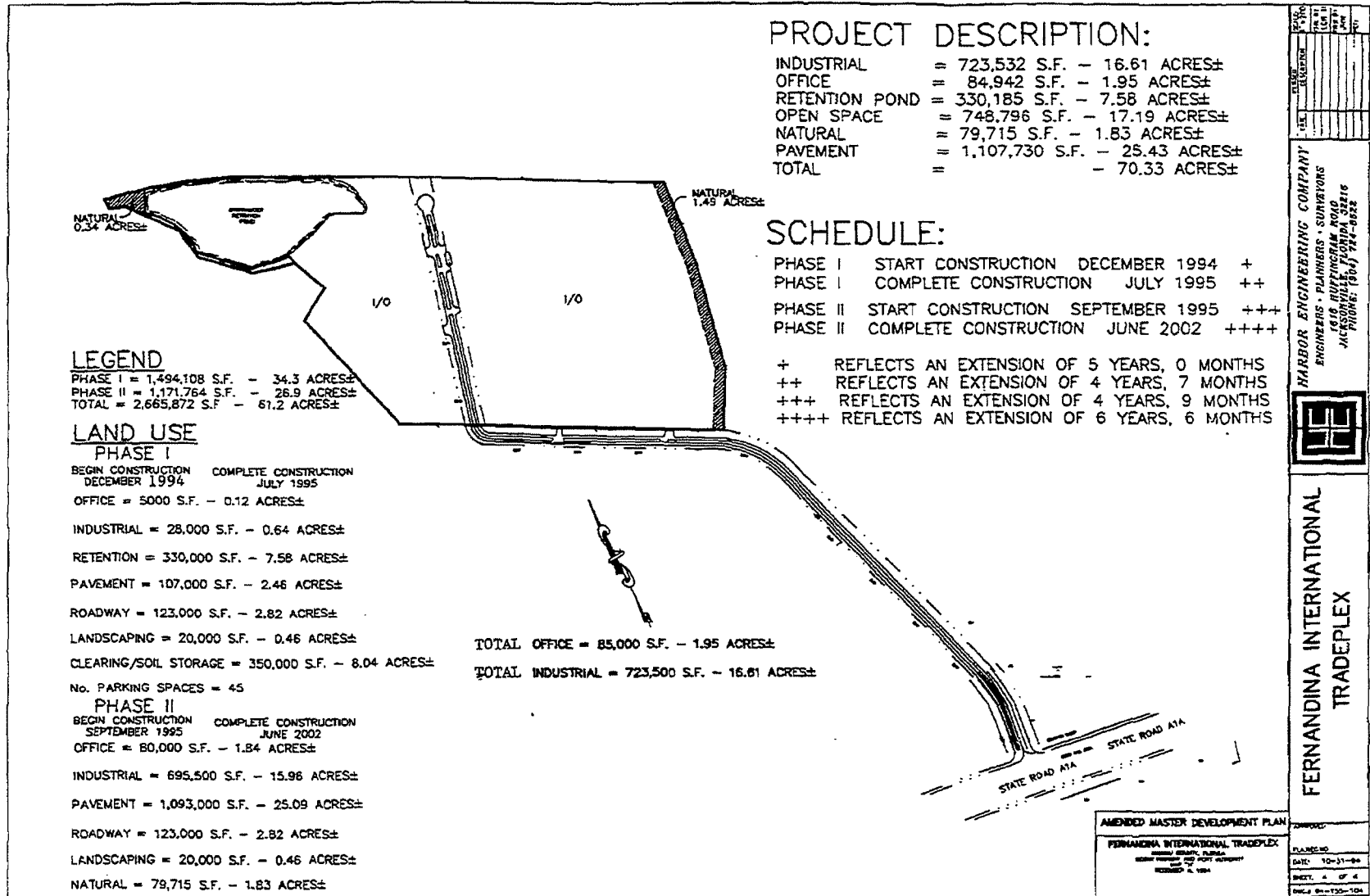
ATTEST AS TO CHAIRMAN'S SIGNATURE:

  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

MES  
09.26.17

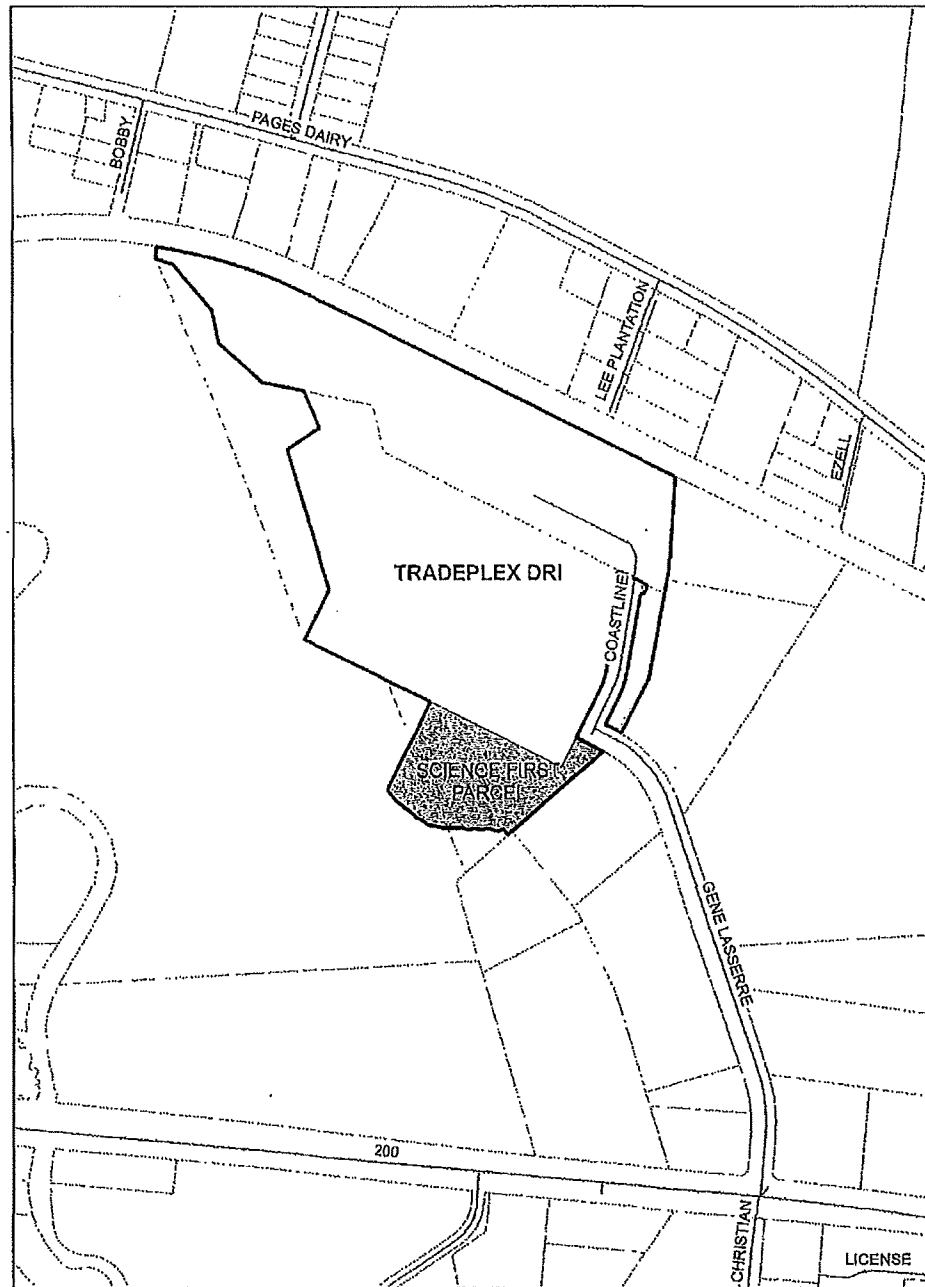
Approved as to form by the County Attorney:

  
MICHAEL S. MULLIN



## EXHIBIT "B"

Graphic depiction of the subject property:



Note: The Master Plan "Exhibit A" of Ordinance 95-4 is hereby amended to include an additional 70,000 square feet of warehouse and 5,000 square feet of general office (ITE codes 150 and 710 respectively) to the Science First parcel for a total of 130,000 square feet for that parcel.



**EXHIBIT "B"**

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 51, TOWNSHIP 3 NORTH AND A PORTION OF THE JOHN D. VAUGHN GRANT, SECTION 52, TOWNSHIP 3 NORTH, ALL LYING IN RANGE 27 EAST, NASSAU COUNTY, FLORIDA: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF GENE LASSERRE BOULEVARD (A 125-FOOT RIGHT-OF-WAY ACCORDING TO DEED RECORDED IN DEED BOOK 730, PAGE 375, OFFICIAL RECORDS OF SAID COUNTY) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD No. 200/A-1-A, (A VARIED WIDTH RIGHT-OF-WAY AS ESTABLISHED BY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION No. 74060-2503), SAID POINT BEING AT RIGHT-OF-WAY STATION 301+46.73 AS SHOWN ON SAID DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS, SECTION No. 74060-2503; THENCE NORTH 05°-15'-01" EAST ALONG SAID CENTERLINE OF GENE LASSERRE BOULEVARD, A DISTANCE OF 202.24 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID CENTERLINE, SAID CURVE BEING CONCAVE TO THE WEST AND HAVING A RADIUS OF 711.05 FEET, A CHORD DISTANCE OF 288.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 08°-27'-43" WEST; RUN THENCE NORTH 18°-10'-26" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 1391.39 FEET TO A POINT OF CURVATURE; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID CENTERLINE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 511.45 FEET, A CHORD DISTANCE OF 396.28 FEET TO A POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 40°-57'-55" WEST; RUN THENCE NORTH 63°-45'-25" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 174.70 FEET TO A POINT LYING ON A SOUTHEASTERLY LINE OF LANDS NOW OR FORMERLY OF ABP FL (YULEE) LLC. (ACCORDING TO DEED RECORDED IN DEED BOOK 1231, PAGE 541, OFFICIAL RECORDS OF SAID

COUNTY); RUN THENCE SOUTH 27°-07'-36" WEST, ALONG LAST MENTIONED SOUTHEASTERLY LINE, A DISTANCE OF 62.50 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 63°-45'-25" EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF AFOREMENTIONED GENE LASSERRE BOULEVARD, A DISTANCE OF 157.62 FEET TO A POINT LYING ON THE NORTHWESTERLY LINE OF LANDS NOW OR FORMERLY OF YULEE TRADE PLEX DEVELOPMENT, LLC (ACCORDING TO DEED RECORDED IN DEED BOOK 1579, PAGE 453, OFFICIAL RECORDS OF SAID COUNTY); RUN THENCE SOUTH 48°-52'-27" WEST, ALONG LAST MENTIONED NORTHWESTERLY LINE, A DISTANCE OF 605.71 FEET TO A POINT; RUN THENCE THE FOLLOWING FIFTEEN (15) COURSES: 1.) NORTH 47°-26'-31" WEST, A DISTANCE OF 42.46 FEET TO A POINT; 2.) SOUTH 73°-16'-44" WEST, A DISTANCE OF 36.28 FEET TO A POINT; 3.) NORTH 70°-19'-21" WEST, A DISTANCE OF 43.85 FEET TO A POINT; 4.) SOUTH 76°-39'-18" WEST, A DISTANCE OF 28.05 FEET TO A POINT; 5.) NORTH 89°-43'-08" WEST, A DISTANCE OF 61.90 FEET TO A POINT; 6.) NORTH 82°-28'-47" WEST, A DISTANCE OF 52.11 FEET TO A POINT; 7.) SOUTH 89°-21'-03" WEST, A DISTANCE OF 45.93 FEET TO A POINT; 8.) NORTH 85°-35'-30" WEST, A DISTANCE OF 58.00 FEET TO A POINT; 9.) NORTH 76°-53'-45" WEST, A DISTANCE OF 56.97 FEET TO A POINT; 10.) NORTH 56°-29'-35" WEST, A DISTANCE OF 65.70 FEET TO A POINT; 11.) NORTH 52°-40'-28" WEST, A DISTANCE OF 68.50 FEET TO A POINT; 12.) NORTH 49°-23'-27" WEST, A DISTANCE OF 68.19 FEET TO A POINT; 13.) NORTH 40°-13'-40" WEST, A DISTANCE OF 60.91 FEET TO A POINT; 14.) NORTH 12°-14'-18" EAST, A DISTANCE OF 5.79 FEET TO A POINT; 15.) NORTH 26°-13'-46" EAST, A DISTANCE OF 476.96 FEET TO A POINT LYING ON THE SOUTHWESTERLY LINE OF AFOREMENTIONED LANDS OF ABP FL (YULEE) LLC; RUN THENCE SOUTH 63°-45'-25" EAST, ALONG LAST MENTIONED SOUTHWESTERLY LINE, A DISTANCE OF 715.76 FEET TO A POINT; RUN THENCE NORTH 27°-07'-36" EAST, ALONG AFOREMENTIONED SOUTHEASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 148.39 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 8.50 ACRES (370,194 SQUARE FEET), MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS WHICH MAY LIE WITHIN.