

ORDINANCE NO. 2019 - 19

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE 2030 NASSAU COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE ELEMENT; AMENDING THE FUTURE LAND USE MAP SERIES (FLUMS) MAP FLUMS-10, AMENDING THE WILLIAM BURGESS MIXED USE ACTIVITY CENTER OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 2030 Nassau County Comprehensive Plan requires updates to the goals, objectives, and policies of the Plan in order to remain current in its references and in compliance with the requirements of Ch. 163 Florida Statutes; and

WHEREAS, Policy FL.10.05 of the Nassau County Comprehensive Plan requires the County to review existing regulations in the Land Development Code and revise as necessary in order to implement the Future Land Use Plan; and

WHEREAS, the Goals, Objectives and Policies of the Nassau County Comprehensive Plan encourage the construction of master planned and mixed use developments by providing incentives such as density bonuses, flexible design standards and funding options for required infrastructure improvements; and

WHEREAS, the Goals, Objectives and Policies of the Nassau County Comprehensive Plan support urban development patterns that create a functional mix of residential, supporting civic and commercial uses that will reduce vehicle miles traveled, and reduce traffic impacts on the major road network; and

WHEREAS, the Planning and Zoning Board, acting in their capacity as Local Planning Agency for Nassau County, conducted a public hearing on this application on April 2, 2019 and voted to recommend approval to the Board of County Commissioners and for transmittal of this application; and

WHEREAS, the Florida Division of Community Planning conducted a limited interagency review of this application in accordance with the expedited review procedures pursuant to Sec. 163.3184(3)(b) and 163.3180(a), F.S.; and

WHEREAS, the Board of County Commissioners held public hearings for adoption of this amendment on June 24, 2019 and July 8, 2019; and

WHEREAS, due public notice of all public hearings has been provided in accordance with Chapter 163, F.S.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

SECTION 1. FINDINGS

This action complies with Chapter 163, Part II, Florida Statutes, as amended, and is consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan.

SECTION 2. AMENDMENTS

1. Policy FL.02.05, William Burgess Mixed Use Overlay District, is hereby amended as set forth in Exhibit "A" attached hereto and made a part hereof.
2. Map FLUMS-10, part of the Future Land Use Map Series (FLUMS), depicting the William Burgess Mixed Use Overlay District, is hereby amended as set forth in Exhibit "B" attached hereto and made a part hereof.

This amendment affects only those policies and maps referenced in Exhibits A and B; all other maps, goals, objectives and policies of the adopted Nassau County Comprehensive Plan shall remain as currently adopted.

SECTION 3. SEVERABILITY

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

SECTION 4. EFFECTIVE DATE

This Ordinance shall be filed with the Office of the Secretary of State. This Ordinance shall become effective 31 days after the state land planning agency notifies Nassau County that the plan amendment package is complete. However, if timely challenged, this Ordinance shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this amendment to be in compliance.

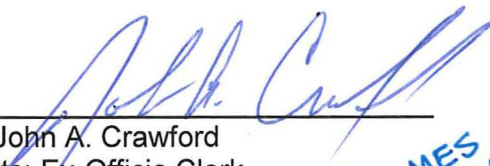
Adopted this 8th day of July, 2019 by the Board of County Commissioners of Nassau County, Florida.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JUSTIN M. TAYLOR
Its: Chair

ATTEST as to Chairman's Signature:



John A. Crawford
Its: Ex-Officio Clerk
MES
07.09.19

Approved as to form by the
Nassau County Attorney



Michael S. Mullin
County Attorney

EXHIBIT A

Policies FL.01.02 and FL.02.05 of the Future Land Use Element (FL) are hereby amended in conjunction with amendments to Map FLUMS-10 -William Burgess Mixed Use Overlay District (see Exhibit B):

Policy FL.01.02

All 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, 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 are ~~as follows~~ are listed below and described in the following subsections of this policy:

(A) Agriculture (AGR)

(B) Residential:

Low Density Residential (LDR)
Medium Density Residential (MDR)
High Density Residential (HDR)

(C) Commercial (COM)

(D) Industrial (IND)

(E) Recreation (REC)

(F) Public Buildings and Facilities (PBF)

(G) Conservation (CSV I and II)

(H) Multi-Use (MU)

(I) William Burgess Mixed Use Activity Center Overlay District Transects:

Natural Zone (T-1)

Agriculture & Open Space Zone (T-1.5)

Rural Zone (T-2)

Rural Transitional Zone (T-2.5)

Sub-urban Zone (T-3)

Urban Transitional Zone (T-3.5)

Urban Edge/Urban General Zone (T-4)

Urban Corridor Zone (T-4.5)

Urban Center Zone (T-5)

Special District Zone (T-7SD)

EXHIBIT A

I) William Burgess Mixed Use Activity Center Overlay District Transects (T-1 to T-7SD)

- 1) Within the boundaries of the William Burgess Mixed Use Activity Center Overlay District, as defined in Policy FL.02.05 and shown on Future Land use Map Series Map FLUMS-10, the following transects may be adopted as a Future Land Use Map (FLUM) designation, subject to the permitted residential densities and floor area ratios (FAR) listed in the table below and conformance with goals, principles and standards described above and within the adopted guidelines and performance standards adopted for this district in the Land Development Code. The Land Development Code shall create zoning districts that directly correspond to Transects listed below.

<u>TRANSECT</u>	<u>NAME</u>	<u>ALLOWED DENSITY</u>	<u>FAR (MAX)</u>
<u>T-1</u>	<u>Natural Zone</u>	<u>0 du/acre</u>	<u>0</u>
<u>T-1.5</u>	<u>Agriculture & Open Space Zone</u>	<u>1 du/20 acres (max)</u>	<u>.25</u>
<u>T-2</u>	<u>Rural Zone</u>	<u>1 du/5 acres (max)</u>	<u>.5</u>
<u>T-2.5</u>	<u>Rural Transitional Zone</u>	<u>1 du/acre (max)</u>	<u>.5</u>
<u>T-3</u>	<u>Sub-urban Zone</u>	<u>2du/acre (min) 5 du/acre (max)</u>	<u>1</u>
<u>T-3.5</u>	<u>Urban Transitional Zone</u>	<u>5 du/acre (min) 10 du/acre (max)</u>	<u>1.5</u>
<u>T-4</u>	<u>Urban Edge/Urban General Zone</u>	<u>8 du/acre (min) 15 du/acre (max)</u>	<u>2</u>
<u>T-4.5</u>	<u>Urban Corridor Zone</u>	<u>0 du/acre (min) 18 du/acre (max)</u>	<u>2</u>
<u>T-5</u>	<u>Urban Center Zone</u>	<u>10 du/acre (min) 25 du/acre (max)</u>	<u>2</u>
<u>T-7 (SD)</u>	<u>Special District Zone</u>	<u>0 du/acre 25 du/acre (max)</u>	<u>4</u>

- 2) Where residential and non-residential uses are vertically integrated within the same structure, Floor Area Ratio (FAR) calculation will exclude those portions devoted to residential dwelling units located above non-residential uses/spaces.
- 3) The affordable housing density bonus defined in Policy FL.01.03 shall apply within the District. However, units qualifying for the density bonus shall be at 50% of Area Median Income and shall remain at the defined affordability level for a period of not less than thirty (30) years.
- 4) In addition to the Recreation Levels of Service defined in Policies ROS.01.04 and ROS.01.07 for Community and Regional Parks, all new development or redevelopment within the District that includes a residential component shall provide neighborhood parks at ratio of four (4) acres of land per thousand people consistent with the prototypical neighborhood park as adopted by Nassau County. Consistent with Policies ROS.01.09 and ROS.01.15, Nassau County will include a fee-in-lieu provision in the Land Development Code to address neighborhood parks within the District.

EXHIBIT A

Policy FL.02.05

William Burgess Mixed Use Activity Center Overlay District

~~One of the specific goals expressed in the County's Vision 2032 final report is to encourage mixed-use developments designed to accommodate multiple community activities and services in close proximity. By reducing infrastructure demand, mixed-use developments can generate a positive fiscal impact on County's financial resources. It is the County's objective to coordinate community efforts to develop high-value mixed-use developments that achieve this goal.~~

~~As depicted in Future Land Use Map Series Map FLUMS-10, The William Burgess Mixed Use Activity Center establishes a model activity center that will be designed to create a quality of place that is integral for quality of life, while also serving to alleviate traffic from the State Road 200/A1A Corridor.~~

~~Centered within ½ mile of the intersection of William Burgess Boulevard and the CSX rail line running parallel to U.S. Hwy. 17, development within the William Burgess Mixed Use Activity Center shall promote sustainable, compact mixed-use development. It will include residential, commercial, office, and employment-generating uses. It will promote multi-modal transportation including walking, biking, and future transit systems. This includes the identification and reservation of a future commuter rail station.~~

~~A) Specific incentives and design guidelines will be adopted into the Land Development Code that will incorporate the following goals and principles for development of this Overlay:~~

- ~~1. A high level of interconnectivity of multiple modes of transportation to redirect traffic and alleviate the burden on SR-200/A1A.~~
- ~~2. Higher density, mixed-use development that provides a strong work-life balance and opportunities for affordable housing and economic development.~~
- ~~3. Strong pedestrian and bicycle orientation that also welcomes potential commuter rail along the US Hwy 17 Corridor.~~
- ~~4. High quality public spaces that create opportunities for cultural experiences and outdoor interaction, entertainment, and play for all ages and ability levels.~~
- ~~5. Diversity of land uses, spaces, building types and styles designed to create a sustainable, compact development and community.~~
- ~~6. Serve as a template for the creation of a Mixed Use Future Land Use Category and mixed-use zoning districts that will serve to guide other compact nodes of development.~~

~~B) Within the boundaries of this overlay, the High-Density Residential (HDR) and Commercial (COM) Future Land Use Map (FLUM) designations, residential development may be permitted up to a maximum of twenty (20) units per acre, subject to conformance with goals and principles described above and with adopted design guidelines and performance standards in the Land Development Code.~~

~~C) Within the boundaries of this overlay, the High-Density Residential (HDR) and Commercial (COM) Future Land Use Map (FLUM) designations shall have a maximum Floor Area Ratio (FAR) of 2.0. Where residential and non-residential uses are vertically integrated within the same structure, FAR calculation will exclude those portions devoted to residential dwelling units.~~

~~D) Impervious Surface Ratio (ISR) requirements for properties within the overlay will be determined on a case-by-case basis~~

It is the expressed intent of Nassau County to protect the health, safety and general wellbeing of the citizens of Nassau County by pro-actively master planning the William Burgess Mixed Use Activity Center Overlay

EXHIBIT A

District. It is the expressed intent of Nassau County to guide development within the District based on the citizen created and adopted Vision 2032 plan.

On April 27, 2009, in Resolution 2009-95, Nassau County received and accepted the Vision 2032 Final Report and approved its use as the guiding document for setting public policy in Nassau County over the study horizon. The Final Report includes the Vision 2032 Statement which reads:

Nassau County is committed to managing growth and creating sustainable economic development in a way that maintains and improves the quality of life and unique character of the communities by utilizing its strengths – the people, the abundance of unspoiled natural resources, and its strategic location as the “Eastern Gateway to Florida.”

The William Burgess Mixed Use Activity Center Overlay District is located within the Yulee community. The Vision 2032 Final Report includes a statement specific to the Yulee community which reads:

In Yulee, the fastest growing area of the County, Infrastructure and the Economy and Workforce were identified as the most important issues next to Growth Management; with Recreation and Open Space following close behind. The discussions here reflected the typical concerns of residents in rapidly urbanizing areas over traffic congestion, overcrowding of schools, and the difficulty of keeping up with the demands for recreation and other public facilities.

The County's Vision 2032 Final Report expressed specific goals. Among others, the Final Report includes the following goals, in part:

1. Encourage mixed-use developments designed to accommodate multiple community activities and services in close proximity. By reducing infrastructure demand, mixed-use developments can generate a positive fiscal impact on County's financial resources.
2. Conserve and/or preserve existing natural areas, including wetlands, floodplains, river corridors, streams, creeks, and wildlife habitats.
3. Preserve existing and expand outdoor recreation areas, publicly-owned natural and open space areas, recreational facilities and services throughout Nassau County.
4. Promote effective local planning processes at the County level that coordinates the location of identified infrastructure needs, such as, recreation facilities, school sites, and roads with associated land uses and available funds to pay for these facilities.
5. Achieve a network of safe and efficient multi-modal transportation that is capable of meeting the transportation needs of residents and visitors at an acceptable level of service in a safe and efficient manner.

It is the County's objective via Policy FL.02.05 is to coordinate community efforts to bring the above expressed goals of the Nassau County Vision 2032 Final Report to fruition by creating the William Burgess Mixed-use Activity Center Overlay District. The Overlay District establishes a series of compact mixed-use activity centers consistent with the expressed goals in the Vision 2032 plan while also serving to alleviate traffic from the State Road 200/A1A Corridor, plan for future infrastructure, civic spaces/uses and projected population growth.

Development within the William Burgess Mixed Use Activity Center Overlay District shall:

1. Promote sustainable, compact, mixed use development patterns which include a mixture of residential, commercial, office, and employment-generating uses.

EXHIBIT A

2. Promote a mixture of housing types at varying densities.
3. Promote multi-modal transportation including walking, biking, and future transit systems, including the identification and reservation of a future commuter rail station/transit station.
4. Identify and reserve lands for future transportation corridors, public schools and parks.
5. Identify and preserve environmentally sensitive lands and natural systems, including the floodplain, wetlands and areas located within the Coastal High Hazard Area (CHHA).

A) Specific incentives and design guidelines will be adopted into the Land Development Code that will incorporate the following goals, principles and standards for development of this District:

1. A high level of interconnectivity of multiple modes of transportation to redirect traffic and alleviate the burden on SR 200/A1A.
2. Higher density, mixed use development, designed at a human scale, which provides a strong work-life balance and opportunities for affordable housing and economic development.
3. Strong pedestrian and bicycle orientation that integrates with the identified commuter rail/transit facility located at the intersection of the CSX railing and William Burgess Boulevard, as well as, other potential transit facilities/infrastructure along the SR200/A1A, US Hwy 17 and William Burgess Boulevard Corridors.
4. High quality public spaces that create opportunities for cultural experiences and outdoor interaction, entertainment, and play for all ages and ability levels. Recreation, social and civic spaces and facilities shall be a central and foundational element of all site design within the District.
5. Diversity of land uses, spaces, building types and styles designed to create sustainable, compact developments.
6. Application of healthy community principles and initiatives.
7. Protection of the floodplain, wetlands, and natural ecological systems. This includes directing development away from the Coastal High Hazard Area (CHHA), application of Low Impact Development principles in site design, and innovative and sustainable stormwater management techniques.

B) Within the boundaries of this overlay district, as shown on Future Land Use Map Series Map FLUMS-10, the following transects may be adopted as a Future Land Use Map (FLUM) designation, subject to the permitted residential densities and floor area ratios (FAR) listed in the table below and conformance with goals, principles and standards described above and within the adopted guidelines and performance standards adopted for this district in the Land Development Code. The Land Development Code shall create zoning districts that directly correspond to Transects listed below.

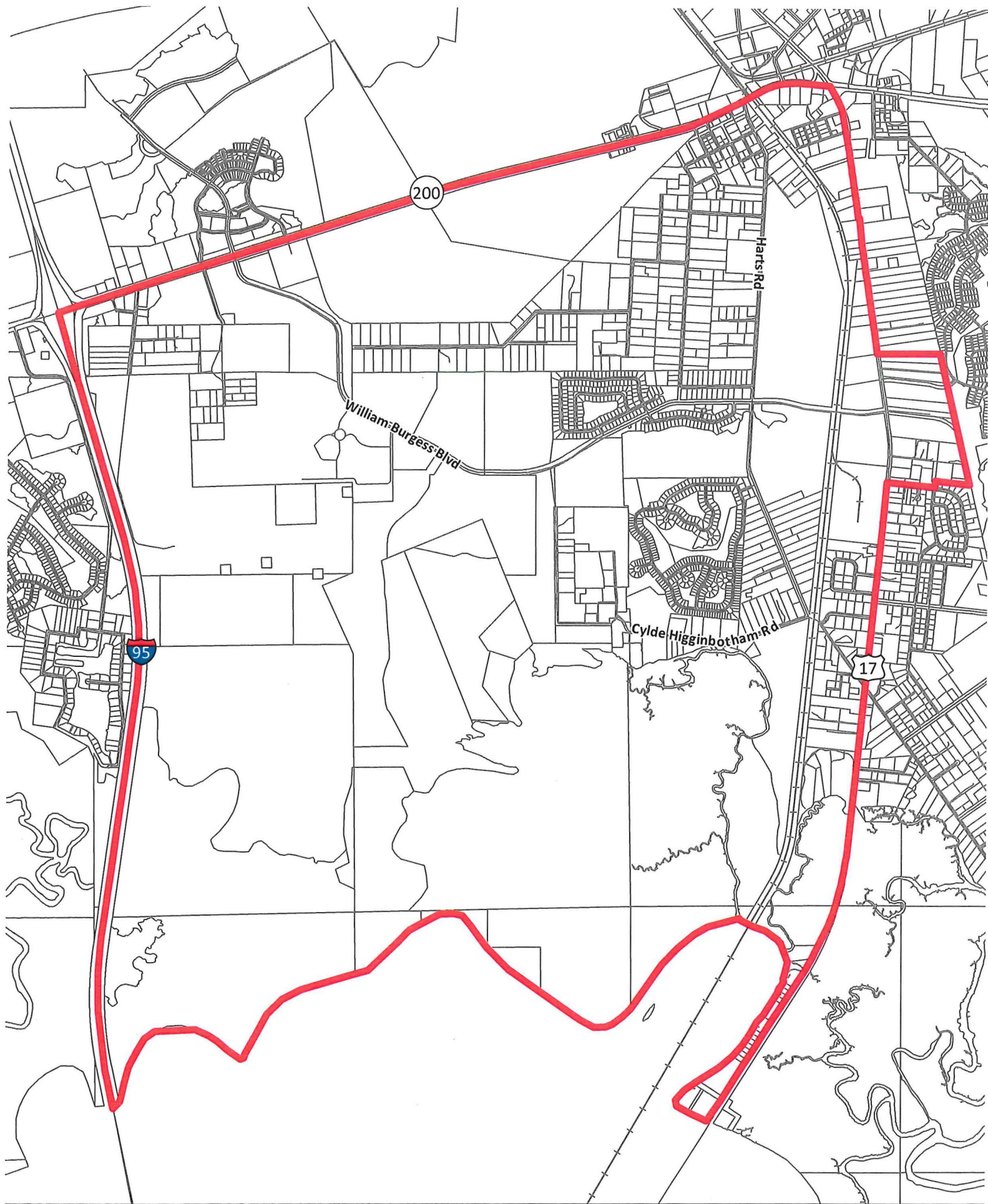
EXHIBIT A

TRANSECT	NAME	ALLOWED DENSITY	FAR (MAX)
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T-4	Urban Edge/Urban General Zone	8 du/acre (min) 15 du/acre (max)	2
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C) Where residential and non-residential uses are vertically integrated within the same structure, Floor Area Ratio (FAR) calculation will exclude those portions devoted to residential dwelling units located above non-residential uses/spaces.

D) The affordable housing density bonus defined in Policy FL.01.03 shall apply within the District. However, units qualifying for the density bonus shall be at 50% of Area Median Income and shall remain at the defined affordability level for a period of not less than thirty (30) years.

E) In addition to the Recreation Levels of Service defined in Policies ROS.01.04 and ROS.01.07 for Community and Regional Parks, all new development or redevelopment within the District that includes a residential component shall provide neighborhood parks at ratio of four (4) acres of land per thousand people consistent with the prototypical neighborhood park as adopted by Nassau County. Consistent with Policies ROS.01.09 and ROS.01.15, Nassau County will include a fee-in-lieu provision in the Land Development Code to address neighborhood parks within the District.



MAP FLUM -10
William Burgess Mixed Use Overlay District
'EXHIBIT B'



NASSAU COUNTY
DEPARTMENT OF PLANNING
AND ECONOMIC OPPORTUNITY
FLORIDA