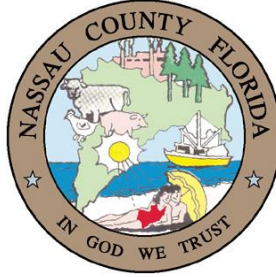


Nassau County  
Planning and Economic Opportunity  
Department  
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Yulee, FL 32097  
(904) 530-6300



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Date of Hearing: December 4, 2018

**Public Hearing Number: NOPC18-002  
(Amendment to Three Rivers DRI)**

A. General Information

Applicant: Rogers Towers, P.A., Agent  
Owners: Three Rivers Timber LLC  
Request: Amendment to the Three Rivers Development of Regional Impact (DRI) to  
Related Applications: R18-014 (Modification of Three Rivers PUD)  
Applicable Regulations: Sec. 380.06, F.S.

B. Site Information

Site Area: +- 1,546 acres  
Location: On the south side of US301/SR200, west of I-95  
Directions: Head west on SR200, past I-95 interchange, property is to the left on the south side of US301/SR200

C. Existing Use

Subject Site: Vacant Land  
Surrounding: North: Vacant Land  
South: Water  
East: SF Residential  
West: Vacant Land

D. Existing Zoning

Subject Site: Planned Unit Development(PUD)

Surrounding: North: Open Rural (OR)  
South: Open Rural (OR)  
East: Planned Unit Development(PUD)\*  
Open Rural (OR)  
West: Open Rural (OR)

*\* Timber Creek Plantation (Ord.*

E. FLUM Designation

Subject Site: Multi-Use (MU)

Surrounding: North: Agriculture (AGR)  
South: Agriculture (AGR)  
East: Low-Density Residential (LDR)  
West: Agriculture (AGR)

F. Background

The Three Rivers Development of Regional Impact (DRI) was approved in 2006. It is to be developed in two phases with a maximum development program of 3,200 residential dwelling units; 500,000 square feet of retail space 250,000 square feet of industrial space; 50,000 square feet of office space; and 300 dry boat storage slips.

This proposed change to the Three Rivers DRI Development Order would acknowledge the modification of the phasing schedule dates, buildout date, expiration date and downsizing protection date (general conditions 2, 3, and 6) previously extended pursuant to state statute; it would modify Map H, changing the configuration of the internal road network, moving the locations of the required community park and school sites to locations adjacent to Edwards Road on the eastern boundary of the site, and increasing the area of the school site; it would modify Special Condition 29 of the Development Order regarding education including relocation and increase in size of the school site and the method of payment for education impact fees.

No additional development would be added to the DRI, nor would any existing approved development within the DRI be re-allocated.

G. Staff Findings

1. Under the new 2018 legislation amending Chapter 380.06 of the Florida Statutes (HB1151) The proposed change is not a substantial deviation;
2. A rezoning application has been filed by the applicant (R18-014) to accommodate the changes proposed in the NOPC application.
3. The proposed changes do not conflict with the remaining terms and conditions of the DRI, nor with any other provisions of the County's Land Development Code.
4. The proposed changes do not conflict with the Goals, Objectives and Policies of the County's adopted Comprehensive Plan.

H. Recommendation

Based on the findings of compliance with Florida Statutes, the 2030 Comprehensive Plan, and the County's Land Development Code as described above, Staff recommends APPROVAL of the proposed amendment to Development Order for the Three Rivers Development of Regional Impact described in application NOPC18-002.

## QUASI-JUDICIAL HEARING PROCEDURES

Florida Statutes and the Courts of Florida require that your rezoning application be heard as a Quasi-Judicial Hearing.

A Quasi-Judicial Hearing, by state and case law, is different than a regular hearing conducted by this Board. A Quasi-Judicial Hearing is less formal than a court hearing but similar in procedures and evidence issues.

In a Quasi-Judicial Hearing, the applicant has the burden of demonstrating by competent substantial evidence that his/her rezoning request meets requirements of the County Zoning Code, Comprehensive Plan and other applicable regulations.

The applicant is entitled to be represented by counsel.

The only material or relevant evidence is that which addresses the applicable codes and/or Comprehensive Plan. The hearing procedures will be:

1. Staff will be sworn and shall describe the applicant's request, provide staff's recommendation and present any witnesses in support of staff's recommendation. Staff shall have fifteen (15) minutes.
2. The applicant and others presenting evidence will be sworn and shall state their name, address and subject to which they will testify. The applicant or its agent/attorney may elect to waive their presentation and to rely on the application, recommendation, and staff comments, reserving the right to address the Board if any evidence is presented against the application. Evidence presented must specifically address the criteria in the Zoning Ordinance and or Comprehensive Plan. The applicant, or his/her attorney/representative, will have an opportunity to present evidence for the application and will have fifteen (15) minutes for its presentation. If the applicant has witnesses, the applicant will indicate the name of each witness and the subject to be addressed. The applicant's witnesses will each have five (5) minutes. The applicant may also call the Zoning Official or other staff member who are present as a witness and ask them questions. Again, the time limit for questions is five (5) minutes.
3. Those who present evidence against the application will be sworn in and will be provided five (5) minutes each to present evidence and witnesses that address the criteria. If a group opposes the application, they may also be represented by counsel and shall state that now. They may also call the applicant, Zoning Official or other staff members that are present as witnesses and ask them questions, subject to the five minute time limit. Anyone presenting repetitious evidence or evidence that does not address the criteria will be directed to stop and address the criteria.
4. The applicant or its attorney may then cross examine those presenting evidence against, subject to control by the chair and county attorney. Cross-examination shall be five (5) minutes for each witness.
5. Sharing or transferring time is not allowed. Persons presenting evidence will address the Board, at the podium, and if there are documents or photos they must be presented when the particular individual is testifying. No documents will be returned, as they become a part of the record. Cross examination, if any, will be to the point and controlled by the chairman with the assistance of the county attorney. As a Quasi-Judicial Hearing, numbers of individuals for or against a particular item will not be considered. The meeting is being taped; therefore there can be no applause or outbursts.

6. The Office of the County Attorney represents the Board and provides advice to the Board including advice as to the procedures and the admissibility of evidence.
7. The Board will afford members of the audience who have not presented evidence for or against three (3) minutes each to address any information provided. The members of the public will not be sworn in.
8. The applicant will be permitted to provide rebuttal if any (a maximum of ten (10) minutes).
9. Staff may have five (5) minutes to provide final comments to the Board.
10. The Board will then close the public hearing and will discuss the application and may ask questions of the applicant, staff or those presenting evidence against or witnesses for the application.
11. The strict rules of evidence applicable to a court proceeding will not be utilized; however, the Board, with the assistance of the attorney, may exclude evidence that is not relevant or material or is repetitious or defamatory. Again, the Quasi-Judicial procedures are required by law and all those participating need to be aware of the procedures. Anyone who fails to follow the procedures may be required to stop his/her presentation or relinquish their time.

To be fair to everyone and in order to follow the procedures, if you have any questions please call the County Attorney's Office at (904) 530-6100 or the County's Planning and Economic Opportunity Office at (904) 530-6300.