



**APPLICATION FOR LAND DEVELOPMENT CODE AMENDMENT**

**APPLICATION**

<b>OWNER/APPLICANT:</b>	Nassau County
<b>AGENT:</b>	N/A
<b>REQUESTED ACTION:</b>	Update Section 28.19 of the Land Development Code Regarding Telecommunications

\*\*\* All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County’s website and at the Planning + Economic Opportunity Department Office. \*\*\*

**SUMMARY OF REQUEST AND BACKGROUND INFORMATION**

Nassau County has hired CityScape Consultants, Inc. to create a Wireless Telecommunications Master Plan for Nassau County. The Telecommunications Master Plan is a County-wide (including municipalities) Plan that identifies and assesses existing wireless communication facilities, determines gaps in existing coverage and provides recommendations for design and siting of future facilities. The analysis will facilitate the development of a wireless telecommunications network that is efficient and will meet the future needs of Nassau County. The purpose of the plan is to provide adequate network service while minimizing visual impacts of the telecommunications infrastructure and maintaining the aesthetics of the community. The plan also serves as a guide for developing planning policies for future wireless infrastructure that are compliant with state and federal regulations.

The County kicked off the Telecommunications Master Plan process with meetings in Yulee on 8/15/17, on Amelia Island on 8/16/17, and in West Nassau on 8/17/17. A corresponding survey was taken by attendees of the outreach sessions. The presentation at the meetings discussed the types of telecommunication infrastructure, state and federal regulations, and what CityScape will be doing for our Telecommunication Master Plan through an example of another community.

The second Telecommunications Master Plan meetings were held in Yulee on 3/20/18 and Amelia Island on 3/22/18. The presentation at these meetings reviewed telecommunications infrastructure and provided information about different community characteristics found within Nassau County. The presentation also discussed wireless policy solutions and theoretical propagation mapping based on fieldwork and preference surveys.

As part of the Telecommunications Master Planning process, it was envisioned that updates to the County’s Land Development Code would also be drafted. PEO staff has been working with CityScape since spring 2018 to bring the proposed LDC changes together. During that time, state and federal laws changed, which delayed drafting and implementation. In positive news, it gave CityScape and the County time to make any needed changes to the proposed draft before bringing it to the Planning and Zoning Board and the BOCC.



The draft ordinance proposes completely striking existing section 28.19 of the LDC and replacing it with a new version. Because of the technical components and stringent state and federal laws limiting what authority the County has to regulate telecommunications, the new section 28.19 is very detailed. The nature of telecommunications regulation and the complexity led the County to include a provision in the new 28.19 that all telecommunications applications will involve a third-party review with telecommunications experts. This provision will ensure that reviews are conducted against the new 28.19 requirements, but also provide a higher level review to ensure continued compliance with state and federal regulations thereby protecting the County to ensure all procedural, process, and technical components are followed correctly.

The draft plan is also being presented with the draft LDC ordinance for the PZB's review, but the PZB is not required to take specific action on the plan itself. It will be forwarded to the BOCC for action, and is included for PZB review in conjunction with the proposed LDC changes.

CityScape will be present at the February 19<sup>th</sup> hearing to provide information and answer questions.

#### **CONSISTENCY WITH COMPREHENSIVE PLAN**

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Proposed changes do not create any conflicts with the Nassau County Comprehensive Plan. The current Comprehensive Plan does not address telecommunications, which is something the County may wish to include in a future Plan update.

#### **CONSISTENCY WITH EXISTING LAND DEVELOPMENT CODE**

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Proposed changes do not create any conflicts with the remainder of the existing LDC.

#### **CONCLUSION**

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Staff finds the requested action to be consistent with applicable Florida Statutes, the Nassau County Comprehensive Plan and the existing Land Development Code. Therefore, staff recommends that the Ordinance be approved.

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Submitted by:

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Adrienne Burke, AICP, Esq.  
Assistant Director