

ORDINANCE NO. 2020 - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE 2030 NASSAU COUNTY COMPREHENSIVE PLAN; AMENDING THE PUBLIC FACILITIES, CONSERVATION, REGIONAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS TO ADDRESS STATUTORY REQUIREMENTS FOR WATER SUPPLY PLANNING PURSUANT TO F.S.163.3177(6)(c)(3), F.S.163.3177(6)(d)(3), F.S.163.3177(6)(h)(1), AND F.S.163.3177(3)(a)(4); PROVIDING FOR TRANSMITTAL; 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, Section 163.3177(6)(c)(3), Florida Statutes requires local governments within areas projected to have insufficient supplies of water from traditional sources to amend their comprehensive plan: (1) to incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to Section 373.709(2)(a), Florida Statutes or proposed by the local government under Section 373.709(8)(b), Florida Statutes; and (2) to adopt a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including the development of alternative water supply projects and conservation and reuse, which are necessary to serve existing and new development.; and

WHEREAS, 163.3177(6)(d)(3), Florida Statutes requires local governments to revise the Conservation Element to assess current and projected water needs and sources for at least a 10-year planning period. The analysis must consider the existing levels of water conservation, use, and protection and the applicable policies of the water management district, and the district's approved regional water supply plan; and

WHEREAS, 163.3177(6)(h)(1), Florida Statutes requires local governments to revise the Intergovernmental (Regional) Coordination Element to adopt principles and guidelines to be used to coordinate the comprehensive plan with the regional water supply authority (if applicable) and with the applicable regional water supply plan; and

WHEREAS, 163.3177(3)(a)(4), Florida Statutes requires local governments to revise the Capital Improvements Element to identify capital improvements projects to be implemented in the first five years of the work plan for which the local government is responsible, including both publicly and privately funded water supply projects necessary to achieve and maintain adopted level of service standards; and

WHEREAS, the Planning and Zoning Board, acting in their capacity as Local Planning Agency for Nassau County, conducted a public hearing on this amendment on December 17, 2019 and voted to recommend approval to the Board of County Commissioners and for transmittal of this application; and

WHEREAS, the Board of County Commissioners held a public hearing for transmittal of this amendment on January 13, 2020; 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(1)(a), Florida Statutes; and

WHEREAS, the Board of County Commissioners held a public hearing for adoption of this amendment on March 23, 2020; and

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

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. The Water Supply Facilities Work Plan as set forth in Exhibit "A", attached hereto and made a part hereof, shall be included as Technical Appendix "N" to the Nassau County Comprehensive Plan.
2. The Goals, Objectives and Policies of the Public Facilities, Conservation, Regional Coordination, and Capital Improvements Elements of the Nassau County Comprehensive Plan are amended and adopted as set forth in Exhibit "B" attached hereto and made a part hereof.

This amendment affects only those policies referenced in Exhibit "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 _____ day of _____, 2020 by the Board of County Commissioners of Nassau County, Florida.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

DANIEL B. LEEPER
Its: Chair

ATTEST as to Chairman's Signature:

John A. Crawford
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney

Michael S. Mullin
County Attorney