

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ARTICLE 5, SECTION 5.07(B), SITE DEVELOPMENT PLAN REVIEW, DEVELOPMENT REVIEW COMMITTEE ADDING A PROVISION FOR AN ARCHITECTURAL OR DESIGN REVIEW BOARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida has found it necessary to amend Article 5, Section 5.07(B) to allow the Development Review Committee to act as an architectural or design review board in order to implement design standards on residential structures; and

WHEREAS, the Board of County Commissioners finds that this amendment is in the best interests of the citizens of Nassau County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, finds that Article 5, Section 5.07(B) of the Nassau County Code of Ordinances shall be further amended to read as follows:

B. DEVELOPMENT REVIEW COMMITTEE. The development review committee (DRC) is hereby established.

1. Membership and chair. The directors of planning and economic opportunity, engineering services, fire/rescue, building, a representative from the Nassau County School District as recommended to the County Manager by the Superintendent of Schools, health department and 911 addressing shall each designate a DRC regular member and an alternate member from their respective departments. The director of planning and economic opportunity or his/her designee shall serve as chair. Designees shall exercise the responsibility and authority of the regular member.

2. The planning and economic opportunity department shall be responsible for intake, agenda preparation, public notice, distribution of plans and specifications, collection of fees, preparation of minutes, audio recording of meetings and preparation of development orders.
3. Public notice of DRC meetings shall be posted on the county website and placed in public notice boxes. The general public is invited to observe all meetings and review all documents.
4. Meetings shall be held on a weekly basis commencing at 9:00 a.m. as established by the DRC. Special meetings may be called from time to time by the planning and economic opportunity director. Minutes of the meetings shall be prepared as well as recorded (audibly) and available to the public upon request. An agenda for the DRC shall be posted on the county website, at least seventy-two (72) hours prior to a scheduled meeting.
5. Powers and duties. The development review committee has the following powers and duties:
 - a. To conduct pre-application conferences and provide information about applicable development procedures and standards.
 - b. Preliminary binding site plans:
 - i. Approve Class II and IV preliminary binding site plans;
 - ii. To review and make a recommendation regarding Class III preliminary binding site plans.
 - c. Site engineering drawings—To approve site engineering plans for the commencement of horizontal and/or above ground site construction based upon

compliance with applicable codes, other regulatory agencies having jurisdiction and the valid preliminary binding site plan.

- d. Approve minor deviations in site engineering plan drawings from an approved preliminary binding site plan which, by way of illustration but not limitation, include the following:
 - i. Where there is no increase in the total number of dwelling units, a change in the types of units not exceeding five (5) percent of the total, e.g., cumulative change from single-family to town home of twenty (20) units in a residential development of four hundred twenty-five (425) units is acceptable.
 - ii. An increase or decrease of parking spaces where the proposed number remains in excess of minimum code requirements e.g., anchor tenant wants one hundred twenty (120) parking spaces where one hundred seventeen (117) are required by the LDC.
 - iii. Change in location of a driveway connection up to one hundred fifty (150) feet centerline measurement on the same road segment required pursuant to an F.D.O.T. permit.
 - iv. Decrease in jurisdictional wetlands not exceeding ten (10) percent made pursuant to a final environmental resources permit issued by the SJRWMD. Example, the water management district permits compensatory mitigation reducing two (2) acres of jurisdictional wetlands on a preliminary binding site plan indicating twenty-one (21) acres of preserved jurisdictional wetlands.

- v. Increase or decrease of stormwater management areas not exceeding fifteen (15) percent of the stormwater area on the approved preliminary binding site plan based on final design and permitting through the SJRWMD.
- e. Review and approve preliminary plats.
- f. As determined by the DRC at a pre-application meeting, the DRC may waive the requirement for the project to go through DRC review under Section 5.07(A)(2).
 - i. Project criteria that may be utilized to determine waiver of DRC review includes, but is not limited to:
 - 1. The impervious surface within the development does not increase by more than three thousand nine hundred and ninety-nine (3,999) square feet; or
 - 2. The building area of the site is not increased by more than four thousand nine hundred and ninety-nine (4,999) square feet; or
 - 3. There is no increase in traffic volume; or
 - 4. The number of parking spaces does not increase by more than ten (10) percent; or
 - 5. There is no reduction in required landscaping or buffering areas.
 - ii. Where it is determined that DRC review is not required, building permits of any proposed changes to the site shall be reviewed and approved by the committee members or their designee prior to a building permit being issued for the property. All changes to the site shall comply with the Nassau County Code of Laws and Ordinances.

g. Serve as the County's design review board and/or architectural review board in order to provide architectural and design review of various types of structures including, but not limited to, residential structures, non-residential structures, accessory structures or any other structure subject to architectural or design standards utilized by Nassau County.

EFFECTIVE DATE.

This ordinance shall become effective upon its being filed in the office of the Secretary of State.

DULY ADOPTED this _____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

THOMAS R. FORD
Its: Chairman

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