

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING CHAPTER 29 OF THE COUNTY CODE OF ORDINANCES, SUBDIVISION AND DEVELOPMENT REVIEW, SECTION 29-46, PUBLIC USES; SPECIFICALLY AMENDING SECTION 29-46(b)(3), TRAILS, TO ADD PROVISIONS OF THE ADOPTED FEE-IN-LIEU OF REQUIRED TRAIL CONSTRUCTION POLICY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**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 Board of County Commissioners has found it in the best interest of the citizens of Nassau County to amend the Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Board conducted a public hearing on this Ordinance on April 19, 2022 and voted to recommend denial; and

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida conducted a public hearing on this ordinance on \_\_\_\_\_, 2022.

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

**SECTION 1. FINDINGS.** The above findings are true and correct and are hereby incorporated herein by reference.

**SECTION 2. AMENDMENT OF SECTION 29-46(b)(3) OF THE NASSAU COUNTY CODE OF ORDINANCES.** Section 29-46(b)(3) of the Nassau County Code of Ordinances, entitled Public Uses, is hereby amended as follows:

Sec. 29-46.(b)(3) *[Trails.]* Trails that are designated as future facilities on the county's Future Transportation Map Series (FTMS), shall be implemented by requiring developments to construct that section related to their development or pay the appropriate fee-in-lieu of construction in accordance with the provisions of the adopted fee-in-lieu policy, adopted by the County on February 14, 2022, as it may be amended. Such development shall receive appropriate credit from recreation impact fees and/or transportation mobility fees.

[words that are underlined are additions and words that are ~~stricken~~ shall be deleted]

**SECTION 3. SEVERABILITY.** If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all the remaining provisions and portions of this Ordinance shall remain in full force and effect.

**SECTION 4. CODIFICATION IN THE CODE OF ORDINANCES.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Nassau County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

**SECTION 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.

**PASSED AND DULY ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA

By: \_\_\_\_\_  
Aaron Bell, Chair

ATTEST:

APPROVED AS TO CONTENT AND FORM:

By: \_\_\_\_\_  
John Crawford, Ex Officio  
Clerk to the Board

By: \_\_\_\_\_  
Denise May  
County Attorney