

ORDINANCE NO.: 2017-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING ORDINANCE 97-19, AS AMENDED, KNOWN AS THE NASSAU COUNTY ZONING CODE; SPECIFICALLY AMENDING ARTICLE 22; SECTION 22.04, MINIMUM LOT REQUIREMENTS; AMENDING SECTION 22.06, BUILDING RESTRICTIONS; RESCINDING SECTION 22.07, DENSITY REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners has found it necessary to amend Article 22, Open Rural (OR), Section 22.04, Minimum Lot Requirements, Section 22.06, Building Restriction and removing Section 22.07, Density Requirements; and

WHEREAS, the Planning and Zoning Board of Nassau County, Florida, conducted a public hearings on _____, 2017 and on _____, 2017 on this ordinance and voted to recommend approval; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida conducted a public hearing on this ordinance on _____, 2017.

NOW, THEREFORE, BE IT ORDAINED, this ____ day of _____, 2017 by the Board of County Commissioners of Nassau County, Florida, that Ordinance 97-19 be amended as follows:

Article 22. OPEN RURAL (OR)

Section 22.04. – Minimum lot requirements

(A) Single-family dwelling or mobile home on individual lot:

(1) Minimum lot width:

One hundred (100) feet

~~(a) Land with a future land use map (FLUM) designation of agricultural, (parcels of property exceeding 320 acres in size, as recorded on January 28, 1991);~~

~~Two hundred (200) feet.~~

~~(b) Land with a future land use map (FLUM) designation of rural (parcels of property 320 acres in size or less in size, as recorded on January 28, 1991);~~

~~One hundred (100) feet.~~

~~1. Exceptions: All lots or parcels fronting or providing access to arteries (principal or minor), or rural collectors (minor or major) shall meet the following minimum lot width requirements.~~

~~Principal or minor arterial—One hundred fifty (150) feet~~

~~Major or minor rural collector—One hundred twenty five (125) feet~~

(2) Minimum lot area:

a. One (1) acre

~~b. Land with a future land use map (FLUM) designation of Agriculture (AGR) (parcels of property exceeding 320 acres in size as recorded on January 28, 1991);~~
~~Twenty (20) acres.~~

~~(1) May be subdivided into minimum of one (1) acre parcels if occupied by members of the immediate family. [Comprehensive Plan—Policy 1.02.05(A)(2)(b)]~~

~~(2) May divide a maximum of two (2) parcels, a minimum of one (1) acre in area per calendar year, providing the property has been held by the current owner for a minimum of five (5) years and Homestead Exemption is current in the year(s) subdivided. [Comprehensive Plan—Policy 1.02.05(A)(2)(e)]~~

~~(3) May file for a Planned Unit Development (PUD), overlay providing the density and intensity of the mixture of uses does not exceed the FLUM designation. [Comprehensive Plan — Policy 1.02.05(I)(1)]~~

~~b. Land with a future land use map (FLUM) designation of rural and land which carries a FLUM designation of agricultural with a further classification of rural residential (parcels of property 320 acres in size or less as recorded on January 28, 1991): One (1) acre, [Policy 1.02.05(A)(1)]~~

(B) Churches including temporary revival establishments:

(1) Minimum lot width: One hundred fifty (150) feet.

(2) Minimum lot area: Two (2) acres.

(C) Golf course (other than par three): Minimum lot area: One hundred (100) acres.

(D) Other permitted or permissible uses or structures: Two (2) acres, unless otherwise listed.

(E) Limited development overlay areas: The comprehensive plan and future land use map (FLUM) series established limited development overlays on areas depicted as conservation, wetlands and floodplains. ~~[Comprehensive Plan — Policy 1.02.05(H) and Policy 1.02.05(I)(3)]~~

(1) Areas depicted on the FLUM as wetlands may not be developed at a density greater than one (1) unit per five (5) acres. Development within the limited development overlay areas must be clustered on the upland or least environmentally sensitive portion of the site. ~~[Comprehensive Plan — Policies 1.01.07, 1.02.05(H), 1.02.05(I)(3), 1.04A.02, 6.02.02 and 6.03.02]~~

Section 22.05. — Minimum yard requirements.

The following minimum building line setbacks measured from the property lines are required for all principal and accessory buildings, except as provided in section 28.15. Principal buildings that met setback or other yard requirements at the time of construction may be enlarged or expanded, provided however, no enlargement or expansion extends to a greater degree into current adopted minimum yard requirements. All other requirements of article 289: Nonconforming lots, uses, and structures shall apply.

(A) Front yard: Thirty-five (35) feet.

(B) Side yard: Fifteen (15) feet

(C) Rear yard: Twenty-five (25) feet

Section 22.06. – Building restrictions.

(A) Maximum building height: None for agricultural structures. Forty-five feet for all other structures.

(B) Maximum lot coverage: All buildings, including accessory buildings, shall not cover more than twenty (20) percent of the total lot area, except:

(1) Maximum lot coverage for churches permitted as a conditional use in an open rural

(OR) district shall not be more than fifty (50) percent of the lot.

~~Section 22.07. – Density requirements~~

~~— The following density requirements are based on the future land use map (FLUM) designation of the subject property. [Comprehensive Plan — Policy 1.02.05(A)(1)]~~

~~(A) Land with FLUM designation of agricultural, (parcels of property exceeding 320 acres in size, as recorded on January 28, 1991.)~~

~~(1) Residential development (subject to minimum lot requirements, section 22.04):~~

Maximum Density....	One (1) Unit per twenty (20) acres
--------------------------------	---

Minimum Lot Size....	One (1) acre
----------------------	--------------

~~(B) Land with a FLUM designation of agricultural with further classification as rural residential (parcels of property 320 acres or less, as recorded on January 28, 1991 or graphically depicted as "rural" on the FLUM), (subject to minimum lot requirements, section 22.04):~~

~~(1) Residential development:~~

Maximum density....	One (1) unit per acre
Minimum lot size....	One (1) acre

~~(C) Land classified as open rural, which carries a FLUM designation with a higher density/intensity may develop under the provisions of section 22.07(2) or may apply for a zoning change if conditions warrant a rezoning.~~

1. CODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of Nassau County, Florida. The codifier may re-letter or renumber sections to conform to the uniform numbering and style of the Code.

2. EFFECTIVE DATE:

This ordinance shall become effective upon its being filed with the Department of State.

THIS AREA INTENTIONALLY LEFT BLANK

DULY ADOPTED this _____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

DANIEL B. LEEPER
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