

ORDINANCE 2017 - ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING THE CODE OF ORDINANCES, AMENDING ARTICLE 20 OF THE LAND DEVELOPMENT CODE, INDUSTRIAL WAREHOUSE (IW) ZONING DISTRICT, SPECIFICALLY SECTION 20.01, PERMITTED USES AND STRUCTURES TO ADD THE USE OF RV AND BOAT STORAGE FACILITY AS A PERMITTED USE; AMENDING ARTICLE 21 OF THE LAND DEVELOPMENT CODE, INDUSTRIAL HEAVY (IH) ZONING DISTRICT, SPECIFICALLY, SECTION 21.03, CONDITIONAL USES, TO ADD THE USE OF RV AND BOAT STORAGE FACILITY AS A CONDITIONAL USE; AMENDING ARTICLE 28 OF THE LAND DEVELOPMENT CODE, SUPPLEMENTARY REGULATIONS, SPECIFICALLY CREATING SUPPLEMENTAL REGULATIONS FOR RV AND BOAT STORAGE FACILITY; AMENDING ARTICLE 32 OF THE LAND DEVELOPMENT CODE, DEFINITIONS, SPECIFICALLY CREATING DEFINITION FOR RV AND BOAT STORAGE FACILITY.

WHEREAS, the Goals, Objectives and Policies of the Nassau County Comprehensive Plan requires that the County ensure the protection of private property rights and recognize the private interests in land use while protecting the health safety and general welfare of the citizens of Nassau County; and

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 June 20, 2017, and voted to recommend approval.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida:

SECTION 1. FINDINGS

This Ordinance is consistent with the goals, objectives and policies of the Nassau County Comprehensive Plan, in particular, Policies FL.01.01, FL.01.02(D), FL.10.05 and ED.05.02.

SECTION 2. AMENDMENT

- A. Article 20, Section 20.01 of the Land Development Code is amended as set forth in Exhibit "A" attached hereto and made a part hereof.
- B. Article 21, Section 21.03 of the Land Development Code is amended as set forth in Exhibit "B" attached hereto and made a part hereof.
- C. Article 28 of the Land Development Code is amended as set forth in Exhibit "C" attached hereto and made a part hereof.

D. Article 32 of the Land Development Code is amended as set forth in Exhibit "D" attached hereto and made a part hereof.

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

PASSED and 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 and legality by the
Nassau County Attorney:

MICHAEL S. MULLIN,
County Attorney

EXHIBIT A

ARTICLE 20. - INDUSTRIAL, WAREHOUSE: IW

Section 20.01. - Permitted uses and structures.

- (A) Wholesaling, warehousing, storage, or distribution establishments and similar uses.
- (B) Light manufacturing, processing (including food processing, but not slaughter houses), packaging or fabricating.
- (C) Printing, lithographing, publishing or similar establishments.
- (D) Building trades contractors with outside storage yards and heavy construction equipment.
- (E) Outdoor storage yards and lots including automobile wrecking or storage yards and junkyards (but not scrap processing yards). Automobile wrecking or storage yards and junk yards as defined herein shall be completely screened by a fence or other suitable visual barrier at least six (6) feet in height. Junk yards shall be located no closer than 150 feet to a public right-of-way.
- (F) Service establishments catering to commerce and industry including linen supply, laundry, dry cleaning plants, freight movers, communications services, business machine services, restaurants (including drive-through restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops and similar uses.
- (G) Vocational, technical, trade or industrial schools and similar uses.
- (H) Medical establishments in connection with industrial activities.
- (I) Bus, truck or other transportation terminals, commercial parking lots and garages, express offices and terminal facilities; telephone exchanges, repair or installation facilities; and similar uses.
- (J) Radio or television broadcasting offices, studios, transmitters, or antennas.
- (K) Sexually oriented businesses, subject to the provisions of Ordinance No. 2005-10 [section 26½-1 et seq.], and Article 33, Section 33.02.
- (L) [RV & boat storage facilities, subject to supplemental design standards in Article 28, Section 28.23 of this Code.](#)

EXHIBIT B

ARTICLE 21. - INDUSTRIAL, HEAVY: IH

Section 21.03. - Conditional uses.

- (A) Scrap processing yards.
- (B) Chemical and fertilizer manufacture.
- (C) Explosives manufacturing or storage.
- (D) Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
- (E) Paper and pulp manufacture.
- (F) Petroleum refining and/or bulk storage of petroleum products, including flammable liquids and acids.
- (G) Stockyards or feeding pens, livestock auctions.
- (H) Establishments for the retail or wholesale sale of all types of merchandise including all types of new or used vehicles, mobile homes, automotive parts and accessories, heavy machinery and equipment, boats, farm equipment, machinery, and supplies; lumber and building supplies, and similar uses.
- (I) Any use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general, by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.
- (J) An establishment or facility for the retail sale and service of beer or wine either for consumption on-site, or both.
- (K) Commercial mining operations. Commercial mining operations must meet the requirements of chapter 17, Mining Operations.
- (L) RV & boat storage facilities, subject to supplemental design standards in Article 28, Section 28.23 of this Code.

EXHIBIT D

ARTICLE 28. - SUPPLEMENTARY REGULATIONS

Section 28.20. - Self-service storage facilities (mini-warehouse).

Self-service storage facilities (mini-warehouses) are subject to the following:

- (1) Such use shall not be directly adjacent to residentially zoned property on more than one side.
- (2) Maximum length of any self-storage building shall be two hundred fifty (250) feet.
- (3) No separate storage of combustible or flammable liquids, combustible fibers or explosive materials as defined in the fire prevention code, or toxic materials, shall be permitted within the self-storage building or upon the premises. A lease agreement between the lessee and lessor shall state:
 - a. That no flammable, combustible or toxic materials shall be stored or used on the premises; and
 - b. That the property shall be subject to periodic and unannounced inspections for flammable, toxic and other hazardous material by fire marshal.
- (4) No storage outside of the self-storage buildings shall be permitted except for [the incidental use of](#) designated areas for RV, boat and trailer parking.
- (5) Except as provided in this section, the use of the rental spaces shall be limited to storage only and shall not be used for operating any other business, for maintaining or repairing of any vehicles, recreational equipment or other items, or for any recreational activity, hobby or purpose other than the storage of personal items and business items as hereinbefore set forth.
- (6) Landscaping shall be provided as follows:
 - a. A landscape strip of no less than ten (10) feet shall be provided along all road frontages and adjacent nonresidential properties. This landscape strip shall include a minimum of one (1) canopy tree every twenty (20) feet of frontage. Each canopy tree must measure a minimum of three (3) inches in diameter at a point measured four (4) feet six (6) inches off the ground.
 - b. Common property lines adjacent to established residential uses or residential districts are subject to the landscaping and buffering requirements found in this Code.
 - c. Parking areas, [including designated areas for RV, boat and trailer parking](#), must be landscaped in accordance with this Code. If parking areas are located along property boundaries, the landscaping requirements in subsection a. shall prevail.
 - d. Additional landscaping requirements may be required if the site is located within the State Road 200/A1A Access Management Overlay District.
- (7) A security manager's apartment may be permitted to reside on the premises to the extent required by such use.

EXHIBIT D

- (8) All access aisles, parking areas and walkways on the site shall be graded, drained, hard surfaced and maintained in accordance with the standards and specifications of Nassau County.
- (9) Limited retail sales to tenants of products and supplies incidental to the principal use, such as packing materials, packing labels, tape, rope, protective covers and locks and chains shall be permitted on the site devoted to this use.
- (10) No occupational license shall be issued to a rental space with the exception of the self-storage facility itself.

Section 28.23. - Supplemental Regulations for RV & Boat Storage Facilities

The following supplemental regulations shall apply to all RV and boat storage facilities as defined in Article 32 of this Code:

(A) Screening and Buffering:

- (1) RV & boat storage facilities shall be screened from the public right-of-way and private roads/access easements by a high density buffer, as defined in Article 37, Section 37.06.
- (2) No storage areas shall be located within twenty-five (25) feet of the right-of-way line of any street, access easement, or right-of-way

(C) Storage use only:

- (1) No RV, boat or trailer shall be used for living, sleeping, or housekeeping purposes in an RV and Boat storage facility as defined.
- (2) Retail sale of vehicles on the premises is prohibited.
- (3) Storage of items other than RVs, Boats and trailers is prohibited. This includes building materials, heavy equipment, or other items.

ARTICLE 32. - DEFINITIONS

Outdoor retail sales: The display and sale of products and services, primarily outside of a building or structure.

Outdoor storage: The keeping, in an unroofed area, of any goods, junk, material, or merchandise in the same place for more than 24 hours. This definition does not include outdoor retail sales or RV and boat storage facilities.

RV and boat storage facility: Any real property designed and used primarily for the purpose of renting or leasing storage space, to customers for the purpose of storing recreational vehicles, boats or other major recreational equipment for private use over an extended period of time. This definition does not include RV parks or campgrounds, marinas, or retail vehicle sales.

EXHIBIT D

Self-service storage facility (mini-warehouse facility): Any real property designed and used for the purpose of renting or leasing [enclosed](#) individual storage space to tenants who are to have access to such space for the purpose of storing and removing personal property. No individual storage space may be used for residential purposes or as a place of business. [Designated areas for RV, boat and trailer parking, incidental to the primary use of enclosed storage, may be permitted. This definition does not include RV and boat storage facilities.](#)