

ORDINANCE NO. 2013- 11

AN ORDINANCE OF THE NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING A DEVELOPMENT ORDER FOR THE EAST NASSAU EMPLOYMENT CENTER DETAILED SPECIFIC AREA PLAN OF THE EAST NASSAU COMMUNITY PLANNING AREA, ESTABLISHED BY ORDINANCE 2011-04, UNDER CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

LET IT BE KNOWN that, pursuant to Section 163.3245 of the Florida Statutes, the Nassau County Board of County Commissioners heard at a duly noticed public hearing convened on June 24, 2013, an Application for the East Nassau Employment Center Detailed Specific Area Plan (“DSAP”) for the East Nassau Community Planning Area (“ENCPA”) to be developed in the manner described in the DSAP filed by TERRAPOINTE LLC (“TerraPointe”) and other owners of record for said development; and

RECITALS

WHEREAS, on May 23, 2011, Nassau County Board of County Commissioners adopted the Nassau County 2030 Comprehensive Plan by Ordinance 2011-04; and

WHEREAS, the Comprehensive Plan includes provision for the ENCPA; and

WHEREAS, on July 25, 2011, the State of Florida, Department of Community Affairs, and the Board of County Commissioners of Nassau County, Florida, entered into a Long Term Master Plan Conversion Agreement for East Nassau Comprehensive Planning Area pursuant to Florida Statutes, Section 163.3245(10); and

WHEREAS, the ENCPA is a proposed mixed use development on approximately 24,000 acres located near Yulee in Nassau County, Florida (the “ENCPA Property”); and

WHEREAS, the East Nassau Employment Center DSAP consists of approximately 4,202 acres of land divided amount three (3) distinct planning areas henceforth referred to as the Northern, Southern, and Central Planning Areas, further described in Exhibit “A” and as depicted in Exhibit “B”; and

A CERTIFIED TRUE COPY
John A Crawford, Ex-Officio Clerk
Connie Atkins, DC
EX-OFFICIO, Clerk of the Board of County Comm.
Nassau County, Florida

WHEREAS, TERRAPOINTE LLC and the following entities are the Owners of Record for the ENCPA Property: Rayonier East Nassau Timber Properties I, LLC, Rayonier East Nassau Timber Properties II, LLC, Rayonier East Nassau Timber Properties V, LLC, Rayonier East Nassau Timber Properties VI, LLC, Rayonier East Nassau Timber Properties VII, LLC, all which are wholly-owned subsidiaries of TerraPointe, and Rayonier East Nassau Timber Properties III, LLC, and Rayonier East Nassau Timber Properties IV, LLC, which are wholly owned subsidiaries of Timberlands Holding Company No. 1, Inc., and

WHEREAS, the authorized agents for the Owners are Rogers Towers, P.A., 960185 Gateway Boulevard, Suite 203, Amelia Island, Florida 32034 and VHB/MillerSellen, 225 E. Robinson Street, Suite 300, Orlando, FL 32801; and

WHEREAS, pursuant to Section 163.3245(3), Florida Statutes, sector planning encompasses two levels: (1) adoption of a long-term master plan for the entire planning area as a part of the Comprehensive Plan, and (2) adoption by local development order of two or more detailed specific area plans that implement the long-term master plan; and

WHEREAS, the Nassau County Board of County Commissioners considered the report and recommendations of the Nassau County staff and the documents and comments made before the Nassau County Board of County Commissioners and finds that the DSAP plan attached to and incorporated in this ordinance is consistent with the Nassau County 2030 Comprehensive Plan; and,

WHEREAS on December 17, 2012, Nassau County Board of County Commissioners adopted Ordinance 2012-39, rezoning the ENCPA as “Planned Development for East Nassau Community Planning Area (PD-ENCPA)”; and,

WHEREAS, the Planning and Zoning Board conducted a public hearing on May 7, 2013, and found that the East Nassau Employment Center DSAP is consistent with the Nassau County Comprehensive Plan and Florida Statutes, Section 163.3245, and recommended approval of this Development Order to the Board of County Commissioners; and

WHEREAS, on June 24, 2013, Nassau County Board of County Commissioners adopted a development agreement between Nassau County and TerraPointe LLC, and the above referenced Owners of Record, establishing a Mobility Fee Agreement for the ENCPA; and

WHEREAS, the terms and conditions herein and incorporated into the simultaneously approved Mobility Fee Agreement constitute an implemented funding mechanism under the established alternative mobility funding system adopted herein and in the Agreement; and

WHEREAS, on June 24, 2013, Nassau County Board of County Commissioners adopted Ordinance 2013-10, approving the use of tax increment revenues and establishing an ENCPA Mobility Network Fund to support and subsidize the mobility fee program within the ENCPA (“Ordinance 2013-10”).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The DSAP is consistent with Section 163.3245, Florida Statutes; and
2. The proposed DSAP is consistent with the Nassau County 2030 Comprehensive Plan, including the policies relating to the ENCPA, and Nassau County land development regulations, including the PD-ENCPA Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, in public hearing duly constituted and assembled on June 24, 2013, that the DSAP is hereby approved, subject to the following terms and conditions, restated in full:

GENERAL CONDITIONS AND COMMITMENTS

1. **Application for Development Approval.** The DSAP shall be developed on the Property in accordance with (1) Objective FL.13 and associated policies of the Future Land use Element of the Nassau County Comprehensive Plan, as amended, (2) the DSAP Land Use Map, which is attached hereto as Exhibit “B”, and (3) the Application for East Nassau Employment Center Detailed Specific Area Plan, prepared by VHB/MillerSellen, dated November 1, 2012, which is attached hereto as Exhibit “C.” The aforementioned items shall be made part of this Development Order.
2. **Environmental Conditions.** Regionally significant natural resources have been identified and designated as part of a Conservation Habitat Network (“CHN”). The CHN is subject to the following general guidelines and standards:

- a. Prior to the filing of the first application for Preliminary Development Plan (PDP) within the DSAP, a management plan shall be developed that promotes maintenance of native species and diversity in such areas and which may include provisions for controlled burns.
- b. New roadway crossings for wildlife corridors within the CHN for development activity shall be permitted in conjunction with the design of the internal road network, but shall be minimized to the greatest extent practical.
- c. Road crossings within the CHN will be sized appropriately and incorporate fencing or other design features as may be necessary to direct species to the crossing and enhance effectiveness of such crossings.
- d. Prior to the filing of the first application for PDP within the DSAP, an environmental education program shall be developed for the CHN and implemented in conjunction with a property Owners association, environmental group, or other community association or governmental agency so as to encourage protection of the wildlife and natural habitats incorporated within the CHN.
- e. The boundaries of the CHN are identified on Map FLUMS-6. The boundaries of the CHN within the DSAP shall be formally established as conservation tracts or placed under conservation easements when a development parcel abutting portions of the CHN undergoes development permitting with the St. Johns River Water Management District ("SJRWMD") and pursuant to the following criteria:
 - i. As to wetland edges forming the CHN boundary, the final boundary shall be consistent with the limits of the jurisdictional wetlands and associated buffers as established in the applicable SJRWMD permits;
 - ii. As to upland edges forming the CHN boundary, the final boundary shall be established generally consistent with Map FLUMS-6, recognizing that minor adjustments may be warranted based on additional or refined data, and any boundary adjustments in the upland area shall (a) continue to provide for an appropriate width given the functions of the CHN in that particular location (i.e., wetlands species or habitat protection), the specific site conditions along

such boundary, and the wildlife uses to be protected, and (b) ensure that the integrity of the CHN as a wildlife corridor and wetland and species habitat protection area is not materially and adversely affected by such boundary; and

- iii. Boundary modifications meeting all of the criteria described in this subsection shall be incorporated into the CHN and ENCPA Master Land Use Plan upon issuance of the applicable SJRWMD permits and shall be effective without the requirement for an amendment to the Nassau County Future Land Use Map, ENCPA Future Land Use Element policies, or any other Nassau County Comprehensive Plan elements defined in Chapter 163, Florida Statutes.

- f. Silvicultural and agricultural activities allowed in the Agricultural classification of the Future Land Use Element of the Nassau County 2030 Comprehensive Plan, excluding residential land uses, shall continue to be allowed within the CHN. When the final boundaries of any portion of the CHN are established as described above, a silvicultural management plan will be developed in accordance with best management practices to protect the overall conservation objective of such portion of the CHN.

- g. A full natural resource analysis was completed by Breedlove, Dennis & Associates. The findings of this analysis are incorporated into the DSAP application as Appendix "A" and consistent with Policy FL.13.07(A)(1)(e) have guided the refinement of the CHN boundaries.

- h. Wetland protection within the ENCPA Property is regulated by the SJRWMD and the Department of the Army, Corps of Engineers ("ACOE"). Prior to development, the extent of state jurisdictional wetlands and surface waters will be determined based on the Florida unified wetland delineation methodology (Chapter 62-340, Florida Administrative Code ("F.A.C.")). Dredge and fill activities and mitigation for these activities are regulated by the state through the Florida Department of Environmental Protection ("FDEP"), SJRWMD, and ACOE. In addition to state and

federal regulations, wetland protection within the Central Planning Area is included with the CHN guidelines and standards outline in ENCPA Policy FL.13.07.

3. **Transportation/Mobility Facilities.** Set forth in the Mobility Fee Agreement and below are the transportation/mobility facilities needed to serve the future land uses in the DSAP and the funding mechanisms for those improvements:

a. In assessing the transportation/mobility facilities needed to serve the DSAP, the needs for the entire ENCPA have been assessed. Given the uses proposed in the ENCPA, the following improvements (followed by the projected cost of each) will serve the ENCPA, are further depicted and described in Exhibits B and E to this Development Order, and comprise the ENCPA Mobility Network. These improvements do not include improvements which are internal to a residential subdivision (such as subdivision streets) or non-residential development (such as driveways) or which are related to a subdivision or development entrance or exit (such as turn lanes, acceleration/deceleration lanes, and entrance signalization) to an ENCPA Mobility Network improvement.

- 1) CR 108 Extension - \$25,097,242.00
- 2) New I-95 Interchange - \$23,725,000.00
- 3) Interchange Road - \$22,890,267.00
- 4) US 17 Widening - \$7,216,927.00
- 5) Employment Center (north/south road) - \$34,855,360.00
- 6) Employment Center (Collector Roads) - \$8,061,994.00
- 7) Traffic Signals at major intersections - \$2,800,000.00
- 8) Intersection left turn lane improvements - included with Traffic Signals at major intersections
- 9) I-95/SR A1A Interchange Improvements - \$700,000.00
- 10) SR A1A and William Burgess Boulevard Intersection Improvements - \$500,000

11) Internal trails - \$8,166,050.00

Total Cost of ENCPA Mobility Network - \$134,012,840.00

Collectively, and as they may be amended pursuant to the Mobility Fee Agreement, these are referred to as the “ENCPA Mobility Network”.

- b. Funding of the ENCPA Mobility Network will be accomplished in part through the ENCPA Mobility Network Fund as defined in the development agreement between Nassau County and TerraPointe LLC, and the above referenced Owners of Record.
- c. As described in the DSAP, transportation/mobility improvements needed to serve the DSAP include long-term (2035) and short-term (five years) improvements within the ENCPA Mobility Network.
- d. The short-term (five-year) development program for the Central Planning Area as depicted in Exhibit “B” consists of 250 multi-family residential units and 400,000 square feet of non-residential uses, which uses are projected to generate a total of 6,216 daily trips. The short-term (five-year) improvements needed to serve the Central Planning Area when uses which generate such total traffic are completed and open (and have received certificates of occupancy) consist of Mobility Network roadway segments to provide access to development parcels. A signal at SR A1A and the North-South Arterial Road may be needed and should be evaluated as development occurs.
- e. The long-term (build-out) development program for the Central Planning Area consists of 2,500 multi-family residential units and 7,000,000 square feet of non-residential uses (retail, office, and industrial), which uses are projected to generate a total of 91,480 daily trips. The long-term (build-out) improvements needed to serve the Central Planning Area when uses which generate such total traffic are completed and open are:
 - i. North - South Arterial Road (4 lanes, initially constructed as 2 lanes) - This roadway will extend through the Central Planning Area (the Employment

Center) from SR A1A to the East-West Interchange Road. A traffic signal is assumed at the intersection of this roadway and SR A1A.

- ii. East - West Interchange Road (4 lanes, initially constructed as 2 lanes) - This roadway will provide access to the Central Planning Area from US 17.
 - iii. Collector Roadways (2 lanes with turn lanes) - The collector roadways for the Central Planning Area provide a second access point to and from SR A1A, as well as connections to the TOD area near US 17.
 - iv. Trail System - A system of multi-use trails is planned to provide non-auto travel choices within the Central Planning Area. The trail system will accommodate pedestrians, bicyclists and golf carts. Approximately 20 miles of trails are included as part of the Mobility Network for this area.
 - v. Transit Oriented Development - The Central Planning Area provides opportunities for TOD around any future stations developed as part of a potential commuter rail system.
- f. No short-term (five-year) development is projected in the Northern Planning Area as depicted in Exhibit "B." The short-term (five-year) development program for the Southern Planning Area as depicted in Exhibit "B" consists of 100 single family residential units, which use is projected to generate a total of 957 daily trips. No short-term (five-year) Mobility Network improvements are needed to serve the Northern or Southern Planning Areas.
- g. The long-term (build-out) development program for the Northern Planning Area consists of 769 single-family residential units and 75,000 square feet of retail uses, which uses are projected to generate a total of 12,425 daily trips. The long-term (build-out) development program for the Southern Planning Area consists of 769 single-family residential units and 25,000 square feet of retail uses, which uses are projected to generate a total of 9,550 daily trips. No long-term (build-out) Mobility Network improvements are needed to serve the Northern Planning Area. The long-term (build-out) Mobility Network Improvements needed to serve the Southern Planning Area when uses which generate the total traffic identified above are

completed and open (have received certificates of occupancy) consist of the SR A1A and William Burgess Boulevard intersection improvements described in Section 3(a)(10) above.

- h. Consistent with the analysis in the Memorandum dated March 19, 2013 from Laurence Lewis to Nick Gillette and entitled “Revised SRA1A Interchange Analysis for the ENCPA DSAP Employment Center,” attached hereto as Exhibit “D” (the “Lewis/Gillette Memorandum”), interchange monitoring and phased improvements shall be governed by the following:
 - i. When TerraPointe receives notice from the County that development within the DSAP for which building permits have been issued meets or exceeds 1.4 million sf of non-residential development or, cumulatively, 405 residential units and 1.1 million sf of non-residential development, which uses are projected to generate a total of 14,834 daily trips, TerraPointe or its successors or assigns shall conduct and submit to the Planning Director annual traffic monitoring of the existing Interstate 95/SR A1A interchange. Traffic monitoring shall include (a) intersection turning movement counts at the two signalized intersections; and (b) intersection capacity analyses at each location for the AM peak and PM peak periods. The analysis shall be based on actual observed traffic levels.
 - ii. If the intersection capacity analyses in the traffic monitoring indicate that no failing (at or below Level of Service “F”) movements exist during the AM or PM peak periods, development within the DSAP is authorized to continue per the conditions of the Development Order and TerraPointe or its successors or assigns shall continue to conduct annual traffic monitoring of the interchange.
 - iii. If the intersection capacity analyses in the traffic monitoring indicate that failing (at or below Level of Service “F”) movements exist during either the AM or PM peak periods, TerraPointe or its successors or assigns shall identify intersection improvements necessary to improve failing (at or below Level of Service “F”) movements at the existing interchange (bring those

movements above Level of Service “F”). Such improvements are described in the Lewis/Gillette Memorandum and may include the following:

- (a). Signal retiming
 - (b). Additional right turn lanes on the northbound exit ramp
 - (c). Additional lanes on the northbound entrance ramp, accompanied by a second westbound left turn lane on SR A1A
 - (d). Additional left turn lanes on the southbound exit ramp
 - (e). Other improvements as identified based on the analysis results
- iv. Construction of the improvements shall be implemented by TerraPointe or its successors and shall be phased as needed to improve failing (at or below Level of Service “F”) movements at the existing interchange (bring those movements above Level of Service “F”), up to a total cost of \$700,000, which already has been included in the total costs for ENCPA mobility improvements. As the analyses are prepared and reviewed and as the improvements described are being implemented, development within the DSAP is authorized to continue per the conditions of the Development Order. TerraPointe or its successors or assigns shall continue to conduct annual traffic monitoring of the existing interchange after the intersection improvements have been constructed.
- v. Upon completion and acceptance of the intersection improvements totaling \$700,000 at the existing interchange, TerraPointe or its successors or assigns shall initiate with the County, at no cost to the County, and shall coordinate with FDOT and the TPO the planning process for preparing and submitting the Interchange Justification Report for the new I-95 interchange. Regardless of the timing of improvements at the existing interchange, the Interchange Justification Report shall be initiated prior to the build-out of the Employment Center DSAP. As the Interchange Justification Report is initiated and proceeds, development within the DSAP is authorized to

continue per the conditions of the Development Order. TerraPointe or its successors or assigns also shall continue to conduct annual traffic monitoring of the improved existing interchange.

- vi. Thereafter, if the Interchange Justification Report has not been approved for the new I-95 interchange and (a) TerraPointe receives notice from the County that development within the DSAP for which building permits have been issued meets or exceeds, cumulatively, 1,875 residential units and 5.25 million sf of non-residential development, which uses are projected to generate a total of 68,610 daily trips, and (b) annual monitoring projects failures (at or below Level of Service "F") at the improved existing interchange within three (3) years of the monitoring, then, within three (3) months after TerraPointe's receipt of the notice in (a) and submittal of the monitoring in (b), TerraPointe or its successors or assigns shall initiate a proposed amendment to this DSAP Development Order. The application for the amendment shall include a study which identifies alternative and additional intersection improvements necessary to improve projected failing movements at the existing interchange (bring those movements above Level of Service "F") and shall propose necessary funding and phasing to construct such improvements. Nothing herein shall be construed to obligate the County to provide funding for such alternative and additional intersection improvements in any amount exceeding the amount which is available to be paid from the ENCPA Mobility Network Fund as defined in the development agreement between Nassau County and TerraPointe LLC, and the above referenced Owners of Record.
- vii. After build-out, annual monitoring of the existing interchange may be discontinued.
- i. Within this DSAP, any applicant for a PDP shall submit a Transportation Impact Analysis (TIA) to the Planning Director, using the same methodologies as set forth in Exhibit "E" to this DSAP, demonstrating which improvement(s) in the ENCPA Mobility Network set forth in Section 3(a) above, if any, are necessary as provided in this DSAP DO to serve development proposed in the PDP. The review procedures

for the TIA are established in the Mobility Fee Agreement. If the TIA concludes that any ENCPA Mobility Network improvements are necessary as provided in this DSAP DO to serve development proposed in the PDP, the applicant shall provide assurances to the Planning Director that (a) the improvements shall be commenced (a contract executed and bond posted) prior to or contemporaneous with commencement of the development, or portion of such development, which generates the need for the improvements as demonstrated in the TIA and as provided in Section 3(c)-(g) herein, or (b) the improvements shall be commenced consistent with the monitoring and phasing or timing of improvements as provided in Section 3(h) herein.

- j. In order to promote alternative forms of transportation, a comprehensive system of bicycle paths and pedestrian walkways or multi-use trails shall be provided throughout the DSAP.
4. **Land Uses Summary/DSAP Land Uses.** There are five distinct proposed land uses in the DSAP: Employment Center (EC), Regional Center (RC), Village Center (VC), Transit Oriented Development (TOD) and Residential Neighborhood (RN). A summary of each sub-category follows below.
- a. Employment Center (EC): The primary land use within the Central Planning Area is planned as a 1,441 acre employment center comprised primarily of office/research, light industrial, and commercial uses. The following are the general design guidelines for the EC category:
 - i. Development in the EC land use category shall be subject to the following land use mix percentage ranges and requirements (percentages are gross within the Central Planning Area):
 - (a). Office, research park and business service- 15% to 90%
 - (b). Industrial (manufacturing and warehousing distribution) - 0% to 60%
 - (c). Support retail, hotel and services- 0% to 10%

- (d). Civic, public facilities and transit stations- 10% minimum; and
 - (e). Residential- 0% to 10%
- ii. Shared parking areas and garages shall be permitted for all EC uses, including any civic and public facilities.
 - iii. Development shall be designed to incorporate landscaping and pedestrian amenities such as benches and bicycle parking along sidewalks and multi-use paths and streets.
 - iv. Development shall be designed to accommodate feeder bus, bus rapid transit, and other transit stops.
- b. Regional Center (RC): The Central Planning Area is planned as a 254+/- acre RC, which will include a broad mix of uses such as, but not limited to, residential, highway commercial/interchange-related uses, regional scale retail, commercial, hotel, office, business/research parks and light industrial. The RC is planned to provide access to multi-modal transportation facilities including US 17 and the CSX rail corridor. As such, a portion of the area has been designated as a TOD district, discussed in further detail below. The following are the general design guidelines for the RC category:
- i. The RC shall be designed to incorporate the key elements of a Multi-Modal Transportation District, pursuant to ENCPA policy FL.13.05.
 - ii. Residential development shall be permitted as detached single family units, attached townhomes, multi-family units and live-work units; residential units may be located above ground floor commercial and professional office. Residential development within the RC is not subject to density bonuses found elsewhere in the Nassau County 2030 Comprehensive Plan.
 - iii. Subject to a binding agreement, shared parking areas shall be permitted for all RC uses, including any public and civic land uses. The County's land development regulations may provide reduced minimum parking ratios for

development located within one-half mile of a rail transit stop or within one-quarter mile of a feeder transit line.

- iv. Development shall be designed to incorporate landscaping and pedestrian amenities such as benches and bicycle parking along neighborhood sidewalks and multi-use paths.
 - v. Development shall be designed to incorporate high quality plazas and parks that serve residents, employees and visitors of the RC.
 - vi. Development shall be designed to accommodate feeder bus/transit stops.
- c. Village Center (VC): The VC will be located on approximately 26 acres of the Northern Planning Area. The VC land use category is intended to serve higher density/intensity, mixed-use centers for surrounding residential neighborhoods. The general design guidelines for the VC are:
- i. Residential development shall be permitted as single family, multi-family, or attached live-work units and shall be permitted above ground floor commercial and professional office.
 - ii. On-site parking for commercial and office land uses shall be located behind or beside buildings fronting on primary streets.
 - iii. Shared parking areas shall be encouraged for all VC uses, including any public and civic land uses.
 - iv. Sites shall be designed to incorporate landscaping and pedestrian amenities such as benches and bicycle parking along neighborhood sidewalks and multi-use paths.
 - v. Sites shall be designed to incorporate plazas and parks that serve the VC and surrounding neighborhoods.
 - vi. Sites shall be designed to accommodate existing or future feeder bus/transit stops.

- d. Transit Oriented Development (TOD): Approximately 50 acres of the RC has been designated as a TOD District. This area was chosen due to its proximity to the CSX rail corridor and the potential for future commuter rail service. The TOD District is intended to be developed as a multi-modal transportation center accommodating a full range of uses including residential, retail, office and civic and organized to encourage walking as the primary form of transportation. Since the TOD district is located in the RC, the general guidelines contained in ENCPA Policy Fl.13.07(B)(1) apply to the TOD District. In addition, the following characterizations also apply to the TOD District:
- i. Compact building and site design;
 - ii. A walking and biking environment;
 - iii. A mix of transit-supportive uses;
 - iv. Attention to pedestrian access;
 - v. Highest concentration of population and employment will be located closest to transit stations;
 - vi. Transit-supportive parking;
 - vii. Development within an area designated as TOD shall contain the following percentage of block types (percentages are gross within the TOD District):
 - (a). Mixed Use Blocks - 15% to 80%
 - (b). Retail Blocks - 0% - 50%
 - (c). Office Blocks - 0% - 60%
 - (d). Residential Blocks - 15% - 60%
 - (e). Civic Blocks - 5% - 30%; and

- viii. On-site parking for commercial and office land uses shall be located behind or beside buildings fronting on primary streets (excluding internal access lanes).
- e. Residential Neighborhood (RN): A majority of the Northern Planning Area and the entirety of the South Planning Area have been designated as RN. The sub-category is divided into three tiers to create a hierarchical pattern of resident neighborhoods radiating outward from the VC. Tier 1 neighborhoods are mid-density residential areas adjacent to Village Centers. Tier 2 neighborhoods are lower density in character and generally located ½ to 1 mile from Village Centers. Tier 3 represents the lowest density neighborhoods generally located beyond 1 mile from a designated Village Center.
- f. The general design guidelines for Tiers 1 and 2 of RN are found at ENCPA Policy Fl.13.07(E)(1). The general design guidelines for Tier 3 of RN are found at ENCPA Policy Fl.13.07(E)(2).
- g. Neighborhood Centers (NC): NCs are permitted within the RN subcategory. These centers can serve as a focal point for a neighborhood and provide limited, neighborhood-serving uses. The general design guidelines for NC within the RN are specified at ENCPA Policy Fl.13.07(E)(3).

5. **Master Planning Principles for each DSAP Planning Area.**

- a. **Central Planning Area:** The Central Planning Area is generally characterized by mixed- use, non-residential development, but some residential will be permitted. The Central Planning Area provides for four of the seven general land uses: CHN, EC, RC and TOD. The development program for the Central Planning Area is set for 2,500 residential units and 7,000,000 square feet of non-residential square footage. The RC is oriented to the north of the Central Planning Area and the EC is located in the south. Consequently, the RC located in the Central Planning Area is only a small part of the overall RC for the ENCPA. The physical separation between the EC and RC areas is planned to be the large wetland slough (CHN) near the northern portion

of the Central Planning Area. The main access to the Central Planning Area is planned from SR 200 with additional access from US 17.

- b. Northern Planning Area: The development program for the Northern Planning Area includes 769 homes and 75,000 square feet in the Village Center. This area has RN and VC land use classifications. The overall density is planned at 2.0 dwelling units per acre. A variety of housing products and price points are intended since different densities are required in the RN land use category. The denser housing product is currently designed to be south of the slough and CHN and towards the west side of the parcel proximate to the VC. Lower density housing is currently designed to be in the east. The VC within the Northern Planning Area will be located on US 17 frontage to improve the viability of the non-residential uses but maintain a local service base.
- c. Southern Planning Area: This Planning Area has a Residential Neighborhood land use classification. The development program calls for 769 homes and 25,000 square feet of non-residential (“NR”). The overall density is relatively low and thus is planned to be clustered primarily on the northern section of this Planning Area leaving the southern section with large lot development or as a possible extension of the CHN with more definitive development plans. The NR is intended to provide non-residential uses to serve the population of this area. To the extent practical, this NC should be co-located proximate to the government center thereby expanding the population available to take advantage of these neighborhood serving uses. Vehicular access to the Southern Planning Area is from a yet unidentified right of way from William Burgess Boulevard.
- d. Maximum Development Program for each of the DSAP Planning Areas:

Planning Area	Acres	Residential Units	Non-Residential Square Footage
Northern	665	769	75,000
Central	2,938	2,500	7,000,000

Southern	599	769	25,000
TOTAL	4,202	4,038	7,100,000

- e. Unless otherwise provided by the operation of the Nassau County 2030 Comprehensive Plan policies relating to the ENCPA, the planned number of units and densities described above (i) may be transferred among the various planning areas of this DSAP or to other DSAPs within the ENCPA and (ii) are not intended to operate as minimum levels of development or commitments to develop.

6. **Public Facilities.**

- a. Potable Water: Nassau County is located within the SJRWMD. Per the SJRWMD’s 2003 Water Supply Assessment, existing water supply sources and water supply development plans are considered reasonably adequate to meet Nassau County’s projected needs. JEA provides potable water service to most of Nassau County. The DSAP is located within JEA’s District 7- Nassau County Water Service Area. Potable Water demands for the proposed development program were analyzed at both the 5-year and build-out milestones. Adequate capacity exists to accommodate potential impacts under both scenarios.
- b. Wastewater: The DSAP is located within JEA’s District 7- Nassau County Water Service Area. Adequate capacity exists to accommodate potential impacts under the projected 5-year development program. It appears that additional treatment capacity would be needed to accommodate demand by the 20 year build-out, if the DSAP-derived demand is assumed to be in addition to forecast service area demand. If the DSAP demand is within the forecasted growth, no additional facilities will be required.
- c. Solid Waste: Solid waste service is provided to the DSAP by a private provider pursuant to a non-exclusive franchise with Nassau County. Available facilities have a combined lifespan of 39 years. No improvements to solid waste facilities would to be necessary to accommodate the proposed DSAP development.

- d. Stormwater: Stormwater impacts and necessary improvements will be determined and permitted in accordance with the SJRWMD discharge design criteria.
- e. Schools: The DSAP is located within the Nassau County School District (School District). The School District and Nassau County have entered into an interlocal agreement (ILA) regarding the location and adequate capacity of public schools. Based upon existing methodologies of the School District and Nassau County, DSAP school demand and potential impacts were projected for both the 5 year and build-out development program scenarios. It was determined that adequate capacity exists within the current system to accommodate potential impacts under the projected 5-year development program. As shown in the DSAP Application, Figure 4.8, DSAP Central Planning Area Overall Land Map, a school site of approximately 26 acres is reserved within the Central Planning Area for conveyance to the School District; its precise location and size shall be the subject of an agreement to be entered into between TerraPointe and the School District.

Additional school capacity at the elementary, middle and high school levels is proposed to accommodate the projected DSAP demand at build-out. At this time, two elementary schools are programmed within the 10 year work program and another elementary school and middle school are programmed in the 20 year work program. If constructed, these facilities should be adequate to address projected needs at the elementary and middle school levels. Development of the DSAP beyond the 5-year milestone should be monitored to determine if the inclusion of new high school facilities within future School District work plans would be needed.

- f. Recreation and Open Space: Nassau County is currently deficient in recreation and open space facilities. The proposed DSAP 5 year and build-out programs are estimated to increase demand by approximately 12 acres and 141 acres, respectively. This demand is being met within the DSAP through the provision of significant open space and an extensive multi-use trail system which includes 1,700 acres of open space in the form of interconnected wetlands, surface waters, and upland preserves forming a CHN. The significant open space system provided by the DSAP is capable of not only accommodating DSAP impacts but helping the County address a County-wide deficiency in regional parks through 2030. At build-out, the DSAP is planned

to contain over 20 miles of multi-use trails. As shown in the DSAP Application, Figure 4.8, DSAP Central Planning Area Overall Land Map, a community park of approximately 20 acres is reserved within the Central Planning Area for conveyance to the County; its precise location and size is subject to adjustment.

- g. Fire and Police: An approximately four (4) acre site shall be reserved for a Fire/EMS facility in an area generally depicted on the DSAP Application, Figure 4.8, DSAP Central Planning Area Overall Land Map, and its precise location shall be the subject of an agreement to be entered into between TerraPointe and the County.
- h. In addition to the CHN and multi-use trail system, the ENCPA policies require the inclusion of neighborhood parks, plazas and playfields. At build-out, these facilities are anticipated to exceed the projected demand created by the DSAP development program and assist significantly in addressing the County's overall deficiency in recreation and open space acreage.

7. **Impact Fee Credits.** If Nassau County imposes or increases an impact fee or other exaction by ordinance after this DSAP Development Order, such ordinance shall include a procedure which provides credit against the impact fee or exaction for any and all land or public facilities required in this DSAP Development Order for the same need, including but not limited to those which may be required pursuant to Condition No. 6 above.

8. **Intergovernmental Coordination.** Nassau County maintains a Regional Coordination Element as a component of the Nassau County 2030 Comprehensive Plan. The element contains goals, objectives and policies ensuring coordination of planning efforts with adjacent counties and cities, regional, state and federal agencies and entities that provide services but do not have regulatory authority within Nassau County. This includes, but is not limited to, FDOT, the North Florida Transportation Planning Organization, FDEP, Florida Fish and Wildlife Conservation Commission, SJRWMD, the Northeast Florida Regional Planning Council and JEA.

9. **Projected Population for Planning Period.**

A long-term master plan adopted pursuant to Florida Statutes, Section 163.3245(3)(a), is not required to demonstrate need based upon projected population growth or on any other basis.

10. **Monitoring Official.** The Director of the Nassau County Growth Management Department or his/her designee shall be the local official responsible for monitoring the development for compliance with this Development Order.
11. **Build-out Date.** The build-out date required by Section 163.3245(5)(d), Florida Statutes, is December 31, 2035. Until that time, no development is subject to downzoning, unit density reduction, or intensity reduction.
12. **Agricultural and Silvicultural Uses.** The adoption of this DSAP does not limit the right to continue existing agricultural or silvicultural uses or other natural resource-based operations or to establish similar new uses that are consistent with a DSAP approved pursuant to Section 163.3242, Florida Statutes.
13. **Exhibits:** Below is a listing of the Exhibits to this DSAP:
 - Exhibit A: Legal Description of DSAP Property
 - Exhibit B: DSAP Land Use Plan
 - Exhibit C: DSAP Application, dated November 1, 2012
 - Exhibit D: Lewis/Gillette Memorandum, dated March 19, 2013
 - Exhibit E: Transportation Impact Analysis (TIA) Methodology

Section 1. Purpose and intent.

The purpose and intent of this ordinance is to adopt a detailed specific area plan in accordance with Section 163.3245, Florida Statutes.

Section 2. Title of DSAP.

The DSAP included within this ordinance shall be entitled the East Nassau Employment Center Detailed Specific Area Plan.

Section 3. Legislative findings.

1. The DSAP included in this ordinance is consistent with the goal, objectives, and policies and long-term master plan for the East Nassau Community Planning Area contained in the Nassau County 2030 Comprehensive Plan.
2. This ordinance satisfies the requirement for adoption of a detailed specific area plan by local development order as contemplated in Section 163.3245, Florida Statutes.

Section 4. Adoption of DSAP.

The DSAP included within this ordinance is hereby adopted, and property Owners within the DSAP areas shall be entitled to apply for development orders for individual projects consistent with the DSAP. The build-out date required by Section 163.3245(5)(d), Florida Statutes, is December 31, 2035. Until that time, no development is subject to downzoning, unit density reduction, or intensity reduction.

Section 5. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 6. Inclusion in the Code.

The Board of County Commissioners intends that the provisions of this ordinance will be codified as required by Section 125.68, Florida Statutes, and that the sections of this ordinance may be renumbered or relettered and the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish its intentions.

Section 7. Effective date.

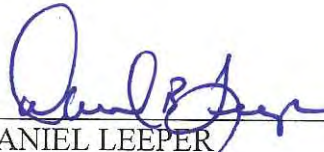
The effective date of this ordinance shall be the date of its adoption by the Nassau County Board of County Commissioners. However, if a petition is filed alleging that the DSAP is not consistent with the Comprehensive Plan or with the long-term master plan, this ordinance shall not be effective until completion of the appeal process provided in Section 163.3245(3)(e), Florida Statutes.

RENDITION

Within ten (10) days of the adoption of this Development Order, Nassau County shall render a copy of this Development Order with all attachments, certified as complete and accurate, by certified mail, return receipt requested, to the Florida Department of Economic Opportunity, Bureau of Local Planning, Northeast Florida Regional Council, and the Owners of record.

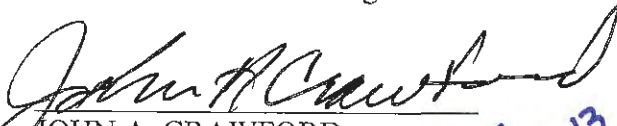
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, THIS 24th DAY OF June, 2013.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



DANIEL LEEPER
Its: Chairman

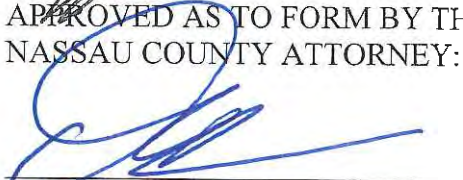
Attest as to Chairman's signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
07-02-13

APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:



DAVID A. HALLMAN