



Nassau County Planning and Zoning Board
6:00 PM, April 1, 2025
James S. Page Governmental Complex, 96135 Nassau Place
Yulee, FL 32097

OFFICIAL MINUTES

Call to Order at 6:02 p.m.

Invocation and Pledge of Allegiance

Roll Call

PRESENT:

Board Member Jerry Hinson, Board Member Karen Brantley, Board Member Wynn Fendig, Board Member Ron Flick, School Board Member Linda Morris, and Board Member Tyrone Blue

ABSENT:

Board Member Todd Ericksen

ALSO PRESENT:

Elizabeth Moore, Assistant County Attorney, Abigail Martini, Deputy Clerk, and Brittany Edwards, Recording Secretary

Approval of Minutes:

Consider the following: (Tab A) January 7, 2025, draft meeting minutes; (Tab B) January 21, 2025, draft meeting minutes; and (Tab C) February 4, 2025, draft meeting minutes.

Motion: Approve the minutes from the meetings held on January 7, January 21, and February 4, 2025.
Maker: Board Member Fendig
Second: Board Member Morris
Action: Approve
Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Flick, Board Member Morris, and Board Member Blue.
Absent: Board Member Ericksen.

Legislative Public Hearings:

Ms. Moore read the Non-Quasi-Judicial hearing procedures applicable for Tabs D, E, F, and G.

(Tab D) Consider CPA25-002, an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending the 2030 Nassau County Comprehensive Plan; amending the goals, objectives, and policies of the Public Facilities Element; Potable Water Sub-element (WAT); amending the goals, objectives, and policies of the Capital Improvements Element; amending policies WAT.01.01 and CI.02.01(D) to include level of service (LOS) standards for the City of Fernandina Beach and First Coast Regional Utilities; amending policy WAT.06.03 to reflect the dates for the updated County Water Supply Facilities Work Plan and to remove the prior author; providing for applicability and effect; providing for severability; providing for filing; and providing an effective date. (Transmittal).

Chair Blue opened the floor to public discussion.

Staff Presentation: Elizabeth Backe, Planning Department, came forward to provide a PowerPoint presentation relating to the amendment to the Public Facilities and Capital Improvement Elements of the 2030 Comprehensive Plan. She explained that the amendment before them is to create consistency with the draft Nassau County Water Supply Facilities Work Plan. Ms. Backe reviewed Policies WAT.01.01 and CI.02.01(D), noting that the policies currently only include Level of Service (LOS) standards for Nassau Amelia Authority (JEA), but not for the City of Fernandina Beach (COFB), nor First Coast Regional Utilities (FCRU). She advised that this amendment proposes including LOS standards consistent for the two entities based on the COFB Comprehensive Plan and FCRU's consumption use permit (CUP). Ms. Backe noted that the amendment to these policies would provide a corrected planning horizon consistent with the draft Water Supply Facility Work Plan, update the time horizon of 2025-2040, and remove the prior entity who assisted in preparing the previous Water Supply Facility Work Plan. Based on these findings, staff recommends approval of the application, CPA25-002.

Board Discussion: Tyler Blair, consultant with EXP, and Colin Groff, Utility Authority Director for Nassau County, came forward to respond to inquiries regarding the methodology behind calculating the use of Gallons Per Day (GPD) and the reason behind setting a standard of 350 GPD. Mr. Blair explained that the FCRU does not have a formal demand for the LOS; however, COFB has this format within their Comprehensive Plan. Mr. Groff provided a brief overview of how to calculate the use of GPD.

Chair Blue closed the floor to public discussion.

Board Deliberation: Board Member Flick expressed his concerns regarding setting 350 GPD as the standard water use with no supported consumptive data.

Motion: Approve based upon the record, evidence, and testimony received, find that there is competent and substantial evidence pursuant to Section 163.3177(6)(c), Section 163.3177(6)(d)(3) and Section 163.3177(3)(a)(4), *Florida Statutes*, and Policies WAT.01.01, WAT.06.03, and CI.02.01 of the Nassau County Comprehensive Plan, and therefore, motion to recommend approval of application, CPA25-002.

Maker: Board Member Morris

Second: Board Member Hinson

Action: Approve
Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Morris, and Board Member Blue.
Nay: Board Member Flick.
Absent: Board Member Ericksen.

(Tab E) Consider CPA25-003, an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending the 2030 Nassau County Comprehensive Plan; amending the goals, objectives, and policies of the Public Facilities Element; Sanitary Sewer Sub-element (SEW); amending Policy SEW.03.05 to include design requirements for package treatment plants; adding Policy SEW.04.04 to encourage advanced on-site treatment and disposal systems for development located within environmentally sensitive lands, and adding Policy SEW.04.05 to establish parameters for providing sanitary sewer services to certain developments and to set requirements and timeframes for the County to conduct feasibility analyses and updates to the schedule of capital improvements; providing for applicability and effect; providing for severability; providing for filing; and providing for an effective date. (Transmittal).

Chair Blue opened the floor to public discussion.

Staff Presentation: Ms. Backe provided a PowerPoint presentation relating to the request to amend the Public Facilities Element of the 2030 Comprehensive Plan, as required to create consistency with legislative changes made through House Bill 1379 (HB1379) and Senate Bill 1632 (SB1632), effective July 1, 2023. She briefly summarized the proposed amendments for Policy SEW.03.05, explaining that the current policy encourages the use of small community and non-community treatment systems in clustered rural areas; however, the amendments proposed would require the wastewater systems to be designed as a transitional system and would require private wastewater systems to be decommissioned and connected to centralized utility systems once they become available. She further explained that in addition to Policy SEW.04.04, staff is proposing adding a section that would enable the County to encourage the use of advanced On-Site Treatment and Disposal Systems (OSTDS) for new development in Environmentally Sensitive Lands (ESLs). Additionally, the County is requesting a section to Policy SEW.04.05 that would enable the County to consider the feasibility of providing sanitary sewer services within a 10-year planning horizon for new developments that exceed 50 residential lots with more than one OSTDS per acre. Ms. Backe advised that the amendments create consistency between the Public Facilities Element of the 2030 Comprehensive Plan and the Legislative changes effective as of July 1, 2023; therefore, staff recommends approval of the application, CPA25-003.

Motion: Approve Based upon the record, evidence, and testimony received, find that there is competent and substantial evidence pursuant to Section 163.3177(3)(a) and Section 163.3177(6)(c), *Florida Statutes*, and Policy SEW.03.05 of the Nassau County Comprehensive Plan, and therefore, motion to recommend approval of application, CPA25-003.

Maker: Board Member Hinson
Second: Board Member Flick
Action: Approve

Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Flick, Board Member Morris, and Board Member Blue.
Absent: Board Member Ericksen.

Board Discussion: In a response posed by the Board, Mr. Groff advised that this request would only impact septic tanks. He noted that currently, there is not a basin management action plan within the county that would not have any impact; however, there could be areas in the future that may require updating an existing septic tank if one fails. He provided a general overview of what is required by Florida State Statutes and fees. He emphasized that existing that there are no fees or impacts to existing residents that own septic tanks unless imposed by the State.

Chair Blue closed the floor to public discussion.

(Tab F) Consider SP22-021 EXT, a two-year extension request for Callahan Speedway Expansion Site Engineering Plans (SP22-021).

Chair Blue opened the floor to public discussion.

Staff Presentation: Adam Olsen, Planning Department, came forward to provide a PowerPoint presentation. He briefly summarized the project, noting that the plan includes an asphalt dragstrip, stormwater pond, and grass parking area. He advised that pursuant to the Land Development Code (LDC), Section 5.07(F) (4), requires that an applicant receive a site work permit or building permit no later than one year following approval of the Site Engineering Plan (SEP) by the Development Review Committee (DRC), noting that the SEP was approved on January 16, 2024. Mr. Olsen explained that one extension may be granted up to two years for cause upon demonstration to this Board. He pointed out that the delay is due to a pending permit with St. John River Water Management District (SJRWMD) caused by impacts to the wetlands; therefore, staff recommends approval of the application, SP22-021.

Chair Blue closed the floor to public discussion.

Applicant Presentation: David Hicken, the applicant, came forward to request an extension. He summarized the issues since their engineers submitted their drawings to the St. Johns River Water Management District (SJRWMD) and the approval process.

Motion: Approve based upon the record, evidence, and testimony received, find that there is cause for the extension pursuant to Section 5.07(F)(4) of the Land Development Code (LDC) and therefore, motion to approve a two-year extension of approved Site Engineering Plan SP22-021.

Maker: Board Member Hinson

Second: Board Member Flick

Action: Approve

Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Flick, Board Member Morris, and Board Member Blue.

Absent: Board Member Ericksen.

(Tab G) Extension Request for Yulee RV Storage Site Engineering Plans (SP23-002).

Chair Blue opened the floor to public discussion.

Staff Presentation: Drew Pearson, Planning Department, came forward to provide a PowerPoint presentation. He provided a brief overview of the project, noting that the proposed RV storage facility consists of 230 RV storage spaces, an office, and 53 storage lockers. He advised that pursuant to the Land Development Code (LDC), Section 5.07(F)(4), requires that an applicant receive a site work permit or building permit no later than one year following approval of the Site Engineering Plan (SEP) by the Development Review Committee (DRC), noting that the SEP was approved on February 13, 2024. Mr. Pearson explained that one extension of up to two years may be granted by cause upon demonstration to this Board. He provided a Site Engineering Plan, demonstrating the location of the 230 Recreational Vehicles (RV) storage spaces, the office, and the 53 storage lockers. Mr. Pearson explained that the delay is due to issues obtaining permits from other government agencies, which is suspected to be a result of wetlands being located on the property. He advised that the staff is recommending approval of the two-year extension for application SP23-002.

Applicant Presentation: Asa Gillette, agent, came forward to request the two-year extension due to a delay in obtaining a permit from the SJRWMD. He provided an overview of one of the comments from SJRWMD, including the fact that the project must prove that it would not dewater the wetlands. They are working with the clients to determine the procedures to move forward based on costs.

Chair Blue closed the floor to public discussion.

Motion: Approve based upon the record, evidence, and testimony received, find that there is cause for the extension pursuant to Section 5.07(F)(4) of the Land Development Code (LDC) and therefore, motion to approve a two-year extension of approved Site Engineering Plan SP23-002, Yulee RV Storage.

Maker: Board Member Morris

Second: Board Member Flick

Action: Approve

Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Flick, Board Member Morris, and Board Member Blue.

Absent: Board Member Ericksen.

Quasi-Judicial Public Hearings:

Ms. Moore read the Quasi-Judicial hearing procedures applicable for Tab H.

(Tab H) CU2025-002, 87616 and 87618 Roses Bluff Road, Yulee - The applicant seeks a conditional use permit pursuant to Section 22.03(I) of the Nassau County

Land Development Code (LDC) to allow a mental health center in the Open Rural (OR) zoning district.

Ex-Parte Disclosure: Board Member Fendig disclosed that his real estate company assisted the seller and buyer in selling the subject property. Ms. Moore advised that Board Member Fendig could still vote on this matter since that transaction occurred previously, and there is no economic benefit or gain.

Document submitted into the record for application, CU2025-002: Agenda Item Summary Page - 2 Pages; Staff Report - 7 Pages; Application for Conditional Use - 4 Pages; Responses to Conditional Use Criteria - 2 Pages; Applicant Summary - 7 Pages; North Parcel Survey - 1 Page; Charis House Floor Plan - 1 Page; Conceptual Site Plan - 1 Page; South Parcel Survey - 1 Page; Place Garage Plans - 3 Pages; and Staff Presentation - 13 Pages.

Motion: Approve to accept the documents into the record for application, CU2025-002.

Maker: Board Member Fendig

Second: Board Member Hinson

Action: Approve

Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Flick, Board Member Morris, and Board Member Blue.

Absent: Board Member Ericksen.

Chair Blue opened the floor to public discussion.

Staff Presentation: Stephanie Keyser, Planning Department, came forward and was sworn in to provide a PowerPoint presentation. She briefly summarized the parcel's location and the services the Charis Place offers. She noted that the organization is licensed and operates out of a residential home on Roses Bluff Road; however, the house has become too small to accommodate everyone seeking help. As a result, they have purchased a single-family home abutting the current property. She stated that the zoning is Open Rural (OR) and Land Use is Medium Density (MDR). Ms. Keyser reviewed the consistency with the Future Land Use Map (FLUM), zoning criteria, and Conditional Use Criteria (A) through (K). Staff finds that the requested action to be consistent with the Conditional Use Criteria in Section 5.04 of the Land Development Code (LDC), and therefore, staff is recommending the approval of application CU2025-002.

Applicant Presentation: Amy Shields, the owner, came forward and was sworn in to deliver a PowerPoint presentation. She provided an overview of the reality of eating disorders and discussed the average daily cost of seeking help for this condition. Ms. Shields emphasized that Charis Eating Disorder Care is the nation's first nonprofit residential center solely dedicated to eating disorder recovery. She reviewed the typical profile of individuals who struggle with eating disorders and shared information about local sponsors. Additionally, she addressed questions regarding the origins of patients and the advertising methods used to inform the public about the nonprofit.

Chair Blue closed the floor to public discussion.

Motion: Approve based upon the record, evidence, and testimony received, find that there is competent and substantial evidence pursuant to Land Development Code (LDC), Section 22.03(I) and Section 5.04(A) through (K), Conditional Use Review Criteria, and therefore, my motion to approve, CU2025-002.

Maker: Board Member Fendig

Second: Board Member Morris

Action: Approve

Aye: None.

Ms. Moore interrupted the motion and requested that staff make note of a recommended condition for the approval of this application. Elizabeth Backe, Planning Department, advised that staff recommended approval subject to the following condition: (1) The rights assigned shall be transferable and run with the land.

Motion: Amend based upon the record, evidence, and testimony received, find that there is competent and substantial evidence pursuant to Land Development Code (LDC), Section 22.03(I) and Section 5.04(A) through (K), Conditional Use Review Criteria, and therefore, my motion to approve, CU2025-002, subject to the condition that the rights assigned shall be transferable and run with the land.

Maker: Board Member Fendig

Second: Board Member Morris

Action: Amend

Aye: Board Member Hinson, Board Member Brantley, Board Member Fendig, Board Member Flick, Board Member Morris, and Board Member Blue.

Absent: Board Member Ericksen.

Board Business:

Next meeting will be held April 15, 2025, at 6:00 p.m.

Adjournment at 7:17 p.m.

Chairman