



NASSAU COUNTY
Planning Department
FLORIDA

March 4, 2025

NASSAU COUNTY PLANNING AND ZONING BOARD

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APPLICATION INFORMATION

Request

Consider a rezoning for approximately 60.65-acres from Open Rural (OR) to Transect 1 (T-1) for 5.19 acres and Transect 2.5 (T-2.5) for 55.46 acres.

Applicant/Owners

WRC Cook Yulee, LLC

Agents

Gregory Matovina

Commission District 3

R24-004

OR to
T-1 & T-2.5
Request for
Rezoning

R24-004

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Location Map

On the south side of Clyde
Higginbotham Road
between the CSX railroad
and Lumber Creek

R24-004

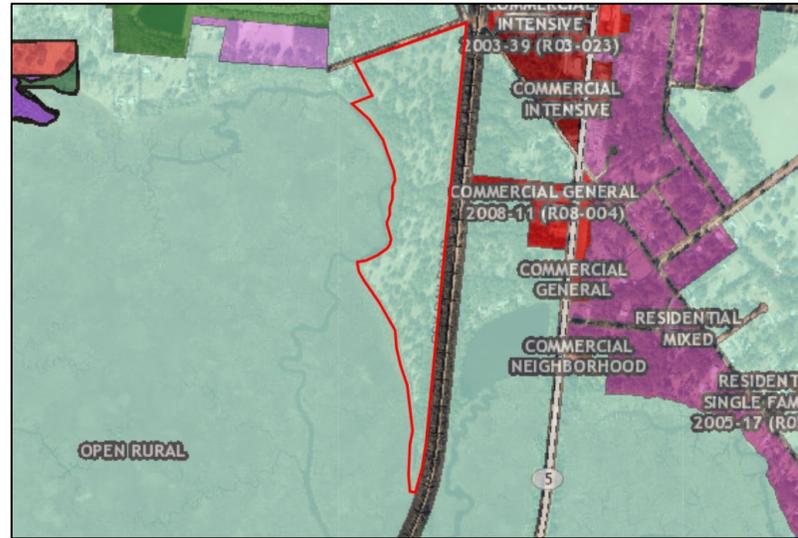
OR to
T-1 & T-2.5
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**William Burgess
District Overlay**

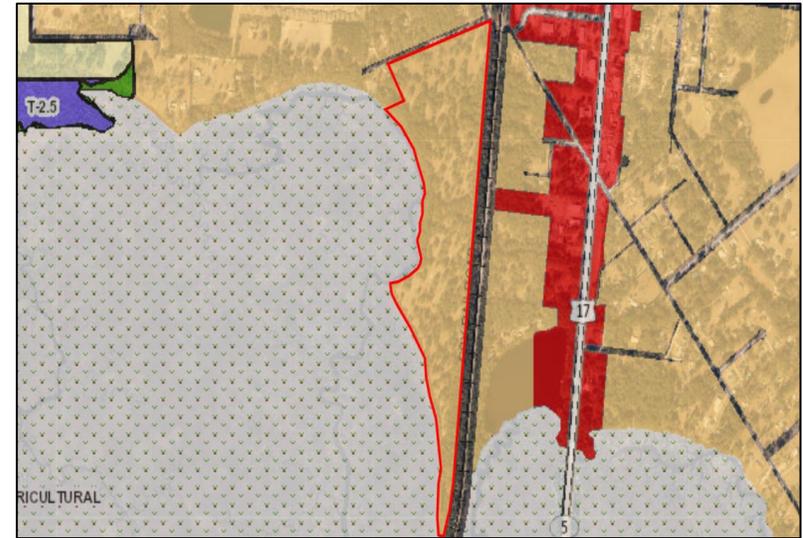
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Zoning

Zoning is proposed to change from
Open Rural (OR)
to Transect-1 (T-1) & Transect-2.5 (T2.5)

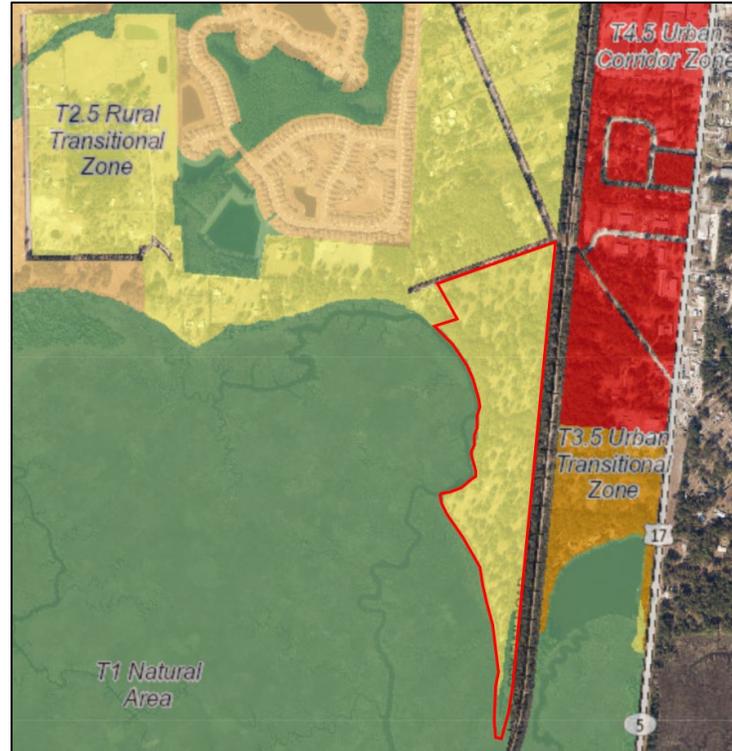


Land Use

Land use proposed to change from
Medium Density Residential (MDR)
to Transect-1 (T-1) & Transect-2.5
(T2.5)

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**William Burgess
District Transect
Map**

William Burgess District Context and Connectivity Blueprint

Section 4.3 Uses – T-1 and T-2.5

Permitted uses within the T-1 and T-2.5 districts include:

Section 4.3 Uses

4.3.1 Introduction

Section 4.3 identifies allowed uses in each transect. The intent is to create transects where a mixture of uses are allowed to create communities which allow a resident to access the services they need to “live, work, play, and stay”, and to discourage the necessity of vehicular travel.

4.3.2 Uses General

- a. General uses allowed in each transect are shown in Table 4.2.
- b. The letter “P” indicates the use is permitted by right in the transect.
- c. The letter “C” indicates the use is permitted by conditional use.
 - i. Conditional Uses shall follow the procedures and criteria outlined in Sections 5.03 and 5.04 LDC.
- d. A blank space indicates the use is prohibited in the transect.
- e. Any use that is not identified in the Table 4.2 is prohibited. A property owner may request an interpretation to determine if a use that is not identified is permissible, based on substantial similarity of the requested use to permissible uses within the transect zone in which the property is located. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in type, intensity, degree, or impact when compared to a use named in Table 4.2. The Department of Planning and Economic Opportunity can make this determination based on the following criteria:
 - i. Typical hours of operation;
 - ii. Use of outdoor storage;
 - iii. Trip generation rates;
 - iv. Generation of noise, light pollution, smoke, electromagnetic interference, or vibration; and
 - v. Customary functions of the use
 - vi. Impacts to urban form and design standards
- f. At this point, there is not a T-6 zone in Nassau County, so uses associated with that district are omitted from this table.
- g. Special districts are omitted from this table because they have an allowance of uses based on their distinct districts and may be regulated by other adopted ordinances, such as Planned Unit Development or ENCPA Preliminary Development Plan.

A. RESIDENTIAL	T-1	T-1.5	T-2	T-2.5	T-3	T-3.5	T-4	T-4.5	T-5
MIXED USE						P	P	P	P
LIVE/WORK UNIT					P	P	P	P	P
SINGLE FAMILY ATTACHED (ROW HOUSE/TOWNHOUSE)					P	P	P	P	P
MULTI-FAMILY 4 UNITS OR LESS					P	P	P	P	P
MULTI-FAMILY GREATER THAN 4 UNITS					P	P	P	P	P
SINGLE FAMILY DETACHED HOUSE		P	P	P	P	P			
ACCESSORY DWELLING		P	P	P	P	P			
MANUFACTURED HOME/MOBILE HOME		P	P	P					
B. LODGING									
HOTEL (NO ROOM LIMIT)								P	P
INN (UP TO 12 ROOMS)			P	P	P	P	P	P	P
BED & BREAKFAST (UP TO 5 ROOMS)		P	P	P	P	P	P	P	P
SCHOOL DORMITORY						P	P	P	P
RESORT						P	P	P	P
C. OFFICE									
OFFICE BUILDING						P	P	P	P
PROFESSIONAL OFFICES					C	P	P	P	P
MEDICAL/PERSONAL SERVICES OFFICES					C	P	P	P	P
ANIMAL GROOMER					C	P	P	P	P
ANIMAL VET/DAYCARE/BOARDING FACILITY					C	C	P	P	P
D. RETAIL									
OPEN-MARKET BUILDING/FARMERS MARKET		C	C	C	P	P	P	P	P
RETAIL BUILDING					C	P	P	P	P
RESTAURANT/FOOD ESTABLISHMENT					C	P	P	P	P
MINI-STORAGE						C	C	C	C
KIOSK						P	P	P	P
HEALTH AND FITNESS ESTABLISHMENT			P	P	P	P	P	P	P
ALCOHOL SELLING ESTABLISHMENT					C	P	P	P	P

E. CIVIC	T-1	T-1.5	T-2	T-2.5	T-3	T-3.5	T-4	T-4.5	T-5
BUS SHELTER			P	P	P	P	P	P	P
CONVENTION CENTER									P
INDOOR/OUTDOOR RECREATION (PRIVATE)		C	C	C	C	C	P	P	P
INDOOR/OUTDOOR RECREATION (PUBLIC)		P	P	P	P	P	P	P	P
ESSENTIAL PUBLIC SERVICES	P	P	P	P	P	P	P	P	P
PUBLIC ART			P	P	P	P	P	P	P
LIBRARY				P	P	P	P	P	P
LIVE THEATER						C	P	P	P
MOVIE THEATER							C	P	P
MUSEUM					C	P	P	P	P
OUTDOOR AUDITORIUM							C	P	P
PARKING STRUCTURE							C	P	P
PASSENGER TERMINAL									P
PLAYGROUND		P	P	P	P	P	P	P	P
SURFACE PARKING LOT									P
RELIGIOUS ASSEMBLY		C	P	P	P	P	P	P	P
FIRE STATION		P	P	P	P	P	P	P	P
POLICE STATION		P	P	P	P	P	P	P	P
CEMETERY		P	P	C					
FUNERAL HOME						C	P	P	P
AMBULATORY CARE						C	P	P	P
HOSPITAL							C	P	P
CHILD/ADULT DAYCARE		C	C	P	P	P	P	P	P
ASSISTED LIVING FACILITY		C	C	P	P	P	P	P	P
F. AGRICULTURE									
AGRICULTURAL STORAGE		P	P	P					
LIVESTOCK PEN		P	P	P					
GREENHOUSE		P	P	P					
SILVICULTURE		P	P	P	P	P	P	P	P
AGRTOURISM		P	P	P					
GENERAL AGRICULTURE		P	P	P					
STABLE		P	P	P					
KENNEL		C	C						
URBAN FARMING						P	P	P	P
G. AUTOMOTIVE									
GASOLINE									P*
AUTOMOBILE SERVICE									P*
TRUCK MAINTENANCE									P*
DRIVE-THROUGH FACILITY						C	C	P	C
AGRICULTURAL STAND		C	C	C	C	C	C	C	C
SHOPPING CENTER							P	P	P
H. EDUCATION									
COLLEGE/UNIVERSITY							P	P	P
HIGH SCHOOL						P	P	P	P
TRADE SCHOOL							P	P	P
MIDDLE SCHOOL						P	P	P	P
ELEMENTARY SCHOOL (PUBLIC, PRIVATE OR CHARTER)					P	P	P	P	P
CHARTER OR PRIVATE SCHOOL (OTHER THAN AN ELEMENTARY)						P	P	P	P

Table 4.2 Transect Use Table

P= Permitted C= Conditional Use Blank = not allowed
 *Permitted only where abutting a State road and/or arterial (US-17, SR-200, Hwy 301, US-1)
 Nothing herein shall limit the rights for agricultural uses as defined in the Florida State Statute.

Definitions for uses are found in either Article 32 of the Nassau County Land Development Code or Section 4.16 of the WB CCB.

R24-004

OR to
T-1 & T-2.5
Request for
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CONSISTENCY WITH COMPREHENSIVE PLAN

Policy FL.01.02(I): The proposed T-1 and T-2.5 zoning is consistent with the proposed Future Land Use Map (FLUM) designation of T-1 and T-2.5. Lands designated T-1 and T-2.5 are *intended for activities that are predominately associated with:*

- *the Natural Zone for T-1 with zero (0) dwelling units per upland acre maximum and;*
- *for the Rural Transitional Zone for T-2.5 with the potential for one (1) dwelling unit per upland acre and a potential Floor Area Ratio (FAR) maximum of 0.5. Permitted uses in T-2.5 include single family residential, small inns and bed & breakfast establishments, health and fitness establishments, religious assembly sites, fire or police stations, and agricultural uses, among others. Conditional uses, subject to approval through a conditional use process, in T-2.5 could potentially include an open market building/farmers market, indoor/outdoor recreation (private), a cemetery, and an agricultural stand.*

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CONSISTENCY WITH REZONING CRITERIA

Pursuant to LDC Section 5.02 (C) and (D), staff shall review rezoning applications for consistency with the Comprehensive Plan and provide a recommendation to the Planning and Zoning Board regarding the merits of the request based upon the goals, objectives, and policies of the Comprehensive Plan. This review also includes an analysis of the need for and justification of the rezoning, and whether the rezoning is in keeping with the County's planning program. These broad criteria are addressed through questions on the application in Section 12 (A) through (N); see staff report for full analysis of these criteria.

(A) Consistency of the proposed rezoning with the uses, densities and intensities permitted by the underlying Future Land Use Map (FLUM) designation and the goals, objectives, and policies of the adopted Comprehensive Plan.

Staff Response:

The proposed Transect-1 (T-1) and Transect 2.5 (T-2.5) zoning is consistent with the proposed Future Land Use Map (FLUM) designation of Transect-1 (T-1) and Transect 2.5 (T-2.5). Under comprehensive plan policy FL.01.02 (I), Lands designated Transect-1 (T-1) are intended for the preservation of natural areas. Lands designated Transect 2.5 (T-2.5) are intended for low density residential uses and uses of a lesser intensity providing a transition between natural and rural areas and higher density and intensity transects. Development is consistent with the goals, objectives, and policies of the adopted Comprehensive Plan which include infill development supported by the vision of the William Burgess Mixed-Use Activity Center Overlay District.

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CONSISTENCY WITH REZONING CRITERIA

(B) Consistency of the proposed rezoning with the uses, densities and intensities permitted by the adjacent and surrounding zoning districts.

Staff Response:

The parcel is located near moderately large lot residential (2+ acres) to the north and west, a Planned Unit Development (PUD) subdivision with quarter-acre lots to the west, bounded by wetlands/waterways to the south, and adjacent to a railroad line to the east with commercial uses further to the east. Parcels immediately adjacent to the north and west consist of T2.5 Rural Transitional Zone within the William Burgess Mixed-Use Activity Center Overlay District. To the east, across the railroad tracks, the area is proposed as T4.5, Urban Corridor Zone along US17. The proposed rezoning is consistent with the adjacent existing zoning pattern and the planned transects through the Overlay District.

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CONSISTENCY WITH REZONING CRITERIA

(C) Consistency of the proposed rezoning with the applicable portions of small area plans, overlay districts or any current County plans or programs.

Staff Response:

The William Burgess Mixed-Use Activity Center Overlay District was approved by the Nassau County Board of County Commissioners on August 28, 2017. The District directly implements the principles of the Vision 2032 Plan and the 2030 Comprehensive Plan by creating the opportunity for the establishment of a transit oriented compact mixed-use community that promotes social engagement, a live/work environment, and fiscal sustainability.

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CONSISTENCY WITH REZONING CRITERIA

(E) The availability of, and potential impact to, public infrastructure and facilities that will serve the site in question including public water and wastewater, public roads, public schools, public parks, police and fire service and other similar items.

Staff Response:

The site is located within the William Burgess Mixed-Use Activity Center Overlay District which is developing to include public services such as the Courthouse, Sheriff's Office, Emergency Operations, and Animal Control. Private services such as retail, grocery stores, and including emergency and non-emergency medical care are also developing along SR200 and within the nearby Wildlight development (approximately three miles away). A fire station is planned to be located approximately two miles away from the property, on Still Quarters Rd. The site currently does not have access to water and sewer services.

CONSISTENCY WITH REZONING CRITERIA

(H) The nature and degree of potential adverse impacts the proposed rezoning could have upon environmentally sensitive lands or areas of historical or cultural significance.

Staff Response:

Wetlands have been identified in the environmental assessment of the site. At the time of site plan review, required buffers shall be maintained in accordance with Land Development Code (LDC) Section 37.03. The transect assignment of T-1 seeks to protect the natural environment on the subject property. The western edge of the property contains a bluff adjacent to Lumber Creek and the tidal marsh. The transects assigned for the subject property were selected in recognition of the unique ecological characteristics of this location. The environmental report conducted by the applicant identifies the presence of gopher tortoise burrows on the subject property. Ground disturbing activities within twenty-five feet of tortoise burrows require a gopher tortoise relocation permit from the Florida Fish and Wildlife Conservation Commission (FWC). Proof of issuance of any FWC tortoise permits will be required to be submitted with building permit applications.

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CONSISTENCY WITH REZONING CRITERIA

(J) The extent to which land use and development conditions have changed since the effective date of the existing zoning regulations involved which are relevant to the property.

Staff Response:

The William Burgess Mixed-Use Activity Center Overlay District was approved by the Nassau County Board of County Commissioners on August 28, 2017. The District directly implements the principles of the Vision 2032 Plan and the 2030 Comprehensive Plan by creating the opportunity for the establishment of a transit oriented compact mixed-use community that promotes social engagement, a live/work environment, and fiscal sustainability. The subject property is located in the southeastern portion of the District and was assigned to Transect 1 (Natural Area) and Transect 2.5 (Rural Transition) based on the location and characteristics of the property.

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CONSISTENCY WITH REZONING CRITERIA

(L) The extent to which the rezoning will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.

Staff Response:

The requested rezoning recognizes the transitional nature of the subject property and conforms to the assigned transect within the William Burgess Mixed-Use Activity Center Overlay District. The property is identified as including a multi-use trail (not in street cross section) providing for additional connectivity for non-automobile modes of transportation as can be seen below in Figure 4.8, the Green Infrastructure Plan + Multi-use Trails/Bikeways from the William Burgess Context and Connectivity Blueprint:

CONSISTENCY WITH REZONING CRITERIA

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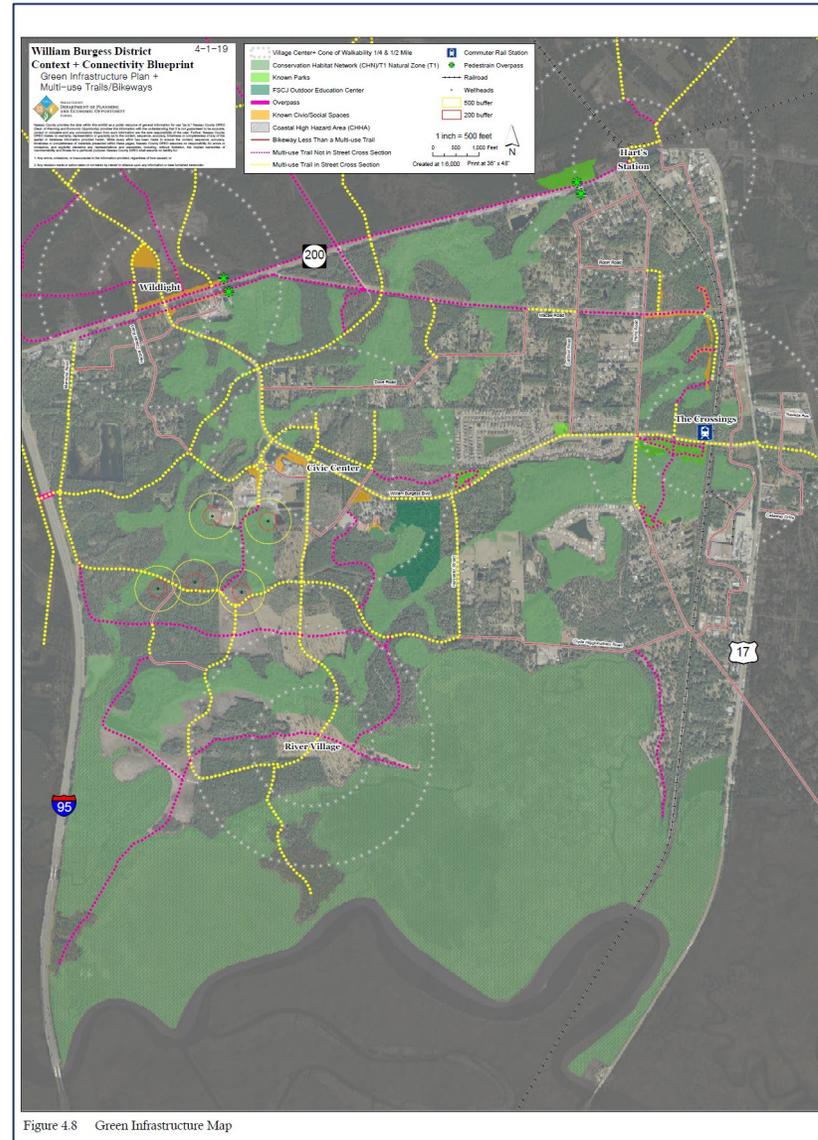


Figure 4.8 Green Infrastructure Map

CONCLUSION AND RECOMMENDATION

Consistency with Comprehensive Plan Policies

Staff finds that the requested amendment is consistent with requirements of Future Land Use Policies FL.01.02(I).

Land Development Code

LDC Section 5.02 (C) and (D) requirements have been met.

Criteria for Rezoning

The review criteria for approval of a Rezoning application, 12 (A) through (N), is met.

Recommendation

Based on these findings, staff recommends **APPROVAL** of application R24-004.

R24-004

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