



**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

**PROPOSED AMENDMENT**

<b>INTRODUCED BY:</b>	Planning Department
<b>REQUESTED ACTION:</b>	<b>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 AN EFFECTIVE DATE.</b>

**BACKGROUND INFORMATION**

Sections 163.3177(3)(a) and 163.3177(6)(c), Florida Statutes, amended through CS/CS/HB1379 & SB1632 (effective date July 1, 2023) imposes new requirements and restrictions on local governments relating to pollutant load reduction, local government comprehensive plans, basin management action plans, onsite sewage treatment and disposal systems, mandatory connection to central sewer systems, septic system and wastewater treatment facility remediation plans and advanced waste treatment systems. It further requires a local government’s comprehensive plan to include a plan to provide sanitary sewer services within a 10-year planning horizon and identify the name of the intended wastewater facility receiving sanitary sewer flows after connection and a timeline for connection for groups of more than 50 residential lots with a density greater than one septic system per acre.

To create consistency between Sections 163.3177(3)(a) and 163.3177(6)(c), Florida Statutes and Comprehensive Plan Policy SEW.03.05, staff proposes the following amendment and inclusion of two (2) new policies, SEW.04.04 and SEW.04.05:

**Policy SEW.03.05**

This policy currently only encourages the use of small community and non-community treatments systems in clustered rural hamlets, rural employment centers, and in cases where failing septic systems create ground or surface water contamination. As proposed, the policy will be amended to allow these systems but to also require them to be designed as transitional systems according to state or local standards. Additionally, this amendment will require private wastewater systems to be decommissioned and connected to centralized utility systems, once available.



#### **Policy SEW.04.04**

This policy addition is proposed to enable the County to encourage the use of advanced on-site treatment and disposal systems (OSTDS) for new development within Environmentally Sensitive Lands (ESLs) in areas where central sanitary sewer is not currently available. The use of advanced OSTDS would seek to replace the standard practice of utilizing well and septic systems.

#### **Policy SEW.04.05**

In accordance with Sections 163.3177(3)(a) and 163.3177(6)(c), Florida Statutes, this policy addition is proposed to enable the County to consider the feasibility of providing sanitary sewer services within a 10-year planning horizon for developments in excess of 50 residential lots with more than one (1) existing or proposed onsite sewage treatment and disposal system (OSTDS) per one (1) acre. The proposed policy includes the parameters for County consideration and a requirement for the County to update its feasibility analysis to account for future applicable developments. Lastly, this policy includes a requirement that the County include a list of projects for providing sanitary sewer to the development(s) as applicable with the Five-Year Schedule of Capital Improvement, with an annual update as necessary, by September 30, 2025.

#### **CONCLUSION AND STAFF RECOMMENDATION**

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Staff finds the amendments to be consistent with applicable Florida Statutes, the Nassau County Comprehensive Plan, Code of Ordinances, and Land Development Code. Based on these findings, staff recommends APPROVAL of application CPA25-003.

#### **PZB RECOMMENDATION**

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At their meeting on April 1, 2025, the Planning and Zoning Board recommended approval of the Comprehensive Plan Amendment application. The motion to recommend approval passed with a vote of 6-0.

#### **TRANSMITTAL TO STATE DEPARTMENT OF COMMERCE**

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The State of Florida Department of Commerce received the proposed comprehensive plan amendment for review on April 29, 2025. Florida Commerce completed their review under the expedited state review process and has no comment related to adverse impacts to important state resources and facilities within their authorized scope of review on the proposed amendment per their response letter dated May 29, 2025, for Amendment No. 25-04ESR. FloridaCommerce did provide two technical assistance comments. The Northeast Florida Regional Council reviewed the amendment and noted that there were no impacts to Resources of Regional Significance or extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of an affected local government identified by staff. The Florida Department of Transportation reviewed the request and found that the proposed amendment is not anticipated to have significant adverse impacts to transportation resources or facilities of state importance. Additionally, the Florida Fish and Wildlife Conservation Commission (FWC) reviewed the request and have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment. Lastly, the St. Johns River Water Management District staff reviewed the request and have no comments on the proposed amendment.