

**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
**5:00 PM, April 28, 2025**  
**James S. Page Governmental Complex, 96135 Nassau Place**  
**Yulee, FL 32097**

W.



## APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

### PROPOSED AMENDMENT

INTRODUCED BY:	Planning Department
REQUESTED ACTION:	<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 FUTURE LAND USE ELEMENT; AMENDING POLICY FL.01.02(A), (C), AND (D), TO INCLUDE SOLAR ENERGY FACILITIES AS A PERMITTED USE WITHIN THE AGRICULTURE LAND USE CATEGORY; TO INCLUDE RESILIENCY FACILITIES AS A PERMITTED USE WITHIN THE COMMERCIAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING; AND PROVIDING AN EFFECTIVE DATE.</b>

### BACKGROUND INFORMATION

Section 163.3205, Florida Statutes, amended through CS/CS/SB896, Chapter 2021-178 (effective date July 1, 2021) imposes new requirements and restrictions on local governments pertaining to solar energy facilities. The legislation approved requires solar energy facilities to be a permitted use in all agricultural land use categories in a local government's comprehensive plan and all agricultural zoning districts within an unincorporated area.

Section 163.3210, Florida Statutes, amended through CS/CS/SB1624/HB1645, Chapter 2024-186 (effective date July 1, 2024) imposes new requirements and restrictions on local governments pertaining to natural gas resiliency and reliability infrastructure. The legislation approved provides that a "resiliency facility" must be a permitted use in all commercial, industrial, and manufacturing land use categories in local government comprehensive plans and zoning districts. After July 1, 2024, a local government may not amend its local land regulations to conflict with a resiliency facility as an allowable use. A "resiliency facility" is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster."

To create consistency between Sections 163.3205 and 163.3210, Florida Statutes and Comprehensive Plan Policy FL.01.02, staff proposes the following amendments:

#### **Policy FL.01.02(A)      Agriculture (AGR)**

This policy currently does not address the permissibility for solar energy facilities within the Agriculture land use category. As proposed, solar energy facilities would be listed as permitted uses within the Agriculture land use category.



**Policy FL.01.02(C)      Commercial (COM)**

This policy currently does not address the permissibility for resiliency facilities within the Commercial land use category. As proposed, resiliency facilities would be listed as permitted uses within the Commercial land use category.

**Policy FL.01.02(D)      Industrial (IND)**

This policy currently does not address the permissibility for resiliency facilities within the Industrial land use category. As proposed, resiliency facilities would be listed as permitted uses within the Industrial land use category.

**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 CPA25-004.

## **ORDINANCE 2025-009**

**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 FUTURE LAND USE ELEMENT; AMENDING POLICY FL.01.02(A), (C), AND (D), TO INCLUDE SOLAR ENERGY FACILITIES AS A PERMITTED USE WITHIN THE AGRICULTURE LAND USE CATEGORY; TO INCLUDE RESILIENCY FACILITIES AS A PERMITTED USE WITHIN THE COMMERCIAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Nassau County Board of County Commissioners is empowered to adopt Ordinances pursuant to Chapter 125.66, Florida Statutes; and

**WHEREAS**, Chapter 163, Part II, Florida Statutes, the Community Planning Act (the “Act”), empowers and requires the Nassau County Board of County Commissioners to: (a) plan for the County’s future development and growth; (b) adopt and amend comprehensive plans or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations or elements thereof; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

**WHEREAS**, the Nassau County Planning and Zoning Board has been established and designated as the Local Planning Agency (“LPA”) for unincorporated Nassau County, Florida, pursuant to section 163.3174, Florida Statutes; and

**WHEREAS**, the Boards have in the preparation of the amendments to the Nassau County Comprehensive Plan 2010-2030 performed or caused to be performed the necessary studies and surveys, the collection of appropriate data, the holding of such public hearings, workshops and meetings as necessary, and have effectively provided for public participation, notice, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, communication programs, information services, considerations of, and response to, public and official comments; and

**WHEREAS**, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163 Florida Statutes and the Nassau County Land Development Code.

Additions = red underline

Deletions = ~~red strikethrough~~

Relocated = green double underline

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY FLORIDA, AS FOLLOWS:**

**SECTION 1. FINDINGS.**

The above findings are true and correct and are hereby incorporated herein by reference.

**SECTION 2. PURPOSE AND INTENT.**

This Ordinance is enacted to maintain compliance with state law and to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Chapter 163, Part II, Florida Statutes, and Chapter 125, Florida Statutes.

**SECTION 3. AMENDMENTS TO COMPREHENSIVE PLAN.**

(A) The Board of County Commissioners of Nassau County, Florida, hereby amends and revises the Future Land Use Element of the Nassau County Comprehensive Plan 2010-2030 as adopted by Ordinance Number 2010-11, as amended. The Future Land Use Element shall be revised as shown in Attachment "A".

(B) The amendment described herein was fully considered after a public hearing pursuant to legal notice duly published as required by law and enumerated above.

(C) To make the Nassau County Comprehensive Growth Management Plan available to the general public, a certified copy of this Ordinance, the Nassau County Comprehensive Plan 2010-2030, and any Amendments thereto, shall be located in the Nassau County Planning Department, located at 96161 Nassau Place, Yulee, Florida, 32097. The Planning Department, through its Director, shall make copies available for public inspection, and provide duplication for a reasonable publication and copy charge.

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#### **SECTION 4. APPLICABILITY AND EFFECT.**

The applicability and effect of the Nassau County Comprehensive Plan 2010-2030 shall be as provided by the Community Planning Act, Chapter 163, Part II, Florida Statutes, and this Ordinance. All provisions of the Nassau County Comprehensive Plan 2010-2030 not amended herein shall remain in full force and effect.

#### **SECTION 5. SEVERABILITY.**

It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

#### **SECTION 6. FILING.**

A certified copy of this Ordinance, as well as Certified Copies of the Nassau County Comprehensive Plan 2010-2030, and subsequent amendments thereto, shall be filed with the Nassau County Clerk of the Circuit Court.

#### **SECTION 7. EFFECTIVE DATES.**

(A) The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the County that the plan amendment package is complete, pursuant to Section 163.3184(3)(c)4. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

(B) A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.

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**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 BY THE BOARD OF  
COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.**

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

\_\_\_\_\_  
A.M. "HUPP" HUPPMANN  
Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

\_\_\_\_\_  
MITCH L. KEITER  
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:

\_\_\_\_\_  
DENISE C. MAY

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Relocated = green double underline

## ATTACHMENT A Future Land Use Element; Amendments

### Policy FL.01.02(A) Agriculture (AGR)

Land designated Agriculture, is intended for activities that are associated primarily with the cultivation of silviculture, crops or other agricultural uses.

Agriculture- designated land in parcels 320 acres or more in area may be developed for residential use at a density not to exceed one (1) unit per 20 acres. Agriculture-designated land in parcels of 320 acres or less in area may be developed for residential use at a density not to exceed one (1) unit per one (1) acre.

Notwithstanding the density assigned above for Agriculture-designated lands on the Future Land Use Map, the following exceptions apply:

1. Parcels of property twenty (20) acres or less which are not shown on the Future Land Use Map and are single lots of record which were established by deed of record on or before January 28, 1991 may be developed at the density provided for the parcel on current zoning maps.
2. The land development regulations shall provide for the use of a parcel of property solely as a homestead by an individual who is the Owner's (a) parents, step-parents, adopted parents or grandparents; (b) spouse; (c) brothers or sisters; (d) children, step-children, adopted children or grandchildren; (e) aunts or uncles; (f) nieces or nephews; or (g) the parents, step-parents, adopted parents or grandparents, siblings, and children, step-children, adopted children or grandchildren of the Owner's spouse, notwithstanding the density or intensity of use assigned to the parcel by the Future Land Use Map of the Comprehensive Plan. Such a provision shall apply only once to any individual. The regulations to implement this policy shall provide procedures for lot splits or subdivision of land for the purpose of conveying a lot or parcel to individuals meeting these requirements for the establishment of a homestead and shall provide for a minimum lot size of the lot so created and the remaining lot. Lot splits or subdivisions of land permitted pursuant to this policy shall be subject to compliance with all other applicable Comprehensive Plan policies and Federal, State, Regional, and County regulations.

The exceptions noted above relate to density only; any development must be consistent with the other provisions of this Plan and adopted County regulations.

Community/public facilities may be permitted in Agriculture-designated lands subject to siting provisions in the Land Development Code. This may include, but is not limited to water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities, parks and schools.

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Agriculture designated lands provide for a variety of agricultural activities and shall be protected from the intrusion of land uses that are incompatible with the conduct of agriculture.

Solar energy facilities shall be permitted in the Agriculture (AGR) Land Use Category.

#### **Policy FL.01.02(C) Commercial (COM)**

Land designated for Commercial use is intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service.

Typical uses in the Commercial land use category may include medical or professional offices, shopping centers and other retail uses of varying intensity, vehicle sales and service, restaurants of all types, hotels and other lodging, personal services and other similar commercial or professional services. Commercial land uses should be physically or spatially buffered from adjacent land uses of lesser density or intensity of use.

The specific criteria for commercial land use is controlled by the Land Development Code which specifies permitted and conditional uses; Floor Area Ratios (FARs) or lot coverage restrictions, parking area requirements, height restrictions, signage, etc.

The maximum intensity of commercial use shall not exceed:

Maximum Commercial Intensity Standards			
FAR	.40 (40%)	ISR	.67 (67%)

Public facilities such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities, parks and schools shall be permitted at appropriate locations. Specific criteria for the siting of public facilities in this category shall be included in the Land Development Code.

Resiliency facilities shall be permitted within the Commercial (COM) Land Use Category.

#### **Policy FL.01.02(D) Industrial (IND)**

Land designated Industrial is intended for activities that are predominately associated with the manufacturing, assembly, processing, or storage of products and provides for a variety of intensities of use including heavy industry, light industry, and industrial park operations. Industrial development should be located in areas with access to major transportation assets and other supporting infrastructure.

Additions = red underline

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Relocated = green double underline

Typical uses in the Industrial land use category may include office and research parks; wholesaling, warehousing, storage, or distribution establishments; manufacturing, packaging or fabricating; food processing; railroad facilities and freight, trucking, or shipping terminals.

The specific criteria for industrial land use is controlled by the Land Development Code which specifies permitted and conditional uses; Floor Area Ratios (FARs) or lot coverage restrictions, parking area requirements, height restrictions, signage, etc.

The maximum intensity of industrial use shall not exceed:

Maximum Industrial Intensity Standards			
FAR	.50 (50%)	ISR	.75 (75%)

Commercial mining operations shall be permitted only under Industrial land use. These operations, including oil, gas, mineral, rock and sand extraction shall be regulated the standards of 62C16.0051 FAC.

Public facilities such as water and wastewater facilities, electric power substation and transmission facilities, emergency medical, fire protection and police facilities shall be permitted at appropriate locations. Schools and recreational facilities are not permitted in the Industrial land use category. Specific criteria for the siting of public facilities in this category shall be included in the Land Development Code.

Resiliency facilities shall be permitted within the Industrial (IND) Land Use Category.

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# **Nassau County**

## **Business Impact Estimate**

*This form shall be included in the agenda packet and shall be posted on County's website no later than the date the notice of the proposed ordinance is published.*

### **Proposed Ordinance's Title/Reference: (CPA25-004)**

**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 FUTURE LAND USE ELEMENT; AMENDING POLICY FL.01.02(A), (C), AND (D), TO INCLUDE SOLAR ENERGY FACILITIES AS A PERMITTED USE WITHIN THE AGRICULTURE LAND USE CATEGORY; TO INCLUDE RESILIENCY FACILITIES AS A PERMITTED USE WITHIN THE COMMERCIAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 125.66 (3), Florida Statutes.

If one or more boxes are checked below, this means that Nassau County is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the County is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. The County reserves the right to revise this Business Impact Estimate following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The proposed ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;

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<sup>1</sup> See Section 125.66(3)(c), Florida Statutes.

- b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the county;
- b. Sections 190.005 and 190.046, Florida Statutes, relating to community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with Section 125.66 (3), Florida Statutes, even notwithstanding the fact that an exemption noted above may apply, the County hereby publishes the following information:

**1. A summary** of the proposed ordinance, including a statement of the public purpose, such as serving the public health, safety, morals and welfare of the County:

Chapter 163, Part II, Florida Statutes, the Community Planning Act (the “Act”), empowers and requires the Nassau County Board of County Commissioners to: (a) plan for the County’s future development and growth; (b) adopt and amend comprehensive plans or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations or elements thereof; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act. Through this Ordinance, the Board of County Commissioners of Nassau County, Florida, will amend and revise the Goals, Objectives, and Policies of the Future Land Use Element, amend Policy FL.01.02(A), (C), and (D), to include solar energy facilities as a permitted use within the Agriculture Land Use Category and to include Resiliency Facilities as a permitted use within the Commercial and Industrial Land Use Categories.

**2. An estimate** of the direct economic impact of the proposed ordinance on private, for-profit businesses in the County, including the following, if any:

**(a)** An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted: \$0.00

**(b)** Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: No new charges are proposed.

**(c)** An estimate of the County’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs: \$0.00

**3. Good faith estimate of the number of businesses** likely to be impacted by the proposed ordinance:

It is estimated that 0 businesses will likely be impacted by this proposed Ordinance.

**4. Additional information** the County deems useful (if any):

*Examples: The methodology or data used to prepare the Business Impact Estimate including the sources of that data: social media postings, direct mail or email, public workshops, etc. Any efforts made to reduce the potential fiscal impact on businesses. If applicable, a statement that the proposed ordinance applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not only affect businesses.*



NASSAU COUNTY  
Planning Department  
FLORIDA

April 28, 2025

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# NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS

A.M. “Hupp” Huppmann, Chair

Elizabeth Backe, AICP, Planning Director

Stephanie Keyser, AICP, Assistant Planning Director

Drew Pearson, Senior Planner

Adam Olsen, Planner II

Mikhael Eyerman, Planning Technician

Nassau County Planning Department

96161 Nassau Place, Yulee, FL 32097

(904) 530-6320

[planning@nassaucountyfl.com](mailto:planning@nassaucountyfl.com)

CPA25-004

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Amendment  
To Future  
Land Use  
Element

**Request**

Amend the Future Land Use Element of the 2030 Comprehensive Plan to create consistency with legislative changes made through SB896 (effective 7/1/21) and SB1624/HB1645 (effective 7/1/24).

**Owner/Applicant:**

Nassau County Planning Department

**Applicability:**

Countywide

CPA25-004

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Amendment  
To Future  
Land Use  
Element

- Legislation requires solar energy facilities to be a permitted use in all agricultural land use categories in a local government's comprehensive plan and all agricultural zoning districts within an unincorporated area.
- Legislation provides that a “resiliency facility” must be a permitted use in all commercial, industrial, and manufacturing land use categories in local government comprehensive plans and zoning districts.
- A “resiliency facility” is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster.”



CPA25-004

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Amendment  
To Future  
Land Use  
Element

**Policy FL.01.02 (A) Agriculture (AGR)**

- This policy currently does not address the permissibility for solar energy facilities within the Agriculture land use category. As proposed, solar energy facilities would be listed as permitted uses within the Agriculture land use category.

**Policy FL.01.02 (C) Commercial (COM)**

- This policy currently does not address the permissibility for resiliency facilities within the Commercial land use category. As proposed, resiliency facilities would be listed as permitted uses within the Commercial land use category.

CPA25-004

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Amendment  
To Future  
Land Use  
Element

**Policy FL.01.02 (D) Industrial (IND)**

- This policy currently does not address the permissibility for resiliency facilities within the Industrial land use category. As proposed, resiliency facilities would be listed as permitted uses within the Industrial land use category.

CPA25-004

Amendment  
To Future  
Land Use  
Element

**CONCLUSION AND RECOMMENDATION**

The Amendment creates consistency between the Future Land Use Element of the 2030 Comprehensive Plan and legislative changes made through SB896 (effective 7/1/21) and SB1624/HB1645 (effective 7/1/24). Staff finds the amendment to be consistent with applicable Florida Statutes, the Nassau County Comprehensive Plan, Code of Ordinances, and Land Development Code.

**Recommendation**

Based on these findings, staff recommends **APPROVAL** of application CPA25-004. This hearing is to consider **TRANSMITTAL** of this application.



**PLANNING DEPARTMENT**  
NASSAU COUNTY, FLORIDA

Elizabeth Backe, AICP, Planning Director  
Stephanie Keyser, AICP, Assistant Planning Director  
96161 Nassau Place  
Yulee, FL 32097  
(904) 530-6320

**Application. No.:** CPA25-004 – Solar Energy Facilities

**ORDINANCE 2025-009**

**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 FUTURE LAND USE ELEMENT; AMENDING POLICY FL.01.02(A), (C), AND (D), TO INCLUDE SOLAR ENERGY FACILITIES AS A PERMITTED USE WITHIN THE AGRICULTURE LAND USE CATEGORY; TO INCLUDE RESILIENCY FACILITIES AS A PERMITTED USE WITHIN THE COMMERCIAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING; AND PROVIDING AN EFFECTIVE DATE.**

The Planning and Zoning Board heard testimony and examined evidence at a duly noticed public meeting on **April 15, 2025**. After considering Section 163.3205 and Section 163.3210, Florida Statutes, and Policy FL.01.02 of the Nassau County Comprehensive Plan, the Board recommends as follows:

Motion to Recommend Approval:

*Based upon the record, evidence, and testimony received, I find that there **IS** competent and substantial evidence pursuant to Section 163.3205 and Section 163.3210, Florida Statutes, and Policy FL.01.02 of the Nassau County Comprehensive Plan, and therefore, my motion is to recommend approval of CPA25-004.*

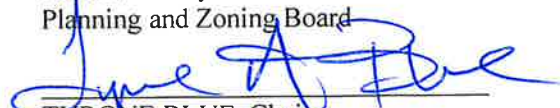
Motion made by Board Member Fendy

Motion seconded by Board Member Endusen

Motion approved by a vote of 6 to 0

Dissenting Board Members (if applicable): \_\_\_\_\_

Nassau County  
Planning and Zoning Board

  
TYRONE BLUE, Chair



## APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

### PROPOSED AMENDMENT

INTRODUCED BY:	Planning Department
REQUESTED ACTION:	<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 FUTURE LAND USE ELEMENT; AMENDING POLICY FL.01.02(A), (C), AND (D), TO INCLUDE SOLAR ENERGY FACILITIES AS A PERMITTED USE WITHIN THE AGRICULTURE LAND USE CATEGORY; TO INCLUDE RESILIENCY FACILITIES AS A PERMITTED USE WITHIN THE COMMERCIAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING; AND PROVIDING AN EFFECTIVE DATE.</b>

### BACKGROUND INFORMATION

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Section 163.3210, Florida Statutes, amended through CS/CS/SB1624/HB1645, Chapter 2024-186 (effective date July 1, 2024) imposes new requirements and restrictions on local governments pertaining to natural gas resiliency and reliability infrastructure. The legislation approved provides that a "resiliency facility" must be a permitted use in all commercial, industrial, and manufacturing land use categories in local government comprehensive plans and zoning districts. After July 1, 2024, a local government may not amend its local land regulations to conflict with a resiliency facility as an allowable use. A "resiliency facility" is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster."

To create consistency between Sections 163.3205 and 163.3210, Florida Statutes and Comprehensive Plan Policy FL.01.02, staff proposes the following amendments:

#### **Policy FL.01.02(A)      Agriculture (AGR)**

This policy currently does not address the permissibility for solar energy facilities within the Agriculture land use category. As proposed, solar energy facilities would be listed as permitted uses within the Agriculture land use category.



**Policy FL.01.02(C) Commercial (COM)**

This policy currently does not address the permissibility for resiliency facilities within the Commercial land use category. As proposed, resiliency facilities would be listed as permitted uses within the Commercial land use category.

**Policy FL.01.02(D) Industrial (IND)**

This policy currently does not address the permissibility for resiliency facilities within the Industrial land use category. As proposed, resiliency facilities would be listed as permitted uses within the Industrial land use category.

**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 CPA25-004.

**PZB RECOMMENDATION**

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At their meeting on April 15, 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.