

# INTRODUCTION

## Future Land Use Element

The purpose of the Future Land Use Element is to examine the existing land uses and to determine present and future land use needs such as the amount of land needed to accommodate future growth and development. Growth can take many forms: more people, more homes, new job opportunities, higher standards of living, more traffic, and so on. This Element is concerned primarily with Clay County's spatial growth; that is, the increased use and the mix of uses of land for urban activities.

The Future Land Use Element is an important part of the Comprehensive Plan because it deals with factors influencing future growth and development in Clay County. This Element contains a basic strategy and physical plan to guide the location, timing, density, and intensity of land development. This study provides basic data on land characteristics and the various activities that occupy land in the County. This data has been used to analyze the current pattern of land use and will serve as the framework for formulating the future land use plan.

Chapter 163 of the Florida Statutes (F.S.) provides the statutory authority and minimum criteria for the preparation, review, and determination of compliance of comprehensive plans. State legislative requirements of the Future Land Use Element include designating areas for the future general distribution, location, and extent of the uses of land for residential, commercial, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities and other categories of public and private development of land. The future land use plan includes the standards to be followed in the control and distribution of population densities and building intensities. The distribution, location, and extent of the various categories of land use are shown on a land use map and have been supplemented by measurable goals, objectives, and policies. Each land use category has been defined in terms of the types of uses included and specific standards for the density or intensity of use. The future land use plan has been based upon surveys, studies, and data including the amount of land required to accommodate anticipated growth, the projected population of the area, the character of undeveloped land, the availability of public services, and the need for redevelopment including the renewal of blighted areas and the elimination of non-conforming uses which are inconsistent with the character of the community.

**FLU GOAL 1** To effectively manage growth and development by designating areas for anticipated future development which satisfy market demand in a cost-efficient and environmentally acceptable manner.

**FLU OBJ 1.1** The County shall regulate new development to ensure the preservation and protection of floodplains, wetlands, upland native vegetative communities, wildlife and fisheries.

**FLU POLICY 1.1.1**

The County shall review all proposed developments in relation to specific and detailed provisions which at a minimum:

- 1) Regulate the subdivision of land;
- 2) Regulate the use of land and water bodies consistent with this Element and ensure the compatibility of adjacent land uses
- 3) Provide for open space;
- 4) Ensure the protection of native vegetation and trees;
- 5) Protect the conservation areas designated on the *Future Land Use Map*;
- 6) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- 7) Protect potable water wellfields and aquifer recharge areas;
- 8) Protect against adverse impacts to wildlife and their habitats

**FLU POLICY 1.1.2**

Prior to the issuance of a final development order or permit, proposed developments will be reviewed to ensure that future land uses are compatible with the topography and soil conditions in the area.

**FLU POLICY 1.1.3**

Develop and maintain an inventory of environmentally sensitive areas which shall include 100-year floodplains; wetlands as identified by existing sources such as US Fish and Wildlife Service and the Florida Fish and Wildlife Commission (including species of special concern); existing public and private conservation areas (such as wildlife preserves and state forests) and areas identified by the SJRWMD as having "high recharge" to the Floridan Aquifer defined as in Conservation Element.

**FLU POLICY 1.1.4**

The County shall utilize a variety of techniques to protect environmentally sensitive lands as specified in the Conservation Element.

**FLU POLICY 1.1.5**

The County shall protect its natural resources and agricultural lands by encouraging new development to locate as "in-fill development" in existing urbanized areas.

**FLU POLICY 1.1.6**

All building permit applications and all site plans for non-residential, multi-family and subdivision projects required to come before the Development Review Committee (DRC) shall identify the location of any jurisdictional wetlands as identified by appropriate regulatory agencies. In addition, the County shall cross-reference the *National Wetlands Inventory Map* for the presence of wetlands. Identified wetlands shall be subject to the criteria established for the Conservation designation on the *Future Land Use Map*.

**FLU POLICY 1.1.7**

Clay County hereby specifies that the Florida *Cooperative Land Cover Map* (CLC), developed through the partnership of the Florida Fish and Wildlife Conservation Commission (FWC) and the Florida Natural Areas Inventory (FNAI) is adopted as the *Vegetative Communities Map* of the Clay County Comprehensive Plan.

**FLU POLICY 1.1.8**

Proposed new developments with significant impacts may be reviewed by the County Department of Economic and Development Services at the County's discretion for the presence of environmentally sensitive vegetative communities as specified in the Conservation Element. If requested, the applicant/developer(s) shall provide environmental survey to the County for review.

**FLU POLICY 1.1.9**

The presence of listed wildlife species on proposed development sites shall require the developer to submit a habitat management plan to preserve such wildlife according to the requirements of the Conservation Element

**FLU POLICY 1.1.10**

The County shall maintain land development regulations which apply within FEMA-designated 100-year floodplains such that existing flood storage is maintained and any proposed new developments do not create potential flood hazards or degrade the natural functions of the floodplain.

**FLU POLICY 1.1.11**

The County shall support and coordinate with the appropriate public agencies and other organizations in identifying and preserving known viable wildlife corridors which link public lands.

**FLU POLICY 1.1.12**

The County shall coordinate with public agencies, programs and other organizations for the acquisition of environmentally and hydrologically sensitive lands. The County shall provide assistance to landowners with submittal to the appropriate program for consideration of purchase when appropriate.

**FLU POLICY 1.1.13**

Clay County shall coordinate with the federal and state agencies in protecting manatees and their habitats through a manatee protection plan as specified in the Conservation Element.

**FLU POLICY 1.1.14**

The County shall regulate the excavation and reclamation of borrow pits which are below existing Florida Department of Natural Resources' regulation threshold.

**FLU OBJ 1.2    The County shall encourage the protection of its historical, architectural, cultural and archaeological heritage.**

**FLU POLICY 1.2.1**

The County shall develop and maintain a Historic Resource Inventory (HRI) and encourage the evaluation of each historical resource identified in the HRI for historical significance and shall encourage appropriate recognition and protection of eligible properties through listing on the National Register of Historic Places and Master Site File maintained by the Florida Department of State.

**FLU POLICY 1.2.2**

The County shall maintain its designation as a Certified Local Government, providing for additional review of any proposal for new construction in a designated historic district, and adopting a Historic Overlay District.

**FLU OBJ 1.3    The County shall ensure the availability of suitable land for water, wastewater, stormwater and solid waste facilities sufficient to support and maintain adopted level of service standards.**

**FLU POLICY 1.3.1**

Clay County shall work diligently with the Clay County Utility Authority and other utility providers to efficiently deliver services to meet future demand by identifying the need for additional land for expansion to meet the projected demand in the Plan.

**FLU POLICY 1.3.2**

The County shall prepare a Master Stormwater Management Plan as specified in the Community Facilities Element.

**FLU POLICY 1.3.3**

The County shall prepare a solid waste master plan to identify needs for solid waste disposal through the planning period.

**FLU POLICY 1.3.4**

The County shall plan for and provide adequate future solid waste capacity according to the requirements of the Community Facilities Element.

**FLU POLICY 1.3.5**

The County shall establish and require an adequate level of service for water, wastewater, stormwater and solid waste facilities to serve the unincorporated areas as defined in the Capital Improvements Element.

**FLU POLICY 1.3.6**

All development orders and permits will be conditioned on the availability of facilities and services that meet the adopted level-of-service standards in this Plan and shall not result in a reduction below the adopted level-of-service standards.

**FLU POLICY 1.3.7**

To ensure that the adopted levels of service are met, the County shall maintain a concurrency management system as a part of its land development regulations to address those public facilities for which concurrency is required by State law.

**FLU POLICY 1.3.8**

The County shall require that all developments requiring a development permit (as defined in Chapter 163.3164 F.S., including comprehensive plan amendments) shall, at the time the subject permit application is filed, submit information which demonstrates that all urban services needed by the proposed development can and will be provided concurrent with the new development.

**FLU OBJ 1.4**    **The County shall establish Future Land Use categories, along with standards for densities and intensities of use allowed in each such category.**

**FLU POLICY 1.4.1**

The Future Land Use categories are declared to be a part of the adopted Future Land Use Policies. The categories have been developed to help in the determination of where development should occur over the planning period

and are described below:

- 1) Agriculture – “AG” (Rural): This classification is intended for those areas of the County designated as appropriate locations for all types of agricultural pursuits including crop production, pasture land for grazing cattle and horse farming, timber production, and cover crops for soil regeneration. Agricultural lands account for an important segment of the Clay County economy and play a vital role in the conservation of the County's natural resources.

These uses are generally characterized by being situated in areas removed from urban services, having very sparse densities and exhibiting a rural character. The Plan recognizes the value of these lands for agricultural and silvicultural activities, at both a small and large scale, and, therefore, recognizes their potential suitability for limited residential development at a density of one unit per twenty gross acres.

- 2) Agriculture/Residential – “AR” (Semi-Rural): This designation allows a final transition between suburban residential densities and major agricultural and silvicultural activities. The very low density of one dwelling unit per ten gross acres allows individual family agricultural operations. This designation accommodates the existing rural pattern of residential use that has adequate access and is suitable for continued low density development. Some locations in Agriculture /Residential may qualify for a density of one unit per five gross acres if the requirements of tract size, clustering and points in Future Land Use Objective 1.4 and its policies are met.
- 3) Rural Residential - “RR” (Exurban): These areas will serve as a transition between areas with planned urban services, agriculture/residential areas, and environmentally sensitive areas. The new growth in these areas may include central sewer or water systems or other urban level public services if feasible. Rural residential areas will provide a low density residential character.

Designation of these areas on the *Future Land Use Map* is based on recognizing a number of existing and future development factors. These include areas with soil conditions suitable for individual wells and septic systems; existing rural subdivisions with little or no infrastructure improvements, including unpaved roads; small farm or recreational and low intensity institutional uses; and areas which are in close proximity to but outside of, planned urban services and are not anticipated to develop at an intensity to require significant urban

services within the planning period.

Allowable residential density under this category shall be one dwelling unit per 5 net acres. Implementation of this land use designation shall occur in accordance with the Land Development Regulations. Some locations in Rural Residential may qualify for a density of one unit per acre, but only if the requirements of tract size, clustering and points in Future Land Use Objective 1.4 and its policies are met.

- a) Within the Rural Residential land use designation, developments meeting the following criteria are authorized to subdivide parcels into tracts of no less than five acres. Property owners are further authorized to construct one single family home on each five acre parcel and to receive a building permit upon proper application therefor, without regard to the density restrictions otherwise applicable to such properties as set forth herein and in the land development regulations, and without being required to record a plat or otherwise comply with the development standards set forth in the subdivision regulations.
  - i) The parcels must lie within a Residential Aviation Community.
  - ii) The geographical boundary of the community must contain less than 100 parcels.
  - iii) At least 75% of the parcels must be five acres in size or less.
  - iv) All roads providing access to the newly created residential parcels must be paved and privately owned and maintained.
  - v) The total potential number of newly created parcels must not exceed 20% of the total number of parcels within the community.

Said lots may not be further subdivided through the heirs and homestead provisions of the Plan.

- 4) Rural Reserve - "RRSV" (Transitioning Suburban): Land within the Rural Reserve land use category functions as a transition between suburban and exurban/rural densities and is intended for lands that may be served by central services. The Rural Reserve Land Use Category is intended for application to lands that are located near existing development of both rural and suburban densities: adjacent to suburban developments that may be served by central water and sewer and that are served by paved roads as well as near the older, existing development within the county that exhibit more rural character with densities of less than 1 unit per 2 gross acres and which may not be

served by paved roads.

The maximum residential density permitted is 1.5 dwelling units per gross acre. Vegetated perimeter buffers that include preserved or planted vegetation and provide an effective visual screen (at least 85% opacity within three years) are required at a minimum width of 50 feet. The perimeter buffer is calculated at 2.5 percent of the average lot width and depth. Perimeter buffers would also apply along roadways.

In calculating the average parcel width or depth, the length of either the width or depth may be reduced if wetlands with the following characteristics cross the perimeter:

- a) Wetland must be a vegetated wetland or preserve area that will not be developed.
- b) Wetland or preserve area must have a depth of at least 50 feet measured at the property line.

The Rural Reserve Land Use Category may include up to 25 percent of the developed dwelling units as multi-family units.

At least 35% of a parcel must be preserved as permanent open space. This may include perimeter buffers, wetlands, wetland-upland buffers, parks, and other open space (not including retention ponds). At least 5% of a development parcel must be used as active recreation open space.

- 5) Rural Fringe – “RF” (Suburban): This designation is reserved for land accessible to existing Urban Services and located in the areas where extension of central water and (where applicable) sewer service can be easily provided. Densities in this area shall be a maximum of three units per net acre and a minimum of one unit per net acre. This density category is almost exclusively characterized by single-family detached housing units but may also include two and three family residential developments.

A maximum density of 7 units per net acre may be allowed within the Rural Fringe designation on the *Future Land Use Map* for the provision of housing for the elderly or handicapped and housing for very low, low income and moderate income households. Location shall be based on need and criteria assessing proximity to the following: employment,



mass transit, health care, parks, commercial services, and central utility services, as detailed in the Housing Element and land development regulations.

- 6) Urban Fringe - "UF" (Urban): This designation is reserved for land accessible to existing urban services and located in the immediate expansion area where extension of public services can be easily provided. Densities in this area shall be a minimum of two units per net acre and a maximum of four units per net acre. This density category is generally characterized by single-family attached/detached housing units.

A maximum density of 14 units per net acre may be allowed within the Urban Fringe designation on the *Future Land Use Map* for the provision of housing for the elderly or handicapped and housing for very low, low income and moderate income households. Location shall be based on need and criteria assessing proximity to the following: employment, mass transit, health care, parks, commercial services, and central utility services, as detailed in the Housing Element and land development regulations. A maximum of 10 units per net acre may also be allowed if it is a proposed infill development meeting criteria of a Traditional Neighborhood Development.

- 7) Urban Core (10) - "UC-10" (Urban): This designation is intended for land within the core of urban service areas and accessible to employment centers. Densities in this area shall range from a minimum of two units per net acre and a maximum of ten units per net acre. This classification includes single-family detached and attached, cluster and zero lot line dwellings, and multi-family housing.

Areas within this category may be suitable for a higher intensity use, upward to a maximum of ten units per net acres. Densities from seven to ten units per net acre may be approved if the location meets required points and the development provides central water and sewer system.

Review of specific densities shall be directed toward preserving the stability and integrity of established residential development and toward providing equitable treatment of lands with similar characteristics. Design techniques of landscaping, screening and buffering shall be employed to assure a smooth transition in residential structure types and densities.

A maximum density of 16 units per net acre may be allowed within the Urban Core (10) designation on the *Future Land Use Map* for the

provision of housing for the elderly or handicapped and housing for very low-, low-income and moderate-income households. Location shall be based on need and criteria assessing proximity to the following: employment, mass transit, health care, parks, commercial services, and central utility services, as detailed in the Housing Element and land development regulations. A maximum 15 units per net acre may also be allowed if it is a proposed infill development meeting criteria of a Traditional Neighborhood Development.

- 8) Urban Core (16) - "UC-16" (Urban): This designation is intended for land within the core of urban service areas and accessible to employment centers. Permitted density within this area may be up to 16 units per net acre. The site must be served by central utility services and located within ¼ mile of a transit route. Where adjacent to single, two or three family residential, a six foot in height masonry wall (architecturally finished on all sides and if block wall, painted on all sides) or a six foot in height solid wooden fence with finished side out, shall be required in addition to the perimeter buffer requirements of Article VI of the Land Development Regulations.

A maximum density of 20 units per net acre may be allowed within the Urban Core (16) designation on the *Future Land Use Map* for the provision of housing for the elderly or handicapped and housing for very low, low income and moderate income households. Location shall be based on need and criteria assessing proximity to the following: employment, mass transit, health care, parks, commercial services, and central utility services, as detailed in the Housing Element and land development regulations.

- 9) Commercial - "COM": The commercial designation accommodates the full range of sales, service, and office activities. These uses may occur in self-contained shopping centers, free standing structures, campus-like business parks, central business districts, or along arterial highways. These areas are intended for larger scale, more intensive community-type commercial uses.

The location of commercial development shall be concentrated at major intersections and within Activity Centers and Planned Communities. The development shall create a commercial node, not a strip, with a mixture of retail, office, and hotel uses.

- 10) Mixed Use - "MIX": A mix of a minimum of two uses, one of which must be residential and the other which must be non-residential (office, retail or service uses). Residential use may not exceed a maximum of 16

dwelling units per net acre unless additional dwelling units are designated for the provision of housing for very low, low, and moderate income, elderly or handicapped individuals. For such housing, a density bonus of an additional 4 dwelling units per net acre shall be permitted for a development maximum of 20 dwelling units per acre. A Type III development agreement is required to manage the monitoring of units associated with density greater than 16 dwelling units per acre as provided for very low, low, and moderate income, elderly or handicapped individuals.

Non-residential development may not exceed a maximum floor area ratio of 0.25. Approval of the Mixed Use land use category and development therein shall be subject to the following; points system, buffer requirements, locational and mix criteria and design standards. The mixed use category shall be limited to sites 75 acres or less and is intended for urban infill areas, to encourage higher densities with a mix of non-residential uses that are compatible with the residential component.

a) Point System

- i) Lands designated Mixed-Use must be located such that application of the locational criteria in FLU Policy 1.4.5 produces 100 points. Infrastructure that is funded in the first three years of the County's Capital Improvement Program, FDOT Work Program or Clay School District Educational Facilities Plan (Committed) shall receive points associated with the improvement.

b) Locational Criteria

- i) Development must be served by central water and sewer.
- ii) Property must be located along an arterial or major collector roadway.

c) Mix Criteria

- i) Upper-floor residential units over non-residential ground floor space shall be encouraged.
- ii) Non-residential uses are required to be provided at a minimum rate of 100 square feet per approved residential unit and a maximum rate of 750 square feet per approved residential unit ("approved" by the PUD site plan). For the purpose of calculating the area of non-residential use, the square footage of use that is under roof, whether enclosed or unenclosed, of all office, commercial/retail or service uses, whether or not said use

is under roof. The calculation of FAR shall be the sum of the area/square footage under roof for all non-residential uses (including office, commercial/retail or service uses).

d) Design Standards

- i) Maximum structure height shall be five (5) levels or 70 feet.
- ii) Architectural design of uses other than single-family dwellings shall be used to create a human-scale environment by orientation to the sidewalk, use of awnings and overhangs, detailing of facades and differentiation of entrances, and variation in rooflines.
- iii) Travel lane for interior circulation shall be between ten and eleven feet. On street parking within non-residential areas is encouraged.
- iv) All uses shall be served by sidewalks. Residential uses shall have access to a minimum five foot walk; non-residential uses at ground level shall front on a minimum eight foot sidewalk.
- v) Any front entry enclosed parking (garage) designed to serve an individual residential unit shall be designed so as to be offset from the plane of the main façade such that driveway parking does not impede the sidewalk.

e) Buffers/Open Space

- i) Vegetative and visual screen perimeter buffers shall be required when adjacent lands are developed to an intensity lower than the adjacent use within the Mixed Use development or, where adjacent lands are vacant, the applicable land use category permits a lower density than the adjacent use within the Mixed Use development. When required, the vegetative buffer as set by Article VI, the Tree Protection and Landscaping Standards shall increase in increments of ten (10) feet for every level over two of the structure located within 100 feet of the perimeter of the MIX use.
- ii) The development shall provide a minimum of 10 percent upland open space, 25 percent of which shall be 'active' recreation or may be provided as additional buffer to adjacent uses, as such may be found by the County to be appropriate to the development intensity and uses within the MIX development. Active recreation shall include all park, civic and trail uses that serve the residents of the development and those areas open to the public for access (trails, boardwalk, etc.).

- iii) Of the 75% non-active open space required, the following standards shall apply: Perimeter buffers shall not be included in the calculation of open space; stormwater management facilities, parks, and trails and public access areas shall be included.
- iv) The development shall be connected to adjacent parcels (nonresidential and undeveloped residential) through the use of streets, sidewalks and/or bike lanes/paths. Sidewalks or other pedestrian ways internal to the development site shall provide connection between uses within the MIX development.

Attached units shall be designed to exhibit a non-uniform roof line and shall provide façade variation in materials, plane and color.

County review and acceptance of site and architectural plans through the Planned Unit Development process shall be required for development within the Mixed Use designation.

- 11) Planned Community – “PC”: A planned community is defined as a very large area under unified ownership that contains several different proposed land uses with a significant percentage being devoted to residential uses. These areas are characterized by unified planning for the project as a whole, clustering of development to preserve useable open space and other natural features, a mixture of housing types, and may include a variety of non-residential uses. This designation is used in conjunction with the state coordinated review process provided in Section 163.3184, F.S. and a development agreement provided in Section 163.3221 et seq., F.S. The densities and intensities permitted within the areas shown as Planned Communities shall be as stated in the current valid, unexpired development agreement. Existing DRIs shall continue to be subject to the conditions in their adopted Development Orders.
- 12) Industrial – “IND”: This designation accommodates the full range of industrial activities. The specific range and intensity for uses appropriate in a particular industrial area varies by location as a function of the availability of public services and access, and compatibility with surrounding uses shown on the *Future Land Use Map*. Through the zoning review process the use of particular sites or areas may be limited to allowable uses specified and defined by the Land Development Regulations.
- 13) Industrial Park – “IP”: It accommodates major industrial activities and supporting commercial and/or office uses. The supporting uses shall be

subordinate to and incidental to serve the industrial population and capture its internal trip circulation. Therefore, the supporting uses shall not consume land areas greater than 10% of developed portion of the industrial park. Industrial parks shall be located close to transport facilities, especially where more than one transport modalities coincide: major thoroughfares (designated major collector or better), railroads, airports, and/or navigable rivers.

- 14) Mining - "MIN": Areas with this designation are intended for mining, quarrying and processing of significant mineral resources over the course of the planning period. Mineral means all solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state as defined by Sec. 211.30, F.S. Intensity of mining activities allowed in Mining land use is subject to the issuance of permits by the appropriate regulatory agencies and the requirements of relevant Florida Statutes, including Chapter 373 (Permitting) and 378 (Reclamation). A borrow pit, which will not have on-site material grading or sorting facilities and will be reviewed by St. Johns River Water Management District for the Environmental Resource Permit (ERP), is not included in this category and shall be a subject of a conditional use.
- 15) Recreation/Preservation - "RP": All lands within the recreation/preservation classification are generally owned by public or quasi-public entities. The lands are held for use as non-profit public recreation and open space amenities, and include natural resource land management activities and associated uses. Those owned and maintained by public agencies and open to the public comprise the inventory of regional park facilities in Clay County.
- 16) Conservation - "CO": at a maximum density of one (1) unit per one hundred (100) gross acres for residential uses. Natural resource land management activities and associated uses are allowed, but other non-residential uses shall not be permitted with the following exceptions:
  - a) Driveways for ingress and egress are allowed, or passageways of no more areal extent than is necessary for passage of equipment necessary for heavy mineral mining. Such impacts shall be avoided and, if unavoidable, minimized and shall be subject to permits from the appropriate regulatory agencies. Impacts from temporary non-residential uses shall be restored to pre-disturbance conditions and function.

- b) When the terms of an existing recorded conservation easement as defined in S. 704.06 F.S. conflict with the conditions of this policy, the conservation easement shall prevail. By 2020 the County shall identify existing conservation easements and evaluate them for inclusion in the Conservation Future Land Use category.
  - c) Any public-owned lands that are not viable to be developed due to physical, structural, or financial restrictions shall also be categorized into Conservation until the negative issues are resolved.
- 17) Military Reservation – “MIL”: All lands and land uses within the military reservation classification are under the control of the United States Military Institutions or the State of Florida Armory Board. Camp Blanding on the west side of the County is operated by the Florida National Guard and is also a wildlife/fish management area.

Non-military uses may be permitted subject to amendment of the *Future Land Use Map* to depict the applicable land use designation for the portion of the reservation for which non-military use is proposed.

Non-residential land uses within the boundaries of a military reservation shall be subject to the density and intensity requirements of the applicable non-residential land use category listed in the Policy 1.4.2.

#### **FLU POLICY 1.4.2**

Institutional/Public-Semi Public Designations are community infrastructure and shall be considered a consistent use within all land use categories except Conservation and Mining, subject to applicable provisions of the Plan and the Clay County Land Development Regulations.

Sites of Institutional/Public-Semi Public Designations shall be depicted on the *Institutional/Public-Semi Public Designations Location Map* of the *Future Land Use Map Series* which shall be updated annually to depict new Institutional/Semi Public Designations.

It includes libraries, museums, police and fire stations, corrections facilities, publicly owned facilities, schools, daycare facilities, worship and related facilities, parks, recreation facilities, cemeteries, communication towers, outdoor entertainment, water, sewer and electric facilities, solid waste management facilities, public health facilities, and group living facilities. Institutional/Public-Semi Public Designations shall not include retail commercial or industrial uses, except in such cases where commercial uses are clearly subordinate to and incidental to the public uses.

To be included in the definition of Institutional/Public-Semi Public Designations, the use must meet one of the following purposes: That the use provides services primarily to the surrounding residential uses; or, That the use serves a public/private infrastructure purpose; or, That the use provides a service to the public; or, That the use is passive (passive or public parks). Mitigation measures to eliminate or minimize the potential land use conflicts with neighboring land uses shall be addressed by utilizing PUD process.

**FLU POLICY 1.4.3**

The County shall review all proposed development activity for consistency with the Future Land Use Element, *Future Land Use Map Series* and the following densities and intensities of use:

**Residential Land Uses**

Land Use	Density Allowed***						
	Base Maximum Density	Potential Maximum Density					
		With Points & Clustering	With Points	Has Central Water & Sewer Only	With Points and Central Water & Sewer	Infill Meeting TND Criteria	Low & Moderate Income or/ Elderly or Handicapped Housing
Agriculture (gross ac)	1 du/20 acres	-	-	-	-	-	-
Agriculture/ Residential (gross ac)	1 du/10 acres	1 du/5 acres	-	-	-	-	-
Rural Residential (net ac)	1 du/5 acres	1du/acre	-	-	-	-	-
Rural Reserve (gross ac)	1.5 du/acre	-	-	-	-	-	-
Rural Fringe (net ac)	1 du/acre	-	2 du/acre	-	3 du/acre	-	7 du/acre
Urban Fringe (net ac)	2 du/acre	-	-	4 du/acre	-	10 du/acre	14 du/acre
Urban Core (10) (net ac)	2 du/acre	-	-	6 du/acre	10 du/acre	15 du/acre	16 du/acre
Urban Core (16) (net ac)	16	-	-	-	-	-	20 du/acre
Commercial	N/A	-	-	1 du/1000 sf*	-	-	-
Mixed Use (net ac)	16 du/acre**	-	-	-	-	-	20 du/acre
Conservation	1 du/100	-	-	-	-	-	-



(gross ac)	acres						
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Note: du = dwelling unit

\*Residential units within the commercial category must be accompanied by a mixed use PUD application.

\*\*Lands designated Mixed Use must be located such that application of the locational criteria in FLU Policy 1.4.4 produces 100 points.

\*\*\*Lands proposed for residential development within ½ mile of Outstanding Florida Water (OFW) must have a minimum lot size of one (1) acre unless served by central water and/or sewer.

**Non-Residential Land Uses**

Land Use	Maximum Intensity (FAR)
Commercial	40%
Mixed Use	25%
Institutional	50%
Industrial	50%
Industrial Park	35%
Business Park	20%
Recreation/Preservation	20%

Note: FAR = Floor area ratio

**FLU POLICY 1.4.4**

In order to provide for additional residential densities in the Agricultural/Residential and Rural Residential areas while maintaining the rural character and availability of agricultural uses, developments may occur at the higher of the two densities stipulated in this Element, provided that such developments are clustered contiguously in a development tract on a portion of the parent tract, subject to the following general requirements:

- 1) The minimum size of such development tract is shown in 2) following:
- 2) All subdivisions of land must retain permanent open space within the parent tract as follows:

Requirement	Land Use			
	Agriculture/Residential		Rural Residential	
	1-20 Lots	Over 20 Lots	1-20 Lots	Over 20 Lots
Subdivision Size	1-20 Lots	Over 20 Lots	1-20 Lots	Over 20 Lots
Minimum Size of Development Tract	10 Acres	105 Acres	5 Acres	21 Acres
Minimum Open Space Requirement (see c. below)	50%	50%	35%	35%
Minimum Lot Size Without Central Water and Sewer	1 Acre	1 Acre	0.5 Acre	0.5 Acre

\* The minimum lot size for residential development of lands within ½ mile of Outstanding Florida Water (OFW) shall be one (1) acre unless served by central water and/or sewer.

- 3) All open space required in this policy shall be designated as permanent open space for use as preservation of natural areas and also for passive recreation in the form of pedestrian walkways, bicycle paths, boardwalks, and docks built for water access.

- 4) Preserved open space shall be upland. Up to 20% of preserved open space may be utilized as drainage retention areas, if such facilities are incorporated within the parks and open space system of the development as an amenity. The following factors, in order of priority, shall guide the selection of preserved open space: lands with listed species (flora and/or fauna) present, or one of the following regionally important natural communities known to host rare, vulnerable, and/or listed species: scrub, sandhill, scrubby flatwoods, xeric hammock, upland pine forest, mesic flatwoods and wet flatwoods. Listed plant and animal species include those species identified in Florida Administrative Code (F.A.C.) 5B-40.0055, Regulated Plant Index, and F.A.C. 68A-27.003, Florida's List of Endangered or Threatened Species, respectively. Descriptions of the qualified environmentally significant natural communities can be found at [www.fnai.org](http://www.fnai.org). Preserved open space must be in contiguous areas that are non-linear in shape, unless linear forms are needed to preserve high-priority preservation areas as defined above.
- 5) The proposed cluster development must have the following characteristics:
  - a) The development shall be located on suitable upland away from environmentally sensitive land, including wetlands and 100-year floodplains, and buffered from agricultural use. Such environmentally sensitive land must be excluded from calculations of the size of the base development tract and identified wetlands shall be subject to the criteria established for the Conservation designation on the *Future Land Use Map*.
  - b) Minimum 50-foot perimeter buffers shall be provided to ensure compatibility of the development activity with adjacent uses. These buffers must include preserved or planted vegetation that provides an effective visual screen (at least 85% opacity) from rights-of-way and adjacent properties. If such a buffer is planted or supplemented, the 85% opacity standard must be met within three years after planting. Buffers shall not include utility easements, roads, retention, or any other areas that are not vegetated, except for hiking or multi-purpose trails not to exceed a paved width of eight feet. Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for the use of residents. Buffers may be incorporated into the mandatory open space.

### FLU POLICY 1.4.5

In addition to the requirements for clustering and reservation of Open Space referenced above, developments proposed in the Agricultural/Residential, Rural Residential, Rural Fringe, Urban Fringe, Urban Core, and Mixed-Use areas may occur at the higher of the densities stipulated in this Element provided that such developments comply with the following conditions:

- 1) Proposed developments shall be subjected to a weighted evaluation process to determine the degree to which they utilize existing infrastructure, promote open space, conserve natural resources and reduce urban sprawl. The process shall consist of the following criteria at a minimum. For the purposes of this policy, distance shall be measured along a straight line from the nearest point on the subject property to the service location.
- 2) Points for additional reservation of open space above minimums shall be awarded based on the amount of open space placed in a conservation easement above the minimum required in this Element. A maximum of 25 points shall be awarded at the rate of one point for every one percent of land placed in open space above the minimum.
- 3) Awarding of points shall adhere to the following criteria:
  - a) Points shall be awarded for only one item in each category except water and sewer which can receive points for both services.
  - b) Points shall be awarded for additional open space allocations only after a development qualifies for points under at least two of the other categories.
- 4) All developments under this policy must provide for water and sewer at the expense of the developer or homeowner or must meet all requirements for on-site disposal systems pursuant to Chapter 64E-6, FAC.

<u>Criteria</u>	<u>Points Award Criteria</u>	<u>Points</u>
<u>Proximity to fire protection</u>		
0 to 3 miles		20
3.1 to 6 miles		10
<u>Proximity to emergency medical services</u>		
0 to 3 miles		20
3.1 to 6 miles		10
<u>Paved access to arterial or collector roads that meet or exceed</u>		
<u>LOS standards</u>		
Nearest LOS road is arterial		10
Nearest LOS road is collector		5

<u>Central water and sewer facilities provided</u>	
Central water and sewer	50
Central sewer only	20
Central water only	20
<u>Proximity to schools</u>	
Within 1.5 miles of nearest school (requiring no busing)	20
Over 1.51 miles from nearest school (requiring busing)	10
<u>Additional reservation of open space above minimums</u>	
(one point for every one percent of land placed in open space above minimums up to 25 points; see b. next)	max. 25
<u>Proximity to mass transit route</u>	
Within ¼ mile	10
Within ½ mile	5
Total possible points	155
The minimum number of points required shall be:	
Agriculture/Residential	50
Rural Residential	60
Rural Fringe	80
Urban Fringe	100
Urban Core (10)	120
Urban Core (16)	130
Mixed Use	100

#### **FLU POLICY 1.4.6**

The County shall limit the number of residential units to be permitted per year in the following future land use designations:

- 1) Agriculture Designation - 50 permits maximum
- 2) Agriculture/Residential Designation - 250 permits maximum

No party shall be issued more than 50 permits, or 50 percent of the remaining allocation of permits for a given year, whichever is less, per year. In calculating the number of permits issued to a party, permits issued to any entities in which such party owns a legal or beneficial interest shall be attributed to the original party.

#### **FLU POLICY 1.4.7**

In recognition of the land ownership pattern in the Keystone Heights Planning District, in those instances where a parcel designated Agricultural Residential on the *Future Land Use Map* is at least 50% surrounded by and contiguous to parcels designated Rural Residential or Rural Fringe and which, as of July 1, 1991, were five acres or less in size, then such lands may be considered for amendment to the Rural Residential or Rural Fringe land use designations. Notwithstanding anything else to the contrary appearing in this Plan or in any regulation, policy, ordinance or land development

regulation enacted by Clay County, the average density allowed on such lands shall not exceed one unit per three acres and lot sizes shall not be less than one acre.

Lands that do not meet these criteria will not be considered for amendment. For the purposes of this policy, the Keystone Heights area is defined as the unincorporated Clay County portions of Sections 1 through 36, Township 8 South, and Range 23 East, plus Sections 2 through 8 of Township 9 South and Range 23 East.

#### **FLU POLICY 1.4.8**

Amendments to designate additional commercial land use on the *Future Land Use Map* and otherwise eligible for consideration as small scale amendments pursuant to Section 163.3187(1)(c), F.S., shall be further limited to those meeting the Infill and/or the Unified Plan criteria following:

- 1) Infill: The application parcel is located between parcels with an existing designation of commercial, institutional and/or industrial land use which (1) are located on the same side of the roadway serving the parcel, and (2) are no more than 500 feet apart as measured at the road right of way.
- 2) Unified Plan: The application parcel increases the depth of parcels with an existing designation of commercial land use provided that (1) the resulting development parcel is greater than 10 acres and (2) the resulting dimensions of the development parcel permit a unified plan of development including shared access, signage and infrastructure. Unified Plan Applications shall be limited in location to the intersection of two roadways, one of which must be designated as an arterial or major collector and the other of which must be designated as an arterial, major collector or minor collector. Amendments approved pursuant to these criteria shall be required to proceed as a Planned Unit Development (PUD) or Planned Commercial Development (PCD) requiring shared access, shared signage, and shared infrastructure.
- 3) Subsection 2 shall not apply to those single parcels with multiple land use designations, one of which is commercial, as of January 1, 2021.

#### **FLU POLICY 1.4.9**

The County shall amend its land development regulations to include design guidelines and performance standards relating to commercial development which encourage the clustering of commercial uses. The following characteristics in the chart shall be used to classify the different types of shopping centers:

## Characteristics of Shopping Centers

Type of Center	Leading Tenant (Basis for Classification)	Typical GLA (sf)	General Range in GLA (sf)	Usual Minimum Site Area (Acres)	Minimum Population Support Required
Neighborhood	Supermarket	50,000	30,000 - 100,000	3 – 10	3,000 – 40,000
Community	Junior department store: large variety, discount, or department store	150,000	100,000 - 450,000	10 – 30	40,000 – 150,000
Regional	One or more full-line department stores	450,000	300,000 - 900,000 or greater	10 – 60 or greater	150,000 or more

Strip commercial land use patterns shall be avoided. Strip commercial land use shall only be allowed as infill of existing strip commercial areas, and will not be permitted to extend the existing strip commercial area.

### FLU OBJ 1.5

**The County shall discourage urban sprawl by directing urban growth to the Urban Service Area (USA) where public facilities and services are available or are anticipated to be available within the horizon of this Plan.**

#### FLU POLICY 1.5.1

The County shall include an Urban Service Area boundary map in its *Future Land Use Map Series*.

#### FLU POLICY 1.5.2

Any parcels of land as of the adoption of the 2040 Comprehensive Plan that are split by the Urban Service Area (USA) line shall be considered within the USA in its entirety if one or more of the following criteria are met:

- 1) Lots and blocks that are part of a platted subdivision are inside the USA.
- 2) 50% or more of a platted subdivision or record as of the adoption of the 2040 Comprehensive Plan is within the USA.
- 3) For parcels of land as of the adoption of the 2040 Comprehensive Plan that are 100 acres or greater, at least 50% of the parcel must be inside the USA. For parcels less than 100 acres, at least 25% of the parcel must be in the USA.
- 4) The portion of the property that is outside the USA is water or conservation area.

If none of these criteria are met, the property will be considered to be outside of the Urban Service Area except for that portion lying within the USA.

### **FLU POLICY 1.5.3**

Proposed expansions to the Urban Service Area, shall be examined to determine if the project meets all of the following:

- 1) The expansion is adjacent and contiguous to the established Urban Service Area.
- 2) The expansion would be an extension of an existing suburban/urban development pattern and/or has a functional relationship to development within the Urban Service Area.
- 3) Expansion of the Urban Service Area would result in development that would be compatible with its surroundings.
- 4) Public water and sewer service exists within ¼ mile of the site or is anticipated to exist at the site.
- 5) There is adequate capacity for infrastructure (including transportation, schools, parks, fire/EMS and sheriff's office) in place or planned to serve development within the expansion area. All improvements needed to support the proposed expansion of the Urban Service Area with adequate public facilities shall be included by amendment into the Capital Improvements Element that is financially feasible.
- 6) Expansion of the urban service area would include full cost recovery to the County for the services needed by the new development.
- 7) The expansion would not adversely impact environmental, natural, historical or archaeological resources, features or systems to a degree that is inconsistent with the Plan
- 8) Data is available to support the need for additional land within the Urban Service Area to provide for the projected population or economic development needs within the planning horizon of the Comprehensive Plan. The data methodology utilized shall be consistent with that used as the basis for the Comprehensive Plan.

### **FLU POLICY 1.5.4**

Future urban intensity development requiring access to public facilities shall be located within or near areas where public facilities and services are available. New residential developments at gross densities less than three units per acre shall be discouraged in the Urban Service Area except for those areas designated Rural Fringe wherein a minimum density of one unit per net acre is allowed.



#### **FLU POLICY 1.5.5**

The *Centralized Water and Sewer Service Area Map* is identified in the future land use map series and shall be updated annually.

The land within the *Centralized Water and Sewer Service Area Map* is served or is planned to be served with adequate water and sewer services, which are guaranteed through development agreements or by 'agreements to serve' by the Clay County Utility Authority, based on the County's adopted level-of-service standards.

#### **FLU POLICY 1.5.6**

Existing development within the Centralized Water and Sewer Service Area that is served by individual potable water and sewer systems may continue to be served by said individual systems. However, whenever feasible, it is recommended to consider connection to central services as specified in this Plan. In case wells or septic tanks are malfunctioning and need to be replaced, it is subject to connection to appropriate central services pursuant to Chapter 64E F.A.C.

#### **FLU POLICY 1.5.7**

Central water and sewer are neither intended nor required for areas outside the Urban Service Area. When population increases warrant the expansion of the Urban Service Area or if the absence of such facilities would result in a threat to the public health or safety, the Centralized Water and Sewer Service Areas may be expanded to include undeveloped land in or near existing urban areas. Services and facilities must be guaranteed through 'agreements to serve' by the Clay County Utility Authority or any appropriate service providers.

#### **FLU POLICY 1.5.8**

All development, excluding development or redevelopment of vacant residential lots with densities less than 3 dwelling units per net acre, within the Centralized Water and Sewer Service Areas shall be served by central water and wastewater services, if "available" as described in the Definition portion of this Element. Onsite sewage treatment and disposal systems will be allowed within the Centralized Water and Sewer Service Area if central sewer is not available.

The use of existing onsite sewage treatment and disposal systems serving land use within the Centralized Water and Sewer Service Areas of the County as depicted on the *Centralized Water and Sewer Service Area Map*, may continue in a manner consistent with the requirements specified by Chapter 381.00655(2)(b) F.S.: A publicly owned or investor-owned

sewerage system may, with the approval of the County Health Department, waive the requirement of mandatory onsite sewage disposal connection if it determines that such connection is not required in the public interest due to public health considerations.

**FLU POLICY 1.5.9**

Existing non-contiguous industrial lands outside the existing water and sewer service area may be served by on-site central water and sewer services.

**FLU POLICY 1.5.10**

Commercial, Business Park, and Industrial development shall be served by continuous paved access. Improvement of non-paved County or private roads shall be required where necessary to provide continuous access.

**FLU POLICY 1.5.11**

Access management controls, including, but not limited to, joint driveways, frontage roads, and cross access agreements along collector and arterial roadways shall be applied to all development and redevelopment proposals consistent with the provisions contained within the Land Development Code. The Land Development Code shall also include Subdivision Regulations which require all residential lots to have vehicular access to the internal street system.

Within the limits of the Urban Service Area, lots may be developed utilizing existing access easements provided that the improvements associated with access (including roads, sidewalks, drainage and street trees) shall be provided at the County paved road standards. For purposes of this policy, existing easement shall be defined as those easements created prior to August 1, 1996. A maximum of 20 lots shall be permitted access to any single easement located within the Urban Service Area.

When access by easement is provided to residential lots not included within a plat, the minimum width of the easement shall be 30 feet; when a plat is required, the minimum width of the easement shall be 40 feet.

**FLU POLICY 1.5.12**

Lots created that are 9.9 acres or greater in size are exempt from the County Subdivision Platting and Paving Requirements. Any lots created that utilize this exemption may not be further subdivided to lots smaller than 9.9 acres without meeting current County Requirements for New Subdivisions, including Platting and Paving Requirements.

**FLU POLICY 1.5.13**

Clay County shall acquire or require dedication of adequate lands for parks and recreation to meet the existing and future recreational needs, as

identified in the Recreation and Open Space Element of the Plan.

**FLU POLICY 1.5.14**

The County shall identify and track blight in older sections of the county. Tracking methods may include following code enforcement complaints and field surveys to determine vacancies, property maintenance problems, declining assessed property values and other indicators of blight.

**FLU POLICY 1.5.15**

When an area is determined to be “blighted” or where a trend toward blight is indicated, the County will develop and implement incentives for redevelopment.

**FLU POLICY 1.5.16**

Clay County may designate priority growth areas for targeting infrastructure investments and other types of funding.

**FLU POLICY 1.5.17**

By 2019, Clay County shall conduct a special area plan study of the Orange Park Regional Activity Center.

**FLU OBJ 1.6**    **Clay County shall permit land use strategies to encourage preservation/conservation of natural resources, to protect healthy agricultural lands, to manage sustainable urban growth, and to assure protection of continuous growth in land values.**

**FLU POLICY 1.6.1**

Clay County shall encourage Urban Infill and/or Redevelopment.

**FLU POLICY 1.6.2**

Infill sites with plans of appropriate density and amenities are encouraged to be developed.

**FLU POLICY 1.6.3**

Clay County may consider utilizing brownfields and greyfields for government uses if feasible.

**FLU POLICY 1.6.4**

New developments in brownfields and greyfields are encouraged.

**FLU POLICY 1.6.5**

Prior to the acquisition of lands for public facilities such as parks, libraries and community facilities, the County shall evaluate the availability of lands located adjacent to lands owned by the School Board for school facilities to determine the feasibility of co-location of public facilities.

#### **FLU POLICY 1.6.6**

The purpose of the Transfer of Development Rights (TDR) program is to transfer residential density and/or non-residential intensity from eligible sending sites to eligible receiving sites through a voluntary process that encourages preservation/conservation of natural resources, protect healthy agricultural lands, manages sustainable urban growth, and assures protection of continuous growth in land values for a public benefit.

#### **FLU POLICY 1.6.7**

The County shall include the implementation regulations of the TDR program in the Land Development Code (LDC).

#### **FLU POLICY 1.6.8**

Participation in the TDR program shall be voluntary. However, the eligibility for participation in the program shall be reviewed by the County with criteria developed under the TDR program.

#### **FLU POLICY 1.6.9**

Density/Intensity Rating System:

- 1) The number of residential units and the floor-area of nonresidential development rights that a sending site is eligible to send to a receiving site shall be determined by applying the TDR sending site base density/intensity established in subsection 4) of this section to the area of the sending site, after deducting the area associated with any existing development, any retained development rights and any portion of the sending site already in a conservation easement, a restrictive covenant or other similar encumbrance. For each existing dwelling unit or retained development right, the sending site area shall be reduced by the minimum lot size for that zone.
- 2) Any fractions of development rights that result from the calculations in subsection 1) of this section shall not be included in the final determination of total development rights available for transfer.
- 3) For purposes of calculating the amount of development rights a sending site can transfer, the amount of land contained within a sending site shall be determined as follows:
  - a) If the sending site is an entire tax lot, the square footage or acreage shall be determined:
    - i) by the records from the Clay County Property Appraiser's Office; or
    - ii) by a survey funded by the applicant that has been prepared and stamped by a surveyor licensed in the State of Florida; and

- b) If the sending site consists of a lot that is divided by a future land use boundary, the square footage or acreage shall be calculated separately for each land use classification. The square footage or acreage within each land use classification shall be determined by the Clay County *Future Land Use Map* that established the land use and property lines, such as an approved lot line adjustment. When such records are not available or are not adequate to determine the square footage or acreage within each land use classification, the Department of Development Services shall calculate the square footage or acreage through the geographic information system (GIS) mapping system.
- 4) For the purposes of the transfer of development rights (TDR) program only, the following TDR sending site base densities apply:

Land Use	Base Density/Intensity
Agriculture	1 du/10 gross acres*
Agriculture/ Residential	1 du/5 gross acres
Rural Residential	1du/net acres
Rural Reserve	1.5 du/gross acre
Rural Fringe	3 du/net acre
Urban Fringe	6 du/net ac
Urban Core	10 du/net acre
Commercial	40% FAR
Mixed Use	15 du/net acre and 25%FAR
Institutional/Industrial	50% FAR
Industrial Park	35% FAR
Business Park	20% FAR

\* It is the County's intent to further incentivize application of TDR program to Agriculture lands

- 5) The number and/or the floor-area of development rights that a sending site is eligible to send to a receiving site shall be determined through the application of a conversion ratio included in this subsection. The conversion ratio will be applied to the number of available sending site development rights determined under subsection 1) of this section.

### Conversion Ratio

		FROM					
		Industrial (1,000sf)	Single- Family (d.u.)	Apartment/ Multi-Family (d.u.)	Hotel (room)	Office (1,000sf)	Retail/Service (1,000sf)
T O	Industrial (1,000sf)	1	2.7	1.2	1.7	3.17	5.27
	Single-Family (per d.u.)	N/A	1	0.44	N/A	N/A	N/A
	Apt/Multi- Family (per d.u.)	N/A	2.25	1	N/A	N/A	N/A
	Hotel (per room)	0.59	1.59	0.71	1	1.87	3.11
	Office (per 1,000sf)	0.32	0.8 5	0.38	0.5 4	1	1.67
	Retail/Service (per 1,000sf)	0.19	0.5 1	0.23	0.3 2	0.6	1

- 6) Development rights from one sending site may be allocated to more than one receiving site and one receiving site may accept development rights from more than one sending site.
- 7) The determination of the number of residential development rights a sending site has available for transfer to a receiving site shall be valid for transfer purposes only, shall be documented in a TDR certificate letter of intent and shall be considered a final determination, not to be revised due to changes to the sending site's land use or zoning.

#### **FLU POLICY 1.6.10**

A designation of DRA shall be limited to Commercial, Business Park, Industrial, Industrial Park, Mixed-Use, residential land use categories with a minimum density greater than 1 unit per acre, and similar categories in Master Plan Areas within the Centralized Water and Sewer Service Area (CWSSA). Respectively, the areas outside of the DRA shall be a potential Density/Intensity Sending Area (DSA). The designation of site-specific DRA and DSA shall be reviewed and authorized by the TDR Review Committee formed under the program.

#### **FLU POLICY 1.6.11**

Density/Intensity transfers may be permitted from an area within the DRA into another portion of the DRA subject to the Density/Intensity Rating System. Developed lands within the DRA are not qualified to become a DSA. In case the developed lands within the DRA are reclaimed for

conservation, preservation, recreation and/or urban agricultural purposes, it may be qualified to become a DSA upon review.

**FLU POLICY 1.6.12**

In no case shall density/intensity be transferred outside of the DRA from the DRA. Also, no transfer shall be allowed within areas outside of the DRA.

**FLU POLICY 1.6.13**

For projects utilizing this TDR process, density/intensity may be increased above and beyond the density/intensity otherwise allowed by the Density Rating System up to 200% of the maximum density/intensity permitted. For master plan areas, up to 200% of recommended average density/intensity standards may be permitted for receiving sites independently from other areas.

**FLU POLICY 1.6.14**

TDR receiving sites shall meet the following requirements:

- 1) Be served by Centralized Water and Sewer Services;
- 2) Demonstrate the availability of public facilities or planned within the next five years at the adopted LOS standards;
- 3) Promote compact development and energy efficient land use pattern;  
and
- 4) Demonstrate the suitability of the site for receiving the density/intensity transfer.

**FLU POLICY 1.6.15**

Development rights from a sending site shall be considered transferred to a receiving site when a final decision is made on the TDR receiving area development proposal, the sending site is protected by a completed and recorded land dedication (TDR Deed of Transfer), Conservation Easement, and notification shall be provided to the Clay County Property Appraiser's Office and a TDR extinguishment document shall be provided to the Department of Economic and Development Services, or its successor agency.

### FLU POLICY 1.6.16

Density bonuses will be allowed for eligible infill TND development within the Urban Core and Urban Fringe land use categories. To be eligible for the bonus, demonstration of adequate public facilities including water, sewer and transportation facilities to serve the site must be provided. Suitability of the site for the increased density must also be demonstrated prior to receiving approval for the density. Infill sites are defined as follows:

- 1) At least one boundary of the infill site must be adjacent to the following existing development types and intensities/densities. For the purpose of determining adjacency, lands having a common boundary or separated only by the right of way for a road with a functional classification of minor collector or lower shall be considered adjacent. Adjacent does not include lands located diagonally across any intersection or those across the right of way of a roadway classified higher than a minor collector.
  - a) non-residential use on land designated for Commercial Land Use on the *Future Land Use Map*; or
  - b) residential use developed at a density that is greater than or equal to the density of the proposed infill site development.
- 2) The remainder of the infill site must be bounded by developed non-residential uses or residential uses at a density of 2 units per acre or greater. Wetlands within the development parcel or on adjacent lands shall be excluded from the determination that a site is surrounded by existing development.
- 3) An infill site must have direct access to a road with a functional classification of minor collector or higher.

TNDs utilizing the density bonuses shall be allowed through a Residential TND Planned Unit Development. The following criteria, among others, shall be employed to guide RTND-PUD development pattern and design:

- 1) To ensure internal connectivity, the development shall have a grid or modified grid street pattern with block lengths no greater than 500 feet.
- 2) On-street parking shall be allowed.
- 3) Sidewalks with a minimum width of five feet shall be required on both sides of all roads.
- 4) The development shall provide rear entry garages, accessed by alleys, for a minimum of 50 percent of the lots.



- 5) All front entry garage units shall be designed so as to recess the garage a minimum of 15 feet from the front roofline of the structure and to provide habitable space above the garage recess.
- 6) The maximum front yard setback shall be 10 feet.
- 7) The development shall provide a minimum of 10 percent upland open space, 50 percent of which shall be used to create a public gathering space the boundary of which shall be defined by road rights of way. The opposing right of way line shall be defined by the front façade of residential units.
- 8) The development shall be connected to adjacent parcels through the use of streets, sidewalks and bike lanes/paths. Connections to adjacent collector or arterial roads shall be a maximum of 750 feet apart. Multiple access requirements may be waived by the County if environmental lands would be impacted, traffic safety considerations indicate that the access should not be provided or FDOT access management requirements do not permit the access.

The RTND-PUD may provide a mix of the following housing types:

- single-family detached
- single-family attached including townhomes
- multi-family units

Additional design criteria within the RTND-PUD shall regulate building length, facades, design variation, fenestration, porch height, and other elements. County review and acceptance of site and architectural plans shall be required concurrent with the approval of an infill density bonus.

**FLU OBJ 1.7 The County shall encourage land use patterns and development that promote walking, bicycling and public transportation use and make these transportation options a safe and convenient choice.**

**FLU POLICY 1.7.1**

Clay County shall encourage compact developments, featuring energy/resource efficient homes, located in close proximity to transit, work, and services, that utilize Smart Growth concepts to reduce the growth of vehicle miles traveled.

**FLU POLICY 1.7.2**

Sites adjacent to existing developed areas and/or transit-oriented developments with appropriate density and amenities are encouraged to be developed.

**FLU POLICY 1.7.3**

Clay County shall encourage Mixed-use developments.

**FLU POLICY 1.7.4**

Mixed-use developments shall be encouraged to have site facilities (e.g. commuter parking and mass transit) next to one another to reduce travel time and maximize building use.

**FLU POLICY 1.7.5**

Clay County shall consider creating an Employee Assisted Housing Program to encourage employees to live closer to work.

**FLU POLICY 1.7.6**

Clay County shall promote integrated land use patterns linking residential and non-residential developments.

**FLU POLICY 1.7.7**

Clay County shall promote mixed use development to provide housing and commercial services near employment centers, thereby reducing the need to drive.

**FLU POLICY 1.7.8**

To promote mixed use development, the County shall allow residential components within the Commercial Land Use category through a Mixed Use, Traditional Neighborhood Development, Planned Unit Development (MIX-TND-PUD). Mixed-use projects may only be allowed within the Centralized Water and Sewer Service Area. No more than one dwelling unit per 1000 square feet of commercial square footage shall be allowed. Attached residential units limited to townhomes, apartments, and loft/second floor units may be allowed in conjunction with professional office and neighborhood commercial uses. To further ensure internal compatibility, architectural and site design standards shall be required within the PUD that promote pedestrian-orientation and a functional and attractive arrangement of uses. At least five percent of developable land must serve the residents as civic space or neighborhood parkland.

**FLU OBJ 1.8 The County shall adopt, maintain and enforce land development regulations which are consistent with this Plan.**

**FLU POLICY 1.8.1**

The County shall maintain land development regulations that allow for and promote the use of cluster housing, mixed uses, planned unit developments and other innovative approaches to conserve open space and

environmentally sensitive areas and to reduce off-site traffic through increases in internal trip capture.

**FLU POLICY 1.8.2**

To establish an orderly review process, the County shall refine the land development regulations by stipulating in the Procedures Manual for Amendments to the Clay County Comprehensive Plan specific narrative and/or graphic data and information required at the time a comprehensive plan amendment is filed.

**FLU POLICY 1.8.3**

The County shall establish requirements for roadway buffers and for buffering between residential and non-residential land uses in the land development regulations.

**FLU POLICY 1.8.4**

Stormwater retention facilities supporting non-residential uses may be located in land designated for residential land uses. A minimum fifty (50) foot buffer shall be provided between the stormwater retention facility constructed to support non-residential uses and adjacent residentially zoned property.

**FLU POLICY 1.8.5**

The County shall create a separate zoning category or overlay district to address the unique character of owner-occupied low income housing areas that have existed as independent communities/districts historically.

**FLU POLICY 1.8.6**

The County shall permit sites for temporary storage of land clearing debris during construction within all land use categories except Recreation/Preservation and Conservation subject to the criteria established in the land development regulations. Land Clearing Debris Disposal Facilities, which do not have a permit under Chapter 62-701, F.A.C shall seek general permit from the State Department of Environmental Protection.

**FLU POLICY 1.8.7**

The Clay County land development regulations shall establish that Institutional/Public-Semi Public Designations uses are permitted, conditional or prohibited in a particular zoning district and shall establish criteria for the purpose of determining the site-specific appropriateness of any particular community infrastructure use.

**FLU POLICY 1.8.8**

The siting of any private or public education facility with an enrollment of greater than 500 students shall be consistent with the criteria below. The

expansion of any school in which the resulting enrollment is greater than 500 or the addition of land to any existing school site shall also be subject to the following:

- 1) The site must be located within the Urban Core, Urban Fringe, Rural Fringe, Planned Community, or Rural Residential land use categories.
- 2) Direct access to the site must be provided by a paved road with a functional classification of Residential Collector, Minor Collector, or Major Collector road, as such is defined by the FDOT Functional Classification Handbook. The FDOT classification system shall be applied to county roads as well as state roads.
- 3) The site shall be located such that the school speed zone shall not be imposed on any state, federal, or local road segment with a functional classification of Major or Minor Arterial.
- 4) If central sewer service is not available to the site, soils must be suitable to provide adequate on-site treatment.
- 5) The site shall not abut lands designated Industrial or Mining on the *Future Land Use Map*.

Upon a determination of consistency with the criteria above, the site shall be deemed to be consistent with the Plan. Upon a finding of consistency, public school sites acquired by the Clay County School Board shall be added to the School Sites map of the *Future Land Use Map series* at the next semi-annual amendment of the plan. Sites that do not meet the above criteria may be reviewed individually for consistency with the plan as semi-annual amendments initiated by the intended developer of the site.

#### **FLU POLICY 1.8.9**

The County shall maintain land development regulations to regulate development which impacts upon environmentally sensitive areas, as defined herein and specified in the Conservation Element.

#### **FLU POLICY 1.8.10**

Amend the Land Development Regulations to include a new zoning district Commercial Outdoor Recreation (COR) which shall provide access to outdoor recreation facilities such as skating rinks, and activity based areas for climbing walls, paintball, volleyball, boat/kayak daily rental, zip line and similar recreational activities on a non-membership basis, with or without fee, for which areas may be integrated with food service seating and/or spectator seating. Outdoor commercial sport facilities, outdoor commercial concert or playhouse facilities may also be permitted uses.

COR uses shall be permitted within Mixed Use (MIX) and LA IVC developments and must be located along an arterial, major collector or at an interstate interchange and served by central water and sewer. When part of a MIX development, the intensity of a COR use shall be compatible with the residential component of the MIX development and with surrounding uses. In addition to the perimeter buffer requirements of Article VI of the Land Development Regulations, the COR use shall be enclosed within a six foot in height masonry wall (architecturally finished on all sides and if block wall, painted on all sides) that secures at a minimum, the activity area from unrestricted public access. The square footage within the enclosed area that defines the COR shall be included in the calculation of the non-residential square footage to residential unit ratio applicable to the MIX development. This area shall not include driveways, parking, stormwater or utility installations.

**FLU POLICY 1.8.11**

Clay County shall coordinate with the City of Keystone Heights to adopt airport protection and land use zoning regulations that are consistent with the City's policies and meet the requirements of Chapter 333, F.S.

**FLU OBJ 1.9** **The County shall provide mechanisms for the vesting of certain developments, which do not otherwise meet the requirements of this Plan.**

**FLU POLICY 1.9.1**

The County shall establish the criteria for administrative vesting of developments from the consistency and concurrency requirements of this Plan in its land development regulations.

**FLU POLICY 1.9.2**

Lots within that phase of a recorded or unrecorded subdivision in existence on or before September 5, 1985 which have met the applicable conditions set forth below prior to July 1, 1991 shall be permitted to develop at the established density in the subdivision and shall be exempt from the requirements of transportation concurrency, provided all other requirements established in this plan are met.

- 1) Lots within subdivisions with paved roads, either public or private, must:
  - a) Have frontage on a complete and continually maintained paved road at standards acceptable to the county; and
  - b) Be served by a stormwater management system that functions at standards acceptable to the county; and

- c) Be within a subdivision in which the sale of lots to persons by the original subdivider has occurred at the following rates; prior to the adoption of the plan (January 23, 1993).
  - i) At least 10 percent of the total number of lots if the subdivision was created in 1980 or later;
  - ii) At least 20 percent of the total number of lots if the subdivision was created after 1969 but before 1980;
  - iii) At least 30 percent of the total lots if the subdivision was created after 1959 but before 1970;
  - iv) At least 40 percent of the total lots if the subdivision was created after 1949 but before 1960; or
  - v) At least 50 percent of the total lots if the subdivision was created prior to 1950.
  
- 2) Lots within subdivisions in which any portion of the roads, either public or private, are unpaved must:
  - a) Have frontage on a complete and continually maintained road at standards acceptable to the county; and
  - b) Be served by a stormwater management system that functions at standards acceptable to the county; and
  - c) Be within a subdivision in which the sale of lots to individuals by original subdivider has occurred at the following rates; prior to the adoption of the plan (January 23, 1993).
    - i) At least 50 percent of the total number of buildable lots if the subdivision was created in 1980 or later;
    - ii) At least 60 percent of the total number of lots if the subdivision was created after 1969 but before 1980;
    - iii) At least 70 percent of the total lots if the subdivision was created after 1959 but before 1970;
    - iv) At least 80 percent of the total lots if the subdivision was created after 1949 but before 1960; or
    - v) At least 90 percent of the total lots if the subdivision was created prior to 1950.

#### Post-1985 RECORDED SUBDIVISIONS-CONSISTENCY

Lots within that phase of a subdivision recorded in the plat books of Clay County between September 5, 1985 and July 1, 1992 shall be permitted to develop at the established density in the subdivision, provided all other

applicable requirements in this plan, including concurrency, are met.

#### Post-1985 RECORDED SUBDIVISIONS-CONCURRENCY

Lots within that phase of a subdivision recorded in the plat books of Clay County between September 5, 1985 and July 1, 1992 for which that phase of the subdivision has received a final local government development order prior to July 1, 1992 shall be exempt from the requirements of concurrency.

For purposes of this policy “final local government development order” shall be defined as a final plat with all infrastructures completed and approved by the County.

#### NON-RESIDENTIAL AND MULTI-FAMILY DEVELOPMENT- CONCURRENCY

Non-residential and multi-family development for which a valid building permit is in effect prior to July 1, 1992 and on which development has started and is continuing in good faith shall be exempt from the requirements of concurrency. A valid building permit must be maintained to retain the exemption.

For the purpose of Policy 1.9.2 “create” shall mean either depicted on a plat recorded in the plat books of Clay County or depicted on a map or survey prepared by, signed and sealed by a Florida licensed surveyor or engineer and dated prior to September 5, 1985, showing lot layouts and roads. (Ordinance 93-14, May 18, 1993)

#### **FLU POLICY 1.9.3**

Where the rules for administrative vesting do not apply, certain property owners may be vested on equitable grounds from the requirements for both consistency and concurrency with the Plan, provided that it is shown by substantial competent evidence that a property owner or other similarly suited person:

- 1) has acted in good faith and in reasonable reliance;
- 2) upon a valid, unexpired act or omission of the government; and
- 3) has made such a substantial change in position or incurred such extensive obligations and expenses that it would be highly inequitable or unjust to destroy the rights he has acquired.

The county shall provide an administration procedure in its land development regulations for the presentation of evidence to the county concerning claims to equitable vested rights and for determination of whether such vested rights are valid and enforceable.

#### **FLU POLICY 1.9.4**

A development order under Chapter 380, F.S. in effect on the date of adoption of this Plan shall be vested for consistency with the *Future Land Use Map*. Issues specifically negotiated during the DRI approval process shall be exempt from compliance with new regulations. Unless otherwise provided by its development order or any amendment thereto, such authorized development also shall be vested for concurrency with this Plan and exempt from land development regulations specifically implementing concurrency to the extent provided by applicable law. Nothing in this Plan shall limit or modify the right to complete a development authorized under Chapter 380, F.S.

#### **FLU POLICY 1.9.5**

For lots of record otherwise inconsistent with respect to the density standards established in the *Future Land Use Map*, the County shall allow a maximum of one dwelling unit, subject to development regulations in effect at the time of development. The minimum size of a lot of record eligible for exemption shall be governed by the zoning requirements applicable to the property on June 30, 1991.

For purposes of this policy, a lot of record shall mean a piece, parcel, plat, or tract of land described by plat, by metes and bounds or other similar means in a legally recorded deed as of 12:01 a.m., July 1, 1991.

#### **FLU POLICY 1.9.6**

The County shall establish criteria in the land development regulations for the transfer of land for the use of family members for their primary residences. Within the Agriculture, Agriculture/Residential and Rural Residential land use classifications, a minimum lot size of 1 acre is required. Within the Rural Fringe land use classification, a minimum lot size of 1/3 acre is required. Within the Urban Fringe and Urban Core land use classifications the minimum lot size shall be governed by the underlying zoning and the maximum lot size shall be 1 acre.

#### **FLU POLICY 1.9.7**

Individuals having a current Clay County homestead exemption which has been in effect for the past four years (five years total) and who have also owned property in the Rural Residential, Agriculture/Residential or Agriculture land use designations for five or more years shall be permitted to subdivide the property owned for five or more years as specified in the land development regulations.



**FLU OBJ 1.10**     **The County shall ensure the provision of previously assigned development rights to certain parcels as stipulated by ordinance.**

**FLU POLICY 1.10.1**

Until an appropriate mixed use development proposal is made to the County, the 72 structures located on Clay Parcel No. 37-06-26-015718-000-00 on June 1, 2010 may be reconstructed or replaced despite the non-conforming status of the development, including non-conformities associated with the requirements of the MIX Land Use category provided that under any individual incident of loss or damage, not more than 50% of the structures or 36 structures, have suffered individual loss or damage of greater than 60 percent. Any reconstruction or replacement permitted pursuant to this policy shall be in substantially the same location as the existing structure prior to its being damaged or destroyed and shall not result in an increased number of residential units in any individual structure. The owner will obtain a building permit from Clay County for any reconstruction or replacement activities. Reconstruction or replacement activities undertaken pursuant to this policy shall not be considered redevelopment.

**FLU POLICY 1.10.2**

Within the parcel designated as “Business Park” on the *Future Land Use Map* and the Future Commercial and Industrial Land Use Map Series by Ordinance No. 2005-62, Business Park development shall not exceed 1,500,000 square feet and Industrial development shall not exceed 1,000,000 square feet. These development limitations may be increased or eliminated by amendment to this policy adopted contemporaneously with or subsequent to amendments to the adopted Capital Improvements Schedule that add necessary transportation capacity improvements to accommodate additional development.

**FLU POLICY 1.10.3**

Notwithstanding the vesting policies described within this Plan, but in recognition of the Special Magistrate’s Award and Recommendation dated February 20, 2007, in a proceeding under Section 70.51, Florida Statutes, styled as *White Homes & Development, Inc. vs. Clay County, Florida*, Case No. 2006-70.51-02, White Homes & Development, Inc., is authorized to construct a single-family home on each of the four lots subdivided and configured as set forth in said Award and Recommendation, each such lot being at least 0.9 acres in size, and to receive a building permit upon proper application therefor, with respect to the property identified as parcel number 10-04-23-000082-003-01 and further described in Official Records Book

2721, Page 1758, public records of Clay County, Florida, without regard to the density restrictions otherwise applicable to such property as set forth herein and in the land development regulations, and without being required to record a plat or otherwise comply with the development standards set forth in the subdivision regulations.

**FLU POLICY 1.10.4**

Notwithstanding the vesting policies described within this Plan, each individual property lying within the boundary of the geographical area known as Seminole Village, is authorized to construct one single-family home on each parcel described below and to receive a building permit upon proper application therefor, without regard to the density restrictions otherwise applicable to such properties as set forth herein and in the land development regulations, and without being required to record a plat or otherwise comply with the development standards set forth in the subdivision regulations.

For purposes of this policy, individual property shall mean a parcel described in a legally recorded deed as of 12:01 a.m., November 16, 2015.

Real property to which this policy shall apply is further described as follows:

Parcel Number	OR Book and Page	GIS Acreage
010082-001-01A	OR 618 PG 689	2.07
010082-001-01B	OR 618 PG 689	.86
010082-001-04	OR 1392 PG 795	1.10
010084-001-31	OR 2010 PG 1698	5.25
010084-012-19	OR 1541 PG 1769	2.11
010084-021-08	OR 3775 PG 183	3.68
010084-021-41	OR 1818 PG 1380	.96
010084-021-42	OR 1721 PG 1490	1.41
010084-021-43	OR 1530 PG 912	1.21
010084-021-44	OR 2097 PG 1911	3.51
010084-022-09A	OR 2168 PG 783	1.93
010084-022-09B	OR 2168 PG 783	3.96
010084-022-09C	OR 2168 PG 783	1.81
010084-022-09D	OR 2168 PG 783	1.77
010084-022-23A	OR 2168 PG 816	1.43
010084-022-23B	OR 2168 PG 816	2.17
010084-024-02	OR 785 PG 45	3.17
010084-024-03	OR 1657 PG 1941	5.25
010084-024-04	OR 2791 PG 2062	6.51
010084-025-07	OR 3156 PG 1240	1.00
010085-043-01	OR 3073 PG 1430	1.09

Said lots may only be further subdivided through the heirs and homestead provisions of the Plan.

#### **FLU POLICY 1.10.5**

Within the property located in the northeast quadrant of the intersection of State Road 21 and State Road 16 and designated as Ventures on the *Future Land Use Map*, the maximum number of single family residential dwellings permitted shall be 735 by 2015, with no more than 645 external PM peak hour trips permitted to be generated by all uses within the property. This initial level of transportation impact shall be the maximum allowed through the year 2015.

The remaining development rights on the \*Ventures property is specifically conditioned upon and may not proceed until and unless the developer demonstrates through a traffic study, the methodology for which is approved by Clay County and FDOT in accordance with the requirements of Clay County's concurrency management system, that:

- 1) Impacted road segments on the Strategic Intermodal System (SIS) will operate at an acceptable level of service; or,
- 2) The developer and Clay County enter into a proportionate fair share agreement pursuant to Sec. 163.3180(16), Florida Statutes, or a Development Agreement pursuant to Sec. 163.3227, Florida Statutes under which the development's impacts will be fully mitigated and FDOT concurs with the mitigation for impacts to facilities on the Strategic Intermodal System (SIS) as required by Sec. 163.3180(16)(e), Florida Statutes. The SIS designated facilities are those listed in Florida's Strategic Intermodal System Plan as adopted by FDOT. Prior to or simultaneously with any development in Phase 2, the five year schedule of capital improvements shall be amended to include any roadway improvements identified to be constructed under this subparagraph.

#### **FLU POLICY 1.10.6**

Within the property located south of SR 16 and east of SR 21 and designated as SR 21 Residential on the *Future Land Use Map*, the maximum number of single family residential dwellings permitted shall be 995 by 2015, with no more than 848 external PM peak hour trips permitted to be generated by all uses within the property. This initial level of transportation impact shall be the maximum allowed through the year 2015.

The remaining development rights on the \*SR 21 Residential property is specifically conditioned upon and may not proceed until and unless the developer demonstrates through a traffic study, the methodology for which is approved by Clay County and FDOT in accordance with the requirements of Clay County's concurrency management system, that:

- 1) Impacted road segments on the Strategic Intermodal System (SIS) will operate at an acceptable level of service; or,
- 2) The developer and Clay County enter into a proportionate fair share agreement pursuant to Sec. 163.3180(16), Florida Statutes, or a Development Agreement pursuant to Sec. 163.3227, Florida Statutes under which the development's impacts will be fully mitigated and FDOT concurs with the mitigation for impacts to facilities on the Strategic Intermodal System (SIS) as required by Sec. 163.3180(16)(e), Florida Statutes. The SIS designated facilities are those listed in Florida's Strategic Intermodal System Plan as adopted by FDOT. Prior to or simultaneously with any development in Phase 2, the five year schedule of capital improvements shall be amended to include any roadway improvements identified to be constructed under this subparagraph.

**FLU GOAL 2**

To cooperate with Camp Blanding Joint Training Center ("Camp Blanding") to encourage compatible land uses, help prevent incompatible encroachment, and facilitate the continued operation of Camp Blanding as a military installation within the County.

**FLU OBJ 2.1**

The County shall assist in maintaining the current and long-term viability of Camp Blanding by coordinating with Camp Blanding so that development on lands adjacent to or in close proximity to Camp Blanding as shown on the *Impact Area Map* (FLUM Map Series) attached hereto will minimize the impacts to the current and long-term uses of Camp Blanding. The *Impact Area Map* is a composite of the areas shown as the Land Use Planning Zone (LUPZ) as depicted on page 2 of the *Operational Noise Consultation 52-EN-0CCF-10, Operational Noise Contours for Camp Blanding, FL, October 2009*, dated October 21, 2009, prepared by the US Army Center for Health Promotion and Preventive Medicine (USACHPPM) and inserted as an appendix to the *Florida Army National Guard Statewide Operational Noise Management Plan*, May 2005 (SONMP) also prepared by USACHPPM; the "Potential Peak Noise Area" shown as 115 dBP or higher on the map attached to the MEMORANDUM FOR Construction Facility Maintenance Office, ATTN: Mr. Pavich, SUBJECT: Increased Training

Noise in Fiscal Year 2010, addressed to Headquarters Camp Blanding Joint Training Center and dated October 22, 2009, also prepared by USACHPPM; and the *Corridor and Routing System Map (CARS)*, 175<sup>th</sup> Engineering Company, June 2000.

**FLU POLICY 2.1.1**

The County will coordinate with Camp Blanding in order to ensure that development within areas impacted by the military activities conducted on Camp Blanding (as shown on the *Impact Area Map*) minimizes negative impacts to the current and long-term viable use of Camp Blanding and protects the public health, safety and welfare by ensuring land use activities are compatible with the testing and training mission of Camp Blanding.

**FLU POLICY 2.1.2**

All land use amendments, rezonings, developments of regional impact, site plans, subdivisions and other development orders within the areas impacted by the military activities conducted on Camp Blanding (as shown on the *Impact Area Map*) shall be forwarded to the Camp Blanding commanding officer or his or her designee for comment.

**FLU POLICY 2.1.3**

The County shall coordinate with Camp Blanding in an effort to limit allowable uses within the LUPZ (as shown on the *Impact Area Map*) to uses that will not be substantially impacted by noise. Noise-sensitive land uses, including those that are acceptable within the LUPZ according to U.S Army Regulation 200-1, Environmental Protection and Enhancement, Chapter 14, Operational Noise (2007) will be deemed compatible within the LUPZ as shown on the *Impact Area Map*.

**FLU POLICY 2.1.4**

The County shall limit building heights within the CARS (as shown on the *Impact Area Map*) to heights that will not endanger the flight safety of air operations at Camp Blanding, considering existing conditions in the area. To achieve these height restriction objectives, applicants for structures within the CARS which exceed 35 feet in height above grade must apply for a special permit that will require actual notice to Camp Blanding prior to final action by the County.

**FLU POLICY 2.1.5**

The County shall limit the height of communications tower located within the CARS (as shown on the *Impact Area Map*) to heights that will not endanger the flight safety of air operations at Camp Blanding, considering existing conditions in the area. To achieve these height restriction

objectives, applicants for structures within the CARS which exceed 100 feet in height above grade or 30 feet above the surrounding tree canopy (whichever is greater) must apply for a special permit that will require actual notice to Camp Blanding prior to final action by the County.

#### **FLU POLICY 2.1.6**

The County shall require lighting standards that limit artificial lighting, floodlights, search lights or any lighting that would be misleading or dangerous to aircraft operating within the CARS (as shown on the *Impact Area Map*). Lighting shall be fully shielded with positive optical control so that all light emitted by fixture, either directly from the lamp or indirectly from the fixture, is projected below a horizontal plane extending from the bottom of the light fixture. The purpose of these lighting standards is to reduce distractions to training pilots.

#### **FLU POLICY 2.1.7**

The County shall require a Military Influence Area Notice within the LUPZ, the Potential Peak Noise Area, and the CARS (as shown on the *Impact Area Map*) disclosing the fact that a parcel is located within areas that may be impacted by the military activities conducted on Camp Blanding on subdivision plats, and as part of planned unit developments, developments of regional impact, and site plans.

**FLU OBJ 2.2** **The County commits to achieve a high degree of intergovernmental and communication to ensure that planning programs work in concert to promote the continued existence of Camp Blanding and avoid incompatible land use activities.**

#### **FLU POLICY 2.2.1**

The County shall request that the Commanding Officer of Camp Blanding designate a representative to serve on the Planning Commission, serving as the Local Planning Agency, as a non-voting member to represent the interests of Camp Blanding.

#### **FLU POLICY 2.2.2**

The County shall refer to Camp Blanding proposed comprehensive plan amendments, proposed land development regulation text amendments, applications for planned unit developments, developments of regional impact, rezoning requests, and similar applications within the LUPZ, the Potential Peak Noise Area, and the CARS (as shown on the *Impact Area Map*) for review and comment prior to final action by the County.

## Definitions

***Antiquated Subdivision*** means a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision's zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located.

***Applicant or Developer or Owner*** means any individual, corporation, business trust, estate trust, partnership, association, two or more persons who have a joint or common interest, governmental agency, or any other legal entity, which has submitted an Application for a Concurrency Reservation Certificate.

***Application*** means an application presented to the County containing the information required pursuant to this Ordinance.

***Aquifer*** a body of permeable rock that can contain or transmit groundwater. The Floridan aquifer is the principal source of water supply in most of north Florida.

***Arterial Road*** means a signalized roadway that serves primarily through traffic and secondarily abutting properties.

***Available*** as applied to a publicly owned or investor-owned sewerage system, means that the publicly owned or investor-owned sewerage system is capable of being connected to the plumbing of an establishment or residence, is not under a Department of Environmental Protection moratorium, and has adequate permitted capacity to accept the sewage to be generated by the establishment or residence; and:

- a) For a residential subdivision lot, a single-family residence, or an establishment, any of which has an estimated sewage flow of 1,000 gallons per day or less, a gravity sewer line to maintain gravity flow from the property's drain to the sewer line, or a low pressure or vacuum sewage collection line in those areas approved for low pressure or vacuum sewage collection, exists in a public easement or right-of-way that abuts the property line of the lot, residence, or establishment.
- b) For an establishment with an estimated sewage flow exceeding 1,000 gallons per day, a sewer line, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment or is within 50 feet of the property line of the establishment as accessed via existing rights-of-way or easements.
- c) For proposed residential subdivisions with more than 50 lots, for proposed commercial subdivisions with more than 5 lots, and for areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within one-fourth mile

of the development as measured and accessed via existing easements or rights-of-way.

- d) For repairs or modifications within areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within 500 feet of an establishment's or residence's sewer stub-out as measured and accessed via existing rights-of-way or easements.

***Blight or blighted area*** means an area in which there are a substantial number of deteriorated or deteriorating structures; in which conditions, as indicated by government-maintained statistics or other studies, endanger life or property or are leading to economic distress; and in which two or more of the following factors are present:

- a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities.
- b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions.
- c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- d) Unsanitary or unsafe conditions.
- e) Deterioration of site or other improvements.
- f) Inadequate and outdated building density patterns.
- g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality.
- h) Tax or special assessment delinquency exceeding the fair value of the land.
- i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality.
- j) Incidence of crime in the area higher than in the remainder of the county or municipality.
- k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality.
- l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality.
- m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.
- n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.
- o) A substantial number or percentage of properties damaged by sinkhole activity which have not been adequately repaired or stabilized.

***Borrow Pit*** is a pit from which construction material, sand or gravel is taken for use as fill at another location.



***Brownfield*** real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination *Rule 376.79(3), Florida Administrative Code (F.A.C.)*

***Collector Road*** provides access to non-residential uses and connects lower order roadways to arterial roadways.

***Concurrency Management System*** means the procedures and processes utilized by the Department to assure that final development orders and final development permits are not issued unless the necessary facilities to support the development are available concurrent with the impacts of development.

***Concurrency Reservation Certificate*** means the official document issued by the Department upon finding that an application for the certificate in reference to a specific final development order or final development permit for a particular development will not result in the reduction of the adopted level of service standards for impacted potable water, sanitary sewer, parks and recreation, drainage, and solid waste, as set for in the Plan.

***Density*** means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre.

***Development*** the carrying out of any building activities or mining operation or the making of any material change in the use or appearance of any structure or land and/or the dividing of land into three or more parcels.

***Development of Regional Impact (DRI)*** any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. (380.06 F.S.)

***Development Order*** any order granting, denying, or granting with conditions an application or a development permit (cross reference 380.04 F.S.)

***Dwelling*** means any building, or part thereof occupied in whole or in part, as the residence or living quarters of one or more persons, permanently or temporarily, continuously or transiently, with cooking and sanitary facilities.

***Easement*** a grant by a property owner of title to the right of use of his land by another party for a specific purpose

***FAR*** see Floor Area Ratio

***Floodplains*** means land area subject to inundation by flood waters from a river, watercourse, lake, or coastal waters. Floodplains are delineated according to their estimated frequency of flooding.

***Floor Area Ratio (FAR)*** the density of nonresidential land use, exclusive of parking, measured as the total nonresidential building floor area divided by the total buildable land area available for nonresidential structures.

***Frontage*** distance measured along a public highway or road right-of-way except in water abutted property.

***Greyfields*** mean real estate or land which has been previously developed and used.

***Heir*** any person related to the head of household or their spouse through either adoption or by blood to the third degree.

***High Recharge Area*** means areas contributing significant volumes of water which add to the storage and flow of an aquifer through vertical movement from the land surface.

***Historical Resource*** any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value. The properties may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state.

***Infill*** means the development of vacant parcels in otherwise built-up areas where public facilities such as sewer systems, roads, schools, and recreation areas are already in place

***Intensity*** means an objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on, or below ground; the measurement of the use or demand on natural resources; and the measurement of the use of or demand on facilities and services.

***Internal Trip Capture*** means trips generated by a mixed-use project that travel from one onsite land use to another onsite land use without using the external road network.

***Land Development Code or Land Development Regulations*** means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

***Level of Service*** means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each facility.

***Lot of Record*** a lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat prior to July 1, 1991.

***Low Income Housing*** means housing for one or more natural persons or a family that has a total income annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest.

***Moderate Income Housing*** means housing for one or more natural persons or a family that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest.

***Mixed Use*** a real estate project characterized by two or more uses developed in conformance with a coherent plan which stipulates the type and scale of uses.

***Open Space*** a required exterior open area clear from the ground upward devoid of residential and commercial buildings, accessory structures and impervious areas, except however, those buildings and structures used exclusively for recreational purposes.

***Parcel of Land*** means any quantity of land capable of being described with such definiteness that its locations and boundaries may be established, which is designated by its owner or developer as land to be used, or developed as, a unit which has been used or developed as a unit.

***PUD*** see Planned Unit Development

***Planned Unit Development (PUD)*** is a land area greater than five acres under unified control which is planned and programmed in a single development or by a series of pre-scheduled development phases according to an officially approved final development plan. Such PUD does not necessarily correspond to property development and use regulations of the standard zoning district in which the property was previously placed. A PUD must also include a program for the provision, maintenance, and operation of all area improvements, facilities and necessary services for the common use of all occupants.

***Plat*** a map or delineated representation of a subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of all applicable section of the Code.

***Residential Aviation Community*** is defined as a community with development features designed to accommodate airplanes and may include residential dwellings, hangars, runways, common areas and taxiways.

***Strip Commercial Land Uses*** shall be defined as commercial uses adjacent to roadways that are located to outside the reasonable zone of influence of the intersection to which they relate. They are characterized by individual curb and median cuts and lack visual landscape buffers. Strip commercial land uses do not include outparcels in shopping centers, malls, or similar developments where access is provided internally from the shopping centers, malls, or similar developments, or via a system of shared or common driveways.

***Subdivision*** the division and recording in accordance with law of a parcel of land into three or more lots or blocks for the purpose of transfer of ownership for development, sale, or lease.

***Transit Oriented Development*** means a project or projects, in areas identified in a local government comprehensive plan, that is or will be served by existing or planned transit service. These designated areas shall be compact, moderate to high density developments, of mixed-use character, interconnected with other land uses, bicycle and pedestrian friendly, and designed to support frequent transit service operating through, collectively or separately, rail, fixed guideway, streetcar, or bus systems on dedicated facilities or available roadway connections.

***Urban Sprawl*** means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

***Wetlands*** swamps and wet woodlands characterized by hydric soils, specific vegetation and plant communities.

## Appendix

### FUTURE LAND USE MAP SERIES

- Figure 1. 2040 Future Land Use Map*
- Figure 2. 2040 Branan Field Future Land Use Map*
- Figure 3. 2040 Lake Asbury Future Land Use Map*
- Figure 4. Historical Resources and Archeological Sensitivity Map*
- Figure 5. Rivers, Bays, Lakes, Flood Plains, and Harbors Map*
- Figure 6. Mineral Resources Map*
- Figure 7. Generalized Soils Map*
- Figure 8. Wetlands Map*
- Figure 9. Aquifer Recharge Map*
- Figure 10. Conservation Map*
- Figure 11. Potable Waterwells Map*
- Figure 12. Urban Service Area Map*
- Figure 13. Centralized Water and Sewer Map*
- Figure 14. Public Schools Map*
- Figure 15. Institutional/Public-Semi Public Designation Map*
- Figure 16. Camp Blanding Overlay Impact Area Map*

Figure 1 – 2040 Future Land Use Map

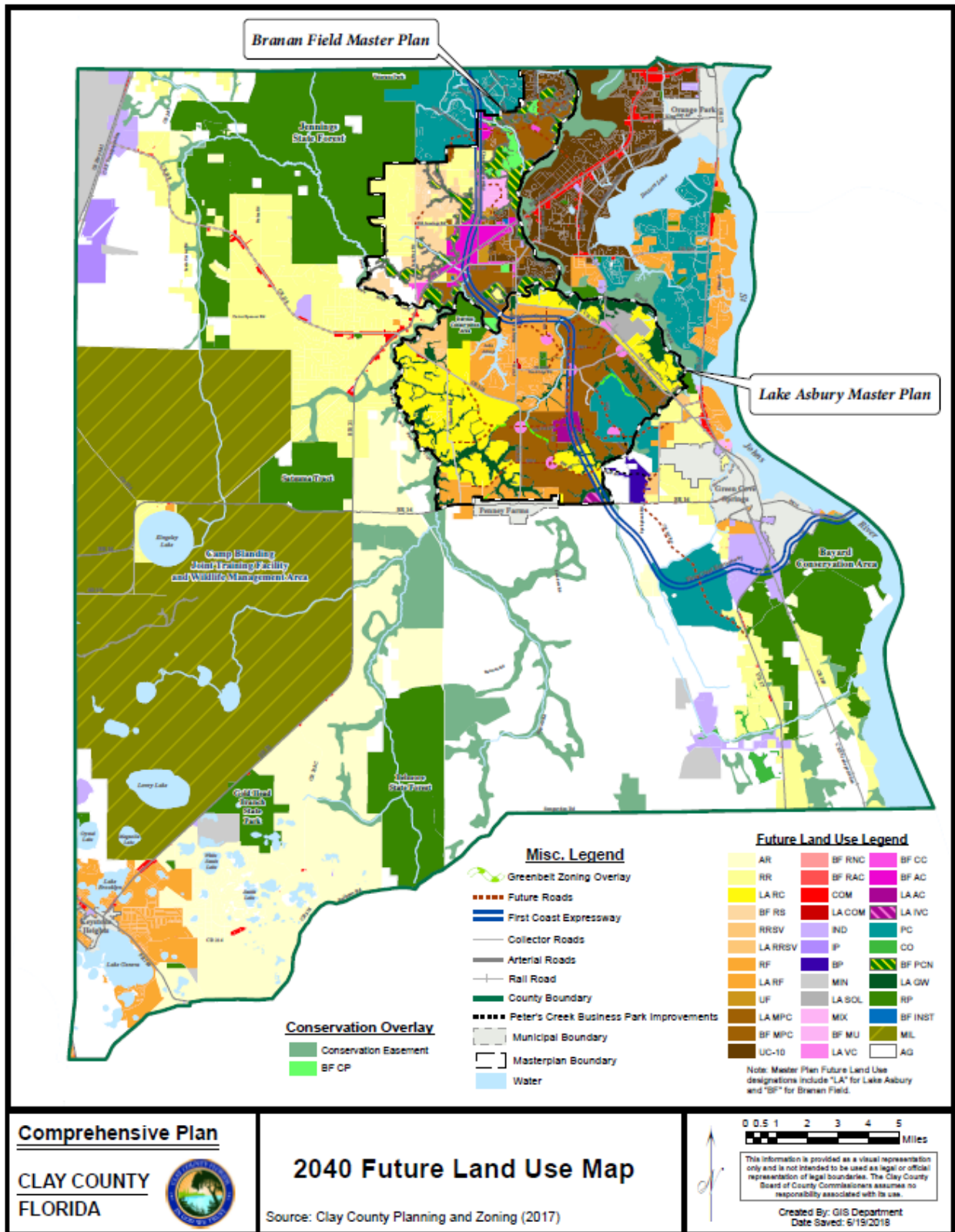


Figure 2 – 2040 Branan Field Future Land Use Map

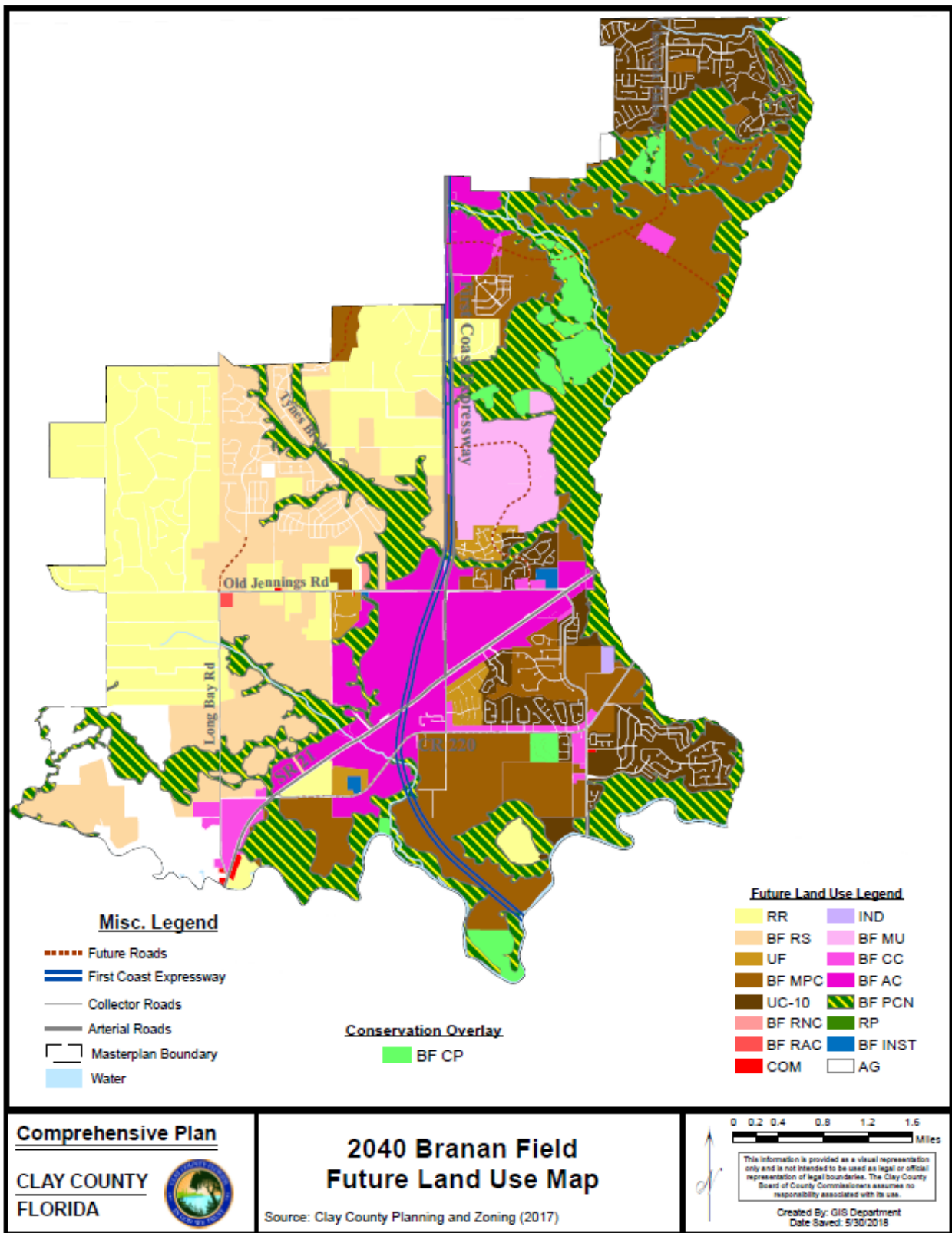


Figure 3 – 2040 Lake Asbury Future Land Use Map

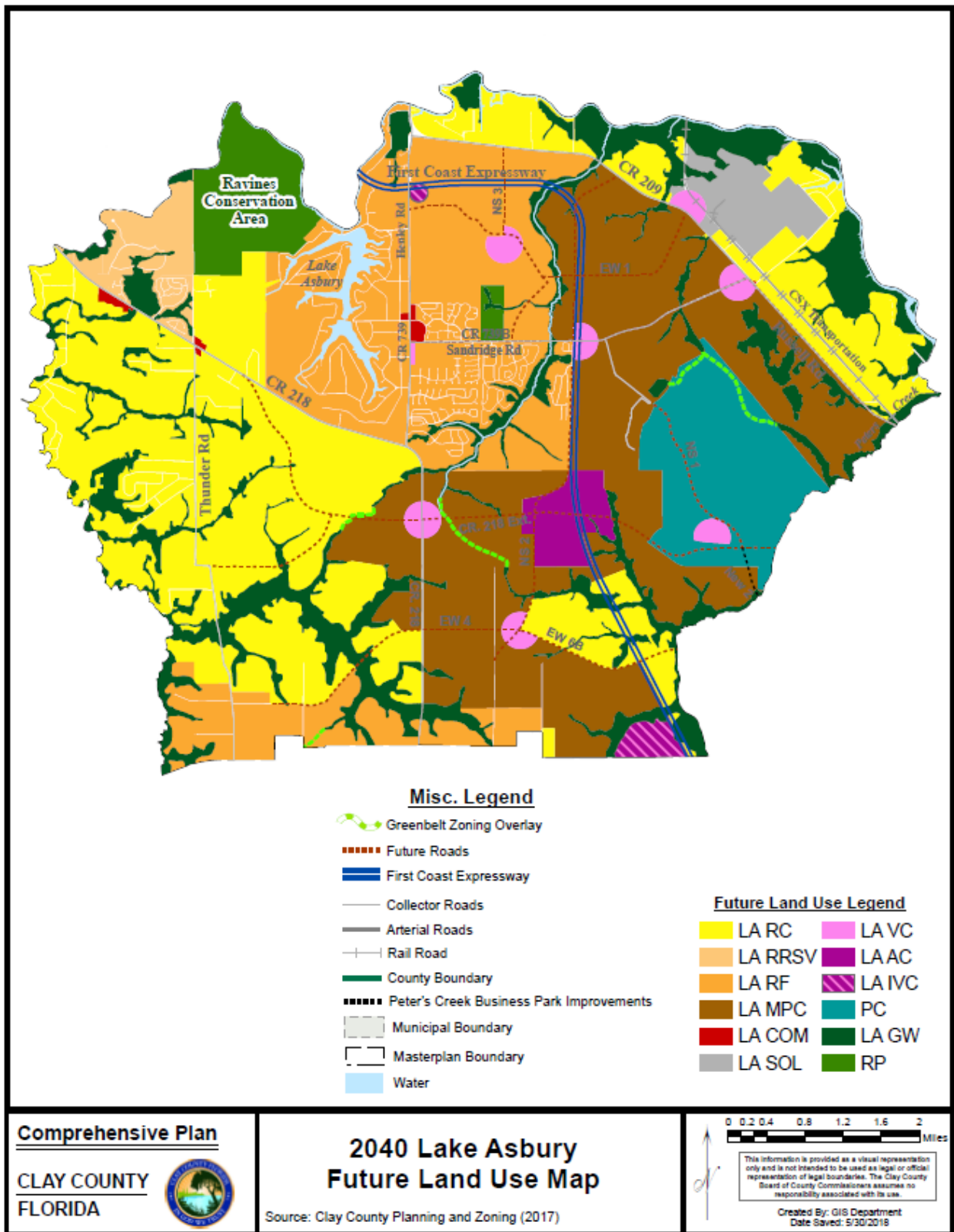




Figure 4 – Historical Resources and Archeological Sensitivity Map

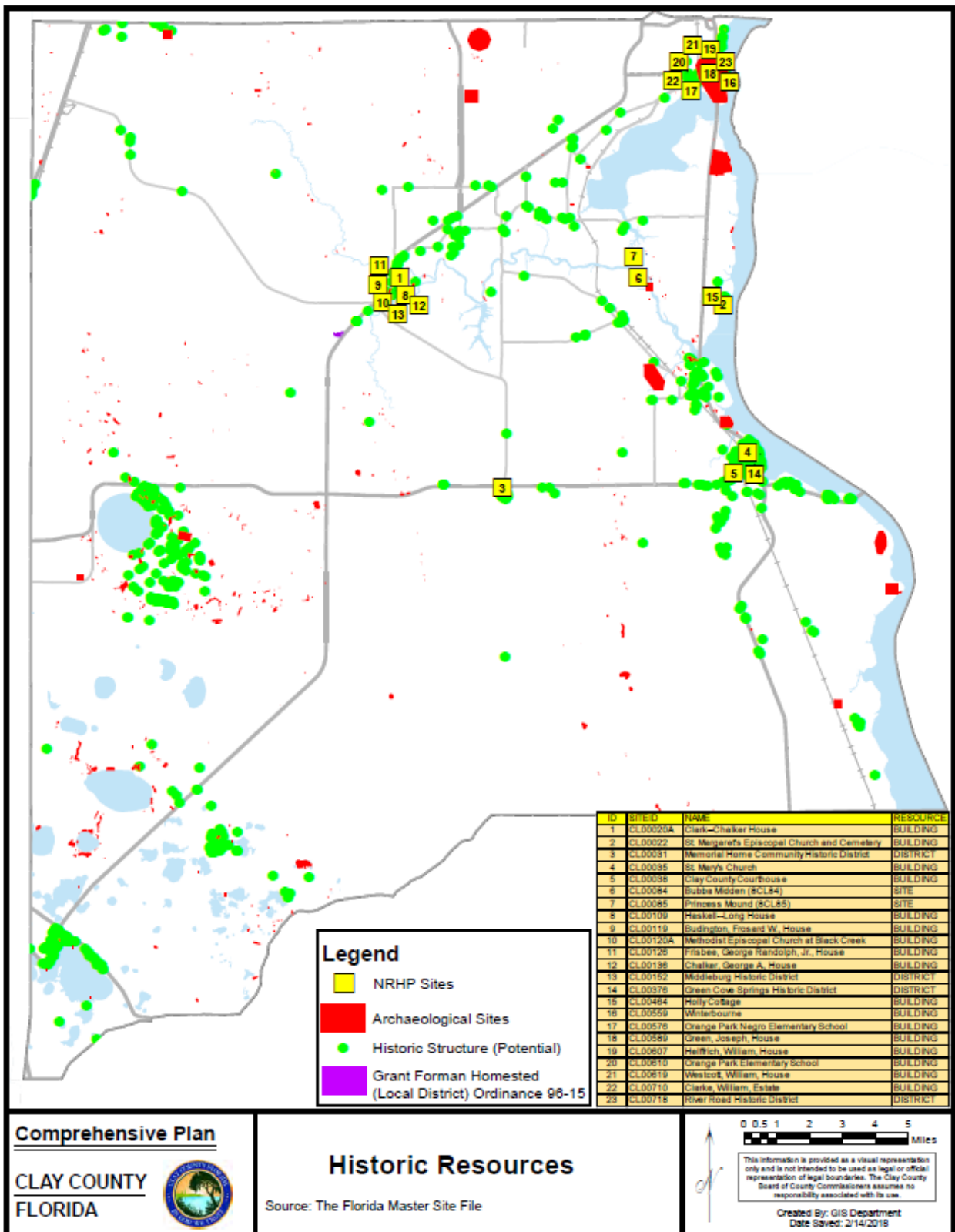


Figure 5 – Rivers, Bays, Lakes, Flood Plains and Harbors Map

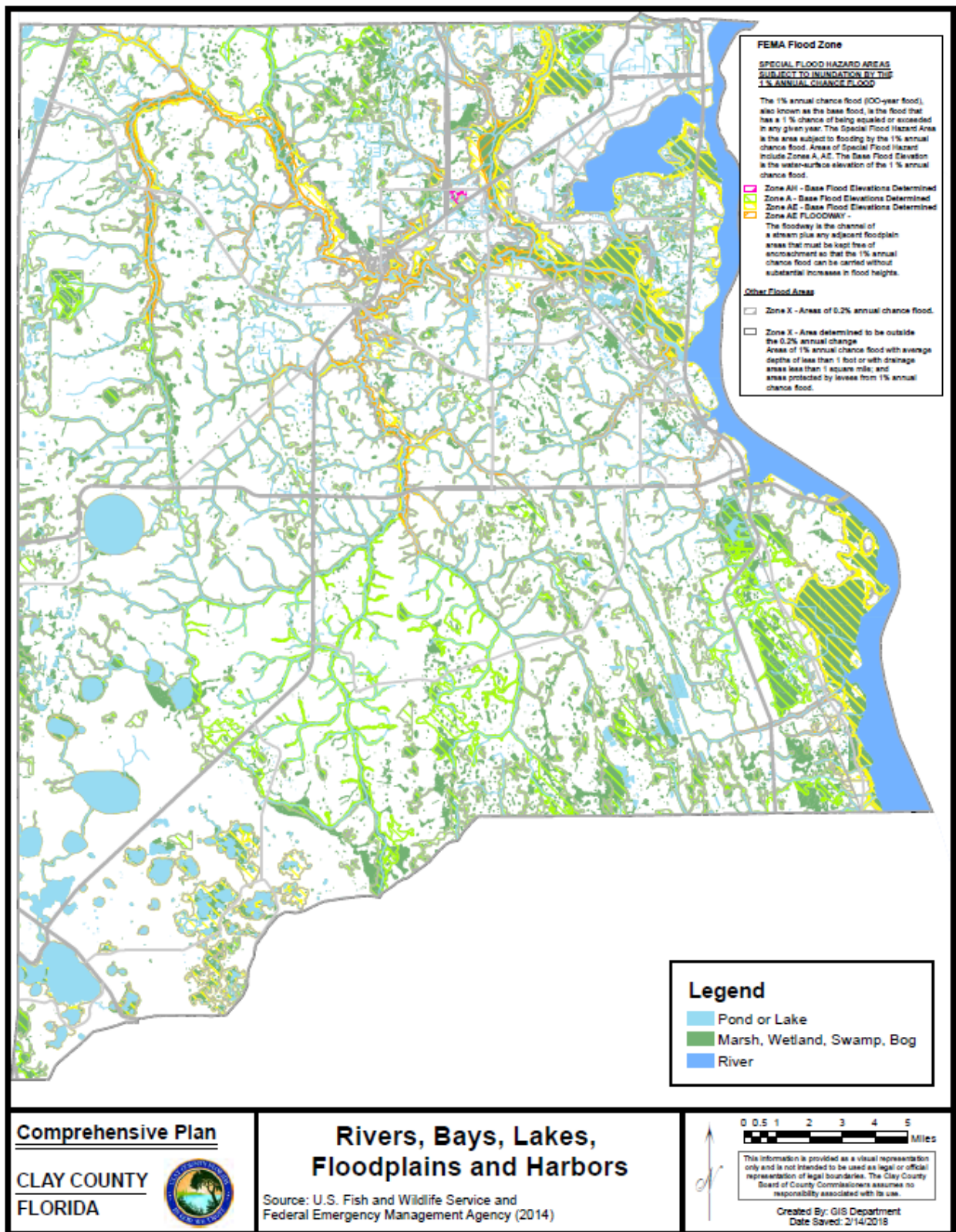


Figure 6 – Mineral Resources Map

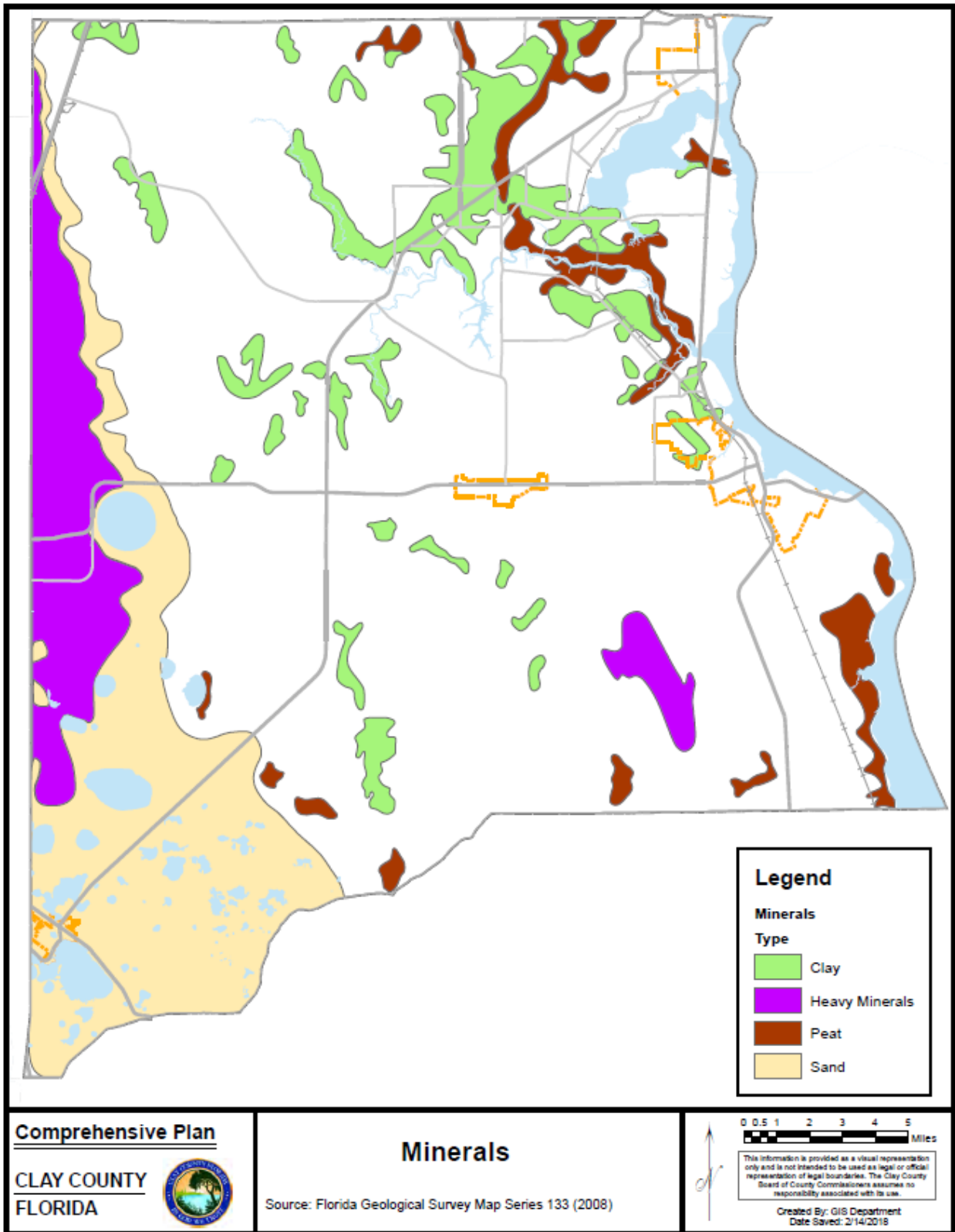
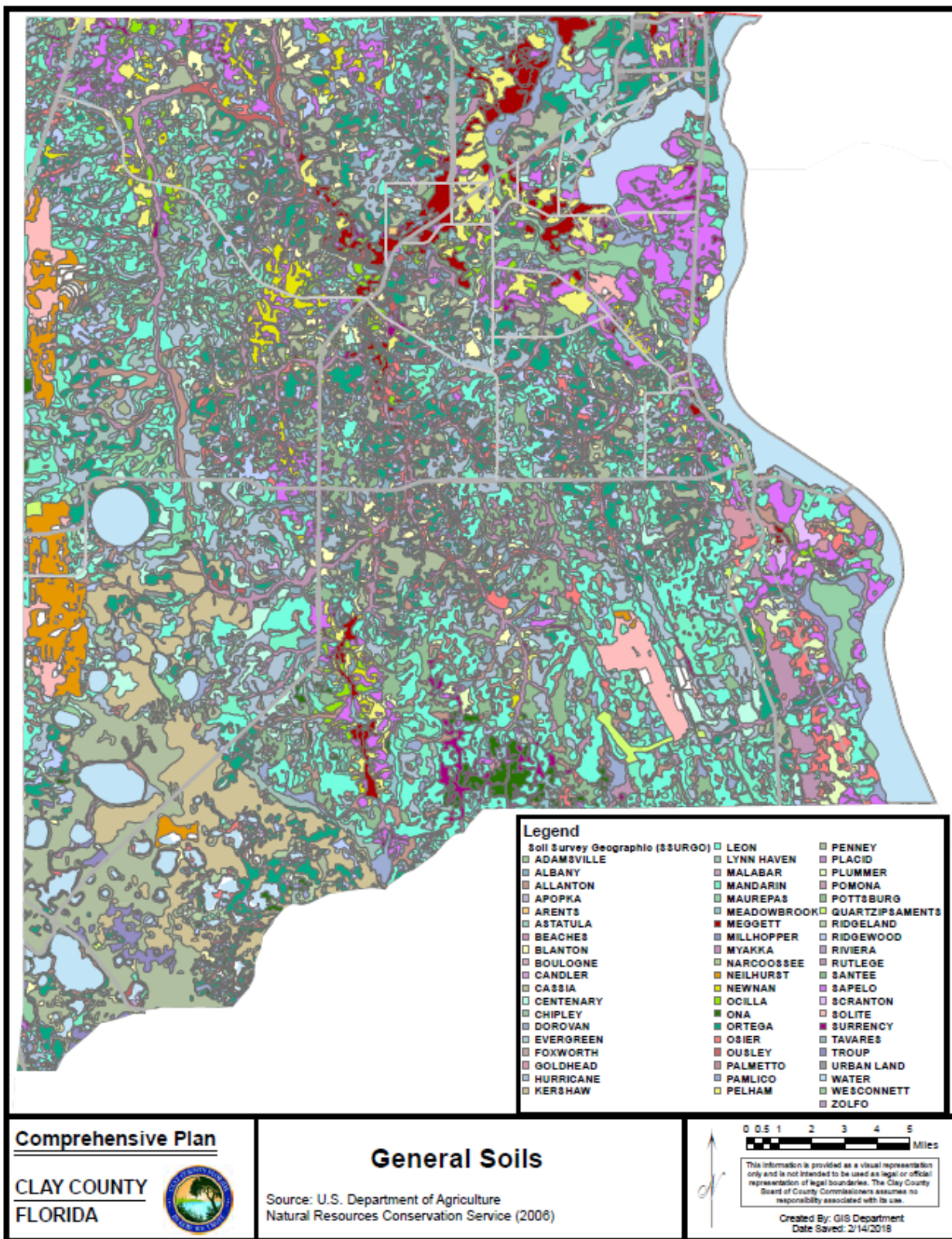


Figure 7 – Generalized Soils Map



Comprehensive Plan

CLAY COUNTY  
FLORIDA



General Soils

Source: U.S. Department of Agriculture  
Natural Resources Conservation Service (2006)

Figure 8 – Wetlands Map

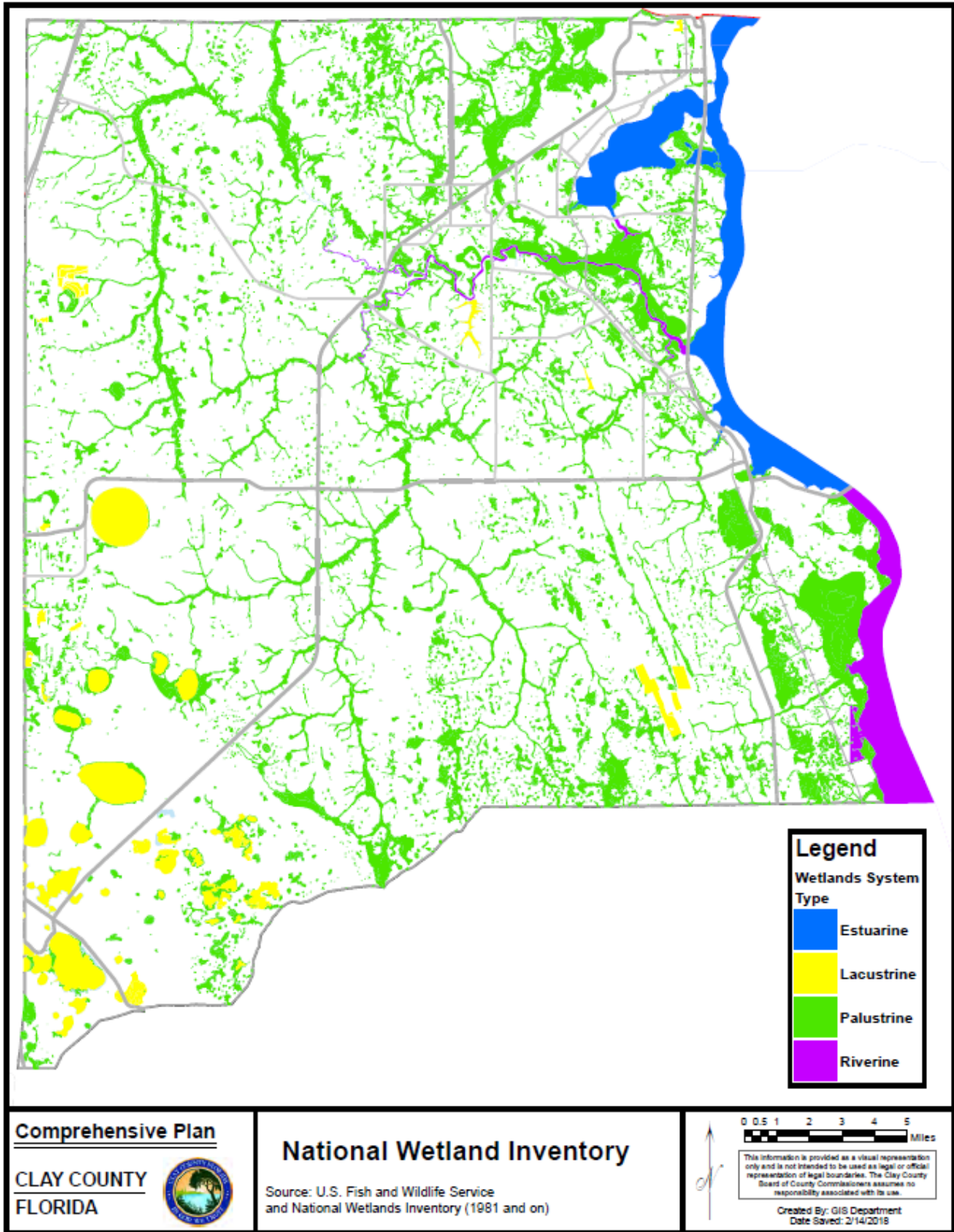


Figure 9 – Aquifer Recharge Map

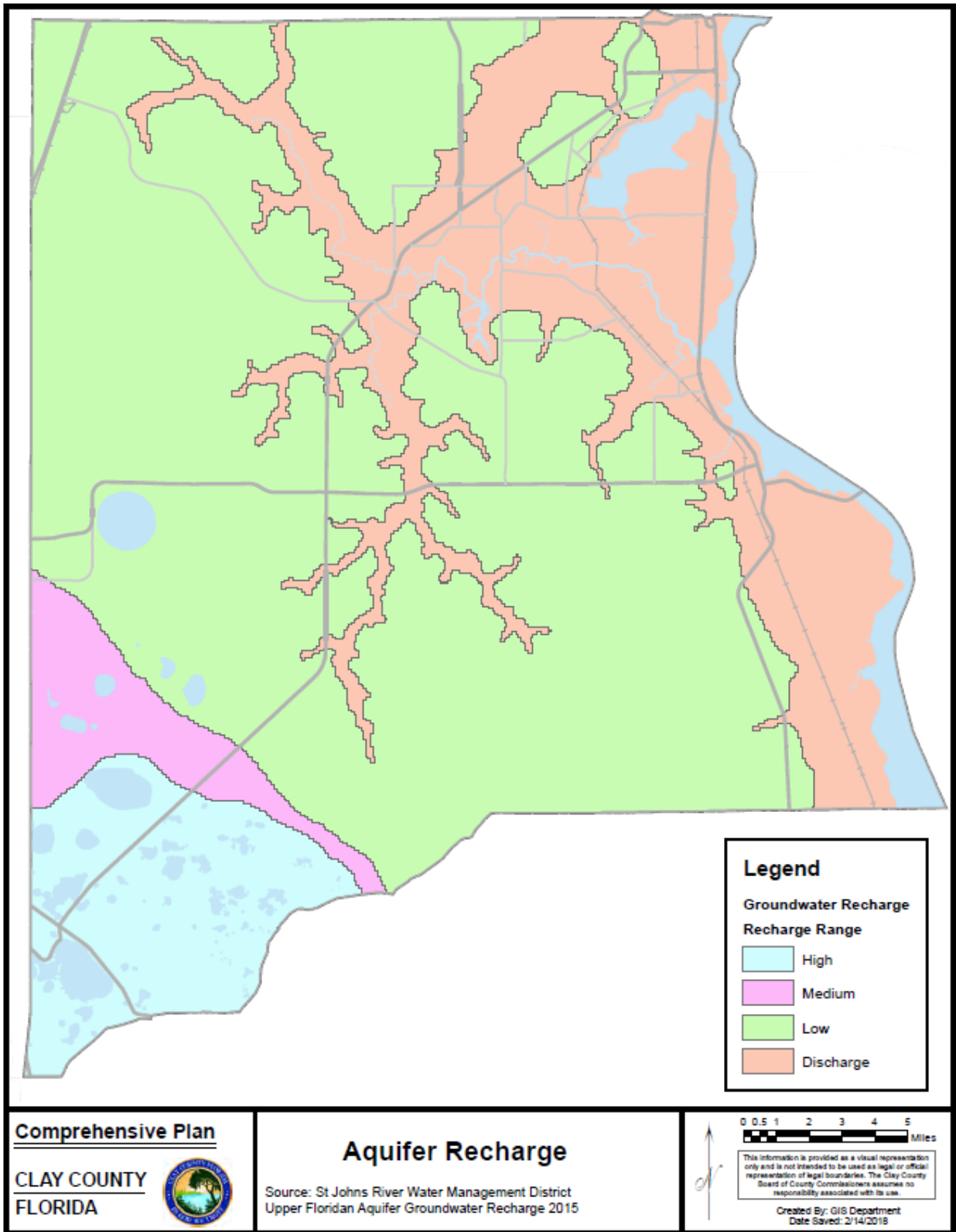


Figure 10 – Conservation Map

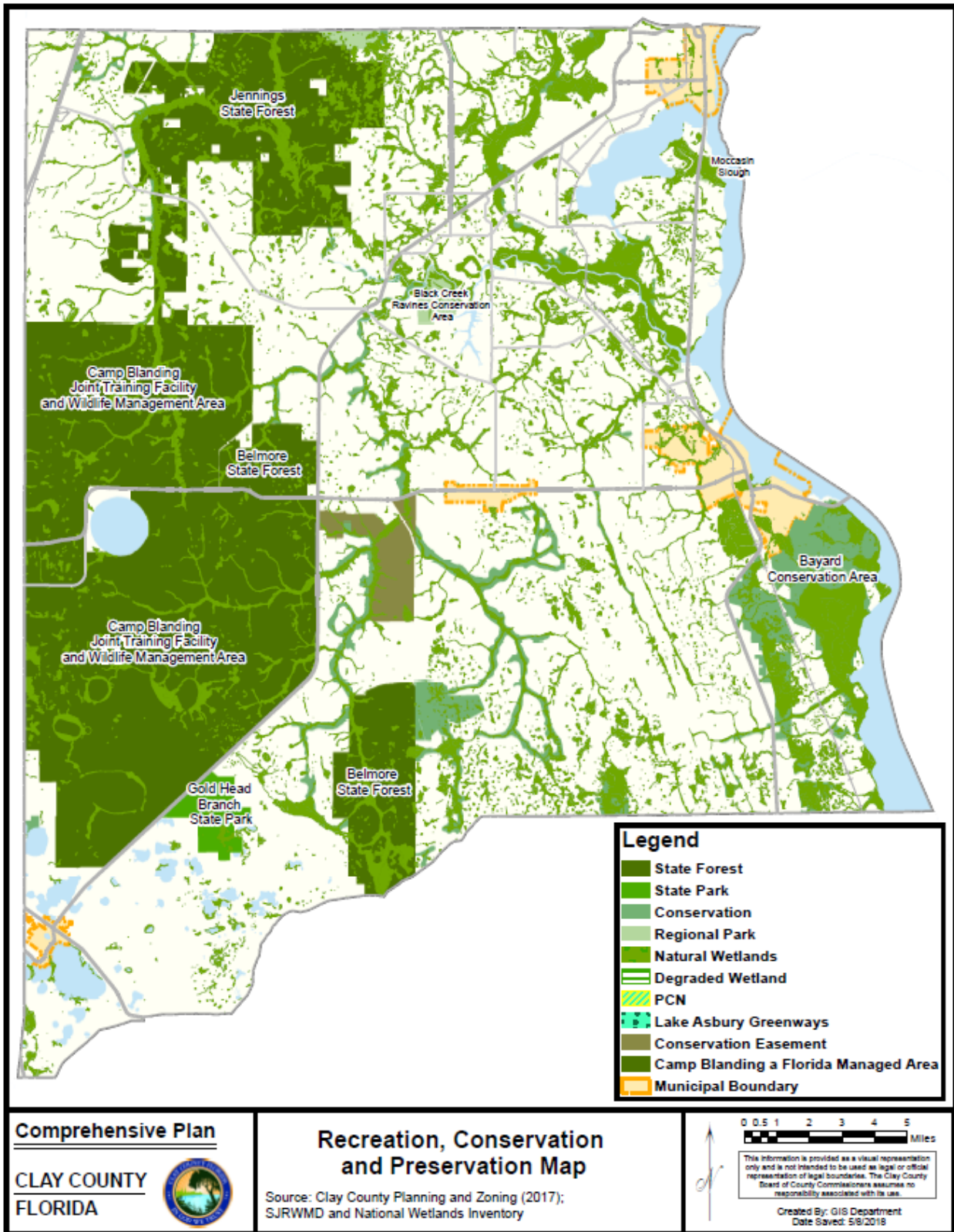


Figure 11 – Potable Waterwells Map

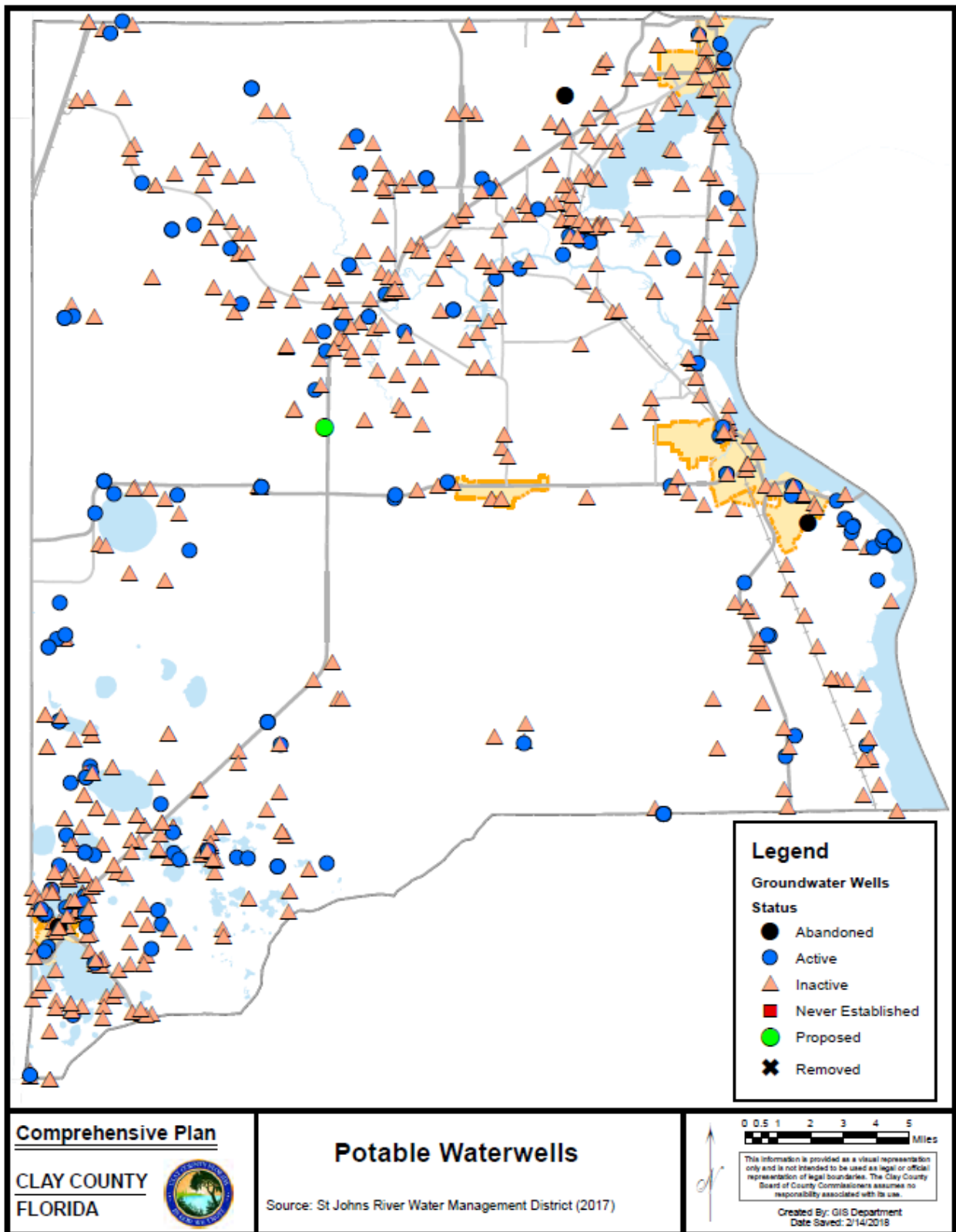




Figure 12 – Urban Service Area Map

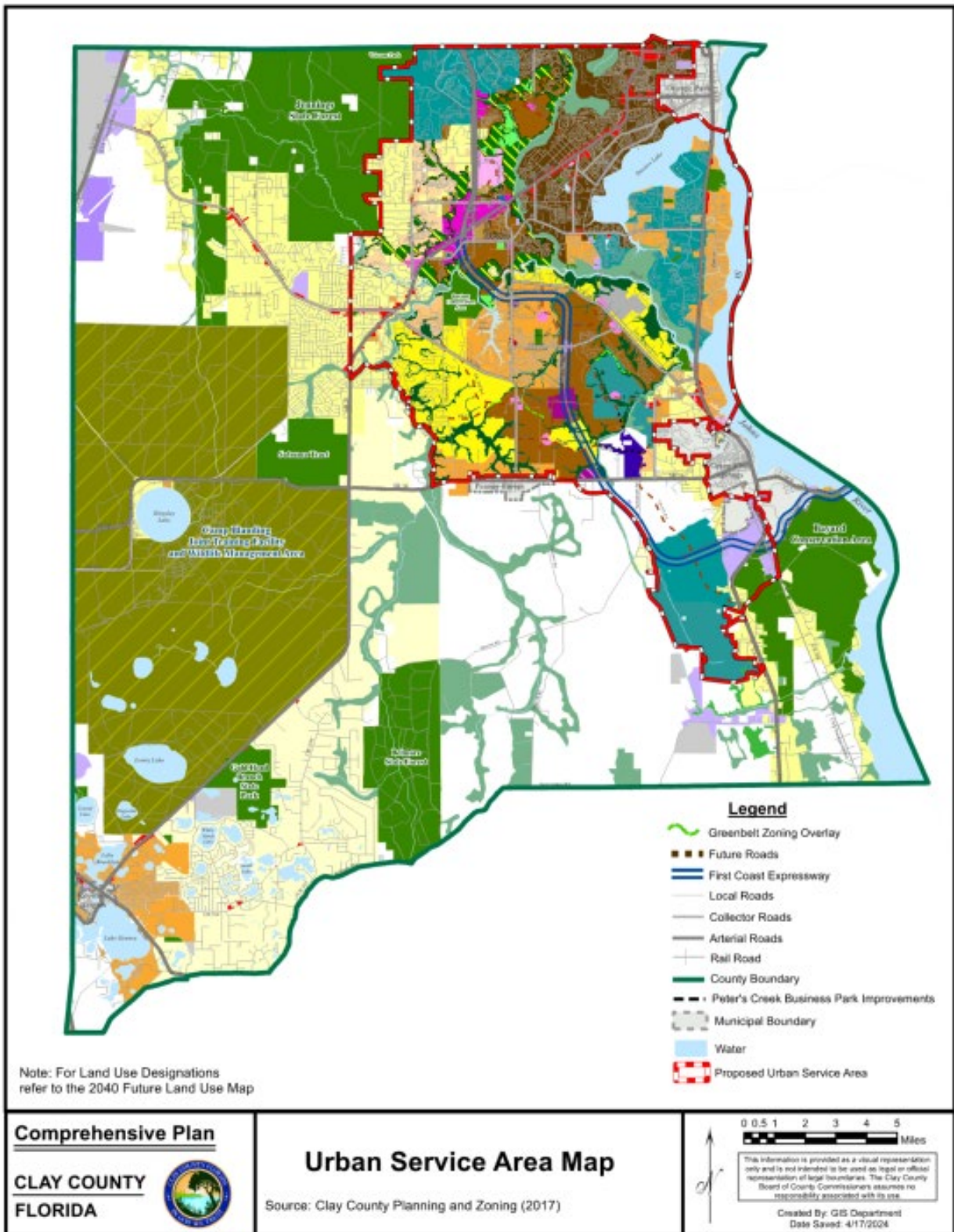


Figure 13 – Centralized Water and Sewer Map

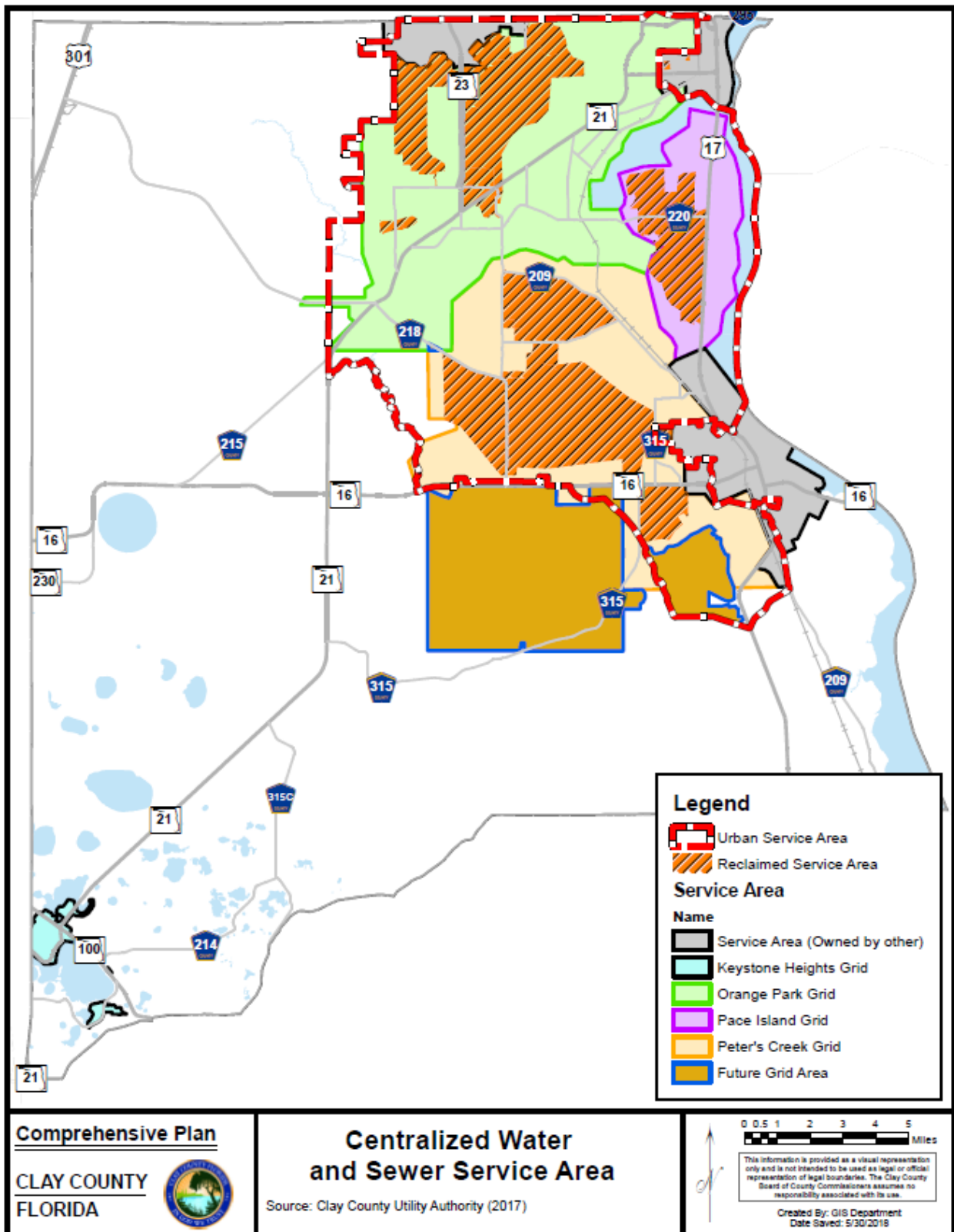


Figure 14 – Public Schools Map

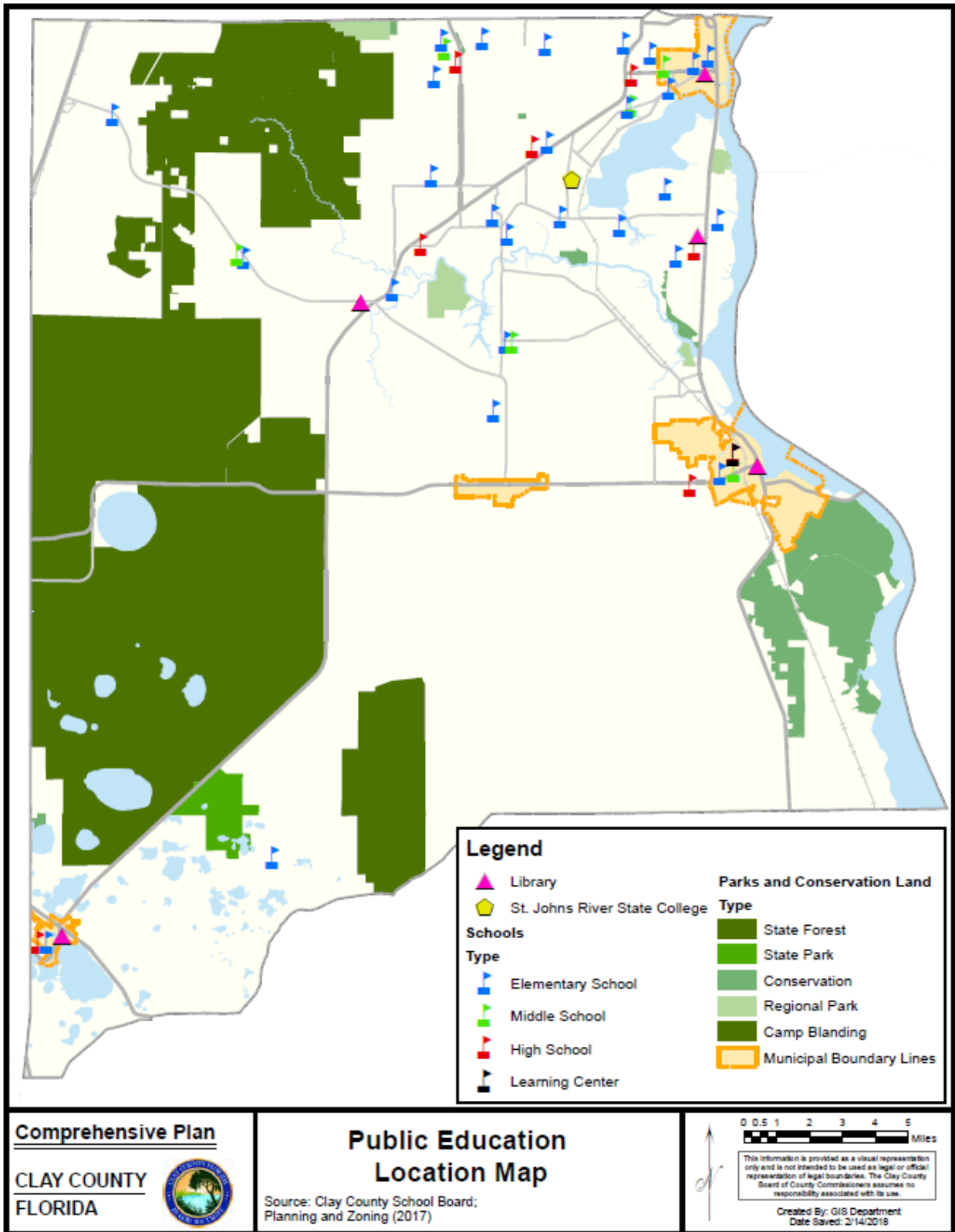


Figure 15 – Institutional/Public-Semi Public Designation Map

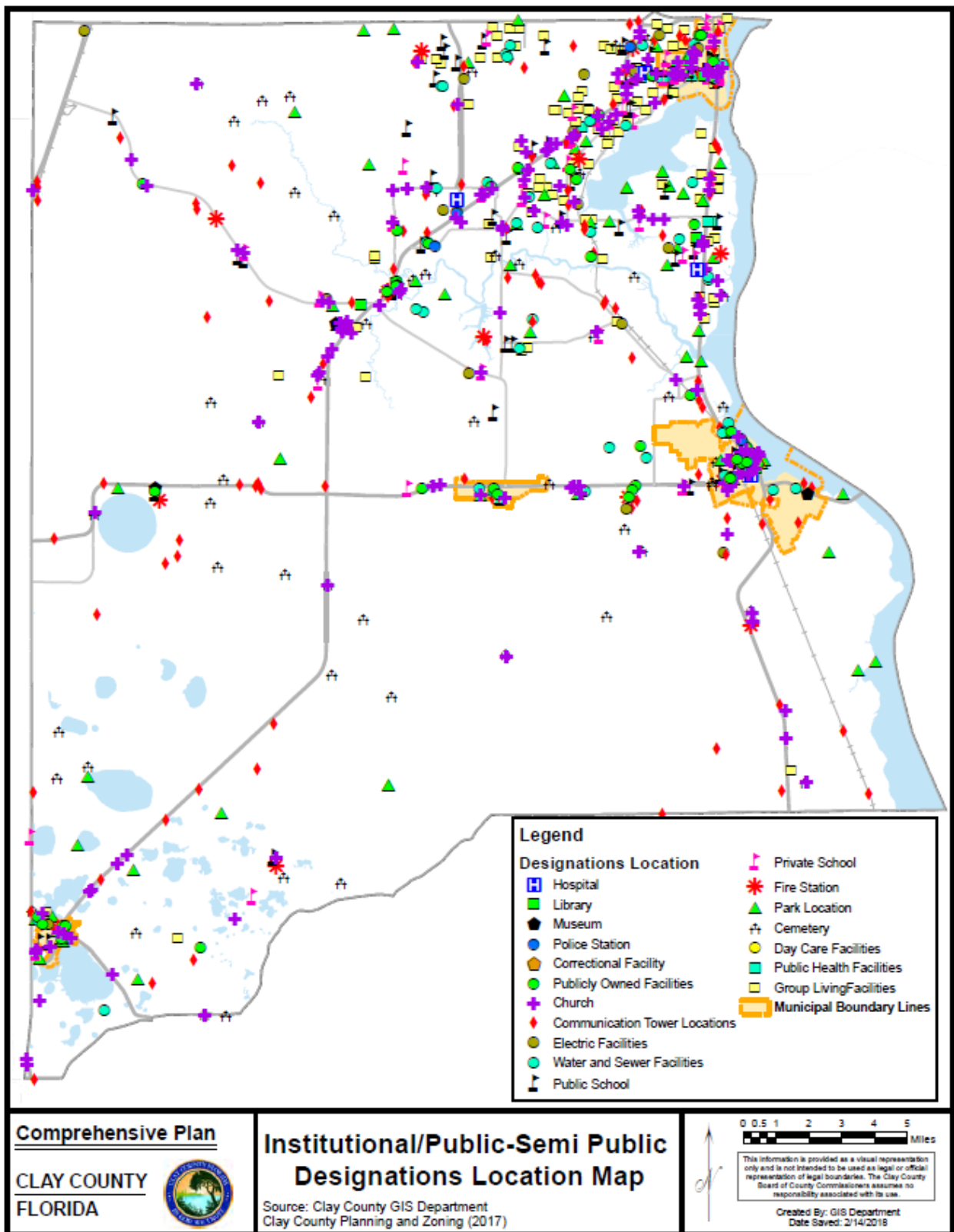


Figure 16 – Camp Blanding Overlay Impact Area Map

