

## **Frequently Asked Future Land Use Questions**

### **1. What is a ‘Comprehensive Plan’?**

A Comprehensive Plan is a long-range planning document that provides written guidance for community decisions about preservation, development, redevelopment, and funding of public facilities to support development (such as roads and water lines). This guidance is provided through Goals, Objectives, Policies, definitions, and graphic exhibits, such as the Future Land Use Map. The State of Florida requires all local governments to adopt a comprehensive plan.

### **2. What is the Comprehensive Plan based on?**

The plan must be based on citizen input, must consider private property rights, must consider environmental and/or historic/archaeological features, and must take into account future population projections. The plan must be reviewed at least every 7 years, with citizen input, for possible amendment. Florida law also requires zoning (or a similar form of land development regulation) based on the comprehensive plan and ‘consistent’ with that plan. If there is a difference between what is allowed by zoning and what is allowed by the comprehensive plan, Florida Law mandates that the comprehensive plan provisions overrule the zoning provisions.

### **3. What is a ‘Future Land Use designation’?**

A Future Land Use designation is a classification of a property that explains what types of development can be built on that property, in accordance with policies of the Comprehensive Plan, definitions of that land use classification in the Plan, and requirements of the Land Development Regulations.

### **4. What is the difference between a Future Land Use designation and a Zoning district?**

Future Land Use designations indicate the general category and allowable density or intensity for a particular parcel of land. “Density” describes how many residential units are allowed and “Intensity” describes how many square feet of non-residential use is allowed.

Zoning districts define the uses that are permitted on a parcel of land and include the design and development guidelines for those uses.

### **5. How can someone determine the Future Land Use or Zoning of a Property?**

A property’s future land use designation can be found using the [\*\*Clay County Planning and Zoning Division map viewer\*\*](#).

After clicking on the link above, the first step is to locate the specific parcel you are interested in. You can either zoom into the map view until you find the property or else use the “Find” feature to the left of the map to search by the parcel number, address or owner name.

Note: The parcel identification number can be obtained from the Clay County Property Appraiser’s Office at (904) 284/269-6305 or by following this link: <https://ccpao.com/> (click on “Property Search” under “Quick Links” to search by name, address or parcel number. Or use the “Map” button at the top of the search page.)

Once you’ve selected the correct parcel, turn on the Future Land Use Data layer or the Zoning Data layer by clicking on the box at the left of the map. (Hint – it is best to only turn on one of these layers at a time.)

If you have trouble locating the property you’re interested in, want to confirm the information you’ve found, or need a letter formally confirming the Future Land Use and Zoning District designations of a property, you can contact the Planning and Zoning Division for more information at [Zoning@claycountygov.com](mailto:Zoning@claycountygov.com) or by phone at (904) 529/278-4705.

## **6. Why would a Future Land Use designation be changed?**

If a property owner proposes to use or develop a parcel of land in a manner that does not conform to the current Future Land Use designation, the owner would need to apply for a Future Land Use Amendment. Similarly, if the proposed use of the parcel does not conform to the current Zoning district guidelines, the owner would need to apply for a Rezoning application.

The applicant must demonstrate that the proposed Future Land Use Amendment is consistent with the Clay County Comprehensive Plan. Likewise, the applicant must demonstrate that the proposed Zoning designation is consistent with the Future Land Use designation of the parcel.

## **7. Who can apply to change the Future Land Use designation of a property?**

The property owner, or a legal representative of the property owner, can apply to change the Future Land Use designation of a property. Application forms are available on the website of the Clay County Planning & Zoning Division. There are two types of Future Land Use amendments that can change the designation of a property, but the same application form is used for both types of amendments.

## **8. What are the two types of Future Land Use amendments?**

### **A. LARGE SCALE**

A Large-Scale Land Use Amendment is any change in the text of the Clay County Comprehensive Plan that is not related to a specific property OR any change in the future land use map that involves land areas greater than 50 acres.

### **B. SMALL SCALE**

A Small-Scale Land Use Amendment is any change in the future land use map that involves land areas 50 acres or less. A Small-Scale amendment may also include a text amendment directly related to the property for which the amendment is requested. (A text amendment is an amendment to the written part of the Comprehensive Plan, such as a change to a goal, objective, policy or other written part of the plan.)

Large-Scale amendments must be reviewed by State and Regional Reviews agencies and are heard twice by the Board of County Commissioners. Small-Scale amendments are not reviewed by the State and Regional Review Agencies and are heard only once by the Board of County Commissioners.

**9. What is the difference in the way Large-Scale and Small-Scale Future Land Use amendments are handled?**

Future Land Use amendments are first reviewed through the Planning & Zoning Division's Pre-Application process. Once a proposed amendment has been prepared, a completed application package is submitted to the Planning and Zoning Division. Submittals may be done through email, postal mail, or in person.

The applicant should first review the County's Comprehensive Plan and Land Development Code to determine whether the proposed amendment meets of the County's requirements and is consistent with trends of existing development. The applicant may submit a Rezoning application for the same property concurrent with the Future Land Use Amendment application. Where a proposed Future Land Use or Rezoning may generate an impact on the surrounding neighborhood or community, the applicant is further urged to hold an information meeting or open house to inform the affected public of the proposal prior to the hearing before the Planning Commission.

Both types of Future Land Use Amendments are reviewed at a public hearing before the Clay County Planning Commission. For a Large-Scale Amendment, the next step is a 'transmittal' public hearing before the Clay County Board of County Commissioners. If the Board of County Commissioners votes to approve transmittal, the Large-Scale amendment is then sent for review to the State and Regional review agencies.

The review agencies must respond within 30 days. After receiving the responses, the County has 180 days to act, to either approve, approve with modifications/condition, or deny the application. This is done at a second public hearing before the Board of County Commissioners. The County must then send an adopted amendment back to the review agencies again. If a State or Regional review agency had raised a concern, and does not feel that the County addressed that concern adequately, the State Land Planning Agency has the authority to call for an Administrative Hearing.

With a Small-Scale Amendment, following the hearing at the Planning Commission, an adoption hearing is held before the Board of County Commissioners. The Small-Scale amendment is not transmitted to the State and Regional review agencies. However, after the hearing, reports must be sent to the State Land Planning Agency summarizing the adoption of the Small-Scale amendment.

Unless challenged, both Large-Scale and Small-Scale amendments become effective 31 days after they are adopted by the County.

**10. How long does a Future Land Use Amendment application take?**

Future Land Use Amendment applications are first heard by the Planning Commission and then decided by the Board of County Commissioners (BCC). From the time an application is submitted, and providing that the application is complete at the time of submittal, the process takes roughly 60 days, with two possible exceptions: 1.) if the property involved is located in a planning district with an active Citizens Advisory Committee which must review the application before it goes to the Planning Commission, and/or 2.) if the property's Zoning designation will need to be changed as well as the Future Land Use designation.

Property owners interested in submitting a Small-Scale or Large-Scale Future Land Use Amendment should contact the Clay County Planning and Zoning Division, at [Planning@claycountygov.com](mailto:Planning@claycountygov.com) or (904) 529/278-4705 prior to submittal to schedule a pre-application meeting with staff for more detailed information on the process and the relevant deadlines for submittal.

The Planning & Zoning Division is part of the Department of Economic and Development Services and is located in Green Cove Springs:

Clay County Administration Building (3<sup>rd</sup> Floor)  
477 Houston Street  
Green Cove Springs, FL 32043

**11. How can a citizen comment on or object to a Future Land Use amendment?**

An interested citizen can contact the Planning Division at (904) 529/278-4705 for more information. Citizens are always encouraged to attend the public hearings at the Planning Commission and the Board of County Commissioners. If you are unable to attend those hearings, you may email or mail comments to the Planning Division in advance of the meeting in order to have those comments read into the record at either: [Planning@claycountygov.com](mailto:Planning@claycountygov.com) or Clay County Planning Division, 477 Houston Street, Green Cove Springs, Florida 32043.

If a Large-Scale amendment is adopted and sent to the State and Regional Review Agencies, an affected person who wants to challenge the amendment then has 30 days from the date that the Board of County Commissioners adopts the amendment to file a petition with the State Division of Administrative Hearings in Tallahassee.

In the case of a Small-Scale amendment, an affected person who objects to the adoption by the Clay County Board of County Commissioners must also file an objection petition with the Division of Administrative Hearings within 30 days following the adoption of the Small-Scale amendment.