

FUTURE LAND USE

GOALS, OBJECTIVES AND POLICIES

Goal LU 1 **The City will manage growth and development to ensure the health, safety and welfare of its residents and visitors and foster a balanced natural, physical, social and economic environment.**

OBJECTIVE

LU 1.1 The City will review all development plans to insure that the proposed intensity and density of use does not exceed the ability of the land to support the proposed use and that public facilities are available to support the development at the adopted level of service.

Policies

LU 1.1.1 The City will review all proposed development for consistency with the provisions of this Plan and the Land Development Regulations which at a minimum shall:

1. Regulate the subdivision of land;
2. Regulate the use of land and waterbodies consistent with the Plan 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. Ensure safe and convenient traffic flow on and off-site and accommodate vehicle parking needs;
9. Provide that development orders and permits issued shall not result in a reduction below the adopted level of service standards adopted in this Plan;
10. Protect against adverse impacts to wildlife and their habitats;
11. Ensure the availability of suitable land for utility facilities necessary to support proposed development.

LU 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.

LU 1.1.3 All development orders will be conditioned on the availability of facilities and services at the adopted level-of-service standards in this Plan. To ensure that the adopted levels of service are met, the City shall maintain a concurrency management system as a part of its land development regulations.

The City 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.

OBJECTIVE

LU 1.2 The City shall review new development and redevelopment to ensure the preservation and protection of floodplains, wetlands, marshes, upland native vegetation communities, wildlife and fisheries.

Policies

LU 1.2.1 The City shall review proposed development to determine if wetlands exist on site and require that impacts to wetlands within a development are permitted by the appropriate regulatory agency including the St Johns River Water Management District and the Department of Environmental Protection.

LU 1.2.2 The City shall regulate development within the 100-year floodplain to require residential structures to be elevated one (1) foot above the base flood elevation and non-residential structures to either be elevated one (1) foot above the base flood elevation or flood-proofed as certified by a registered professional engineer or architect.

Development in areas of special flood hazard shall comply with the following:

1. Applications for subdivision approval shall include a soils map indicating the location on the property of soil types identified by U.S. Soil Conservation Service, descriptions and a map showing any portions of the property located in areas of special flood hazard as required by Land Development Regulations.

2. Development proposals for sites larger than 5 acres or greater than 50 lots shall provide base flood elevation data.

3. Dredging and filling of lands within floodplains shall not be permitted to adversely impact upon the natural functions of the 100-year floodplain, and shall be carried out, only in strict accordance with state or federal permits.

4. Proposed development shall be located or clustered on the portions of the site outside areas of special flood hazard, wherever possible.

5. No hazardous waste shall be generated, stored, or disposed of within the 100-year floodplain.

- LU 1.2.3 The City hereby designates all lakes within the City to be environmentally sensitive/stressed and designates each lake or portion thereof within the City limits as Conservation Land Use.
- LU 1.2.4 New on site septic systems and replacements for existing systems installed after January 1, 2011 and permitted by the Health Department for installation on residential lots abutting Lake Geneva, Keystone Lake or Lake Brooklyn shall be located on the street side of the lot.
- LU 1.2.5 Development and redevelopment within the High Recharge Area of the Floridan Aquifer shall be limited to an impervious area of 40 percent of the lot area.
- LU 1.2.6 The storage of hazardous materials shall not be permitted within the High Recharge Area of the Floridan Aquifer.
- LU 1.2.7 The City shall coordinate with the SJRWMD and participate in the rule-making process when minimum flows and levels are reviewed for lakes that abut or lie within the City to insure that any changes do not adversely affect the fisheries historically associated with these freshwater lakes.
- LU 1.2.8 The City will coordinate with the St Johns River Water Management District to maintain or recover adopted minimum flows and levels for lakes within and adjacent to the City and prevent violation thereof such that environmental values associated with the aquatic and wetlands ecology of the area including: recreation in and off the water; fish and wildlife habitats and the passage of fish; maintenance of fresh water storage and supply; aesthetic and scenic attributes; filtration and absorption of nutrients and other pollutants; sediment loads; water quality; and navigation are protected.
- LU 1.2.9 The current surface water levels of Lake Brooklyn and Lake Geneva are below the adopted minimums established in Rule 40C-8.031, Florida Administrative Code. The City will work directly, and indirectly through education and its community participation efforts to coordinate with the SJRWMD in the development of its required recovery and prevention strategies that may provide phasing or a time table which will allow for the continued provision of sufficient water supplies for all existing and projected reasonable-beneficial uses, including development of additional water supplies and implementation of conservation and other efficiency measures. During the SJRWMD's update to the Water Supply Plan, the City shall advocate for the SJRWMD to consider the need for water resource or water supply development, additional regulatory

measures including water shortage orders and implementation of additional water conservation measures.

LU 1.2.10 Waterfront development /redevelopment shall be regulated to provide setbacks to natural waterbodies:

a. All structures shall be set back a minimum of 50 feet landward of the property line or Ordinary High Water Line, whichever is more restrictive. Setbacks for waterfront structures on Lake Geneva, Lake Keystone and Lake Brooklyn shall be governed by the historical Ordinary High Water Line established by the Florida Department of Environmental Protection / U.S. Corps of Engineers. These setbacks shall not apply to water dependent uses including bulkheads, boardwalks, docks, and boathouses when constructed pursuant to permits issued by the applicable regulatory agency.

b. All septic tanks and drain fields associated with on-site sewage disposal systems shall be set back a minimum of 100 feet landward of the waterfront property line or Ordinary High Water Line, whichever is more restrictive.

All new on-site sewage disposal systems or replacements installed for existing systems shall be located on the landward side of the primary structure on the property unless the application of this requirement precludes the replacement or installation.

LU 1.2.11 The City shall limit development and redevelopment within a 500 foot radius of existing wellfields for potable water supply wells. Within the wellhead protection zone, all uses and activities shall comply with the Wellhead Protection Rule 62-521, F.A.C.:

- a. domestic wastewater treatment facilities shall be prohibited.
- b. unlined reclaimed water storage systems are permitted, subject to permitting under Part III of Chapter 62-610, F.A.C.
- c. domestic wastewater residuals land application sites shall be prohibited.
- d. new discharges to groundwater of industrial wastewater shall be prohibited unless otherwise allowed under Chapters 62-660,62-670, 62-671, and 62-673, F.A.C.
- e. new Class I and Class III underground injection control wells are prohibited.
- f. new Class IV underground injection control wells are prohibited except as permitted under Chapter 62-521.400.
- g. solid waste disposal facilities are prohibited.
- h. new generators of hazardous waste (excluding household hazardous waste) are prohibited unless evidence of compliance with secondary containment requirements of 40 C.F.R. Part 264 Subpart I is provided.

- i. hazardous waste treatment, storage, disposal and transfer facilities requiring permits under Chapter 62-730, F.A.C. are prohibited.
- j. aboveground and underground tankage of hazardous waste regulated under Chapter 62-730, F.A.C. is prohibited.
- k. new aboveground storage tanks regulated under Chapter 62-762, F.A.C. are prohibited. Replacement or upgrading of an existing aboveground storage tank or addition of new aboveground tanks which are regulated under Chapter 62-762, F.A.C. at a facility with other such aboveground tanks are permitted. Provided that the replacement or new tanks meet the applicable provisions of Chapter 62-762, F.A.C.
- l. Storage tanks which meet the auxiliary power provisions of subsection 62-555.320(6), F.A.C. for operation of a potable water well and storage tanks for substances used for the treatment of potable water are permitted.
- m. emergency equipment, including storage tanks, necessary to provide power to ensure a continuous supply on an emergency basis of public water supply, electrical power, sewer service, telephone service or other essential services that are of a public benefit are permitted.

LU 1.2.12 Areas designated by the SJRWMD as high recharge to the Floridan aquifer (8 inches or more per year) shall be protected from incompatible land uses to ensure adequate recharge rates and water quality maintenance.. The following restrictions shall apply:

- a. All development within the high recharge areas shall have maximum impervious surfaces of 30 percent of total lot area, provided that at least 25% of the site is dedicated to native and/or drought-resistant vegetation areas, and containment using concrete surfaces is provided for all areas where material are stored and transferred.
- b. Direct discharge of stormwater, via sinkholes, drainage wells, etc., shall be prohibited.
- c. All development within the high recharge area shall be designed to have 100 percent retention of on-site runoff for a 25-year/24-hour storm.
- d. Any new Floridan aquifer wells in the designated high recharge area shall be cased to SJRWMD standards to ensure that they do not provide a means of contamination to the Floridan aquifer.
- e. Inspections of existing septic tanks and drainfields within the high recharge area shall be required when such septic tank or drainfield or related dwelling unit is altered, enlarged or replaced, if the system has not been inspected within three years.

LU 1.2.13 The City will require the evaluation of water demand to be included in the data and analysis provided in support of all proposed amendments to the Future Land Use Map. Amendments which project an increase in water demand will be required to show that water supply is available to meet the increased demand.

OBJECTIVE

LU 1.2 .3 The City will condition development approvals, including land use amendments, on the provision of necessary public facilities and services at the adopted level of service standard.

Policies

LU 1.3.1 The City will maintain a concurrency management system that requires necessary public facilities and services to be in place at the adopted level of service concurrent with the impacts of the development.

LU 1.3.2 The City may approve development orders or permits if such are conditional on the availability of facilities and services necessary to serve the proposed development and for which the utility or service entity authorizes the provision of service concurrent with the impact at the same time as the land uses are authorized. The provision of services may be insured through Fair Share or Development Agreements. Mitigation for impacts to State Road 100 shall be approved by the Florida Department of Transportation.

Water Supply shall be available in an approved or temporary Consumptive Use Permit or plans for Alternative Water Supply.

LU 1.3.3 All new non-residential development shall be served by central wastewater facilities. New residential dwellings not constructed on lots within a subdivision platted prior January 1, 2010 shall be served by central sewer.

The use of existing onsite sewage treatment and disposal systems serving land uses within the City may continue in a manner consistent with the requirements specified by Chapter 381.00655(2)(b) F.S. The Clay County Utility Authority may, with the approval of the County Health Department, waive the requirement of mandatory onsite sewage disposal connection for individual residential lots not within a subdivision platted after January 1, 2010 if it determines that such connection is not required in the public interest due to public health considerations.

- LU 1.3.4 The City 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.
- LU 1.3.5 All development shall be required to connect to the central water system operated by the Clay County Utility Authority.
- LU 1.3.6 The City shall insure that future public potable water well fields will be located in areas where they will be least impacted by development and contamination. Existing and future public potable water well-fields shall be protected from possible contamination by limiting the type of development permitted within 500 feet of the wellfield. Within 500' the following uses are prohibited:
- 1) land fills;
 - 2) facilities for the bulk storage, handling or processing of materials on the Florida Substance list;
 - 3) activities that require the storage, use or transportation of restricted substances, agricultural chemicals, hazardous toxic waste, medical waste and petroleum products.
 - 4) feedlots or other commercial animal facilities;
 - 5) mines; and,
 - 6) acid manufacture, cement, lime manufacturing, distillation of bones, manufacture of explosives; fat, tallow, or lard rendering; garbage or dead animal reduction, automobile wrecking or junkyards; and, paper and pulp manufacturing.
 - 7) Wastewater Treatment Plants, percolation ponds,
 - 8) Excavation of waterways, or drainage facilities, which intersect the water table.

New installations shall be subject to the restrictions in Rule 62-521.4000 FAC.

- LU 1.3.7 The City shall ensure the availability of suitable land for utilities to support development requiring dedication of utility sites required to provide capacity to serve the development at the time of plat approval or final development plan approval.

OBJECTIVE

LU 1.4 The City shall establish Future Land Use categories with defined permitted uses and applicable standards for densities and intensities of use for each category.

Policies

LU 1.4.1 The Future Land Use categories are declared to be a part of the adopted Future Land Use Policies. The identified densities and intensities of use are the maximum allowable per acre of each land use category.

a. Residential : Residential dwellings including single family, single family attached, mobile home and multi-family units. Recreation facilities designed to serve the development in which it is located shall be permitted including parking to serve the recreational use. Home occupancies shall be permitted, subject to the applicable land development regulation. Maximum density in this category is 6 units per acre.

b. Mixed Use: Commercial, service, office and residential uses on individual lots or the same lot in individual structures or vertically integrated. The mix of uses is controlled on a per block basis to insure that a mix of uses is maintained despite the individual ownership of lots within the block. A maximum mix of commercial to residential land area within any block shall be no more than 50 percent commercial to residential use.

The maximum residential density in this category is 6 units per acre; residential units located above non-residential uses shall be considered one half of a residential unit for the purposes of measuring the maximum density of a development (permitting a maximum of 12 dwelling per acre) when at least 50 percent of the residential units are vertically integrated.

The maximum intensity of commercial use in this category is 35,000 square feet per acre (0.80 FAR). When commercial use is associated with vertically integrated residential units on a site and a minimum of one half of the residential units are vertically integrated, the land area of the site shall be attributed to both residential and non-residential use in the calculation of use in the block.

Parcels within the Mixed Use designation that front on Lawrence Boulevard between SR 100 and City Hall (SE Lakeview Drive) are currently developed with commercial uses; commercial use without a mix off residential use is permitted to continue provided individual structures are not expanded despite their inconsistency with the mix requirements of this land use designation.

c. Commercial: Commercial retail, office, service (including private schools with enrollment less than 100) and non-profit uses. The maximum intensity of use is 15,246 square feet per acre (0.25 FAR).

d. Light Industrial: Warehouse, indoor storage, auto repair and processing, packaging or fabricating within an enclosed building. The specific use and intensity appropriate in a particular light industrial area varies as a function of the availability of public services and access, and compatibility

with surrounding uses shown on the Future Land Use Map. Maximum Floor Area Ratio is 0.30.

e. Industrial: Warehouse, storage and distribution, light manufacturing including processing, packaging or fabricating within an enclosed building and outdoor storage of equipment, vehicles and materials. The specific use and intensity appropriate in a particular industrial area varies as a function of the availability of public services and access, and compatibility with surrounding uses shown on the Future Land Use Map. Maximum Floor Area Ratio is 0.40.

f. Institutional: Public buildings, public utilities, non-profit organizations including religious organizations, public grounds, private schools with enrollment of 100 or greater and public schools. Maximum floor area ratio permitted is 0.30.

g. Recreation/Open Space: Parks, recreation facilities and open space owned by the public; access restrictions may apply to facilities owned by the Clay County School District. Maximum Floor Area Ratio is 0.10.

h. Conservation: Development is limited to water-dependent uses that do not adversely affect the natural resources (freshwater marshes, fisheries and underlying lake bottom), subject to applicable regulatory permits.

OBJECTIVE

LU 1.5 The City will encourage the elimination or reduction of uses inconsistent with the City's character and adopted future land use map series and support redevelopment and renewal of blighted areas, consistent with the adopted Community Redevelopment Plan..

Policies

LU 1.5.1 Proposed amendments to the Future Land Use Map shall be reviewed for compatibility with adjacent land uses, whether an existing incompatibility with an adjacent use is reduced by the change and the proposed amendment's consistency with the City's character with regard to scale of the proposed development, need for additional residential and/or non-residential use within the City of the type and/or density permitted in the proposed land use category and consistency with the adopted Community Redevelopment Plan.

LU 1.5.2 The City shall monitor the mixing of residential and commercial land uses for parcels not exempt from the mix requirements of the Mixed Use land use designation to insure consistency with the required maximum ratio of commercial to residential land area of 50% per City block. Where existing

uses exceed the established maximum, a change in use shall only be approved if the inconsistency is reduced or for vertically integrated residential over non-residential such that there is no change in inconsistency.

- LU 1.5.3 The City shall identify and work toward the elimination of existing land uses that are inconsistent with the City's character and encourage the redevelopment of these areas consistent with the Future Land Use Map Series.
- LU 1.5.4 To maintain the City's character, the City shall include in the Land Development Regulations specific design guidelines and standards for buffering, construction of curb cuts, landscaping and signage associated with proposed development adjacent to arterial roads. In addition to requiring compliance from new development, redevelopment and changes in use shall be subject to those guidelines and standards identified as critical to the character of the City without variance.
- LU 1.5.5 Commercial development or uses with the exception of home occupations shall not be allowed in areas designated as Residential on the Future Land Use Map.
- LU 1.5.6 Existing social service clubs located in the residential land use category shall be vested for the activities that are ongoing as of July 1, 1991.
- LU 1.5.7 The City will require a minimum 25 foot landscape buffer between lands in the Industrial and Light Industrial Land use designations and all other land uses designations except where a natural buffer that provides comparable buffering or street right of way separates the uses. When a street right of way separates the Industrial use from other uses, no storage or industrial operations shall be permitted to be visible from the non-industrial lands.
- LU 1.5.8 The City shall insure that the character of the City is retained under any redevelopment plan through site plan and design review of redevelopment proposals. The energy efficiency of the compact street network, connectivity between uses, pedestrian and bicycle environment and landscape criteria critical to the character of the City will be retained using performance standards and minimum criteria in the adopted land development regulations.
- LU 1.5.9 The City shall implement the Action Plan for Redevelopment included in its Community Redevelopment Plan. The Action Plan will be reviewed and updated annually to include those actions determined to contribute to redevelopment within the Community Redevelopment Area and increase the economic vitality of the CRA.
- LU 1.5.10 The City will require new development to continue the energy efficient land use pattern established by existing development within the City by implementing land development regulations in 2011 that address maximum

block length, connectivity at external project boundaries to adjacent parcels, and the provision of bicycle and pedestrian facilities within new development.

OBJECTIVE

LU 1.6 The City will conduct a survey in 2011 to identify historic and archaeological resources within the City. Standards for restoration and protection of significant resources will be developed and adopted by December 31, 2012.

Policies

LU 1.6 .1 The City shall protect significant archaeological and historic sites as defined by the Florida Bureau of Historic Resources, through appropriate site development and building conservation provisions.

LU 1.6.2 The City shall consider incentives and assistance to the private sector to preserve ~~any~~ historic and archaeological treasures of the City.

LU 1.6 .3 The City shall coordinate closely with other governmental agencies, including local, state and federal Preservation Boards and agencies to exchange data and information, to develop sufficient knowledge and protection of historic and archaeological resources within the City.

OBJECTIVE

LU 1.7 The City shall encourage innovative development through mixed use, landscaping, land clearing, signage and historic preservation provisions in its ~~the~~ Land Development Regulations to be updated by December 31, 2011.

Policies

LU 1.7.1 The City's land clearing ordinance shall limit land clearing in hardwood hammocks to that required for structures, access and parking.

LU 1.7.2 The City shall provide an incentive-~~credit~~ to developers for the preservation of existing trees on a site.

LU 1.7.3 The City shall develop and enforce sign regulations which protect the character of residential and business areas of the City by restricting the display of a sign to the land, buildings or use to which it is appurtenant and regulating the size and location of signs in the City .

LU 1.7.4 The City shall review its adopted ordinances including zoning and subdivision codes for consistency~~t~~ with this plan by December 31, 2011 and adopt revisions required to provide consistency by June, 2012.

LU 1.7.5 To the extent a lot or structure is non-conforming and could not otherwise be reconstructed, existing structures built on lots platted prior to 1930 shall be allowed to be rebuilt on the original building plot area in the event of loss of the unit to natural disaster or fire.

LU 1.7.6 The City shall encourage the private sector in the production of new dwelling units of various types, and sizes and costs to meet the housing needs of the existing and anticipated populations of the City, consistent with the City's character. Non-traditional housing types such as group living arrangements and single residential occupancy units will be encouraged if shown to meet the needs of the population of the City and will be considered using Planned Unit Development zoning procedures.

OBJECTIVE

LU 1.8 The City will discourage the proliferation of urban sprawl by limiting annexations to those properties to which central services are available at the adopted level of service and requiring development of annexed lands to occur at a minimum residential density of 3 units per acre.

Policies

LU 1.8.1 At the time the City considers an annexation request, it shall evaluate the ability of the City and private service providers to serve the proposed development with necessary public facilities and services at the adopted level of service and shall only annex already developed areas or areas that are contiguous with existing developed areas in the City for which services can be provided at the adopted level of service standards. in this Plan.

LU 1.8.2 The minimum density of residential development approved for land annexed after January 1, 2010 shall be 3 units per acre.

OBJECTIVE

LU 1.9 The City shall consider energy demand, supply and infrastructure in its land use and development decisions.

Policies

LU 1.9.1 The City shall maintain the mix of residential and non-residential uses (commercial, service and office) within its Mixed Use land use category to encourage the use of pedestrian and bicycle modes for work and non-work related trips.

- LU 1.9.2 The City will encourage attached dwellings and upper story residential use in its residential and Mixed Use land use categories to reduce the building lifetime energy use associated with residential uses.
- LU 1.9.3 The City will continue to pursue grants to complete its sidewalk network on existing City streets, giving priority to the completion of sidewalks on streets that provide access to the neighborhood schools located in the City.
- LU 1.9.4 The City shall require the construction of sidewalks on both sides of all new streets constructed in the City.
- LU 1.9.5 The City will coordinate with the Florida Department of Transportation to improve traffic calming on State Road 21 in the downtown core (South Lawrence Boulevard) to improve the safety and desirability of the pedestrian environment.
- LU 1.9.6 The City shall require the retention of existing trees and the provision of new shade trees within residential and non-residential development such that a minimum percentage of the site is shaded during the summer months.
- LU 1.9.7 The City shall invest public funds toward redevelopment within the Community Redevelopment Area to increase walkability, the pedestrian environment and reduce energy use through landscaping, awnings and increased non-vehicular trips.
- LU 1.9.8 The City shall promote the establishment of Passive Energy generation projects to facilitate the reduction of fossil and other carbon-based fuel energy demand and the reduction of greenhouse gas emissions.
- LU 1.9.9 The City will develop criteria for the review of redevelopment within the boundary of its CRA and throughout the City that insures a thorough review of the character and quality of the proposed redevelopment plans for consistency with the City's character, its goals, objectives and polices for future use and for a measurable contribution to the energy efficiency and compact, urban pattern of development in the City.