



1 **Staff Report and Recommendations for CPA-2022-13**

2

3 **Copies of the application are available at the Clay County**
4 **Administration Office, 3rd floor, located at 477 Houston Street Green Cove Springs, FL 32043**

5

6 **Owner / Applicant Information:**

Owner: Paul and Renee Pleasant

Address: 3551 Sandy Branch Ct.

Agent:

Middleburg, FL 32068

Phone: 904-504-6992

Email: pdex63@gmail.com

7

8 **Property Information**

Parcel ID: 23-04-24-005571-009-00

Address: Live Oak Lane
Middleburg, FL

Current Land Use: Rural Residential

Current Zoning: BF PUD

Proposed Land Use: Branan Field Rural Suburbs

Acres: 23.52 +/- acres

Acres affected by FLU change: 23.52 acres

Commission District: 4, Comm. Condon

Planning District: Doctors Lake/Ridgewood

9

10 **Introduction:**

11 This application is a Small-Scale Comprehensive Plan Amendment to the 2040 Future Land Use Map
12 (FLUM). The application would change the Future Land Use (FLU) designation of a single parcel of land
13 from Rural Residential (RR) to Branan Field Rural Suburbs (BF RS).

14

15 The subject parcel is located on the east side of Live Oak Lane, north of Robert King Road and just north of
16 the Jennings State Forest Fire and Water Nature Trail Trailhead. The parcel is undeveloped wooded land.

17

18 In order to develop a given property the Zoning and Future Land Use designations must be
19 consistent with one another. In this case the parcel is in the Branan Field Master Plan area and the
20 current Zoning is BF PUD which is consistent. However, the Rural Residential Future Land Use
21 designation is not. Therefore, the applicant is requesting a change of the FLU designation to one
22 supported by the Branan Field Master Plan.

Figure 1 – Location Map

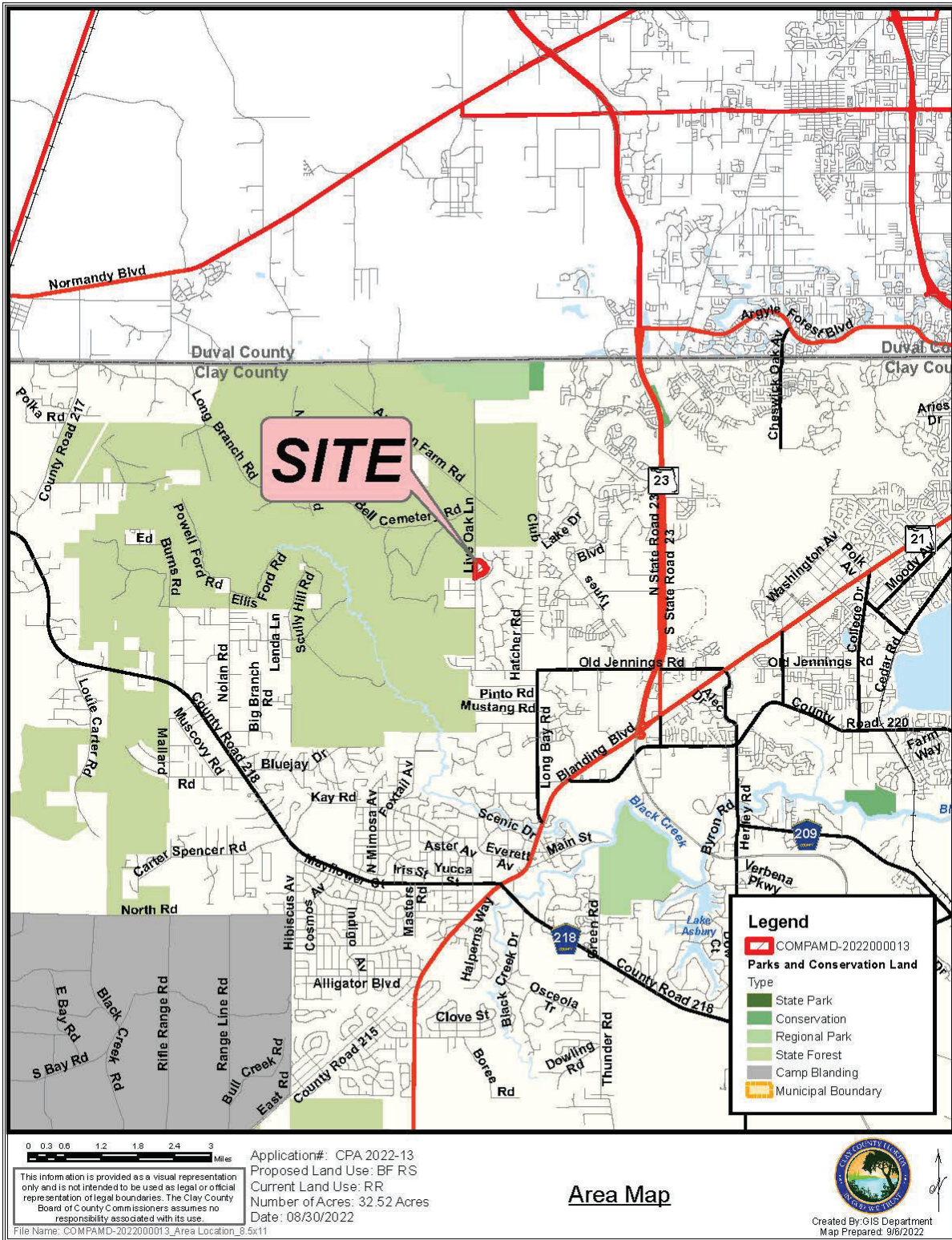


Figure 2 – Parcel Map

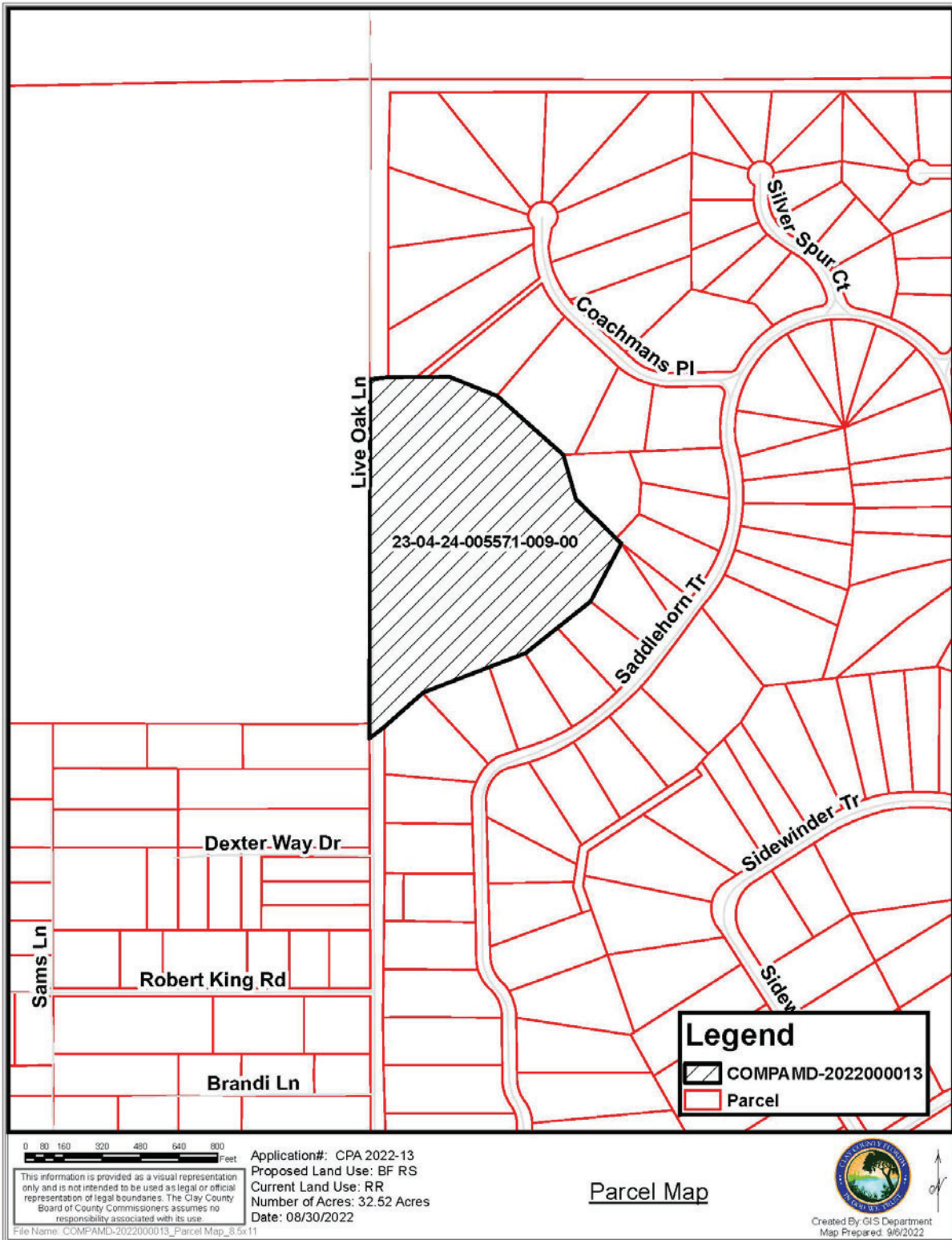


Figure 3 - Aerial Photo



Figure 4 – Proposed Future Land Use Designation Map

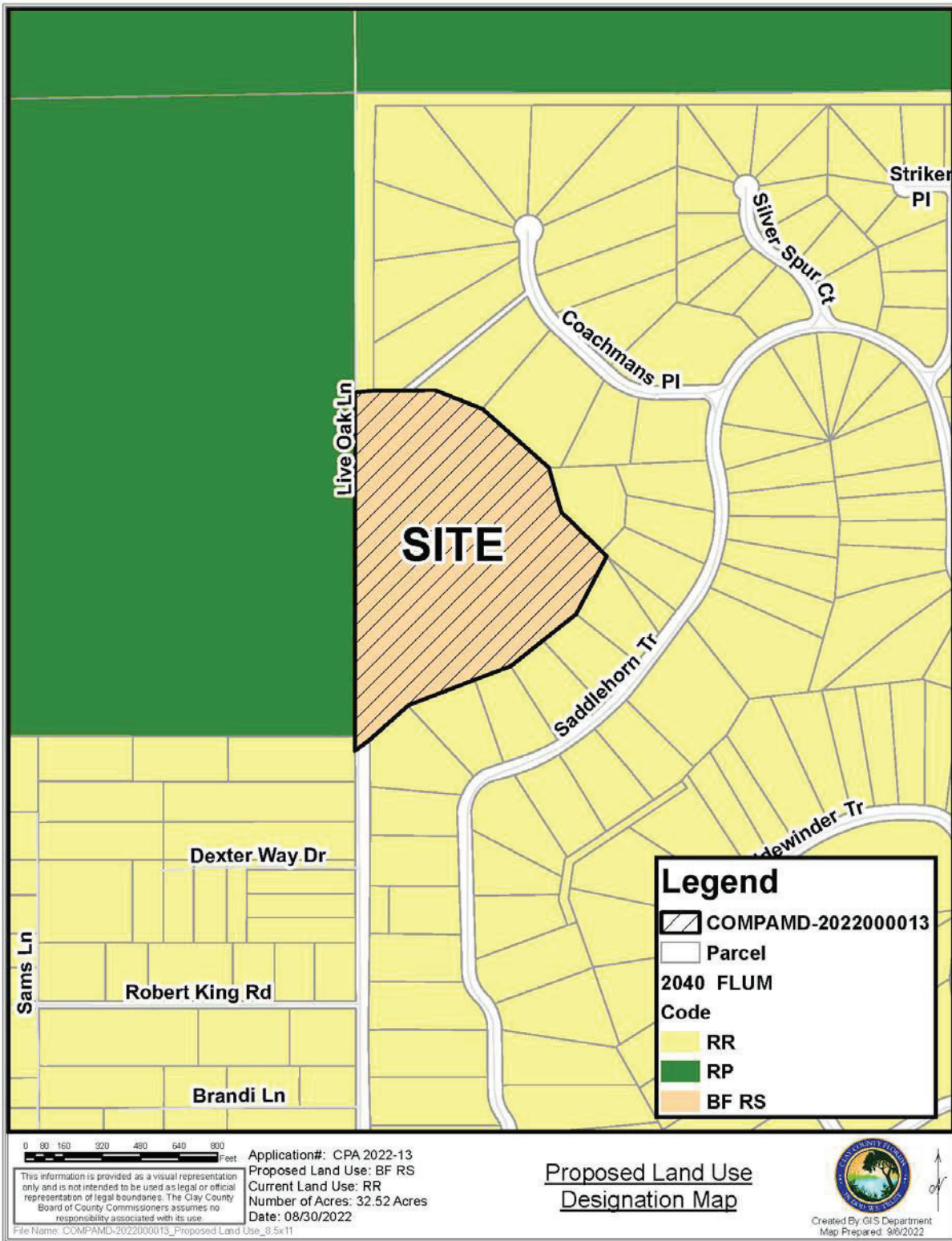
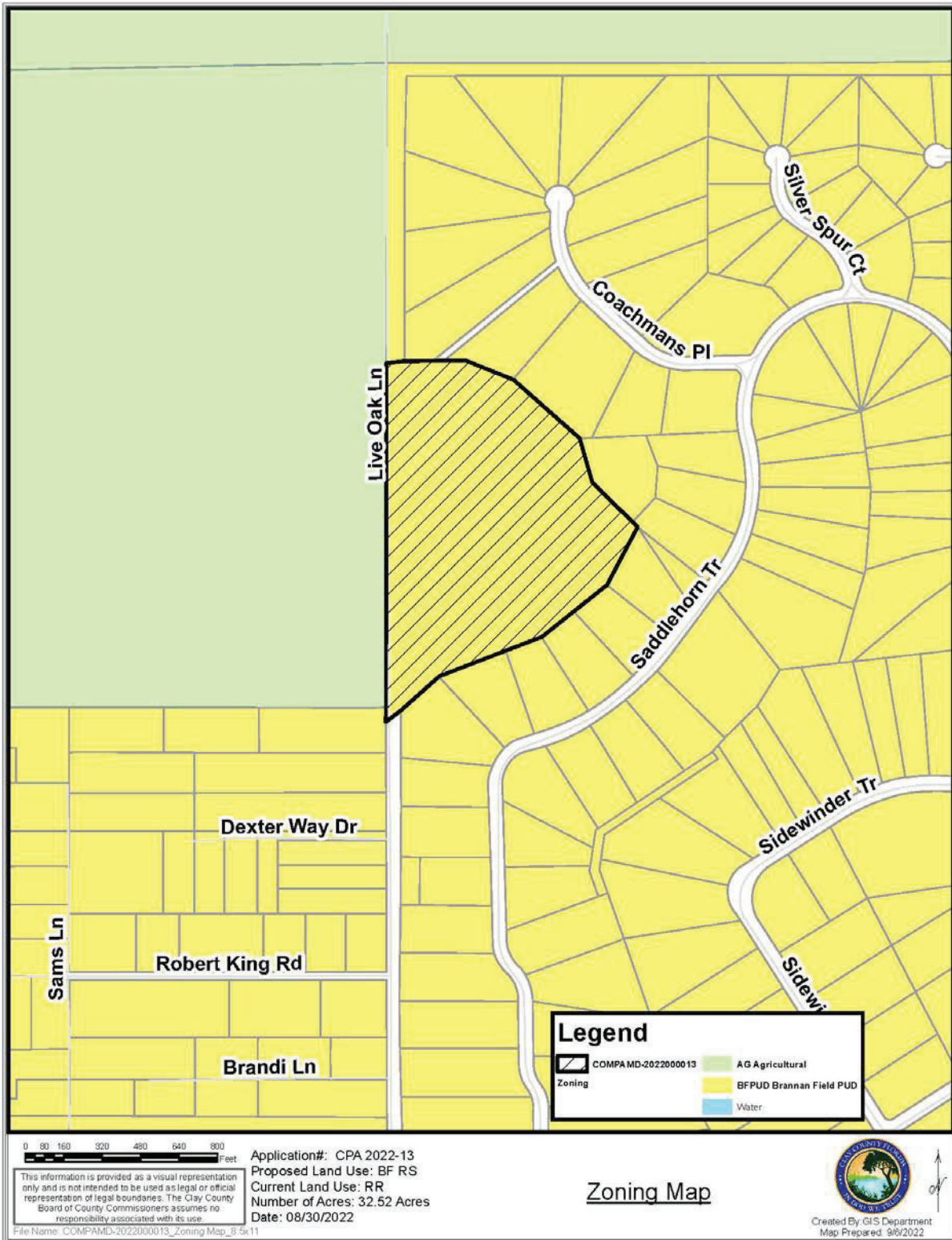


Figure 5 – Zoning Map



33

34 **Availability of Services**

35 **Traffic Facilities:**

36 The County’s Mobility Fee will apply to development of this property.

37 **Schools:**

38 No Residential development is proposed on the subject parcel at this time.

39

40 **Recreation:**

41 No Residential development is proposed on the subject parcel at this time.

42

43 **Water and Wastewater:**

44 Water and Wastewater is available throughout the Urban Service Area. Water, Wastewater and Reclaim are
45 provided through the Clay County Utility Association.

46

47 **Stormwater/Drainage:**

48 Stormwater management for any new construction will need to meet County and Water Management District
49 standards.

50 **Solid Waste:**

51 Clay County has existing solid waste capacity to service to the area.

Chesser Island Road Regional Landfill Capacity

Remaining Capacity -----	55,565,151 cubic yards
Daily Tons -----	4,537 tons
Rate of Fill -----	5,041 cubic yards per day
Estimated Fill Date -----	01/04/55
Years Remaining -----	38 years

52 *Source: Environmental Protection Division, Georgia Department of Natural Resources,*
53 *Clay County 2040 Comprehensive Plan Data and Analysis,*
54 *Community Facilities Element*
55

56

57 **Land Suitability:**

58

59 **Soils:**

60 See Figure 6.

61 **Flood Plain:**

62 Development impacts within any floodplain area on the subject parcels will be required to be mitigated. See
63 Figure 7.

64 **Topography:**

65 The area of proposed development within the subject parcel is relatively level. See Figure 8.

66 **Regionally Significant Habitat:**

67 There have been black bear sighting to the east of the subject parcel. See Figure 9.

68 **Historic Resources:**

69 There are no historic resource structures on the subject parcel or within the search radius. See Figure 10.

70 **Compatibility with Military Installations:**

71 The subject property is not located near Camp Blanding.

72

Figure 6 – Soil Map

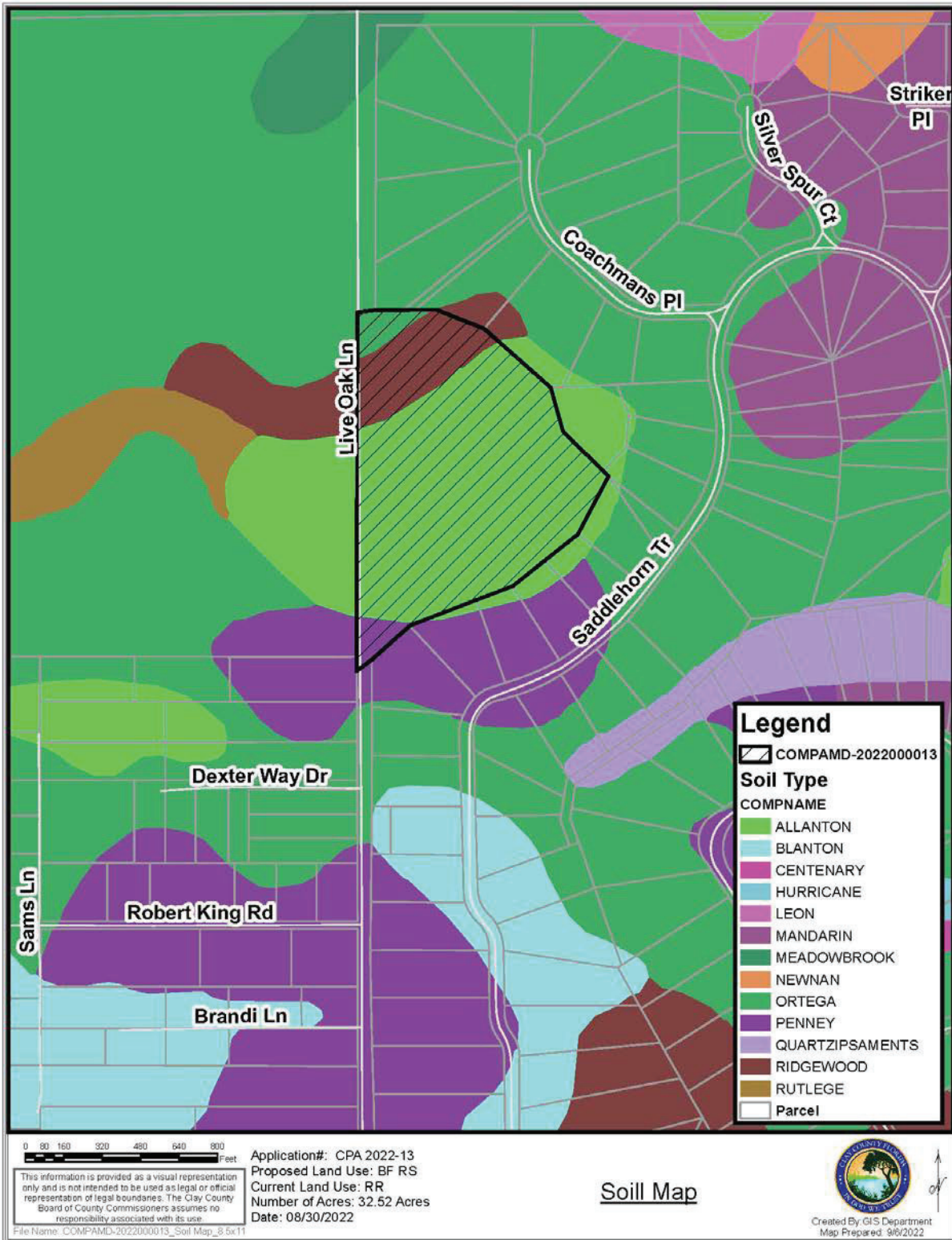


Figure 7 – Flood Zone Map

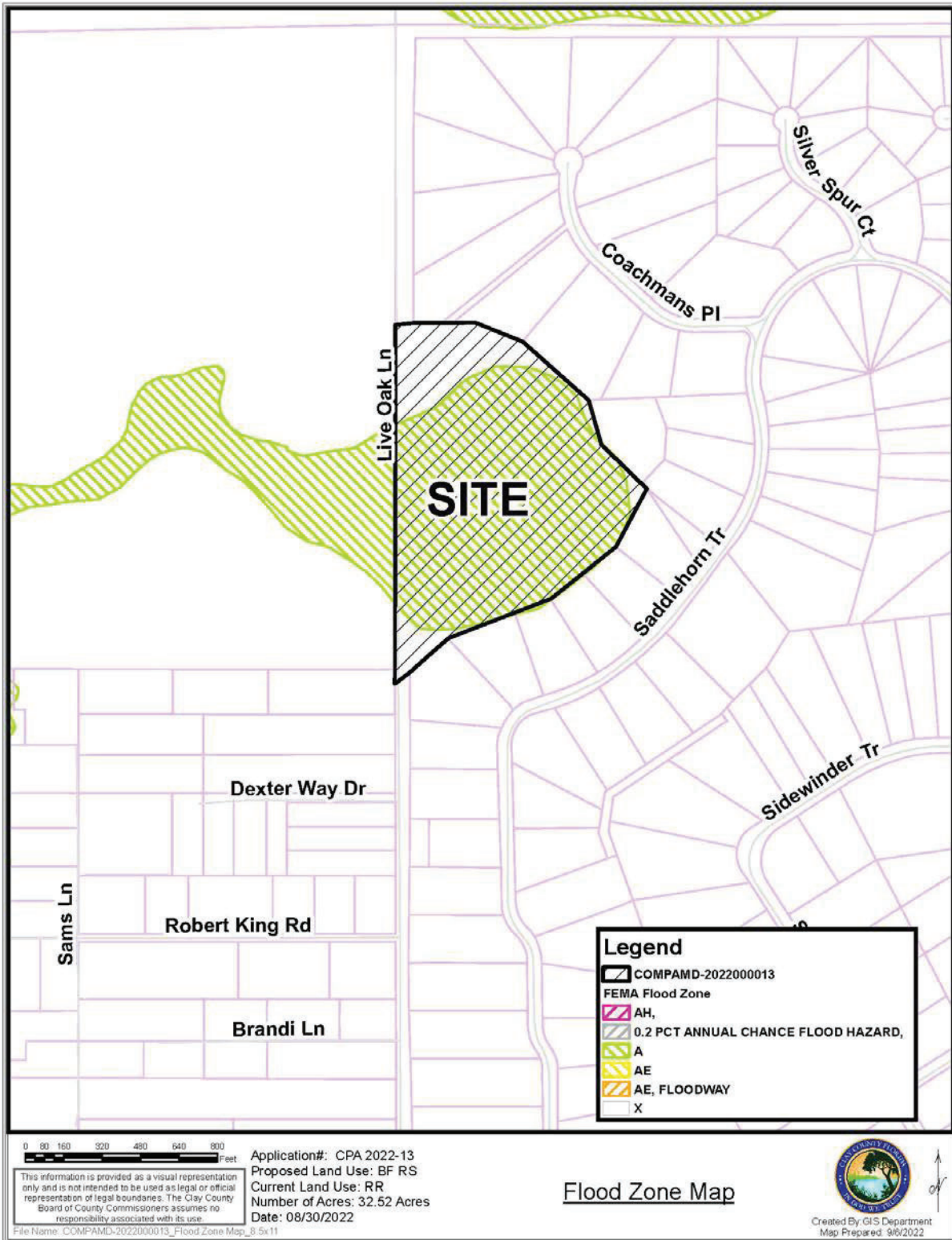


Figure 8 – Topography Map

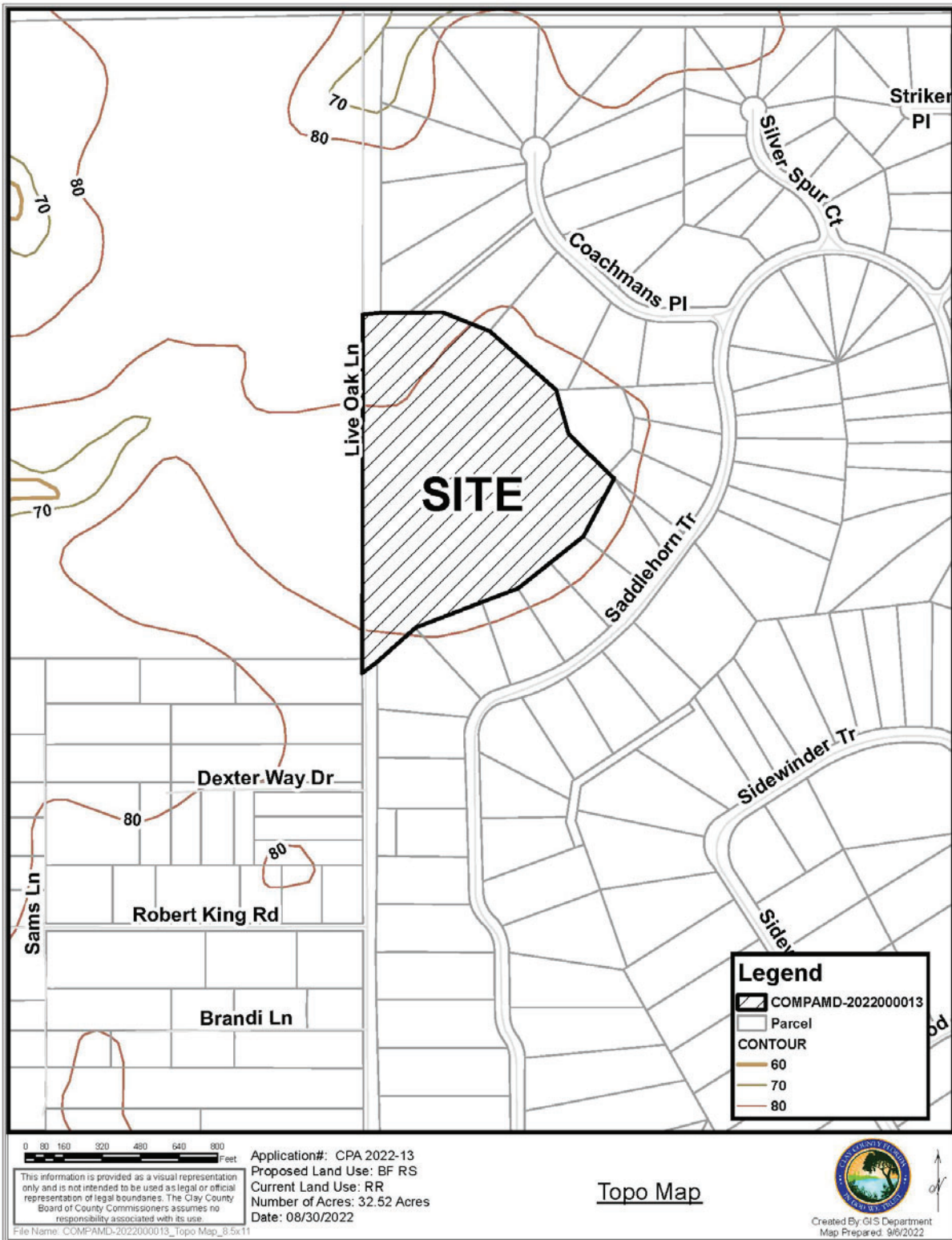


Figure 9 – Habitat Value Map

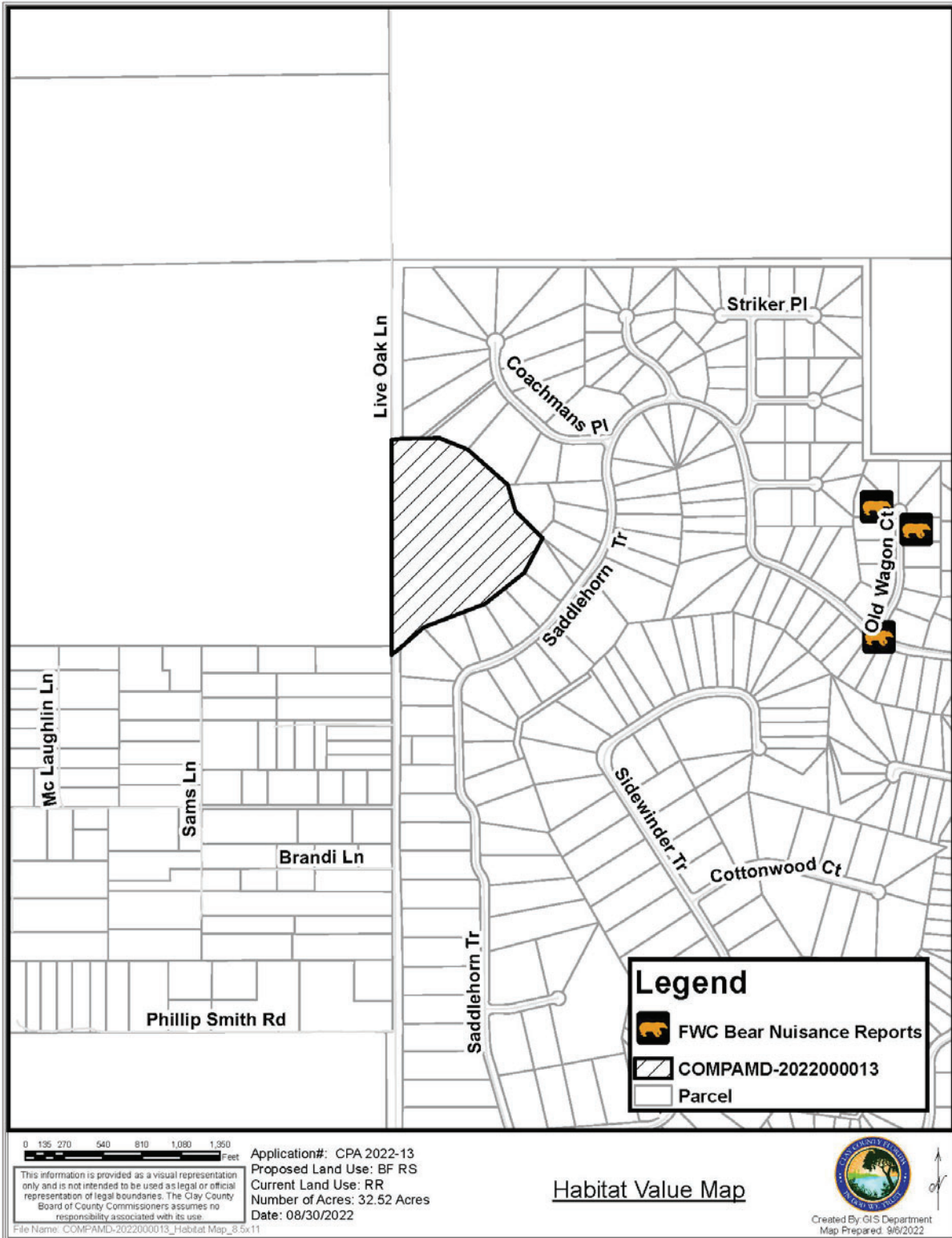
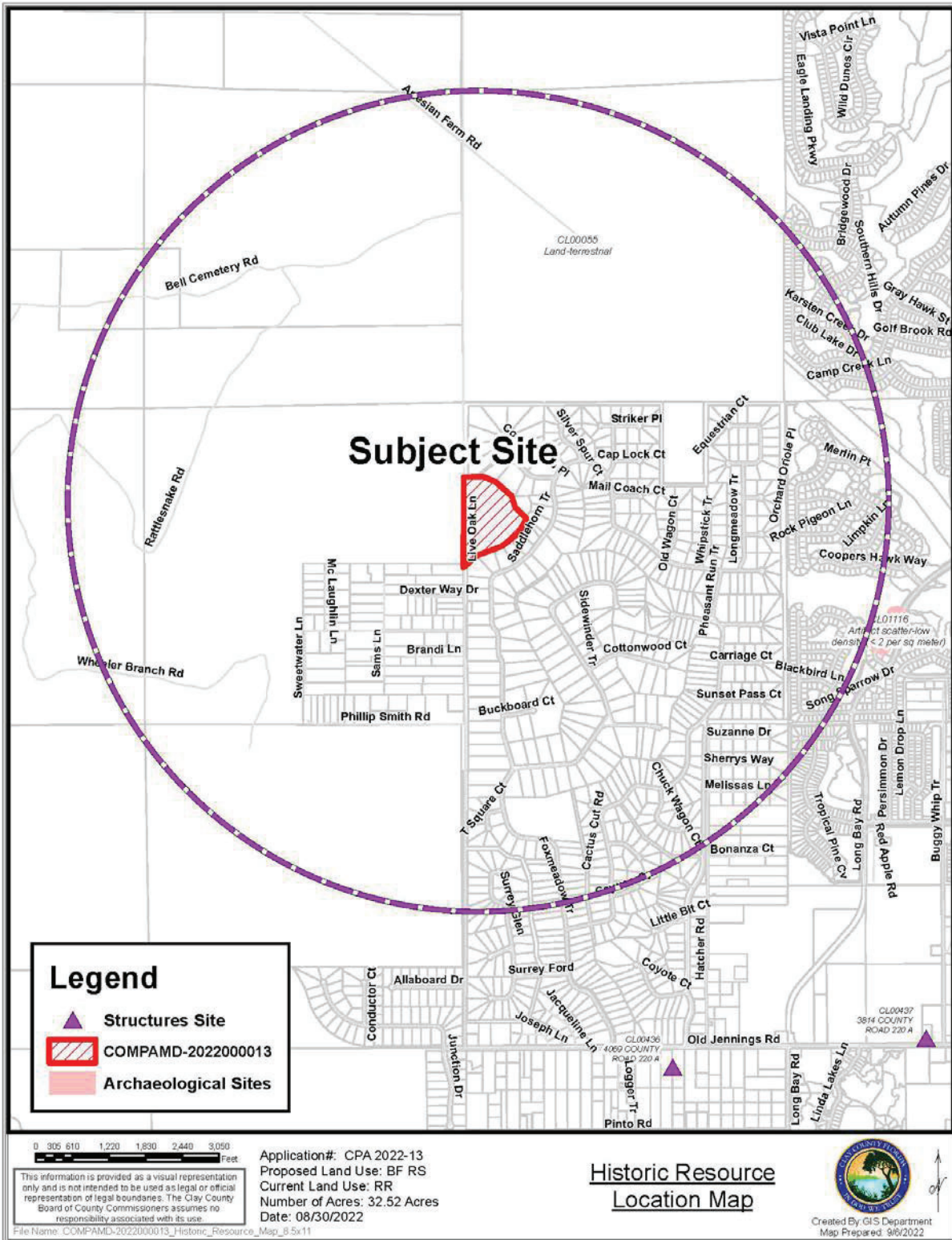


Figure 10 - Historical Resources



83 Analysis Regarding Urban Sprawl

84 It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177,
85 all proposed comprehensive plan amendments are to be analyzed to ensure that urban sprawl and its negative
86 impacts are not promoted.

- 87 1. *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as*
88 *low-intensity, low-density, or single-use development or uses.* The proposed future land use change
89 would allow the property to be developed with a low density residential use similar to that of the
90 surrounding area.
91
- 92 2. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at*
93 *substantial distances from existing urban areas while not using undeveloped lands that are available*
94 *and suitable for development.* The subject property is bound by existing single-family residential
95 development to the north, east and south and by the Jennings State Forest to the west. Any future
96 residential development of the subject site would be limited to single-family residential much like the
97 surrounding area.
98
- 99 3. *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns*
100 *generally emanating from existing urban developments.* The proposed amendment is not a radial or
101 strip type of development pattern.
102
- 103 4. *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native*
104 *vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers,*
105 *shorelines, beaches, bays, estuarine systems, and other significant natural systems.* Future
106 development of the subject parcel will be required to ensure no that natural systems are negatively
107 impacted by the development.
108
- 109 5. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active*
110 *agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime*
111 *farmlands and soils.* There are no adjacent agricultural areas or activities aside from any that might
112 exist within the Jennings State Forest.
113
- 114 6. *Fails to maximize use of existing public facilities and services.* The proposed communications tower
115 use on the subject parcel is not anticipated to require the use of public facilities (water/sewer).
116
- 117 7. *Fails to maximize use of future public facilities and services.* Future development of the subject
118 parcels will be required to provide any infrastructure necessary to serve the development.
119
- 120 8. *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and*
121 *energy of providing and maintaining facilities and services, including roads, potable water, sanitary*
122 *sewer, stormwater management, law enforcement, education, health care, fire and emergency*
123 *response, and general government.* The subject parcel is already connected to an existing roadway
124 and no additional services are anticipated for the proposed use.

- 125
- 126 9. *Fails to provide a clear separation between rural and urban uses.* The subject parcel is located between
127 a state forest and an area already developed in a suburban character.
128
- 129 10. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and*
130 *communities.* The subject parcel is surrounded by existing development on three sides, therefore
131 future development of the site will be infill development.
132
- 133 11. *Fails to encourage a functional mix of uses.* Both the existing and proposed FLU designations limit
134 development to single-family residential use.
135
- 136 12. *Results in poor accessibility among linked or related land uses.* The subject parcel is not part of the
137 surrounding residential subdivision and no such connect is possible.
138
- 139 13. *Results in the loss of significant amounts of functional open space.* The proposed amendment will
140 not impact functional open space.
141

142

143 **Relevant Clay County 2040 Comprehensive Plan Policies**

144 The following Goals/Objective/Policies relate to the proposed Comprehensive Plan Amendment:

145 FLU Policy 1.4.3 Rural Residential (RR)

- 146 1) These areas will serve as a transition between areas with planned urban services,
147 agriculture/residential areas, and environmentally sensitive areas. The new growth in these areas
148 may include central sewer or water systems or other urban level public services if feasible. Rural
149 residential areas will provide a low density residential character.

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

157 Allowable residential density under this category shall be one dwelling unit per 5 net acres.
158 Implementation of this land use designation shall occur in accordance with the Land Development
159 Regulations. Some locations in Rural Residential may qualify for a density of one unit per acre,
160 but only if the requirements of tract size, clustering and points in Future Land Use Objective 1.4
161 and its policies are met.
162

163

164 FLU Policy 1.4.3 Branran Field Rural Suburbs (BF RS)

165 1) *Land Use*

166 The BF Rural Suburbs (BF RS) land use category is a reflection of the current lifestyle associated
167 with the Master Plan Area. Existing residents expressed their desire to see a land use form that
168 represented this rural character as a viable lifestyle alternative. Development within the BF Rural
169 Suburbs is characterized predominately by large lots served by wells and septic tanks that
170 provide a lifestyle attractive to a range of income levels and maintains compatibility with the
171 character of existing development.

172 Permitted uses include single-family residential as well as agricultural uses on properties greater
173 than two acres in size. Specific Permitted uses will be listed in the Branran Field land development
174 regulations.

175 Generally gross density within the BF Rural Suburbs is one dwelling unit per five acres. However
176 gross density can be as high as one unit per acre, subject to a density bonus program.

177

178 **Analysis of Proposed Amendment**

179 The proposed future land use change will replace the Rural Residential FLU with Branran Field Rural Suburbs.
180 This change will be in keeping with the character of the surrounding residential districts as shown in the table
181 below:

	Future Land Use	Zoning District
North	Rural Residential (RR)	Branran Field PUD (BFPUD)
South	Rural Residential (RR)	Branran Field PUD (BFPUD)
East	Rural Residential (RR)	Branran Field PUD (BFPUD)
West	Recreation / Preservation (RP)	Branran Field PUD (BFPUD)

182

183 The present Rural Residential land use designation allows for a density of one dwelling unit per 5 net acres.
184 “Net” acreage is a calculation that takes the total parcel acreage (“gross” acres) and subtracts out any wetlands
185 or conservation lands.

186 The proposed BF RS land use designation allows for a density of one dwelling unit per 5 gross acres. Because
187 the density calculation in BF RS is per gross acre, the actual density allowed under the proposed Future Land
188 Use designation is higher than that allowed under the existing Future Land Use designation. However,
189 because the subject parcel has extensive wetlands (see Map #7), unless the wetlands are mitigated, the actual
190 buildable upland area is limited to an area at the north end and a smaller area at the south end, both located
191 next to Live Oak Lane.

192 The proposed amendment is in keeping with the intent of the comprehensive plan.

193

194

195 **Prior Actions**

196 On Tuesday, November 1, 2022, the Planning Commission voted 5-2 to recommend approval of this item.

197 On Tuesday, November 22, 2022, the Board continued this item to January 24, 2023.

198 More specifically, the Board requested that staff respond to public concern expressed during the meeting
199 regarding the possibility of construction of one or more mobile homes on this parcel. The following
200 information is provided in response:

201 Under the current Rural Residential FLU and BF PUD zoning, the former AR-2 zoning regulations would
202 apply. The parcel would be able to be developed with one single-family home/modular home. A mobile
203 home would not be allowed. In order for the parcel to be developed to the maximum density allowed of 1
204 unit per 5 acres, the parcel would be able to be subdivided into 4 lots which would require the approval of a
205 change of the existing Rural Residential FLU to one corresponding to the Branan Field Master Plan such as
206 the BF Rural Suburbs currently proposed.

207 Under the proposed BF Rural Suburbs FLU and BF PUD zoning, the BF Rural Suburbs zoning regulations
208 would apply. The maximum density would be the same 1 unit per 5 acres as above so the parcel would be
209 able to be subdivided into 4 lots with one single-family home/modular home on each sub-parcel. Mobile
210 homes are not permitted in the BF Rural Suburbs district.

211 **Recommendation**

212 Staff recommends approval of CPA-2022-13.