

**PUD WRITTEN DESCRIPTION
DAVIS CREEK ROAD EAST PUD
April 18, 2023**

I. PROJECT DESCRIPTION

A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses: Applicant proposes to rezone approximately 18.77 acres of property to allow for wood and concrete recycling and other light industrial uses for a portion of the property located at 11651 Davis Creek Road East (RE# 168068 1100) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property is located within the BP land use category and is zoned AGR, IBP and PUD per Ordinance 2009-0532. The Property is located within the Suburban Development Area and abuts an area of industrial situational compatibility.

Currently, the Property is used to recycle wood pursuant to a certificate of public convenience and necessity approved pursuant to Ordinance 2012-187. Due to the increasing demand, Applicant intends to also offer concrete storage, crushing and recycling services. To permit that use, Applicant has filed a land use amendment application requesting Heavy Industrial land use and this PUD, which permits the aforementioned recycling uses in addition to uses consistent with the Industrial Light zoning district.

The surrounding land use and zoning designations are as follows:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Existing Use</i>
North	LI	IL	American Lighting and Signalization / Hunter Electric / Nelson Plumbing
East	BP/PBF	PUD (2009-532)	Energy Center Drive / JEA Greenland Water Treatment Plant and Energy Facility
South	PBF	PUD (2009-532)	Energy Center Drive / Undeveloped
West	BP/PBF	IBP/PUD (2009-532)	Undeveloped

- B. Project name: Davis Creek Road East PUD.
- C. Project engineer: N/A.
- D. Project developer: Greenland Biomass, LLC.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: BP.

G. Current zoning district: AGR, IBP and PUD (2009-0532).

H. Requested land use designation: HI.

I. Requested zoning district: PUD.

J. Real estate numbers: 168068 1100.

II. QUANTITATIVE DATA

A. Total acreage: 18.77 acres.

B. Total amount of wood and concrete recycling: ±18.77 acres.

III. STATEMENTS

A. How does the proposed PUD differ from the usual application of the Zoning Code?

This PUD generally adopts the zoning code provisions applicable to the industrial light zoning district, while permitting recycling facilities and yards, including construction and demolition debris recycling facilities, and yard waste composting facilities including the mulching process. Designated parking and loading spaces are not required for recycling uses, and access drives shall have no minimum width and may be composed of dirt, gravel or other materials. Additional landscaping from the on-site existing conditions shall not be required for recycling uses.

B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

Owner will be responsible for the operation and maintenance of the areas and functions described herein and any facilities that are not provided, operated or maintained by the City.

IV. USES AND RESTRICTIONS

A. Permitted Uses:

1. Recycling facilities and yards, including construction and demolition recycling facilities, subject to the following requirements:

a. Concrete, wood and other materials to be recycled may come from sources other than construction or demolition projects.

- b. Before operations begin, the facility must obtain any permit required under City, federal or state laws or regulations. Construction and demolition recycling facilities shall also obtain a certificate of public convenience and necessity under Chapter 380, Ordinance Code, and a service agreement under Chapter 386, Ordinance Code.
 - c. The facility shall operate at all times in compliance with all City, state and federal permits, laws and ordinances, and rules and regulations.
 - d. Operations shall pause if at any time a permit is suspended or revoked, provided that operations may resume once all applicable permits are reinstated.
2. Yard waste composting facility including the mulching process, meeting the performance standards and development criteria set forth in Part 4.
 3. Wholesaling, warehousing, storage or distribution establishments (but not concrete batch mixing plants) and similar uses.
 4. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.
 5. Printing, publishing or similar establishments.
 6. Business and professional offices.
 7. Service establishments catering to commerce and industry, including linen supply, laundry and dry cleaning plants, freight movers, communications services, business machine services, hiring and union halls, employment agencies, sign companies.
 8. Restaurants, (regulated by DBPR - Division of Hotels and Restaurants) including retail sale and service of beer and wine for consumption on premises.
 9. Automobile service stations, major repair garages, mobile car detailing, auto laundry, and automated car wash meeting the performance standards and development criteria set forth in Part 4.
 10. Vocational, technical, trade or industrial schools and similar uses.
 11. Medical clinics.
 12. Freight, bus, trucking, shipping or other transportation terminals, commercial parking lots and garages, truck stops, express offices and terminal facilities and telephone exchanges, repair or installation facilities and similar uses.
 13. Radio or television broadcasting offices, studios, transmitters, telephone and cellular telephone towers.

14. Scrap processing, indoor, clean activity, meeting the performance standards and development criteria set forth in Part 4.
15. Bulk storage yards, (but not concrete batch mixing plants) including bulk storage of flammable liquids and acids if storage not within a completely enclosed building or structure is visually screened by a six-foot fence or wall not less than ninety-five percent (95%) opaque.
16. Building trades contractors with outside storage yards and heavy construction equipment if storage, including heavy construction machinery, not within a completely enclosed building or structure, is visually screened by a six-foot fence or wall not less than ninety-five percent (95%) opaque.
17. Outdoor storage yards and lots including auto storage yards (but not scrap processing yards or concrete batch mixing plants) if storage is completely enclosed by a six-foot fence or wall not less than 95 percent opaque.
18. Retail outlets in conjunction with wholesaling establishments if the area designated for retail sales does not exceed ten percent of the gross floor area of the building of which it is a part.
19. Banks, including drive-thru tellers.
20. Recycling facilities meeting the performance standards and development criteria set forth in Part 4.
21. Retail sales of heavy machinery, farm equipment and building materials including outside display.
22. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4.
23. Veterinarians, animal boarding, and dog parks meeting the performance standards and development criteria set forth in Part 4.

B. Permissible Uses by Exception:

1. An industrial or commercial use which is not otherwise permitted or permissible in the Zoning Code, except the following:
 - a. Acid, chemical, fertilizer or insecticide manufacture or storage.
 - b. Explosives manufacturing or storage.

- c. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
 - d. Paper and pulp manufacture.
 - e. Petroleum refining.
 - f. Stockyards or feeding pens and livestock auctions.
 - g. A use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, flare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.
2. Care centers meeting the performance standards and development criteria set forth in Part 4.
 3. Churches, including a rectory and similar uses, meeting the performance standards and development criteria set forth in Part 4.
 4. Retail sales and service of all alcoholic beverages for either off-premises consumption or on-premises consumption or both.
 5. Retail sales including outside display.
 6. Manual car wash.
 7. Fitness centers.
- C. Permitted Accessory Uses and Structures:
1. As permitted in Section 656.403.
 2. Residential facilities (including not more than one (1) mobile home) located on the same premises as the industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

V. DESIGN GUIDELINES

A. Lot Requirements:

1. Minimum lot width and area: None.
2. Maximum lot coverage by all buildings. None. Impervious surface ratio as required by Section 654.129.
3. Minimum yard requirements.

- a. Front – None.
- b. Side – None.
- c. Rear – None.

4. Maximum height of structures:

- a. None.

B. Ingress, Egress and Circulation:

- 1. *Parking Requirements.* Designated parking and loading spaces are not required for recycling uses provided that the Property maintains sufficient space to safely park, load and unload vehicles and trucks. Bicycle parking is not required. Parking for all other uses shall comply with Part 6.
- 2. *Vehicular Access.* Vehicular access to the Property shall be by way of Energy Center Drive and Davis Creek Road East, substantially as shown on the Site Plan. On-site drive aisles and driveways shall have no minimum width and may be composed of dirt, gravel or any other material that may be safely traversed.
- 3. *Pedestrian Access.* As required by City regulations.

C. Signs: Signs for this development shall be consistent with the requirements for industrial zoning districts as set forth in Part 13 of the Zoning Code.

D. Landscaping: Landscaping for recycling uses shall not be required provided that the existing conditions of the Property are maintained or improved to facilitate more efficient recycling operations.

E. Recreation and Open Space: Recreation and open space shall be provided as required by the 2045 Comprehensive Plan.

F. Utilities: Essential services, including water, sewer, and gas, as required to serve the project shall be permitted on the site. Development shall occur consistent with the adopted level of service standards for potable water and sanitary sewer in the Comprehensive Plan. Temporary potable services (e.g., well) may be utilized at the discretion of the Property owner until such time that centralized water is required by applicable regulations to service proposed development. The necessary facilities, including adequate water supplies, will be in place and available to serve the new development when such development impacts occur.

G. Wetlands: Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

In accordance with Section 656.341(d) of the Code the PUD meets the applicable Criteria for review as follows:

- A. **Consistency with the Comprehensive Plan.** The proposed PUD is consistent with the general purpose and intent of the City's 2045 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City's 2045 Comprehensive Plan and specifically contributes to:

Future Land Use Element

1. Goal 1 - To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
2. Objective 1.1 - Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.
3. Policy 1.1.8 - Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.
4. Policy 1.1.9 - Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.
5. Policy 1.1.12 - Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.
6. Policy 1.1.16 - Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

- (1) Creation of like uses;
 - (2) Creation of complementary uses;
 - (3) Enhancement of transportation connections;
 - (4) Use of noise, odor, vibration and visual/ aesthetic controls; and/or
 - (5) Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.
7. Policy 1.1.22 - Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.
 8. Goal 3 - To achieve a well balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
 9. Objective 3.1 - Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2045 Comprehensive Plan and Land Development Regulations.
 10. Objective 3.2 - Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.
 11. Policy 3.2.7 – The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.
 12. Policy 3.2.17 - The City shall require the Land Development Regulations to include incentives for new industry to locate in the form of industrial parks, centers, etc, in areas shown for industrial use on the Future Land Use Map series. Allow light industry to locate as a supporting use in mixed use PUD's outside areas designated for industrial use when the locational criteria and other provisions of this element, and all applicable development regulations are met.
 13. Policy 3.2.29 – The City shall continue to update its comprehensive inventory and mapping of industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the

Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility”.

14. Objective 6.3 - The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

B. Consistency with the Concurrency Management System. All development will secure necessary approvals from the CMMSO and pay all required fees in accordance with Chapter 655 of the Code.

C. Allocation of residential land use. Residential uses are not proposed in this PUD.

D. Internal compatibility. The Site Plan attached as Exhibit E addresses access and circulation within the site. Access to the site is available from Davis Creek Road East and Energy Center Drive.

E. External compatibility / Intensity of development.

The proposed development is consistent with and complimentary to existing uses in the area. Just to the north of the Property is an Industrial Area of Situational Compatibility, which are areas suitable for industrial uses under certain circumstances. This area on the east side of Philips Highway consists of approximately six hundred thirteen (613) acres, of which approximately four hundred eighty-five (485) acres are currently entitled and used for industrial operations. The lone non-industrial area is approximately three-quarters (3/4) of a mile away from the Property. Part of these non-industrial properties are used for industrial uses, including truck and trailer storage.

While an extension is not requested, the Property also fits the criteria for inclusion within the Area of Situational Compatibility. The Property is currently located within the BP land use category, an industrial designation. This PUD will allow for industrial uses consistent with the Industrial Light zoning district, with the addition of wood and concrete recycling. The Property’s current AG zoning designation permits either by right or by exception a litany of industrial uses, including land application of domestic sludge, sanitary landfills and construction and demolition debris landfills or recycling facilities when in conjunction with another allowed use, sludge disposal, and yard waste composting facilities including the mulching process. The Property has been used for wood recycling for an extended period, and the Area of Situational Compatibility could be delineated on a reasonable boundary line. The most reasonable place to end the Area of Situational Compatibility would be south of the Property and north of Big Davis Creek and would include the JEA power and water treatment plant as well as another parcel zoned IL. Ironically, the current boundary line cuts through the middle of a parcel and retention pond that is zoned IBP.

The presence of the JEA power and water treatment plant and the industrial light parcel to the south of the Property serve as valuable transitional pieces that make this PUD and the companion HI land use amendment request consistent and compatible with the overall area to the south. Should these requests be granted, the land use would gradually transition south from HI, to PBF, to BP, to IL, to CSV (Big Davis Creek), to MDR. The multi-family development approved pursuant to Ordinance 2022-0072 is clustered east along Philips Highway, reserving the western portion for stormwater. As a result, the closest corner of the Property will be approximately one-quarter (1/4) of a mile away from the closest multi-family residence. In contrast, there is a currently operating concrete recycling facility located west of Philips Highway (6498 & 11901 Fayal Dr. S, REs 157138 0900 & 157138 0000) that is approximately 0.08 miles from a single family home.

Wood recycling is an existing use. Recycling wood requires a high-powered, high-revolution grinder while the machines used to recycle concrete create a lower pitched grumble which produce less noise and less dust. Both uses are subject to a multitude of environmental and air-quality permits that regulate and limit the amount of airborne particulate. Further, this PUD specifically requires that all permits are complied with and that operations shall cease if such permits are for any reason paused or revoked. In short, neither noise nor dust emanating from the proposed uses will negatively impact the multi-family project due to the sheer distance between the two uses and the strict regulatory framework imposed on the proposed uses.

In conclusion, this PUD and the companion HI land use amendment are consistent and compatible with the surrounding properties, both adjacent and within the general community. The proposed uses in this PUD are in line with the overarching industrial development pattern spanning hundreds of acres to the north, and there is sufficient distance from any potentially inconsistent land uses to ensure compatibility.

- F. **Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2045 Comprehensive Plan will be provided.
- G. **Impact on wetlands.** Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. **Listed species regulations.** The Property is less than fifty (50) acres and therefore a listed species survey is not required.
- I. **Off-Street parking including loading and unloading areas.** The proposed PUD does not require specifically designated parking or loading spaces due to the existing operations, the nature of the proposed uses, and available space on the Property.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the City regulations.

EXHIBIT F

Land Use Table

Total gross acreage	<u>18.77</u> Acres	<u>100</u> %
Amount of each different land use by acreage		
Single family	_____ Acres	_____ %
Total number of dwelling units	_____ D.U.	
Multiple family	_____ Acres	_____ %
Total number of dwelling units	_____ D.U.	
Commercial	_____ Acres	_____ %
Industrial	<u>18.77</u> Acres	<u>100</u> %
Other land use (Hospital and related uses)	_____ Acres	_____ %
Active recreation and/or open space	_____ Acres	_____ %
Passive open space	_____ Acres	_____ %
Public and private right-of-way	_____ Acres	_____ %

The land use estimates in this table are subject to change within the allowable densities and intensities of use, as set forth in the PUD Written Description. The maximum coverage by buildings and structures is subject to the PUD Written Description.