

**PUD WRITTEN DESCRIPTION  
BULLS BAY INDUSTRIAL PUD  
October 28, 2022**

**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 11.41 acres of property to allow for industrial development on the property located at 1101 and 1103 Bulls Bay Highway (RE#s 004831 0000, 004806 5000) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property is located within the LDR land use category, the Suburban Development Area, and is zoned RR-Acre.

Applicant intends to develop the Property for general industrial uses and has filed a companion land use amendment requesting to be located in the LI land use category. Applicant intends to initially utilize the Property for truck and trailer storage with the subsequent development of warehouse or other industrial facilities, subject to market demand. In order to ensure consistency with the residentially zoned parcels in the vicinity, this PUD adopts enhanced setbacks and buffers as set forth herein. The Site Plan filed herewith is conceptual and depicts the contemplated two-phased development.

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	Auto sales/Auto Salvage/Junk Yard
East	LDR	RLD-40	Vacant/Undeveloped
South	LDR	RR-Acre	Vacant/Single-family
West	HI	IH	Outdoor storage/Junk Yard

- B. Project name: Bulls Bay Industrial PUD.
- C. Project engineer: England-Thims & Miller, Inc.
- D. Project developer: Florida Land Trust No. 2021 May 5.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: LDR.
- G. Current zoning district: RR-Acre.
- H. Requested land use designation: LI.
- I. Requested zoning district: PUD.

J. Real estate numbers: 004831 0000 and 004806 5000.

## **II. QUANTITATIVE DATA**

A. Total acreage: 11.41 acres.

B. Maximum square footage: 448,800 sf.

## **III. STATEMENTS**

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

This PUD adopts the Zoning Code applicable to the IL zoning district, allows parking to be provided at the pertinent ITE code subject to the review and approval of the Planning and Development Department, and requires the following enhanced minimum setbacks, buffers and lighting requirements:

1. Side setbacks of twenty (20) feet along any boundary abutting a residentially zoned parcel,
2. Rear setback of fifty (50) feet,
3. Rear landscape buffer of fifty (50) feet, and
4. Lighting shall be located west of the rear landscape buffer. Lighting within one hundred fifty (150) feet of the eastern boundary line shall direct light away from the adjacent property to the east and shall not exceed the height of the tallest tree that is part of the landscape buffer. Within this area, directional lighting fixtures designed to cast illumination downward and within the site shall be used rather than broad area illumination.

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. Wholesaling, warehousing, storage or distribution establishments (but not concrete batch mixing plants) and similar uses.

2. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.
3. Printing, publishing or similar establishments.
4. Business and professional offices.
5. 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.
6. Restaurants (regulated by DBPR – Division of Hotels and Restaurants) including retail sale and service of beer and wine for consumption on premises.
7. 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.
8. Vocational, technical, trade or industrial schools and similar uses.
9. Medical clinics.
10. 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.
11. Radio or television broadcasting offices, studios, transmitters, telephone and cellular telephone towers.
12. Scrap processing, indoor, clean activity, meeting the performance standards and development criteria set forth in Part 4.
13. 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 (6) foot fence or wall not less than ninety-five percent (95%) opaque.
14. 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 (6) foot fence or wall not less than ninety-five percent (95%) opaque.
15. 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 (6) foot fence or wall not less than ninety-five percent (95%) opaque.

16. Retail outlets in conjunction with wholesaling establishments if the area designated for retail sales does not exceed ten percent (10%) of the gross floor area of the building of which it is a part.
17. Banks, including drive-thru tellers.
18. Recycling facilities meeting the performance standards and development criteria set forth in Part 4.
19. Retail sales of heavy machinery, farm equipment and building materials including outside display.
20. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4.
21. 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 this 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. Recycling facilities and yards meeting the performance standards and development criteria set forth in Part 4.
3. Care centers meeting the performance standards and development criteria set forth in Part 4.

4. Churches, including a rectory and similar uses, meeting the performance standards and development criteria set forth in Part 4.
  5. Retail sales and service of all alcoholic beverages for either off-premises consumption or on-premises consumption or both.
  6. Retail sales including outside display.
  7. Yard waste composting facility including the mulching process, meeting the performance standards and development criteria set forth in Part 4.
  8. Manual car wash.
  9. 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 an 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.
3. Minimum building setback:
  - a. Front – None.
  - b. Side – Twenty (20) feet along any boundary abutting a residentially zoned parcel. There shall be no minimum side setback from boundaries abutting non-residentially zoned property.
  - c. Rear – Fifty (50) feet.
4. Maximum height of structures:
  - a. None.

B. Ingress, Egress and Circulation:

1. *Parking Requirements.* Parking shall be provided pursuant to Part 6 of the Zoning Code or the applicable ITE code subject to the review and approval of the Planning and Development Department.
2. *Vehicular Access.* Vehicular access to the Property shall be by way of Bulls Bay Highway, substantially as shown on the Site Plan.
3. *Pedestrian Access.* As required by the 2030 Comprehensive Plan.

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 shall be provided as required pursuant to Part 12 of the Zoning Code, except that a fifty (50) foot landscape buffer shall be provided along the eastern boundary of the Property. Stormwater facilities shall be located between any structure and the rear fifty (50) foot landscape buffer; provided, however, that in the alternative, developer may in its sole discretion locate structures along the buffer without intervening stormwater facilities so long as a minimum one hundred (100) foot landscape buffer is provided. Truck and trailer storage shall be visually screened from Bulls Bay Highway with a six (6) foot fence (including chain link with a screen or slats), a wall and/or landscaping.

E. Recreation and Open Space: Recreation and open space shall be provided as required by the 2030 Comprehensive Plan.

F. Utilities: Essential services, including water, sewer, 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.

H. Lighting:

- a. Lighting shall be located west of the rear landscape buffer. Lighting within one hundred fifty (150) feet of the eastern boundary line shall direct light away from the adjacent property to the east and shall not exceed the height of the tallest tree that is part of the landscape buffer. Within this area, directional lighting fixtures

designed to cast illumination downward and within the site shall be used rather than broad area illumination.

- b. Within the Lighting Regulation Zone at Outlying Field Whitehouse, all artificial lighting equipment, including but not limited to flood lights and searchlights, whether temporary or permanent installations, shall have positive optical control so that no light is emitted above the horizontal plan. No building permit shall be granted in this zone unless this requirement is met. Development within the Lighting Regulation Zone at Outlying Field Whitehouse is subject to Airport Notice Zone Acknowledgments as required in Section 656.1010.

## **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 2030 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City's 2030 Comprehensive Plan and specifically contributes to:

### *Future Land Use Element*

1. 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.
2. 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.
3. 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.
4. 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.

5. 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.
6. 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.
7. Policy 4.1.2 - The City shall require that all development conform to the densities and intensities established in the Future Land Use Map series and Operative Provisions of this element and be consistent with the plan.

**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 use is 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 Bulls Bay Highway. Location of the access points shown on the Site Plan as well as final design of the access points is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

**E. External compatibility/ Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area. Industrial land use exists to the north and west of the Property. Both areas are utilized for outdoor storage and junk yard type uses.

**F. Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2030 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 provides parking pursuant to the Zoning Code or the applicable ITE code.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the 2030 Comprehensive Plan.

## Land Use Table

Total gross acreage	<u>11.41</u> Acres	<u>100</u> %
Amount of each different land use by acreage		
Single family	<u>      </u> Acres	<u>0</u> %
Total number of dwelling units	<u>      </u> D.U.	
Multiple family	<u>      </u> Acres	<u>0</u> %
Total number of dwelling units	<u>      </u> D.U.	
Commercial	<u>      </u> Acres	<u>      </u> %
Industrial	<u>11.41</u> Acres	<u>100</u> %
Other land use (Hospital and related uses)	<u>      </u> Acres	<u>      </u> %
Active recreation and/or open space	<u>      </u> Acres	<u>      </u> %
Passive open space	<u>      </u> Acres	<u>      </u> %
Public and private right-of-way	<u>      </u> Acres	<u>      </u> %

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.