

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
July 9, 2012–8:35 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.
3. Approval of Minutes.
  - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 11, 2012 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for June 2012.
  - C. Planning Board 6-Month Outlook for July 2012.
4. Public Hearings.
  - A. Comprehensive Plan Small Scale Amendment SSA-2012-02  
That the Planning Board review and recommend approval of Comprehensive Plan Small Scale Amendment (SSA) 2012-02 to the Board of County Commissioners (BCC), amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive plan, as amended; amending the Future Land Use Map designation.
  - B. Comprehensive Plan Large Scale Amendment CPA-2012-02  
That the Planning Board review and forward Comprehensive Plan Amendment (CPA) 2012-02 to the Board of County Commissioners (BCC) for transmittal to the Department Of Economic Opportunity (DEO), amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive plan, as amended; amending the Future Land Use Map designation.
  - C. LDC Ordinance - Article 2 and 6 - Community Redevelopment Agency and Overlay Districts  
That the Board review and recommend approval to the Board of County Commissioners (BCC) an Ordinance to the Land Development Code (LDC) amending Article 2 "Administration," to include language defining the purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District; to include general standards for the Community Redevelopment District; and amending Article 6 "Zoning

Districts,” to delete the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street Commercial Overlay District; and create the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amend the Scenic Highway Overlay District by simply relocating it within the Ordinance for clarity purposes.

D. Repeal & Replace Comprehensive Plan Ordinance 2012-18

That the Planning Board recommend to the Board of County Commissioners (BCC) that they adopt an Ordinance repealing and replacing Ordinance 2012-18 in its entirety.

E. Comprehensive Plan Text Amendment (OBJ FLU 5)

That the Planning Board review and recommend to the Board of County Commissioners (BCC) an Ordinance Amending Comprehensive Plan Policy FLU 5.5.2 regarding the locational criteria for traditional urban neighborhoods, new suburban neighborhoods, and conservation neighborhoods in specific area plans.

5. Action/Discussion/Info Items.
6. Public Forum.
7. Director's Review.
8. County Attorney's Report.
9. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Monday, August 13, 2012 at 8:30 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

10. Announcements/Communications.
11. Adjournment.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Regular**

**3.**

**Meeting Date: 07/09/2012**

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**Information**

**Agenda Item:**

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 11, 2012 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for June 2012.

C. Planning Board 6-Month Outlook for July 2012.

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**Attachments**

Regular Meeting Resume'

Monthly Action Follow-Up Report

Six Month Outlook

# DRAFT

## RESUME' OF THE ESCAMBIA COUNTY PLANNING BOARD REGULAR MEETING

June 11, 2012

Escambia County Central Office Complex  
3363 West Park Place, Room 104  
8:35 A.M. - 12:30 P.M.

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Robert V. Goodloe  
Alvin Wingate  
Patty Hightower, School Board (non-voting)

Absent: David Woodward  
Dorothy Davis  
Karen Sindel  
Bruce Stitt, Navy (non-voting)

Staff Present: Stephen West, Assistant County Attorney  
Horace Jones, Division Mgr., Planning & Zoning  
Andrew Holmer, Sr. Planner, Planning & Zoning  
Juan Lemos, Urban Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant

Attendees: Stephanie Oram, Navy (non-voting)

1. Meeting was called to order at 8:35 a.m.
2. Invocation and pledge were given by Mr. Wingate.
3. Proof of Publication was given by the Board Clerk.
4. Approval of Minutes.

Motion by Robert V. Goodloe, Seconded by Vice Chairman Tim Tate  
Motion to approve Meeting Resume' Minutes of the May 14, 2012  
Quasi-Judicial Meeting and Planning Board Regular Meeting.



**Vote:** 4 - 0 Approved - Unanimously

A.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the May 14, 2012 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for May 2012.

C. Planning Board Monthly Outlook for June 2012.

5. Public Hearings.

A. Article 13 - Requirements for Piers on Pensacola Beach  
That the Board review and recommend approval to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 13, "Piers, Basins and Marinas"

Motion by Vice Chairman Tim Tate, Seconded by Robert V. Goodloe  
Move to accept and forward to the Board of County Commissioners.

"Structures above the decks of piers are not allowed; however, boatlifts may be approved adjacent to piers if the supporting piles for the boatlift do not extend more than (strike out of seven feet and changing it to twelve feet) twelve feet above mean high water."

**Vote:** 4 - 0 Approved - Unanimously

B. Moratorium of Rezonings in AIPD Areas  
That the Planning Board review and recommend to the Board of County Commissioners (BCC) to consider an Ordinance placing a moratorium on rezoning applications in specified areas adjacent to local military airfields.

Motion by Vice Chairman Tim Tate, Seconded by Robert V. Goodloe  
Motion that this board take no action on this matter. Given the understanding and fact that the new maps have been public record for thirteen months, a plan of action has not been established or directed by the County as to how we will handle the issue of increased AIPDs. This board does not feel we can support a moratorium without further direction by the Board of County Commissioners.

**Vote:** 4 - 0 Approved - Unanimously

C. LDC Ordinance - Article 2 and 6 - Community Redevelopment Agency and Overlay Districts  
That the Board review and recommend approval to the Board of County Commissioners (BCC) an Ordinance to the Land Development Code (LDC) amending Article 2 "Administration," to include language defining the

purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District; and amending Article 6 "Zoning Districts," to delete the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street Commercial Overlay District; and create the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amend the Scenic Highway Overlay District by simply relocating it within the Ordinance for clarity purposes.

Motion by Vice Chairman Tim Tate, Seconded by Robert V. Goodloe

Based on legal guidance, motion to table or continue to the next scheduled meeting in the future.

**Vote:** 4 - 0 Approved - Unanimously

6. Action/Discussion/Info Items.

A. Discussion - Floodplain Ordinance

Briefing for the Planning Board addressing the proposed updates to the existing Floodplain Ordinance in order to satisfy the guidance and requirements from FEMA, the National Flood Insurance Program, Florida Division of Emergency Management and the 2010 Florida Building Code, presented by Juan Lemos, Senior Planner, Planning & Zoning.

- Staff to forward revised ordinance to FEMA.

B. Discussion - Comprehensive Plan Text Amendment and Scriveners Errors

Comprehensive Plan Text Amendment - OSP FLU 5

Adding "generally" to three separate paragraphs of FLU 5 in the Sector Plan (text addition).

- Staff to prepare ordinance for next Planning Board meeting.

Comprehensive Plan Text Amendment - OBJ FLU 5

Scriveners Error - Replacing an incorrect reference to a separate guideline that was misprinted.

- Staff to prepare ordinance for next Planning Board meeting.

Comprehensive Plan Text Amendment - MU PB

Scriveners Error - Removing a reference number that was not part of the originally adopted EAR based amendment.

- Staff to coordinate with the Department of Economic Opportunity to make correction.

7. Public Forum.

Update on the progress of the LDC Citizens Advisory Committee given by Mr. Dan Gilmore. The committee is currently working on Chapter Three.

8. Director's Review.

9. County Attorney's Report.

10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Monday, July 9, 2012 at 8:30 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.

12. Meeting adjourned at 12:30 p.m.



T. Lloyd Kerr, AICP, Director  
Development Services

## MEMORANDUM

**TO:** Planning Board

**FROM:** Denise Halstead  
Planning & Zoning Division

**DATE:** June 29, 2012

**RE:** Monthly Action Follow-Up Report for June 2012

Following is a status report of Planning Board (PB) Agenda Items for the Month of **June**. Some items include information from previous months in cases where final disposition has not yet been determined. Post-monthly actions are included (when known) as of report preparation date. Items are listed in chronological order, beginning with the PB initial hearing on the topic.

## PROJECTS, PLANS, & PROGRAMS

### **1. Perdido Key Master Plan**

- 01/12/12 BCC directed staff to send out a Request for Letters of Interest
- 06/28/12 BCC selected Duany Plater-Zyberk & Company, LLC.

## COMMITTEES & WORKING GROUP MEETINGS

None

## COMPREHENSIVE PLAN AMENDMENTS

### **1. Comprehensive Plan Text Amendment - Ordinance amending the 2030 Escambia County Comprehensive Plan to remove all references to Florida Rule 9J-5; to remove all references to Department of Community Affairs and replace with Florida Department of Economic Opportunity (FDEO); to remove all references to Florida Statute 163.3101 and replace with Florida Statute 163.3161.**

- 01/09/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment.
- 03/01/12 BCC approved transmittal to DEO
- 05/17/12 BCC adopted
- 07/09/12 PB to review repealing and replacing Ordinance 2012-18

## **LAND DEVELOPMENT CODE ORDINANCES**

### **1. Alcohol Zoning District C-2NA**

- 02/13/12 PB recommended approval of the ordinance establishing the C-2NA zoning district
- 05/03/12 BCC meeting (1<sup>st</sup> of 2)
- 06/28/12 BCC adopted ordinance

### **2. Article 3 Local Criteria for Local Roads**

- 05/14/12 PB recommended approval of the ordinance
- 07/12/12 BCC meeting

### **3. Article 13 Flood Plain Revision - SRIA**

- 05/14/12 PB recommended approval of the ordinance
- 07/12/12 BCC meeting

## **REZONING CASES**

### **1. Rezoning Case Z-2012-08**

- 05/14/12 PB recommended approval of rezoning
- 06/28/12 BCC approved

### **2. Rezoning Case Z-2012-09**

- 05/14/12 PB recommended denial of rezoning
- 06/28/12 BCC remanded case to the Planning Board to consider rezoning the R-5 portion to ID-1

### **3. Rezoning Case Z-2012-10**

- 05/14/12 PB recommended approval of rezoning
- 05/17/12 BCC approved

### **4. Rezoning Case Z-2012-11**

- 05/14/12 PB recommended approval of rezoning
- 06/28/12 BCC approved

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR JULY 2012

(Revised 06/29/12)

A.H. = Adoption Hearing      T.H. = Transmittal Hearing      P.H. = Public Hearing

\* Indicates topic/date is estimated—subject to staff availability for project completion and/or citizen liaison

Meeting Date	LDC Changes Public Hearing	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
<b>Monday, July 9, 2012</b>	<ul style="list-style-type: none"> <li>• Ord-CRA Overlay</li> </ul>	<ul style="list-style-type: none"> <li>• SSA-2012-02 (Hanks Rd)</li> <li>• CPA-2012-02 (Hanks Rd)</li> <li>• CPA-2012-03 (OSP FLU 5)</li> <li>• CPA-2012-05 (Repeal Ord 2012-18)</li> </ul>	<ul style="list-style-type: none"> <li>• Z-2012-12</li> <li>• Z-2012-13</li> <li>• Z-2012-14</li> <li>• Z-2012-15</li> </ul>	
<b>Monday, August 13, 2012</b>	<ul style="list-style-type: none"> <li>• Ord-HB503</li> </ul>	<ul style="list-style-type: none"> <li>• CPA-2012-04 (HB503)</li> </ul>	<ul style="list-style-type: none"> <li>• Z-2012-09 (Remanded from BCC)</li> <li>• Z-2012-16</li> </ul>	<ul style="list-style-type: none"> <li>• PSFE Update</li> </ul>
<b>Monday, September 10, 2012</b>				<ul style="list-style-type: none"> <li>• LDC Re-write Workshop (tentative)</li> </ul>
<b>Monday, October 8, 2012</b>	<ul style="list-style-type: none"> <li>• LDC Re-write</li> </ul>			
<b>Monday, November 5, 2012</b>				
<b>Monday, December 10, 2012</b>				
<b>Monday, January 14, 2013</b>				

Disclaimer: This document is provided for informational purposes only. Schedule is subject to change. Verify all topics on the current meeting agenda one week prior to the meeting date.



## BOARD OF COUNTY COMMISSIONERS Escambia County, Florida

### Planning Board-Regular

4. A.

Meeting Date: 07/09/2012

Issue: Comprehensive Plan Small Scale Amendment SSA-2012-02

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

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### Information

#### **RECOMMENDATION:**

That the Planning Board review and recommend approval of Comprehensive Plan Small Scale Amendment (SSA) 2012-02 to the Board of County Commissioners (BCC), amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive plan, as amended; amending the Future Land Use Map designation.

#### **BACKGROUND:**

Applicant request a Future Land Use (FLU) map amendment to change the future land use category of a 7.01+/- acres portion of 57 (+/-) acre parcel from REC, Recreational to AG, Agricultural. The property was originally owned by Escambia County and sold to the applicant.

The zoning designation for the parcel is currently P, Public and is concurrently going through the quasi-judicial rezoning process requesting VAG-1, Villages Agriculture Zoning.

#### **BUDGETARY IMPACT:**

No budgetary impact is anticipated by the adoption of this Ordinance.

#### **LEGAL CONSIDERATIONS/SIGN-OFF:**

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

#### **PERSONNEL:**

No additional personnel are required for implementation of this Ordinance.

#### **POLICY/REQUIREMENT FOR BOARD ACTION:**

Comprehensive Plan Section 4.07 requires a public hearing review by the local planning agency (Planning Board) of any proposed amendment to the plan prior to adoption by the Board of County Commissioners in a subsequent public hearing.

#### **IMPLEMENTATION/COORDINATION:**

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

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### **Attachments**

Draft Ordinance

Staff Analysis

Application Packet



ORDINANCE NO. 2012-\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," PROVIDING FOR AN AMENDMENT TO THE 2030 FUTURE LAND USE MAP, CHANGING THE FUTURE LAND USE CATEGORY OF A PARCEL WITHIN SECTION 14, TOWNSHIP 5N, RANGE 32W, PARCEL NUMBER 2301-000-000, TOTALING 7.01 (+/-) ACRES, LOCATED OFF THE NORTH PORTION OF HANKS ROAD AND SOUTH OF ASHCRAFT ROAD, FROM RECREATIONAL (REC) TO AGRICULTURE (AG); PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Escambia County adopted its Comprehensive Plan on January 20, 2011; and

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners of Escambia County, Florida to prepare, amend and enforce comprehensive plans for the development of the County; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to approve changes (amendments) to the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Escambia County, Florida finds that the adoption of this amendment is in the best interest of the County and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Escambia County, Florida, as follows:

1 **Section 1. Purpose and Intent**

2  
3 This Ordinance is enacted to carry out the purpose and intent of, and exercise the  
4 authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215,  
5 Florida Statutes.  
6

7  
8 **Section 2. Title of Comprehensive Plan Amendment**

9  
10 This Comprehensive Plan amendment shall be entitled – "Small Scale Amendment  
11 2012-02."  
12

13  
14 **Section 3. Changes to the 2030 Future Land Use Map**

15  
16 The 2030 Future Land Use Map, as adopted by reference and codified in Part II of the  
17 Escambia County Code of Ordinances, the Escambia County Comprehensive Plan:  
18 2030, as amended; Chapter 7, "Future Land Use Element," Policy FLU 1.1.1; and all  
19 notations, references and information shown thereon, is further amended to include the  
20 following future land use change:  
21

22  
23 A portion of Parcel Identification Number 14-5N-32-2301-000-000 totaling  
24 7.01 (+/-) acres, as more particularly described by Mark A. Norris,  
25 Professional Surveyor and Mapper, Rebol-Battle & Associates, in the  
26 boundary survey description dated February 22, 2012, attached as Exhibit  
27 A, from Recreational (REC) to Agricultural (AG).  
28

29  
30 **Section 4. Severability**

31  
32 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
33 unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect  
34 the validity of the remaining portions of this Ordinance.  
35

36  
37 **Section 5. Inclusion in the Code**

38  
39 It is the intention of the Board of County Commissioners that the provisions of this  
40 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that  
41 the sections, subsections and other provisions of this Ordinance may be renumbered or  
42 relettered and the word "ordinance" may be changed to "section," "article," or such other  
43 appropriate word or phrase in order to accomplish such intentions.

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**Section 6. Effective Date**

Pursuant to Section 163.3187(5)(c), Florida Statutes, this Ordinance shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this Ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the Ordinance to be in compliance.

**DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF ESCAMBIA COUNTY, FLORIDA

By: \_\_\_\_\_  
Wilson B. Robertson, Chairman

ATTEST: ERNIE LEE MAGAHA  
CLERK OF THE CIRCUIT COURT

By: \_\_\_\_\_  
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

## Comprehensive Plan Amendment Staff Analysis

### General Data

**Project Name:** SSA 2012-02  
**Location:** Hanks Road  
**Parcel #s:** 14-5N-32-2301-000-000  
**Acreage:** 7.01(+/-) acres  
**Request:** From Recreational (REC) to Agricultural (AG)  
**Agent:** Escambia County, Agent for Kale Schneider

**Meeting Dates:** Planning Board July 9, 2012  
BCC July 26, 2012

### Summary of Proposed Amendment:

The proposed amendment is for a 7.01 (+/-) acre parcel portion of a 52 (+/-) acre parcel, located off the North portion of Hanks Road. The parcel general site is east of Hwy 99 and south of Hwy 4 in Century. The adjacent and surrounding parcels are currently zoned VAG-1.

The proposed small scale amendment meets the following conditions in order to be classified as a small scale comprehensive plan amendment:

- a) The parcel is 7.01 (+/-) acres which is under the 10 acres or fewer as stated in 163.3187(a).
- b) This amendment is the second small scale amendment for this calendar year, therefore it will not exceed the maximum of 120 acres in a calendar year as stated in F.S 163.3187(b).
- c) The proposed amendment is not located within a designated area of critical state concern.

The agent has requested a future land use (FLU) map amendment to change the future land use category of a 7.01(+/-) acre portion of a 52(+/-) acre parcel from Recreation Future Land Use to Agricultural Future Land Use. The zoning designation for the referenced parcel is Public. The intent of the proposed FLU change is to allow for the sale of the property. The applicant has submitted the subject parcel for a rezoning from Public to VAG-1.

**SUMMARY:** There is no available analysis as the applicant is not proposing any projects or development for the site. Test for concurrency and allocation for capacity on roadways,

potable water, wastewater, solid waste, stormwater shall be determined at the time of site plan review.

***Agriculture Land Use Category:***

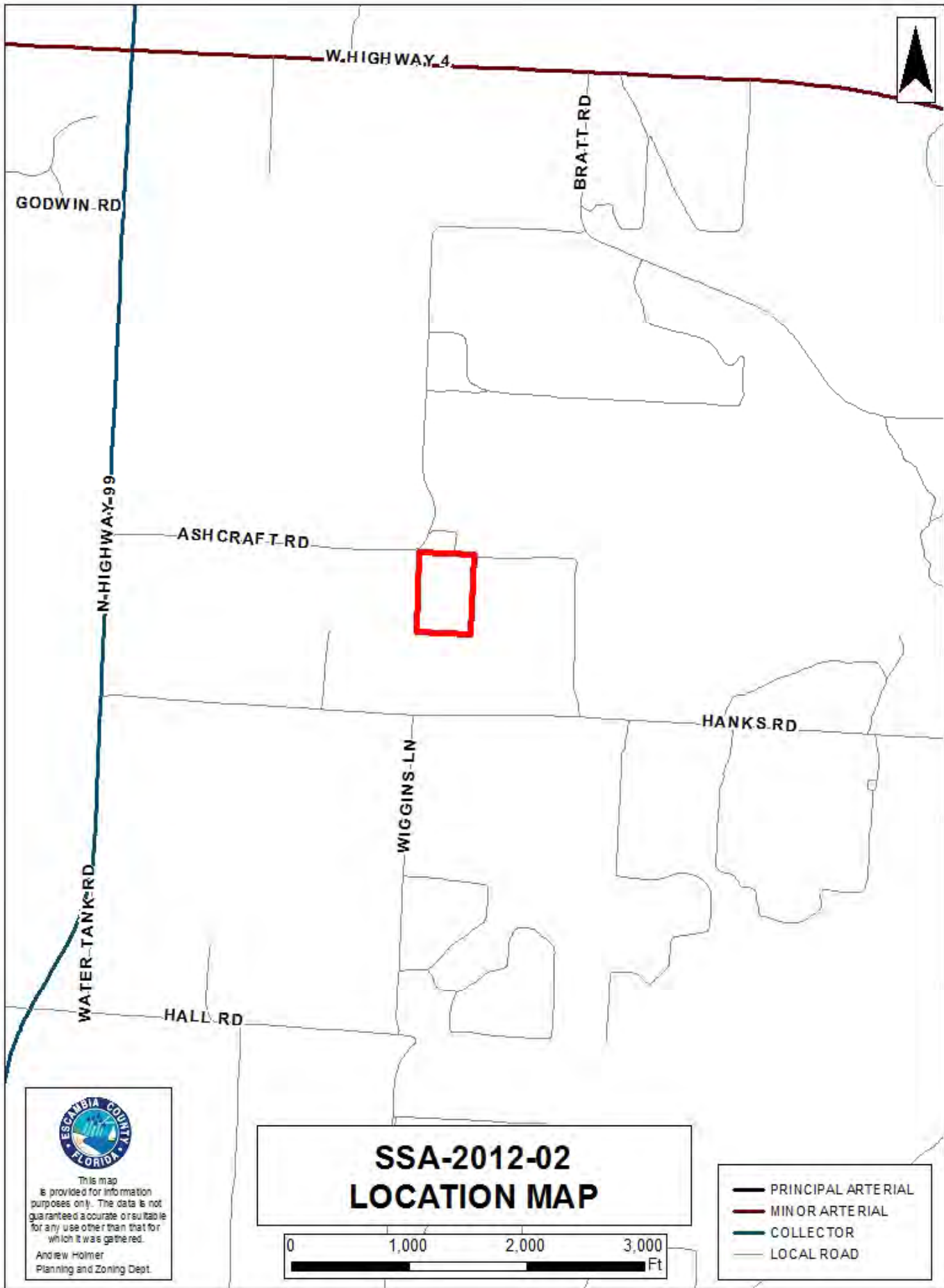
***FLU 1.3.1 states that the Agricultural FLU “is intended for routine agricultural and silvicultural related activities and very low density residential uses. Also allows for commercial activity limited to those endeavors.***

The adjacent and nearby properties are currently zoned Village Agricultural, VAG-1 and are being utilized for agriculture related activities, which is compatible with the requested Agriculture Future Land Use. The request to assign the Agricultural FLU to the parcel in question appears to be complementary with the existing surrounding uses.

**Summary**

Based on the applicant’s request, the AG FLU appears to be compatible with the existing surrounding uses and zoning. As the applicant has not proposed any specific projects or development for the site at this time, staff is unable to identify specific issues that would impact the request, as presented. Once a project is proposed, it will have to meet all current Federal, State and local standards as defined in the Comprehensive Plan and the Escambia County Land Development Code.

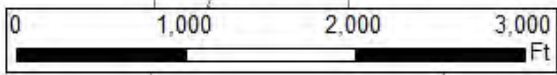
**SSA 2012-02**



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.

### SSA-2012-02 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



VAG-1

VAG-1

ASHCRAFT RD

7.01 ACRES

P

VAG-1

P

HANKS RD

VAG-1

P



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

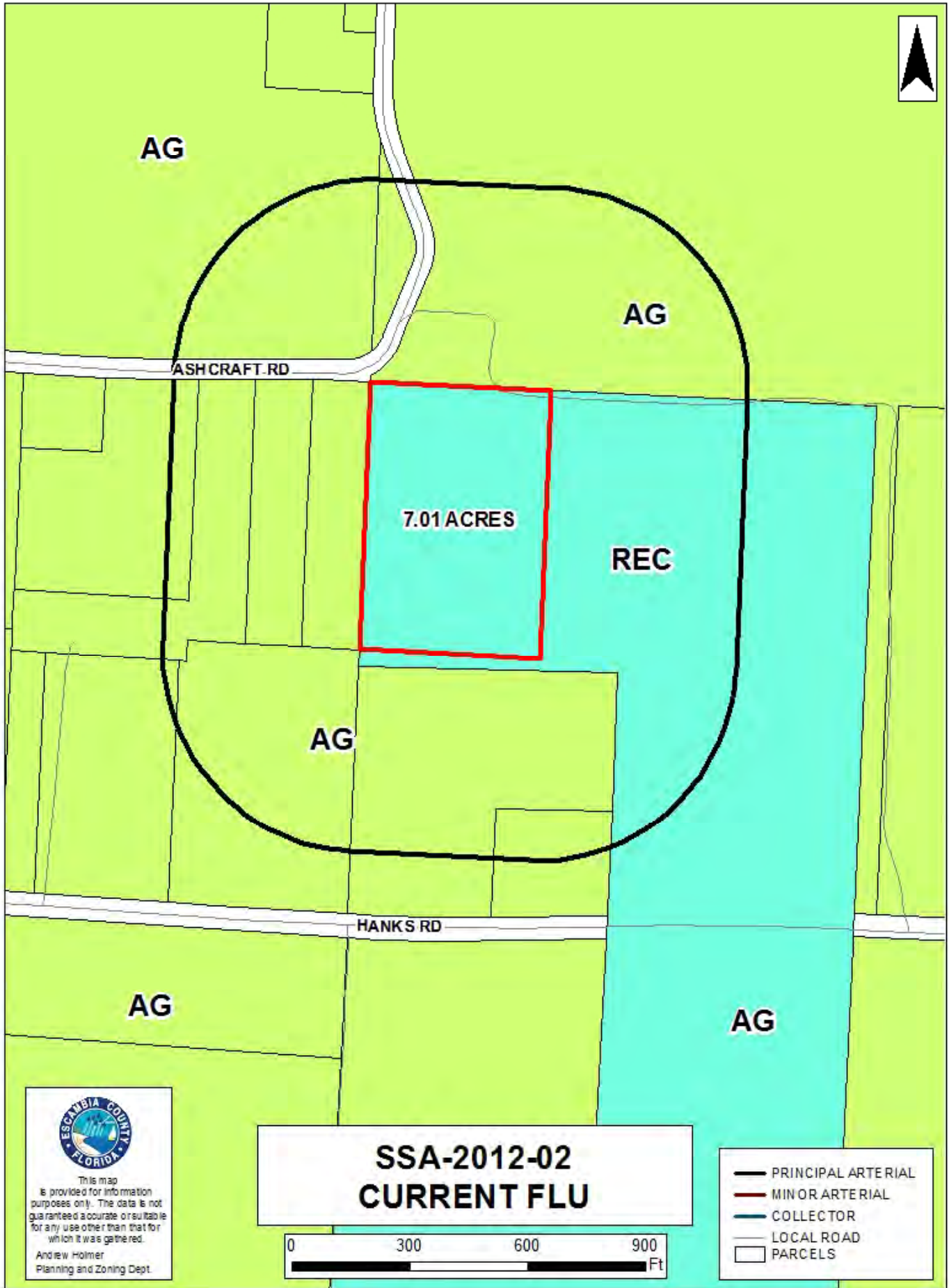
Andrew Holmer  
Planning and Zoning Dept.

### SSA-2012-02 500' RADIUS ZONING

0 300 600 900  
Ft

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- ▭ PARCELS





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Andrew Holmer  
Planning and Zoning Dept.



AG

AG

ASHCRAFT RD

7.01 ACRES


REC

AG

HANKS RD

AG

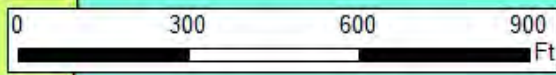
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Andrew Holmer  
Planning and Zoning Dept.

**SSA-2012-02  
PROPOSED FLU**



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS





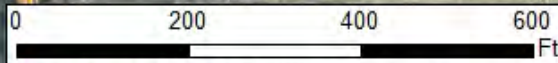
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Andrew Holmer  
Planning and Zoning Dept.

# SSA-2012-02 AERIAL MAP




- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS





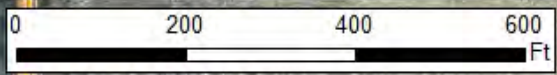
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Andrew Holmer  
Planning and Zoning Dept.

# SSA-2012-02 WETLANDS MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS
- WETLANDS\_2006





LOOKING EAST





LOOKING NORTHEAST





LOOKING WEST





LOOKING SOUTH



PPB120500003

FUTURE LAND USE MAP AMENDMENT APPLICATION

SSA 2012-02

**(THIS SECTION FOR OFFICE USE ONLY):**

TYPE OF REQUEST: SMALL SCALE FLU AMENDMENT  \_\_\_\_\_  
LARGE SCALE FLU AMENDMENT \_\_\_\_\_

Current FLU: REC Desired FLU: AG Zoning: P Taken by: J. Cain

Planning Board Public Hearing, date(s): July 9, 2012

BCC Public Hearing, proposed date(s): July 26, 2012

Fees Paid NA Receipt # NA Date: 5/10/12

**OWNER'S NAME AND HOME ADDRESS AS SHOWN ON PUBLIC RECORDS OF ESCAMBIA COUNTY, FL**

Name: Kate Schneider

Address: 9061 Bratt Rd

City: Century State: FL Zip Code: 32535

Telephone: ( 850 ) 327-6519

Email: \_\_\_\_\_

**DESCRIPTION OF PROPERTY:**

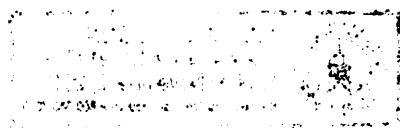
Street address: Hanks Rd

Subdivision: \_\_\_\_\_

Property reference number: Section 14 Township 5N Range 32

Parcel 2301 Lot 000 Block 000

Size of Property (acres) 7.01 (+/-) acres



**AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION FOR  
FUTURE LAND USE CHANGE REQUEST**

By my signature, I hereby certify that:

- 1) I am duly qualified as owner or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand there are no guarantees as to the outcome of this request, the application fee is non-refundable; and
- 4) The signatory below will be held responsible for the balance of any advertising fees associated with required public hearings for this amendment request (Payment due within 90 days of invoice date) or future planning and zoning applications will not be accepted; and
- 5) I authorize County Staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection; and
- 6) I authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County Staff.

Kale Schneider Kale Schneider 5-10-12  
Signature (Property Owner) Printed Name Date

Donna C Schneider  
Signature (Agent's Name (or owner if representing oneself) Printed Name Date

Address: 9061 Brent Rd

City: Century State: FL Zip: 32535

Telephone (850) 327-6519 Fax # ( ) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF Florida  
COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 10<sup>th</sup> day of May, year of 2012 by, Kale Schneider + Donna Schneider who ( ) did ( ) did not take an oath. He/she is ( ) personally known to me, (X) produced current Florida/Other driver's license, and/or ( ) produced current 715536516 44 1880 as identification.

Margaret A Cain 5/10/12 Margaret A. Cain  
Signature of Notary Public Date Printed Name of Notary

My Commission Expires \_\_\_\_\_ Commission No. DD919789  
(Notary seal must be attached)





**FUTURE LAND USE MAP AMENDMENT APPLICATION  
CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Project name:

Property reference #: Section 14 Township 5N Range

Parcel # 32-2301-600-000

Project Address:

Henko Rd

I/We acknowledge and agree that no future development permit (other than a rezoning/reclassification) shall be approved for the subject parcel(s) prior to the issuance of a certificate of concurrency for such proposed development based on the densities and intensities contained within such future development permit application.

I/We also acknowledge and agree that no development permit or order (other than a rezoning/reclassification) will be issued at that time unless at least one of the concurrency management system standards is met as contained in the Escambia County Code of Ordinances, Part II, Section 6.04, namely:

- (1) The necessary facilities and services are in place at the time a development permit is issued; or
- (2) A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
- (3) The necessary facilities are under construction at the time a permit is issued; or
- (4) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued. NOTE: This provision only relates to parks and recreation facilities and roads. The LDC will include a requirement that the provision or construction of the facility or service must commence within one (1) year of the Development Order or Permit; or
- (5) The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.320, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. Any such agreement shall include provisions pursuant to paragraphs 1, 2, or 3 above.
- (6) The necessary facilities needed to serve new development are in place or under actual construction no more than three (3) years after issuance, by the County, of a certificate of occupancy or its functional equivalent. NOTE: This provision only relates to roads.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 10<sup>th</sup> DAY OF May, 2012

<u>Kate Schindler</u> Owner's signature	<u>Kate Schneider</u> Owner's name (print)
<u>Donna C. Schneider</u> Agent's signature	<u>Donna C. Schneider</u> Agent's name (print)

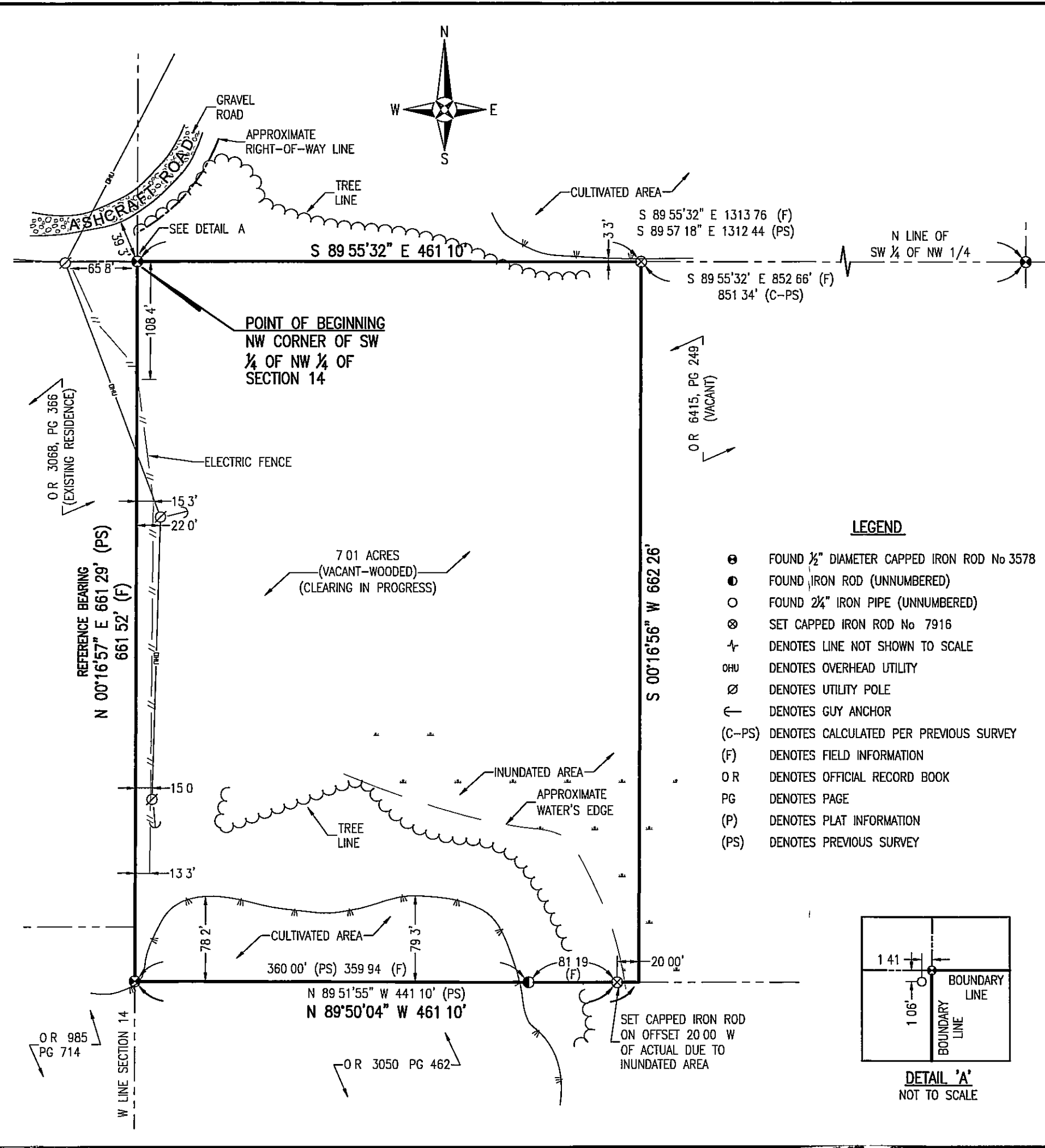
### DATA AND ANALYSIS REQUIREMENTS

1. A comparative analysis of the impact of both the current and the proposed future land use categories on the following items, presented in tabular format, based on data taken from professionally accepted existing sources, such as the US Census, State University System of Florida, National Wetland Inventory Maps, regional planning councils, water management districts, or existing technical studies. The data should show that the infrastructure is available to support the most intense development allowed under the requested Future Land Use category, regardless of what type of development is proposed.
  - A. Sanitary Sewer
  - B. Solid Waste Disposal
  - C. Potable Water
  - D. Stormwater Management
  - E. Traffic
  - F. Recreation and Open Space
  - G. Schools

The data and analysis should also support the requested future land use category by reflecting a need for that category. For example, a future land use request from Agricultural to Residential would need an analysis demonstrating the need for additional Residential acreage in the County.

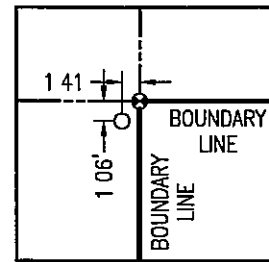
2. Proximity to and impact on the following:
  - A. Wellheads (indicate distance and location to nearest wellhead)
  - B. Historically significant sites (available from University of West Florida)
  - C. Natural Resources, including wetlands (a wetlands survey is highly recommended if wetlands are located on the property)
3. An analysis of consistency with the Escambia County Comprehensive Plan, with reference to applicable sections therein

PA 2012 2012.020 STEVE HANKS BOUNDARY SURVEY HANKS DWG



**LEGEND**

- ⊙ FOUND 1/2" DIAMETER CAPPED IRON ROD No 3578
- FOUND IRON ROD (UNNUMBERED)
- FOUND 2 1/4" IRON PIPE (UNNUMBERED)
- ⊗ SET CAPPED IRON ROD No 7916
- ↖ DENOTES LINE NOT SHOWN TO SCALE
- OHU DENOTES OVERHEAD UTILITY
- ⊘ DENOTES UTILITY POLE
- ← DENOTES GUY ANCHOR
- (C-PS) DENOTES CALCULATED PER PREVIOUS SURVEY
- (F) DENOTES FIELD INFORMATION
- O R DENOTES OFFICIAL RECORD BOOK
- PG DENOTES PAGE
- (P) DENOTES PLAT INFORMATION
- (PS) DENOTES PREVIOUS SURVEY



**DESCRIPTION**

(AS PREPARED BY REBOL-BATTLE & ASSOCIATES)

A PARCEL OF LAND BEING ENTIRELY IN SECTION 14, TOWNSHIP 5 NORTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 32 WEST, ESCAMBIA COUNTY FLORIDA THENCE SOUTH 89 DEGREES 55 MINUTES 32 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER FOR A DISTANCE OF 461 10 FEET THENCE DEPARTING SAID NORTH LINE PROCEED SOUTH 00 DEGREES 16 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 662 26 FEET THENCE PROCEED NORTH 89 DEGREES 50 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 461 10 FEET TO THE WEST LINE OF THE AFOREMENTIONED SECTION 14 THENCE PROCEED NORTH 00 DEGREES 16 MINUTES 57 SECONDS EAST ALONG SAID WEST SECTION LINE FOR A DISTANCE OF 661 52 FEET TO THE AFOREMENTIONED NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14 AND THE POINT OF BEGINNING

CONTAINS 7.01 ACRES MORE OR LESS

**GENERAL NOTES**

- 1 NORTH AND THE SURVEY DATUM SHOWN HEREON ARE REFERENCED TO A PREVIOUS SURVEY BY SCHUMER'S PROFESSIONAL SURVEYING, INC DATED 5-5-2008 AND NUMBERED 08F-022 DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION
- 2 NO TITLE SEARCH TITLE OPINION OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY THERE MAY BE DEEDS OF RECORD UNRECORDED DEEDS EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY
- 3 IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY FLORIDA, COMMUNITY PANEL NUMBER 12033C0035G, EFFECTIVE DATE OF SEPTEMBER 26, 2006
- 4 VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON
- 5 VISIBLE UTILITIES ARE AS SHOWN HEREON
- 6 VISIBLE ENCROACHMENTS ARE AS SHOWN HEREON
- 7 THIS IS A NEW PARCEL SURVEYED PER THE CLIENTS REQUEST THE PARENT TRACT DESCRIPTION IS RECORDED IN OFFICIAL RECORD BOOK 6415 AT PAGE 249 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY FLORIDA
- 8 THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP
- 9 THIS SURVEY IS CERTIFIED TO MR STEVE HANKS
- 10 THE SUBJECT PROPERTY SHOWN HEREON DOES NOT APPEAR TO HAVE ACCESS TO THE ADJACENT COUNTY ROADWAY (ASHCRAFT ROAD) AS PER MAPS OF RECORD

**SURVEYOR'S CERTIFICATION**

The survey shown hereon was prepared in compliance with the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17 Florida Administrative Code, pursuant to Section 471.027 Florida Statutes to the best of my knowledge and belief

*Mark A. Norris*  
 MARK A. NORRIS  
 PROFESSIONAL SURVEYOR AND MAPPER  
 LICENSE NO 6211  
 2/22/12

**REBOL-BATTLE & ASSOCIATES**  
 CIVIL AND ENVIRONMENTAL ENGINEERS  
 2501 N. HIGHWAY 90A, SUITE 301  
 PANAMA CITY, FLORIDA 32360  
 TELEPHONE 850.433.0400 FAX 850.433.0448  
 E-MAIL 850.433.0407 LTR018

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**BOUNDARY SURVEY**  
 PREPARED FOR: MR. STEVE HANKS  
 REQUESTED BY: MR. STEVE HANKS

---

**BOUNDARY SURVEY**  
 PROJECT: 2012-020  
 DRAWN BY: CBD  
 CHECKED BY: IMAN  
 SCALE: 1" = 100'  
 F.B. 12-1  
 PG. 3/3  
 DATE: 2-13-2012

---

**BOUNDARY SURVEY**  
 SURVEY FOR: MR. STEVE HANKS  
 A PORTION OF: RANGE 32 WEST, TOWNSHIP 5 NORTH, COUNTY ESCAMBIA, STATE FLORIDA

---

1 of 1

This drawing is the property of Rebol Battle & Associates and may not be reproduced without written permission.

This document was prepared by:  
Stephen G. West, Assistant County Attorney  
Escambia County Attorney's Office  
221 Palafox Place, Suite 430  
Pensacola, Florida 32502  
(850) 595-4970

**STATE OF FLORIDA  
COUNTY OF ESCAMBIA**

**DEED**

THIS DEED is made this 13<sup>th</sup> day of January, 2009, by Escambia County, a political subdivision of the State of Florida, acting by and through its duly authorized Board of County Commissioners, whose address is 221 Palafox Place, Pensacola, Florida 32502 (Grantor), and Kale R. and Donna C. Schneider a/k/a Kale R. and Donna C. Schnieder, husband and wife, whose address is 9061 Bratt Road, Century, Florida 32535 (Grantee).

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration in hand paid by Grantee, the receipt of which is acknowledged, conveys to Grantee and Grantee's heirs, executors, administrators, successors and assigns forever, the land described as follows:

The Southwest quarter of the Northwest quarter less 660.00 feet square in the Southwest corner thereof; and the Northwest quarter of the Southwest quarter less 660.00 feet square in the Northwest corner thereof; and less 295.20 feet square in the Southwest corner thereof; all in Section 14, Township 5 North, Range 32 West, Escambia County, Florida; and less the following described property for road right-of-way:

Commence at the Southeast corner of the Southwest quarter of the Southwest quarter of the Northwest quarter of Section 14, Township 5 North, Range 32 West, Escambia County, Florida; thence go North 00° 19' 46" West a distance of 47.49 feet to the north right-of-way line of Hanks Road, said point also being the POINT OF BEGINNING; thence go North 86° 23' 17" East along said North right-of-way line a distance of 120.34 feet to a point of curvature of a circular curve being concave to the South and having a radius of 2025.00 feet and a central angle of 03° 16' 57" ; thence go Easterly along the arc of said curve for a distance of 116.01 feet (chord bearing North 88° 01' 46" East ~ chord distance 116.01 feet) to a point of tangency; thence go North 89° 40' 14" East a distance of 415.26 feet; thence departing said North right-of-way line go South 00° 23' 20" East a distance of 58.00 feet to the South right-of-way of said road; thence go South 89° 40' 14" West along said South right-of-way line a distance of 415.32 feet to a point of curvature of a circular curve being concave to the South and having a radius of 1967.00 feet and central angle of 03° 16'



57" ; thence go Westerly along the arc of said curve a distance of 112.69 feet (chord bearing South 88° 01' 46" West ~ chord distance 112.68 feet) to a point of tangency; thence go South 86° 23' 17" West a distance of 123.67 feet; thence departing said South right-of-way line go North 00° 19' 46" West a distance of 10.61 feet to the point of beginning. All lying in Section 14, Township 5 North, Range 32 West, Escambia County, Florida, and containing 0.867 acres, more or less.

Subject to the following:

1. Easement to the United Gas Pipe Line Company.
2. All utilities remaining in place and use.

A portion of Parcel Identification Number 14-5N-32-2301-000-000 (the Property).

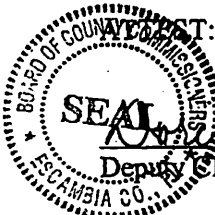
THIS CONVEYANCE IS SUBJECT TO taxes for the year 2009 and subsequent years; conditions, easements, and restrictions of record, if any, but this reference does not operate to reimpose them; zoning ordinances and other restrictions and prohibitions imposed by applicable governmental authorities.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of the Board on the day and year first above written.

ESCAMBIA COUNTY, FLORIDA by and through its duly authorized BOARD OF COUNTY COMMISSIONERS

*Marie Young*  
Marie Young Chairman

Ernie Lee Magaha  
Clerk of the Circuit Court



*Ernie Lee Magaha*  
Deputy Clerk

BCC Approved: 4/3/08



## BOARD OF COUNTY COMMISSIONERS Escambia County, Florida

### Planning Board-Regular

4. B.

Meeting Date: 07/09/2012

Issue: Comprehensive Plan Large Scale Amendment CPA-2012-02

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

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### Information

#### **RECOMMENDATION:**

That the Planning Board review and forward Comprehensive Plan Amendment (CPA) 2012-02 to the Board of County Commissioners (BCC) for transmittal to the Department Of Economic Opportunity (DEO), amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive plan, as amended; amending the Future Land Use Map designation.

#### **BACKGROUND:**

Applicant request a Future Land Use (FLU) map amendment to change the future land use category of a 50.24+/- acres portion of 57 (+/-) acre parcel from REC, Recreational to AG, Agricultural. The property was originally owned by Escambia County and sold to the applicant.

The zoning designation for the parcel is currently P, Public and is concurrently going through the quasi-judicial rezoning process requesting VAG-1, Villages Agriculture Zoning.

#### **BUDGETARY IMPACT:**

No budgetary impact is anticipated by the adoption of this Ordinance.

#### **LEGAL CONSIDERATIONS/SIGN-OFF:**

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

#### **PERSONNEL:**

No additional personnel are required for implementation of this Ordinance.

#### **POLICY/REQUIREMENT FOR BOARD ACTION:**

Comprehensive Plan Section 4.07 requires public hearing review by the local planning agency (Planning Board) of any proposed amendment to the plan prior to adoption by the Board of County Commissioners in a subsequent public hearing.

#### **IMPLEMENTATION/COORDINATION:**



Upon recommendation by the Planning Board, the Board of County Commissioners will hold a public hearing to review and adopt the amendment package. Upon adoption the Future Land Use Map will be modified to reflect the amendment.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

---

### **Attachments**

Draft Ordinance

Staff Analysis

Application Packet

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: CPA 2012-01 Hanks Road

Date: 6/15/2012

Date requested back by: 6/18/2012

Requested by: JC Lemos

Phone Number: 595-3467



(LEGAL USE ONLY)

Legal Review by *[Signature]*

Date Received: *June 16, 2012*

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

*Make changes to format an wording.  
note that effective date for larger scale  
amendments is governed by section 163.3184 (3)(c)4,  
Florida Statutes*

ORDINANCE NO. 2012-\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," PROVIDING FOR AN AMENDMENT TO THE 2030 FUTURE LAND USE MAP, CHANGING THE FUTURE LAND USE CATEGORY OF A PARCEL WITHIN SECTION 14, TOWNSHIP 5N, RANGE 32W, PARCEL NUMBER 2301-000-000, TOTALING 50.24 (+/-) ACRES, LOCATED OFF THE NORTH PORTION OF HANKS ROAD AND SOUTH OF ASHCRAFT ROAD, FROM RECREATIONAL (REC) TO AGRICULTURAL (AG); PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Escambia County adopted its Comprehensive Plan on January 20, 2011; and

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners of Escambia County, Florida to prepare, amend and enforce comprehensive plans for the development of the County; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to approve changes (amendments) to the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Escambia County, Florida finds that the adoption of this amendment is in the best interest of the County and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Escambia County, Florida, as follows:

1 **Section 1. Purpose and Intent**

2  
3 This Ordinance is enacted to carry out the purpose and intent of, and exercise the  
4 authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215,  
5 Florida Statutes.  
6

7  
8 **Section 2. Title of Comprehensive Plan Amendment**

9  
10 This Comprehensive Plan amendment shall be entitled – "Large Scale Amendment  
11 2012-02."  
12

13  
14 **Section 3. Changes to the 2030 Future Land Use Map**

15  
16 The 2030 Future Land Use Map, as adopted by reference and codified in Part II of the  
17 Escambia County Code of Ordinances, the Escambia County Comprehensive Plan:  
18 2030, as amended; Chapter 7, "Future Land Use Element," Policy FLU 1.1.1; and all  
19 notations, references and information shown thereon, is further amended to include the  
20 following future land use change:  
21

22 Parcel identification number 14-5N-32-2301-000-000, totaling 50.24 (+/-)  
23 acres, as more particularly described by Victor G. Schumer, Schumer's  
24 Professional Surveying, Inc., in the boundary survey dated May 5, 2008,  
25 attached as Exhibit A, from Recreational (REC) to Agricultural (AG).  
26

27  
28 **Section 4. Severability**

29  
30 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
31 unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect  
32 the validity of the remaining portions of this Ordinance.  
33

34  
35 **Section 5. Inclusion in the Code**

36  
37 It is the intention of the Board of County Commissioners that the provisions of this  
38 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that  
39 the sections, subsections and other provisions of this Ordinance may be renumbered or  
40 relettered and the word "ordinance" may be changed to "section," "article," or such other  
41 appropriate word or phrase in order to accomplish such intentions.  
42  
43

1 **Section 6. Effective Date**

2  
3 Pursuant to Section 163.3184(3)(c) 4, Florida Statutes, this Ordinance shall not become  
4 effective until 31 days after the Department of Economic Opportunity notifies Escambia  
5 County that the plan amendment package is complete. If timely challenged, this  
6 Ordinance shall not become effective until the Department of Economic Opportunity or  
7 the Administration Commission enters a final order determining the Ordinance to be in  
8 compliance.  
9

10  
11 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

12  
13 BOARD OF COUNTY COMMISSIONERS  
14 OF ESCAMBIA COUNTY, FLORIDA

15  
16  
17 By: \_\_\_\_\_  
18 Wilson B. Robertson, Chairman

19  
20 ATTEST: ERNIE LEE MAGAHA  
21 CLERK OF THE CIRCUIT COURT

22  
23  
24 By: \_\_\_\_\_  
25 Deputy Clerk

26  
27  
28 (SEAL)

29  
30  
31 ENACTED:

32  
33 FILED WITH THE DEPARTMENT OF STATE:

34  
35 EFFECTIVE DATE:  
36  
37  
38

## Comprehensive Plan Amendment Staff Analysis

### General Data

**Project Name:** CPA 2012-02 – Hanks Road  
**Location:** Hanks Road  
**Parcel #s:** 14-5N-32-2301-000-000  
**Acreage:** 50.24 (+/-) acres  
**Request:** From Recreational (REC) to Agricultural (AG)  
**Agent:** Escambia County, Agent for Kale and Donna Schneider

**Meeting Dates:** Planning Board July 9, 2012  
BCC July 26, 2012

### Summary of Proposed Amendment:

The agent requests a future land use (FLU) map amendment to change the future land use category of a 50.24 (+/-) acre parcel from Recreation Future Land Use to Agricultural Future Land Use. The zoning designation for the referenced parcel is Public.

The subject parcel is dissected North and South by Hanks Road and is adjacent to agricultural parcels.

There is no proposed project for the parcel at this time.

### Infrastructure Availability:

#### **FLU 1.5.3 New Development and Redevelopment in Built Areas**

*To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).*

#### **FLU 2.1.1 Infrastructure Capacities**

*Urban uses shall be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure*

*capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department permits where central sewer is not available.*

**GOAL CMS 1 Concurrency Management System**

*Escambia County shall adopt a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impacts of such development.*

**OBJ CMS 1.1 Level of Service Standards**

*Ensure that Escambia County's adopted Level of Service (LOS) standards for roadways, mass transit, potable water, wastewater, solid waste, stormwater, public schools and recreation will be maintained.*

**CMS 1.2.1 Concurrency Determination.**

*The test for concurrency shall be met and the determination of concurrency shall be made prior to the approval of an application for a development order or permit that contains a specific plan for development, including the densities and intensities of the proposed development. If an applicant fails concurrency, he/she may apply to satisfy the requirements of the concurrency management system through the proportionate fair share program. For applicants participating in the proportionate fair share program, the BCC must approve a proportionate fair share agreement before a certificate of concurrency can be issued. A multi-use Development of Regional Impact (DRI) may satisfy the transportation concurrency requirements of the concurrency management system and of Section 380.06, Florida Statutes, by payment of a proportionate share contribution in accordance with the terms of Section 163.3180(12), Florida Statutes.*

The allowable uses under the agricultural future land uses are intended for routine agricultural and silvicultural related activities which are not traffic generators.

If the large scale amendment is approved, the maximum densities for any future new development on the agricultural parcel is one dwelling unit per 20 acres and a non-residential maximum intensity of 0.25 floor area ratio. Any new proposed development will be regulated and must meet the LOS requirements such as roads, wastewater, solid waste, stormwater, potable water, irrigation water and other standards under the Concurrency Management System. It will necessitate for the applicant to provide the required analysis in support of the proposed project as required by the Escambia County Comprehensive Plan and Land Development Code. The completed application packet will then be reviewed and evaluated for concurrency as part of the site development review process. The applicant is not proposing any development at this time; therefore, staff is unable to produce the required analysis.

**ANALYSIS OF SUITABILITY**

*Suitability:* *The degree to which the existing characteristics and limitations of land and water are compatible with a proposed use or development.*

Bratt-Davisville Water System, Inc. is the water provider for the area. Any agricultural use would be compatible with the existing surrounding parcels. Agricultural uses are common within this area in Escambia County and water provider LOS appear adequate to support agricultural lands. The applicant is not proposing any development at this time; therefore, staff is unable to produce the required analysis. Should the large scale amendment be granted, the character of the undeveloped land, soils, topography, natural resources, and historic resources on site will be considered for any future new development as part of the site plan review process.

**Urban Sprawl:**

*A development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.*

For determining if the amendment discourages the proliferation of urban sprawl, it must incorporate a development pattern or urban form that achieves four or more of the eight criteria listed.

The agricultural nature of the land would be compatible with the surrounding parcels. By allowing the change of the Future Land Use from public to Agricultural, Escambia County is promoting rural strategies, by protecting agriculture, silviculture and related activities, protecting and preserving natural resources and guiding new development toward existing rural communities. Under the agricultural designation, the current one dwelling unit per 20 acres density allowed, will regulate and decrease the proliferation of urban sprawl. The applicant is not proposing any development at this time; therefore, staff is unable to produce the required analysis. If the large scale amendment is approved, any future new development on the parcel must meet the LOS requirements, Concurrency Management System standards and will necessitate for the applicant to provide the required analysis in support of the proposed project, as required by the Escambia County Comprehensive Plan and Land Development Code. The completed application packet will then be reviewed and evaluated for concurrency as part of the site development review process.

**Comprehensive Plan Consistency and Relevant Policies:**

**FLU 3.1.5 New Rural Communities.** To protect silviculture, agriculture and agriculture-related activities Escambia County shall not support the establishment of new rural communities.

**FLU 3.1.6 Residential Clustering.** Clustering of residential units in the Agriculture (AG) and Rural Community (RC) future land use categories shall only be permitted for subdivisions of 10 or more dwelling units, with preservation of at least 80 percent of the project site in a perpetual conservation easement as contemplated in, Section 704.06, F.S., and in conjunction with a PUD to ensure the project is compatible with surrounding



properties and protects the rights of adjacent property owners. The minimum lot size shall be ¼ acre and the maximum residential density permitted in the future land use category shall not be exceeded.

**CON 1.3.3 Silviculture Management Practices.** Escambia County shall allow silviculture and unimproved pastures within wetland areas provided the activities follow the BMPs as outlined in the current Silviculture Best Management Practices publications (Florida Department of Agriculture and Consumer Services, Division of Forestry).

**CON 1.8.5 Carbon Sequestration.** Escambia County shall promote retention of agriculture and timber production, as these uses sequester carbon emissions, thereby improving the air quality of the County.

The current existing land use is unimproved agricultural which meets the intent of the Comprehensive Plan. By allowing the Future Land Use map change from Public to Agricultural, the county is promoting uses that would improve the air quality for the residents of the county. The applicant is not proposing any development at this time; therefore, staff is unable to produce the required analysis. If the large scale amendment is approved, any future new development on the parcel must meet the LOS requirements, Concurrency Management System standards and will necessitate for the applicant to provide the required analysis in support of the proposed project as required by the Escambia County Comprehensive Plan and Land Development Code. The completed application packet will then be reviewed and evaluated for concurrency as part of the site development review process.

**CPA 2012-02**



AG

ASHCRAFT RD

SSA-2012-02

REC

AG

AG

HANKS RD

REC

50.24 ACRES

AG

AG

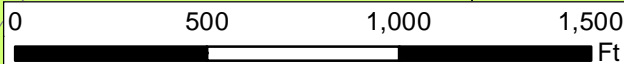
WIGGINS LN



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.

# CPA-2012-02 EXISTING FLU



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



AG

ASHCRAFT RD

SSA-2012-02

AG

AG

HANKS RD

**PROPOSED AG**  
50.24 ACRES

AG

AG

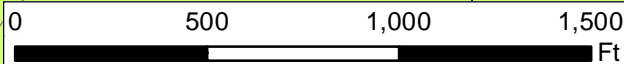
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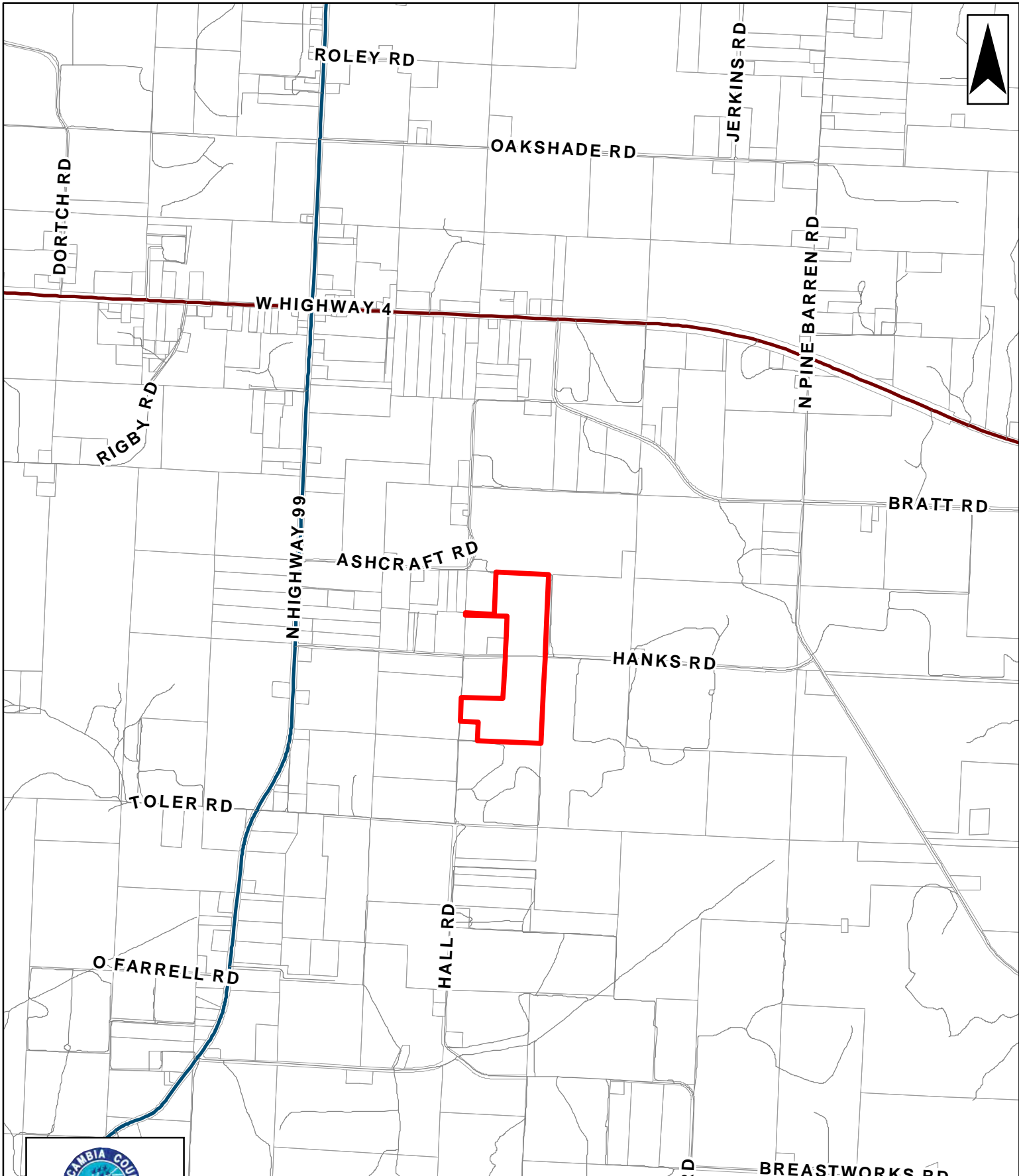
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.

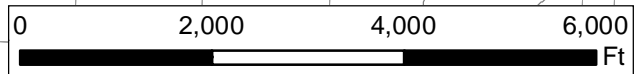
# CPA-2012-02 PROPOSED FLU



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



**CPA-2012-02**  
**SURROUNDING ROADS**



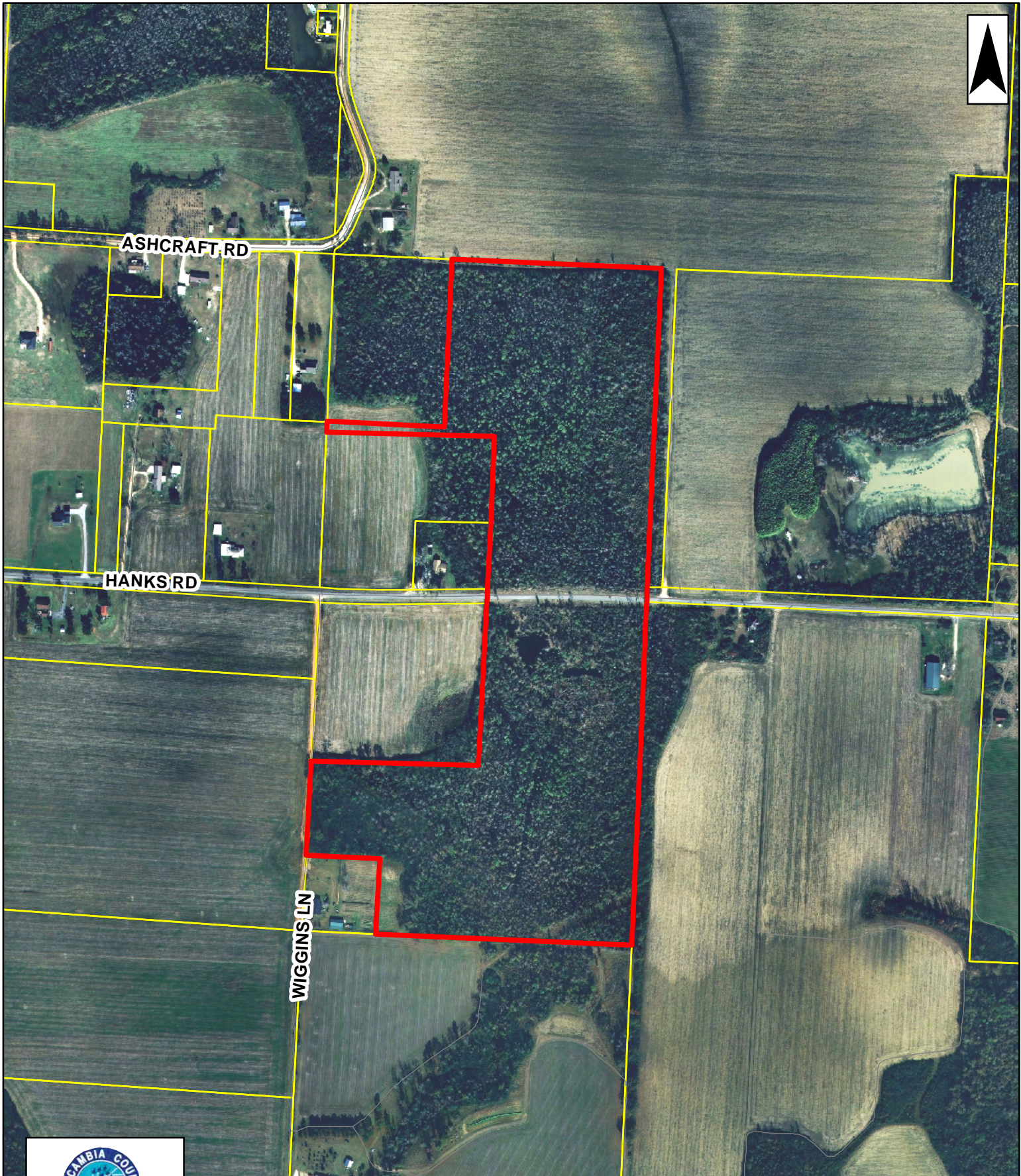
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
 Planning and Zoning Dept.










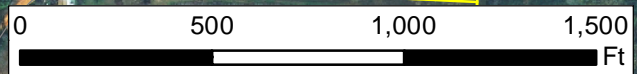
ASHCRAFT RD

HANKS RD

WIGGINS LN

# CPA-2012-02 AERIAL MAP

-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.











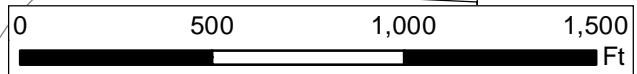
ASHCRAFT RD

HANKS RD

WIGGINS LN

# CPA-2012-02 WETLANDS MAP

-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS
-  WETLANDS\_2006



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.



LOOKING EAST





LOOKING NORTHEAST





LOOKING WEST





LOOKING SOUTH

**FUTURE LAND USE MAP AMENDMENT APPLICATION**

**(THIS SECTION FOR OFFICE USE ONLY):**

TYPE OF REQUEST: SMALL SCALE FLU AMENDMENT \_\_\_\_\_  
LARGE SCALE FLU AMENDMENT   X  

Current FLU: REC Desired FLU: AG Zoning: P Taken by: A Cami

Planning Board Public Hearing, date(s): 7/9/12

BCC Public Hearing, proposed date(s): 7/26/12

Fees Paid NA Receipt # \_\_\_\_\_ Date: \_\_\_\_\_

**OWNER'S NAME AND HOME ADDRESS AS SHOWN ON PUBLIC RECORDS OF  
ESCAMBIA COUNTY, FL**

Name: Kale Schneider

Address: 9061 Bratt Rd

City: Century State: FL Zip Code: 32535

Telephone: (850) 327-6519

Email: \_\_\_\_\_

**DESCRIPTION OF PROPERTY:**

Street address: Hanks Rd

Subdivision: NA

Property reference number: Section 14 Township 5N Range 32

Parcel 2301 Lot 000 Block 000

Size of Property (acres) 50.24 (+/-) acres



**AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION FOR  
FUTURE LAND USE CHANGE REQUEST**

By my signature, I hereby certify that:

- 1) I am duly qualified as owner or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand there are no guarantees as to the outcome of this request, the application fee is non-refundable; and
- 4) The signatory below will be held responsible for the balance of any advertising fees associated with required public hearings for this amendment request (Payment due within 90 days of invoice date) or future planning and zoning applications will not be accepted; and
- 5) I authorize County Staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection; and
- 6) I authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County Staff.

Kale Schneider Kale Schneider 5-10-12  
Signature (Property Owner) Printed Name Date

Donna C Schneider  
Signature (Agent's Name (or owner if representing oneself) Printed Name Date

Address: 9061 Brent Rd

City: Century State: FL Zip: 32535

Telephone (850) 327-6519 Fax # ( ) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF Florida  
COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 10<sup>th</sup> day of May, year of 2012 by, Kale Schneider + Donna Schneider who ( ) did ( ) did not take an oath. He/she is ( ) personally known to me, (X) produced current Florida/Other driver's license, and/or ( ) produced current 715536516 44 1880 as identification.

Margaret A Cain 5/10/12 Margaret A. Cain  
Signature of Notary Public Date Printed Name of Notary

My Commission Expires \_\_\_\_\_ Commission No. DD919789  
(Notary seal must be attached)



**AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY**

As owner of the property located at \_\_\_\_\_,  
Pensacola, Florida, Property Reference Number(s) \_\_\_\_\_,

I hereby designate \_\_\_\_\_, for the sole purpose of completing this application  
and making a presentation to the Planning Board, sitting as the Local Planning Agency, and the  
Board of County Commissioners, to request a change in the Future Land Use on the above  
referenced property.

This Limited Power of Attorney is granted on this \_\_\_\_\_ day of \_\_\_\_\_, the year of  
\_\_\_\_\_, and is effective until the Board of County Commissioners has rendered a decision on  
this request and any appeal period has expired. The owner reserves the right to rescind this  
Limited Power of Attorney at any time with a written, notarized notice to the Planning and  
Engineering Department.

\_\_\_\_\_  
Signature of Property Owner                      Date                      Printed Name of Property Owner

\_\_\_\_\_  
Signature of Agent                      Date                      Printed Name of Agent

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, year of  
\_\_\_\_\_, by \_\_\_\_\_ who ( ) did ( ) did not take an  
oath.

He/she is ( ) personally known to me, ( ) produced current Florida/Other driver's license,  
and/or ( ) produced current \_\_\_\_\_ as  
identification.

\_\_\_\_\_  
Signature of Notary Public                      Date                      Printed Name of Notary Public

Commission Number \_\_\_\_\_ My Commission Expires \_\_\_\_\_

(Notary seal must be affixed)



**FUTURE LAND USE MAP AMENDMENT APPLICATION  
CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Project name:

Property reference #: Section 14 Township 5N Range

Parcel # 32-2301-600-000

Project Address:

Henko Rd

I/We acknowledge and agree that no future development permit (other than a rezoning/reclassification) shall be approved for the subject parcel(s) prior to the issuance of a certificate of concurrency for such proposed development based on the densities and intensities contained within such future development permit application.

I/We also acknowledge and agree that no development permit or order (other than a rezoning/reclassification) will be issued at that time unless at least one of the concurrency management system standards is met as contained in the Escambia County Code of Ordinances, Part II, Section 6.04, namely:

- (1) The necessary facilities and services are in place at the time a development permit is issued; or
- (2) A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
- (3) The necessary facilities are under construction at the time a permit is issued; or
- (4) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued. NOTE: This provision only relates to parks and recreation facilities and roads. The LDC will include a requirement that the provision or construction of the facility or service must commence within one (1) year of the Development Order or Permit; or
- (5) The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.320, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. Any such agreement shall include provisions pursuant to paragraphs 1, 2, or 3 above.
- (6) The necessary facilities needed to serve new development are in place or under actual construction no more than three (3) years after issuance, by the County, of a certificate of occupancy or its functional equivalent. NOTE: This provision only relates to roads.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 10<sup>th</sup> DAY OF May, 2012

<u>Kate Schindler</u> Owner's signature	<u>Kate Schneider</u> Owner's name (print)
<u>Donna C. Schneider</u> Agent's signature	<u>Donna C. Schneider</u> Agent's name (print)

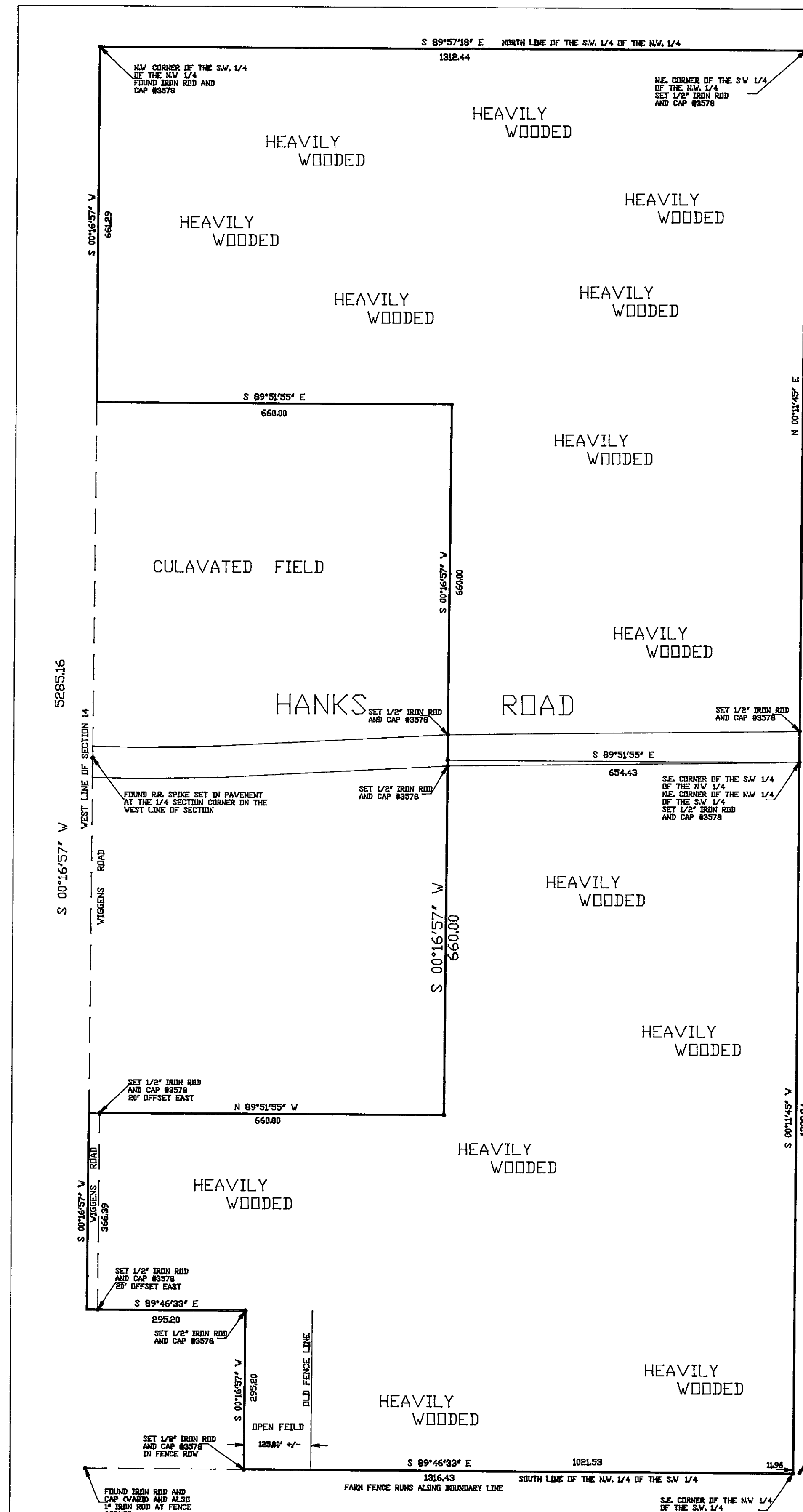
### DATA AND ANALYSIS REQUIREMENTS

1. A comparative analysis of the impact of both the current and the proposed future land use categories on the following items, presented in tabular format, based on data taken from professionally accepted existing sources, such as the US Census, State University System of Florida, National Wetland Inventory Maps, regional planning councils, water management districts, or existing technical studies. The data should show that the infrastructure is available to support the most intense development allowed under the requested Future Land Use category, regardless of what type of development is proposed.
  - A. Sanitary Sewer
  - B. Solid Waste Disposal
  - C. Potable Water
  - D. Stormwater Management
  - E. Traffic
  - F. Recreation and Open Space
  - G. Schools

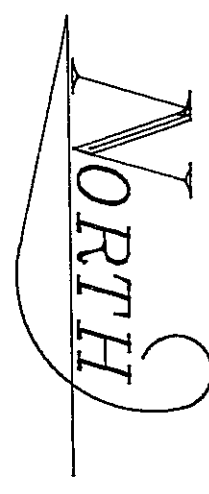
The data and analysis should also support the requested future land use category by reflecting a need for that category. For example, a future land use request from Agricultural to Residential would need an analysis demonstrating the need for additional Residential acreage in the County.

2. Proximity to and impact on the following:
  - A. Wellheads (indicate distance and location to nearest wellhead)
  - B. Historically significant sites (available from University of West Florida)
  - C. Natural Resources, including wetlands (a wetlands survey is highly recommended if wetlands are located on the property)
3. An analysis of consistency with the Escambia County Comprehensive Plan, with reference to applicable sections therein





NORTH ASSUMED - BEARINGS SHOWN ARE BASED ON THE WEST LINE OF SECTION BEING S 00°16'57" W.



**LEGAL DESCRIPTION**

THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 14, T-5-N, R-32-W, ESCAMBIA COUNTY, FLORIDA, LESS AND EXCEPT 660.00' SQUARE IN THE S.W. CORNER, AND ALSO THE N.W. 1/4 OF THE S.W. 1/4 OF SAID SECTION, LESS AND EXCEPT 660.00' SQUARE IN THE N.W. CORNER, AND LESS 295.20' SQUARE IN THE S.W. CORNER, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR "HANKS ROAD".

NOTE: THIS SURVEY WAS PREPARED FOR THE CLIENT AND PURPOSE AS SHOWN USAGE FOR ANY OTHER PURPOSES REPRODUCTIONS - IN WHOLE OR IN PART - SHALL NOT BE MADE WITHOUT THE EXPLICIT WRITTEN PERMISSION OF THE SURVEYOR. THIS SURVEY DOES NOT REFLECT OF DETERMINE OWNERSHIP.

**V.G. SCHUMER R.L.S.**  
 89 OLIVE ROAD  
 PENSACOLA, FLORIDA 32514  
 PHONE (850) 478-0088  
 FAX (850) 478-0089

WHEN YOU WANT EXPERIENCE & HONESTY SPECIALIZING IN RURAL SURVEYING & SUBDIVISION LAYOUT

**SCHUMER'S PROFESSIONAL SURVEYING INC.** L.B. # 6471

SEC. 14 T-5-N R-32-W RECORDED IN BOOK # P

REF. SOURCE: SECTIONAL SURVEY

LEGAL DESCRIPTION AS FURNISHED BY CLIENT - FENCES AND ENCROACHMENTS ARE SHOWN OR NOTED - NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAYS AND DIVERSITY WERE FURNISHED THIS SURVEY EXCEPT AS SHOWN. NO INSTRUMENTS OR INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN - NO ATTEMPT HAS BEEN MADE BY THIS SURVEYOR OR FIRM TO CONDUCT A TITLE RECORDS SEARCH FOR THIS SITE OR THE ADJOINING PROPERTY. - ALL MEASUREMENTS AND/OR CALCULATIONS WERE MADE IN ACCORDANCE TO UNITED STATES STANDARDS AND/OR UNITED STATES COAST AND GEODETIC DATA - DISTANCES ARE IN FEET, TENTHS OF A FOOT, AND HUNDRETHS. THIS SURVEY IS NOT VALID UNLESS STAMPED WITH AN EXHIBIT SEAL.

TYPE SURVEY: **BOUNDARY SURVEY**

FOR: **KALE SCHEDER**

SCALE 1"= 150' DATE 5-5-2008 FILED DATE 5-2-2008  
 JDB # 08F-022 F.B.F-94 P 69-71 REV  
 DWN VIC REV.

I HEREBY CERTIFY THAT THE SURVEY HEREIN TO BE TRUE AND CORRECT AND MEETING CHAPTER 61, GOV. STAT. AND FLORIDA STATUTES 472 AS SET BY THE BOARD OF LAND SURVEYORS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*V.G. Schumer*  
**VICTOR G. SCHUMER**  
 REGISTERED SURVEYOR #3278 STATE OF FLORIDA



May 7, 2012

Kale Schneider  
9061 Bratt Road  
Century, FL 32535

*Via E-mail*

**Re: *Flagged Non-Binding Wetland Jurisdictional Determination  
+/- 57 Acres Hanks Road, Escambia County, Florida  
WSI Project #2012-099***

Dear Mr. Schneider,

As requested, Wetland Sciences, Inc. has completed a flagged wetland jurisdictional determination within the above referenced parcel. Wetland Sciences, Inc. did identify a large jurisdictional wetland complex (See attached sketch). This wetland complex will fall within the regulatory jurisdiction of the US Army Corps of Engineers (Corps) under **33 CFR 320-330**, the Florida Department of Environmental Protection (DEP) under **Chapter 62-340 F.A.C.** and Escambia County under **LDC Section 7.13.00**.

Please be advised that various development activities within the jurisdictional wetlands, such as filling, mechanical land-clearing, and construction of some piling supported structures will require permitting from the State of Florida Department of Environmental Protection, the United States Army Corps of Engineers, and Escambia County, Florida.

Also be advised, the information presented within this report represents the professional opinion of the scientist that performed the work and is intended to furnish the client with a rough approximation of the status of wetland resources on the site under consideration. It is the responsibility of the regulatory agencies to verify our approximation before this determination can be considered legally binding. Although the above-cited conclusions are provided with some degree of confidence, it is essential that field confirmations authenticate our findings.

This does not preclude the development of the subject parcel. It is inevitable that development of the lot will require the dredging or filling of wetlands located on the property. As you may or may not know the agencies which regulate wetlands evaluate permits on the basis of avoidance and minimization, practical alternatives, and mitigation.

If you have any questions, please do not hesitate to contact me at (850) 453-4700.

**WETLAND SCIENCES, INC.**

Jason Taylor  
Environmental Scientist

Copies furnished: FDEP, Jared Searcy  
File

Enclosures: As indicated





**WETLAND**  
**SCIENCES**  
INCORPORATED

OVERALL JURISDICTIONAL WETLAND SKETCH  
DEPICTED ONTO AERIAL

PROJECT #2012-099

DATE: MAY 4, 2012

DRAWN BY: JAT

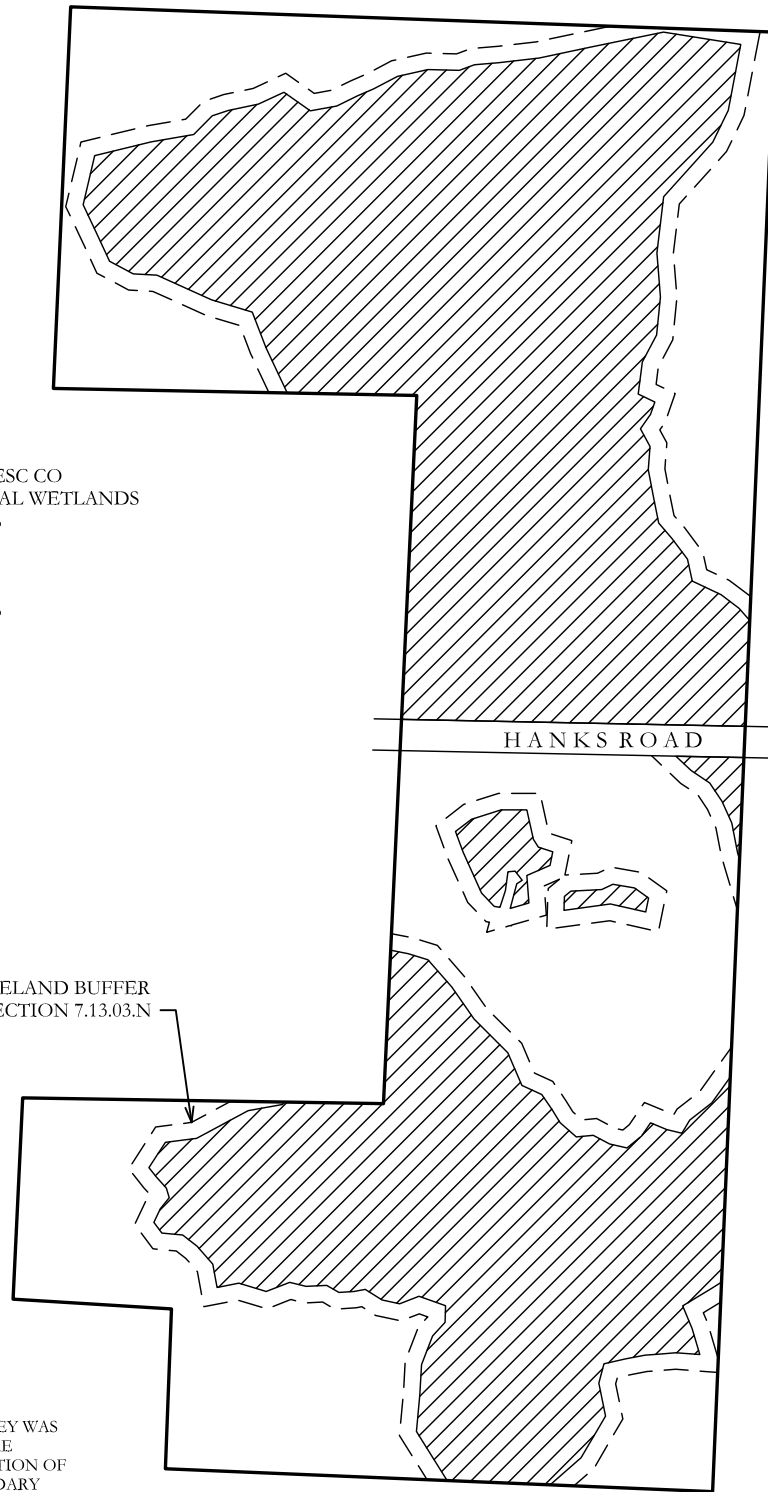
SCALE: 1" = 350'



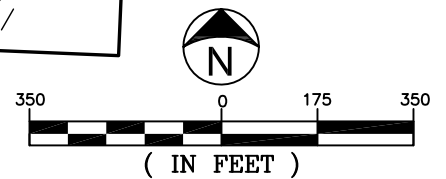
 CORPS/FDEP/ESC CO  
JURISDICTIONAL WETLANDS  
+/- 21.38 ACRES

UPLANDS  
+/- 35.59 ACRES

ESCAMBLA CO 30-FT WELAND BUFFER  
PER LDC SECTION 7.13.03.N



NOTE: THIS IS NOT A SURVEY. SINCE A SURVEY WAS NOT PROVIDED CERTAIN ASSUMPTIONS WERE MADE IN THE FIELD REGARDING THE LOCATION OF PROPERTY CORNERS. THE PROPERTY BOUNDARY SHOWN ON THIS SKETCH WAS OBTAINED FROM THE ESCAMBLA COUNTY PROPERTY APPRAISER. THIS SKETCH SHOULD BE CONSIDERED APPROXIMATE UNLESS VERIFIED BY A SURVEY OR OTHER MEANS.



**WETLAND**  
**SCIENCES**  
INCORPORATED

OVERALL JURISDICTIONAL WETLAND SKETCH

PROJECT #2012-099

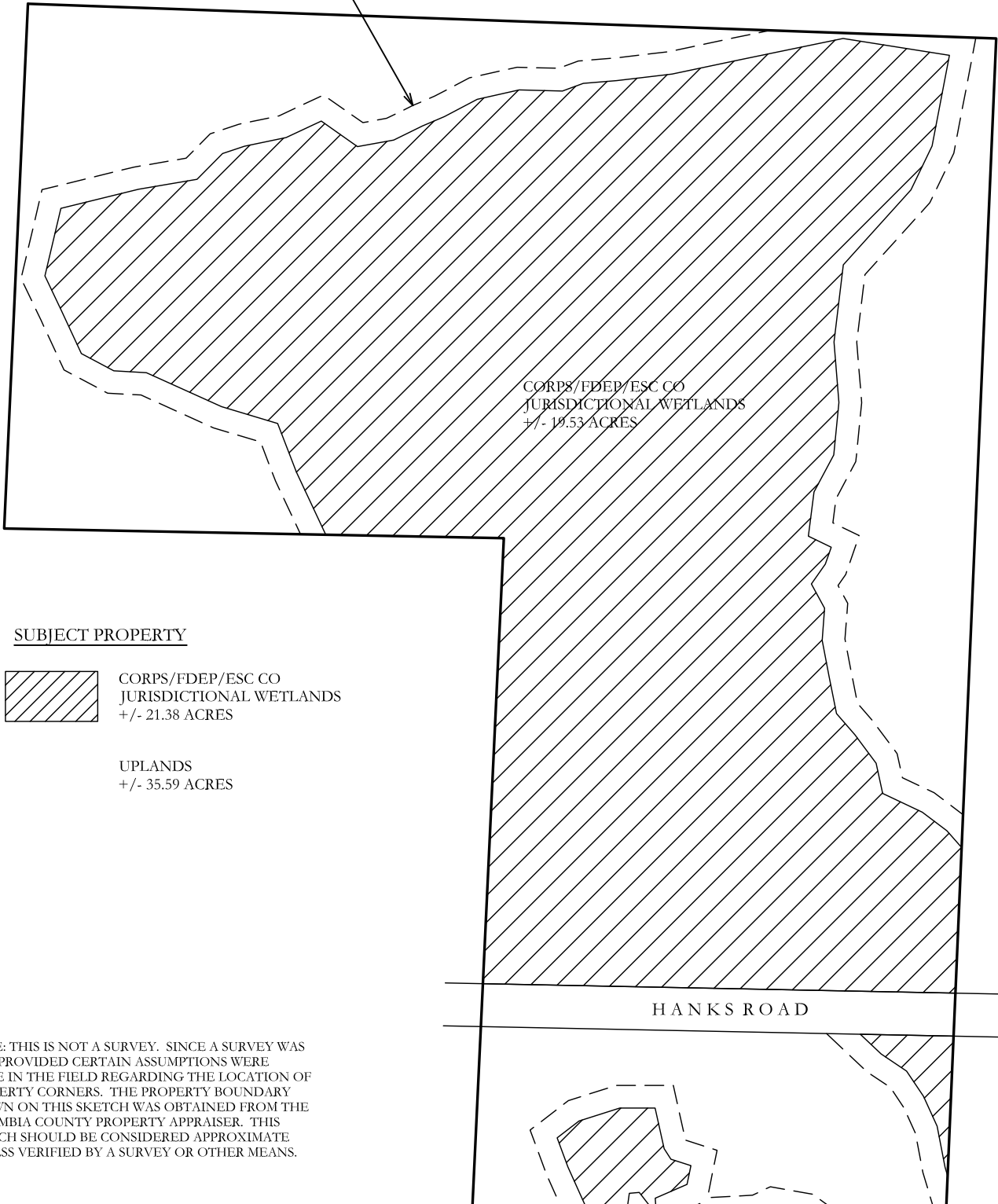
DATE: MAY 4, 2012

DRAWN BY: JAT

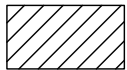
SCALE: 1" = 350'



ESCAMBIA CO 30-FT WELAND BUFFER  
PER LDC SECTION 7.13.03.N



SUBJECT PROPERTY



CORPS/FDEP/ESC CO  
JURISDICTIONAL WETLANDS  
+/- 21.38 ACRES

UPLANDS  
+/- 35.59 ACRES

NOTE: THIS IS NOT A SURVEY. SINCE A SURVEY WAS NOT PROVIDED CERTAIN ASSUMPTIONS WERE MADE IN THE FIELD REGARDING THE LOCATION OF PROPERTY CORNERS. THE PROPERTY BOUNDARY SHOWN ON THIS SKETCH WAS OBTAINED FROM THE ESCAMBIA COUNTY PROPERTY APPRAISER. THIS SKETCH SHOULD BE CONSIDERED APPROXIMATE UNLESS VERIFIED BY A SURVEY OR OTHER MEANS.



CLOSE-UP OF PARCEL NORTH OF HANKS ROAD

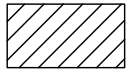
PROJECT #2012-099

DATE: MAY 4, 2012

DRAWN BY: JAT

SCALE: 1" = 200'

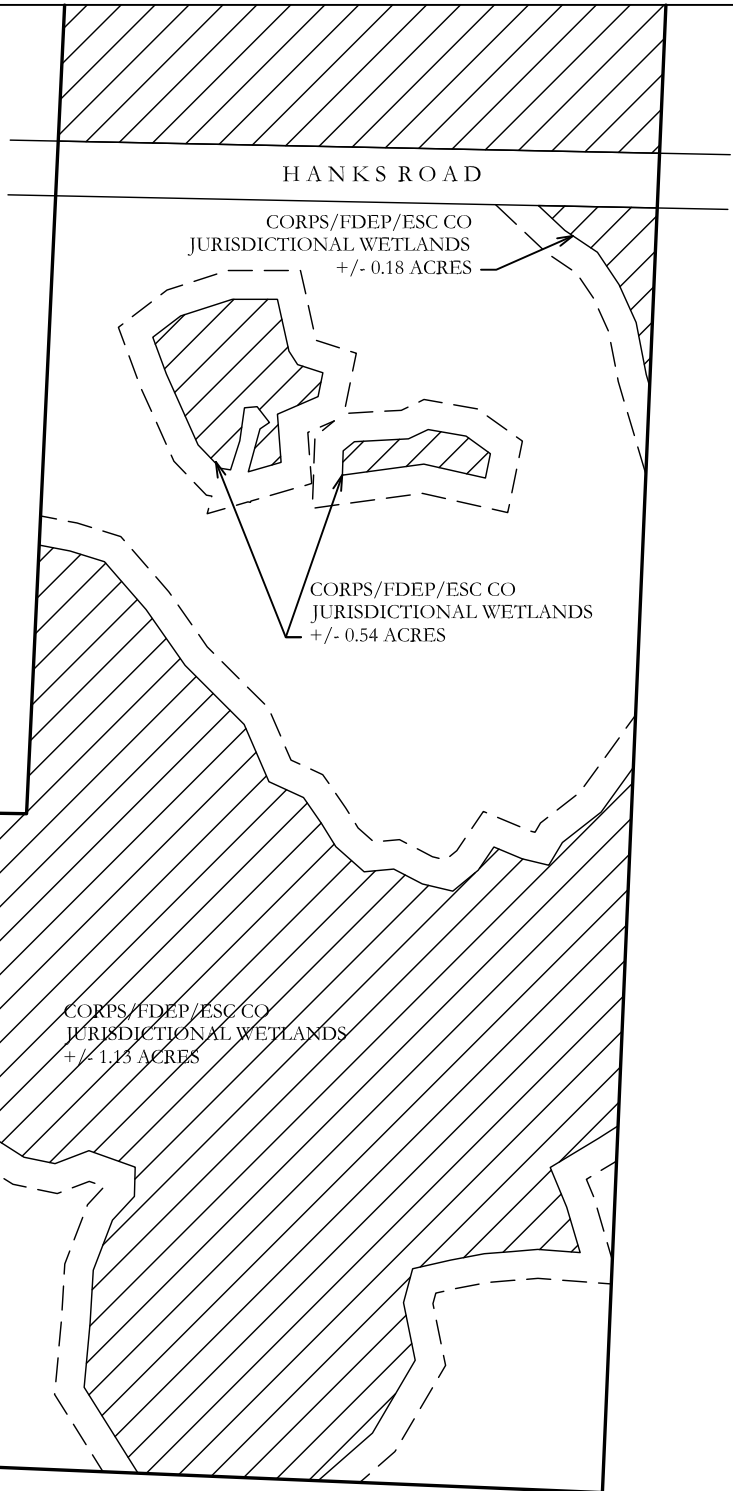
SUBJECT PROPERTY



CORPS/FDEP/ESC CO  
JURISDICTIONAL WETLANDS  
+/- 21.38 ACRES

UPLANDS  
+/- 35.59 ACRES

ESCAMBIA CO 30-FT WELAND BUFFER  
PER LDC SECTION 7.13.03.N



NOTE: THIS IS NOT A SURVEY. SINCE A SURVEY WAS NOT PROVIDED CERTAIN ASSUMPTIONS WERE MADE IN THE FIELD REGARDING THE LOCATION OF PROPERTY CORNERS. THE PROPERTY BOUNDARY SHOWN ON THIS SKETCH WAS OBTAINED FROM THE ESCAMBIA COUNTY PROPERTY APPRAISER. THIS SKETCH SHOULD BE CONSIDERED APPROXIMATE UNLESS VERIFIED BY A SURVEY OR OTHER MEANS.



CLOSE-UP OF PARCEL SOUTH OF HANKS ROAD

PROJECT #2012-099

DATE: MAY 4, 2012

DRAWN BY: JAT

SCALE: 1" = 200'



## BOARD OF COUNTY COMMISSIONERS Escambia County, Florida

### Planning Board-Regular

4. C.

**Meeting Date:** 07/09/2012

**Issue:** LDC Ordinance - Article 2 and 6 - Community Redevelopment Agency and Overlay Districts

**From:** Keith Wilkins, REP, Department Director

**Organization:** Community & Environment

---

### Information

#### **RECOMMENDATION:**

That the Board review and recommend approval to the Board of County Commissioners (BCC) an Ordinance to the Land Development Code (LDC) amending Article 2 "Administration," to include language defining the purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District; to include general standards for the Community Redevelopment District; and amending Article 6 "Zoning Districts," to delete the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street Commercial Overlay District; and create the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amend the Scenic Highway Overlay District by simply relocating it within the Ordinance for clarity purposes.

#### **BACKGROUND:**

After tremendous demand from Community Redevelopment Agency District residents and business owners, CRA staff has developed the proposed Ordinance to help guide future development and redevelopment of properties within the Community Redevelopment Districts by addressing the issues that have become evident between the current overlay districts for consistency purposes.

#### **BUDGETARY IMPACT:**

The building and performance standards detailed in the Ordinance will help revitalize the properties located within the Community Redevelopment Districts. The enhanced look and quality of the properties will help raise property values, which in turn will create incremental increases in the ad valorem tax base for the County.

#### **LEGAL CONSIDERATIONS/SIGN-OFF:**

The attached ordinance was reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any suggested legal comments are attached herein with the respective ordinance to which they pertain.

#### **PERSONNEL:**

No additional personnel are required for implementation of this Ordinance.

**POLICY/REQUIREMENT FOR BOARD ACTION:**

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

**IMPLEMENTATION/COORDINATION:**

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to appropriate staff and interested citizens. The proposed Ordinance was prepared in cooperation with the Community & Environment Department, the County Attorney's Office and interested citizens. The Community & Environment Department will ensure proper advertisement.

---

**Attachments**

Draft 1C LDC Ordinance



**ORDINANCE NUMBER 2012 - \_\_\_\_\_**

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**AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 2, "ADMINISTRATION," CREATING SECTION 2.14.00, TO INCLUDE LANGUAGE DEFINING THE COMMUNITY REDEVELOPMENT AGENCY, AND TO INCLUDE GENERAL STANDARDS FOR THE COMMUNITY REDEVELOPMENT DISTRICTS; AMENDING ARTICLE 3, "DEFINITIONS," SECTION 3.02.00 CREATING THE DEFINITION OF AN OVERLAY DISTRICT; AMENDING ARTICLE 6, "ZONING DISTRICTS," SECTION 6.07.00, TO DELETE THE RA-1(OL) BARRANCAS REDEVELOPMENT OVERLAY DISTRICT, THE C-3(OL) WARRINGTON COMMERCIAL OVERLAY DISTRICT, AND THE C-4(OL) BROWNSVILLE-MOBILE HIGHWAY AND "T" STREET COMMERCIAL OVERLAY DISTRICT, AND CREATE THE WARRINGTON, BARRANCAS, BROWNSVILLE, ENGLEWOOD AND PALAFOX OVERLAY DISTRICTS; AND TO AMEND THE SCENIC HIGHWAY OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the intent of this Ordinance is to include language defining the purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District;

**WHEREAS**, this Ordinance creates a definition for "overlay district;"

**WHEREAS**, this Ordinance deletes the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street commercial overlay district; and,

**WHEREAS**, this Ordinance creates the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amends the Scenic Highway Overlay District by simply relocating within the Ordinance for clarity purposes.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**

**Section 1.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 2, "Administration" Section 2.14.00 is hereby created as follows:

2.14.00. Community Redevelopment Agency.

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1 This article implements the goals, objectives and policies set forth in the Comprehensive  
2 Plan related to community redevelopment in Escambia County.

3  
4 2.14.01. *Legislative intent for the Community Redevelopment Agency.* The Escambia  
5 County Community Redevelopment Agency (CRA) refers to the public entity created  
6 by the Board of County Commissioners through the 1995 Community Redevelopment  
7 Strategy and functions within the County government. The strategy was developed in  
8 response to the State of Florida’s Community Redevelopment Act enacted in 1969  
9 (Chapter 163, Part III, Florida Statutes).

10  
11 The Florida Legislature amended the Community Redevelopment Act on July 1, 1977,  
12 to allow governments to use tax increment financing (TIF) funding as a tool for  
13 redevelopment. The BCC has adopted individual TIF funds for each designated  
14 Palafox, Englewood, Brownsville, Warrington, Barrancas community redevelopment  
15 districts to utilize the revenues from the sale of tax increment bonds for specific  
16 projects aimed at redeveloping areas defined as eligible under the community  
17 redevelopment regulations.

18  
19 2.14.02 *Implementation of CRA Plans and Overlay Districts.* The CRA and all other  
20 County divisions shall implement the recommendations of the Palafox, Englewood,  
21 Brownsville, Warrington, Barrancas and Cantonment Redevelopment Plans, in which  
22 the plans drive the enhancement efforts for each individual community redevelopment  
23 district. These plans provide guidance enhancing the district’s quality of life,  
24 encouraging private sector reinvestment, promoting sound economic development  
25 principles and providing recommendations for public sector enhancement  
26 opportunities such as capital improvement projects. The CRA shall determine  
27 compliance with the overlay regulations particularly as it pertains to the uses as well  
28 as the site and building requirements, and determine whether exceptions to the  
29 overlay district standards may be granted.

30  
31 ~~2.14.03 *Spot zoning.* For the purposes of carrying out the mission of the Community~~  
32 ~~Redevelopment Agency, spot zoning is defined as the rezoning of a lot or parcel of land~~  
33 ~~that will create an isolated zoning district that is incompatible with the adjacent and~~  
34 ~~nearby zoning districts. Surrounding uses, whether conforming or non-conforming may~~  
35 ~~not be taken into consideration for the rezoning rationale.~~

36  
37 ~~2.14.04 *Nonconforming uses.* A nonconforming use shall not be extended, expanded,~~  
38 ~~enlarged, or increased in intensity. Such prohibited activities apply to non-complying~~  
39 ~~buildings, structures or dwellings.~~

40  
41 ~~Where the cessation of the nonconforming use is involuntary or the result of acts of God,~~  
42 ~~the nonconforming use may be replaced if construction efforts to replace the building,~~  
43 ~~structure or dwelling are underway within six months of the occurrence. An extension to~~  
44 ~~the time period may be granted by the CRA manager, or designee, if the landowner~~  
45 ~~proves a cessation of use was due to circumstances beyond control and that the~~  
46 ~~landowner exerted a continuing good faith effort to put the building, structure or dwelling~~  
47 ~~to use during the prescribed period.~~

~~2.14.05 Reconstruction of nonconforming uses. Any reconstruction undertaken to nonconforming uses approved for replacement by the CRA manager, or designee, must conform to all applicable laws, rules and regulations governing building and construction, and all applicable performance standards.~~

**Section 2.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 3, "Definitions", Section 3.02.00 is hereby amended as follows:

**3.02.00. Terms defined.**

Overlay district. An overlay district is a professionally accepted planning tool for establishing development restrictions on land within a defined geographic area or characterized by specific physical features or site conditions. Overlay districts are typically superimposed over one or more underlying conventional zoning districts in order to address areas of community interest that warrant special consideration such as historic preservation, area enhancement, or protection of a particular resource(s); however, overlay districts may also be used as stand-alone regulations to manage development in desired areas of the community.

**Section 3.** Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 6, "Zoning Districts", Section 6.07.00 is hereby amended as follows:

**6.07.00. Overlay districts (general).**

~~Intent and purpose of district.~~ This special overlay section is intended to provide an enhanced level of protection for land areas which provide primary access (gateways) to (1) major military installations, (2) redevelopment area commercial corridors, and (3) the unique scenic vista and environmental resources of the county. An overlay district is a professionally accepted planning tool for establishing development restrictions on land within a defined geographic area or characterized by specific physical features or site conditions. Overlay districts are typically superimposed over one or more underlying conventional zoning districts in order to address areas of community interest that warrant special consideration such as historic preservation, area enhancement, or protection of a particular resource(s); however, overlay districts may also be used as stand-alone regulations to manage development in desired areas of the community.

~~6.07.01. C-3(OL) Warrington commercial overlay district.~~

~~A. Intent and purpose of district.~~ This special performance district is intended to provide an enhanced level of protection for land uses in those commercial corridors which (1) are located within the Warrington Redevelopment Area, and (2) provide primary access (gateways) to the two major military installations. This is an overlay district and the regulations herein expand upon the existing C-1 and/or C-2 zoning district regulations otherwise imposed on individual parcels within the commercial corridor.

1 ~~B. *Applicability.* This overlay district applies to all C-1 or C-2 zoned properties~~  
2 ~~indicated on the zoning map as C-3OL. A generalized map of the C-4(OL)~~  
3 ~~District is depicted in Figure 1; however, it is not the official zoning map and~~  
4 ~~should be used only for preliminary determination of the application of the~~  
5 ~~overlay zone.~~

6 ~~C-3(OL) Warrington Commercial Overlay District~~

7 ~~C. *Relationship to underlying zoning.* All of the use listings and site design~~  
8 ~~requirements of the underlying C-1 and C-2 commercial districts shall continue~~  
9 ~~to apply. This C-3(OL) district adds one prohibited use and adds to the list of~~  
10 ~~uses that shall require conditional use review and approval by the board of~~  
11 ~~adjustment. The conditional use review shall require a finding of fact on both~~  
12 ~~those performance standards listed in section 2.05.03 of this Code and the~~  
13 ~~additional performance standards listed in F., G., and H. below.~~

14  
15 ~~D. *Prohibited uses.* Portable food vendors.~~

16  
17 ~~E. *Use requiring special conditional use review.*~~

- 18  
19 ~~1. Convenience stores.~~  
20 ~~2. Retail sale of alcohol for off-premises consumption.~~  
21 ~~3. Bars and nightclubs.~~  
22 ~~4. Tattoo parlors.~~  
23 ~~5. Pawn shops and check-cashing services.~~  
24 ~~6. Commercial amusement arcades, including billiard parlors and game~~  
25 ~~machine arcades.~~  
26 ~~7. Automotive uses (including car sales, automobile rental agencies, car~~  
27 ~~washes, auto repair facilities, tire sales, etc.).~~  
28 ~~8. Truck, utility trailer, and RV rental service or facility.~~

29  
30 ~~F. *Performance standards.*~~

31  
32 ~~1. *Building and sign design.* The choice of building materials, colors and~~  
33 ~~building signage shall be compatible with the intent of this district and~~  
34 ~~shall not have an adverse visual impact on surrounding properties of the~~  
35 ~~two nearby Navy installations.~~

36  
37 ~~2. *Color and materials.* Colors shall be compatible with the general~~  
38 ~~pattern existing on the commercial corridors within the Warrington area.~~

39  
40 ~~G. *Conditional use performance standards.* The department of growth~~  
41 ~~management urban design planner or community redevelopment agency~~  
42 ~~redevelopment specialist shall provide a staff assessment for the board of~~



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1 adjustment (BOA) based upon the following criteria, and the BOA shall make  
2 findings of fact relative to the following conditional use standards in addition to  
3 those in F.1. above and article 2 of this Code:  
4

5  
6 1. *Distance.* At least 500 feet shall separate any two uses of the same  
7 kind or, for automotive uses, of a similar kind as listed in E. above. For  
8 example, a car wash shall be separated from any other car wash by a  
9 distance of at least 500 feet. This shall be measured from the closest  
10 point of the building facade of the use.  
11

12 2. *Freestanding on-premises signs.* There shall be only one such sign  
13 per parcel and it shall not exceed 100 square feet per sign face and 25  
14 feet in height; in the case of multiuse parcels, the sign shall not exceed  
15 200 square feet. The sign face shall have colors, materials and lighting  
16 that are compatible with the general pattern existing on the commercial  
17 corridors within the Warrington area.  
18

19 3. *Management plan.* The applicant shall submit a management plan  
20 that addresses the following:  
21

22 a. Proposed hours of operations.  
23

24 b. Other similar properties managed by the applicant, now or in  
25 the past.  
26

27 c. Explanation of any franchise agreement.  
28

29 H. *C-2 performance standards.* Any project within this overlay district which is  
30 zoned C-2 General Commercial shall be subject to the following special design  
31 standards.  
32

33 1. *Landscaping.* For developments subject to section 7.01.00 a  
34 minimum ten-foot wide landscaped strip shall be required on all roadway  
35 frontages, and shall contain one tree and ten shrubs for every 35 linear  
36 feet of frontage. Preservation of existing plant communities within the  
37 required landscaped areas can be used to satisfy this requirement.  
38 Buffers required adjacent to residential districts shall include a minimum  
39 of two trees and 15 shrubs for every 35 linear feet of required buffer  
40 area.  
41

42 2. *Vehicular use areas.* Areas other than public rights-of-way, designed  
43 to be used for parking, storage of vehicles for rent or sales, or  
44 movement of vehicular traffic, shall be separated by a five-foot  
45 landscaped strip from any boundary of the property on which the

1 vehicular use area is located. This landscaped strip shall consist of  
2 shrubs or ground covers with a minimum mature height of 24 inches and  
3 a maximum height of 30 inches. Plant material shall be spaced 18  
4 inches to 24 inches apart, depending on their mature size.

5  
6 *3. Parking lots.* Interior parking areas shall have one landscape island  
7 containing at least one tree and shrubs or ground covers as per the  
8 above specifications, for every eight continuous spaces.

9  
10 *4. Irrigation system.*

11  
12 a. An irrigation system shall be installed for all landscaped areas  
13 of the site.

14  
15 b. All irrigation materials used shall be ASTM approved.

16  
17 c. All irrigation systems shall include rain sensors.

18  
19 *5. Existing development.* Notwithstanding section 7.00.01.B., any C-2  
20 change of use that applies for approval within this overlay district must  
21 meet the above standards as well as those of section 7.01.05.

22  
23 *6.07.02. Scenic highway overlay district.*

24 *A. Intent, boundaries and purpose of the district.* This district is intended to  
25 protect the unique scenic vista and environmental resources of the Scenic  
26 Highway Corridor and adjacent Escambia Bay shoreline. This is an overlay  
27 district and the regulations herein expand upon existing R-1, R-2, R-3, R-6, C-1,  
28 and/or ID-1 zoning district regulations otherwise imposed on individual parcels  
29 within the corridor. The district overlays all parcels adjacent to the Pensacola  
30 Scenic Bluffs Highway corridor on the west side of the highway and all of the  
31 property between the Pensacola Scenic Bluffs Highway and the Escambia Bay  
32 on the east side of the highway, for approximately five miles from the city limit  
33 of Pensacola along Scenic Highway continuing along Highway 90 to the bridge  
34 over the Escambia River at the Santa Rosa County line. A generalized map of  
35 the Scenic Highway Overlay district is depicted in Figure 2; however, it is not  
36 the official zoning map and should be used only for preliminary determination of  
37 the application of the overlay zone. The purpose of the district is to alleviate  
38 harmful effects of on-site generated erosion and runoff caused by clearing  
39 natural vegetation and changing existing contours of the land, and to ensure the  
40 preservation of the bluffs, wetland areas and scenic views along the bay and  
41 assure continued public access to the views along the corridor. Views are an  
42 amenity and human appreciation of views is reflected in both private property  
43 values and the overall general welfare of the community.

44  
45 *B. Permitted uses.* See underlay zoning districts.

1  
2 ~~C. *Lot coverage.* Maximum area land coverage by all structures, parking areas,~~  
3 ~~driveways and all other impervious surfaces shall not exceed 50 percent of the~~  
4 ~~gross site area.~~

5  
6 ~~D. *Setback.* All structures shall be located a minimum of 50 feet from the Scenic~~  
7 ~~Highway right-of-way unless precluded by lot configuration or topography.~~

8  
9 ~~E. *Building separation.* The minimum distance between structures shall be 15~~  
10 ~~feet and there shall be at least 100 feet between a multifamily structure~~  
11 ~~(including hotels and motels) and single-family dwellings.~~

12  
13 ~~F. *Pedestrian-bicycle.* The intent of the corridor management plan is to provide~~  
14 ~~a multiuse path on the east side of Scenic Highway the full length of the corridor~~  
15 ~~at the maximum distance possible from the roadway pavement, within the right-~~  
16 ~~of-way. During the site review process the staff will work with the applicant to~~  
17 ~~maximize the innovative integration of a path extension, into the project, outside~~  
18 ~~of the right-of-way on public property or on easements donated by private~~  
19 ~~property owners.~~

20  
21 ~~G. *Building heights.* Buildings between the Scenic Highway and Escambia Bay~~  
22 ~~shall have a maximum height of 35 feet as measured at the average finished~~  
23 ~~grade elevation of the lot above mean sea level (MSL). Nonresidential uses can~~  
24 ~~exceed the height limit only with conditional use approval by the board of~~  
25 ~~adjustment. In addition to the other conditional use criteria, the requested height~~  
26 ~~must be found not to interfere with the scenic attractiveness of the location as~~  
27 ~~viewed from any plausible direction. In addition, for structures over 35 feet in~~  
28 ~~height, for every two feet in height over 35 feet, there shall be an additional one~~  
29 ~~foot of front and side setback at the ground level.~~

30  
31 ~~H. *Tree protection.*~~

32  
33 ~~1. A canopy road tree protection zone is hereby established for all land~~  
34 ~~within 20 feet of the right of way of Scenic Highway and Highway 90 to~~  
35 ~~the Santa Rosa County line. No person or agency shall cut, remove,~~  
36 ~~trim or in any way damage any tree in any canopy tree protection zone~~  
37 ~~without a permit. Except in unique cases, such pruning shall not remove~~  
38 ~~more than 30 percent of the existing tree material. Utility companies are~~  
39 ~~not permitted to prune more than 30 percent of the existing tree canopy.~~

40  
41 ~~2. Heritage Oak trees shall be prescribed.~~

42  
43 ~~3. Clearing of natural vegetation within the corridor shall require a land~~  
44 ~~disturbing permit and is generally prohibited except for the minimum~~



1 area needed for construction of allowable structures or view  
2 enhancement.

3  
4 *I. Landscaping.*

5  
6 1. For developments subject to section 7.01.00, a minimum ten-foot  
7 wide landscaped strip shall be required along the Scenic Highway  
8 frontage, and shall contain one tree for every 35 linear feet of frontage.  
9 The trees shall be tall enough so that a six-foot view shed exists at  
10 planting. Preservation of existing plant communities within the required  
11 landscaped areas can be used to satisfy this requirement.

12  
13 2. Orientation of commercial buildings shall be away from residential  
14 development within or adjacent to the district. Layout of parking and  
15 service areas, access, landscaping, yards, courts, walls, signs, lighting  
16 and control of noise and other potentially adverse influences shall be  
17 such as to promote protection of such residential development, and will  
18 include adequate buffering.

19  
20 *J. Fences.* See section 7.04.00. No fence may be solid. No chain link fence  
21 shall be located between Scenic Highway and the principal building. Any other  
22 type of fence in this area shall not exceed three feet. Where single story  
23 structures are higher than the roadbed, there should be no wall, fence, structure  
24 or plant material located between the front building line and the roadbed that  
25 will obstruct the view from automobiles on the scenic route.

26  
27 *K. Structure location.* Whether a conditional use or site planning review, all  
28 structures will be reviewed to assure conformance with the following criteria:

29  
30 1. The location shall afford maximum views of the bay from the street  
31 right-of-way.

32  
33 2. The location shall minimize impact on the natural bluff and plant  
34 material (other than pruning to enhance views).

35  
36 3. Provide underground utilities.  
37

38 *6.07.03. C-4(OL) Brownsville-Mobile Highway and "T" Street commercial overlay*  
39 *district.*

40 *A. Intent and purpose of district.* This special performance district is intended to  
41 provide an enhanced level of protection to the prime commercial corridor of the  
42 Brownsville Redevelopment Area thereby furthering the objectives of the  
43 redevelopment plan. This is an overlay and the regulations herein expand upon

1 existing R-6, C-1 and/or C-2 zoning district regulations otherwise imposed on  
2 individual parcels within the commercial corridor.

3  
4 *B. Applicability.* This overlay district applies to all R-6, C-1, C-2, or ID-1 zoned  
5 properties along the Mobile Highway corridor approximately between "W" Street  
6 and Seaton Lane and to all C-2 zoned properties along the "T" Street corridor  
7 bounded on the north by Fairfield Drive, on the east by "S" Street, on the south  
8 by Blount Street, and on the west by "V" Street indicated on the "Exhibit 1: C-  
9 4(OL) zoning map" and incorporated by reference herein. A generalized map of  
10 the C-4(OL) District is depicted in Figure 3; however, it is not the official zoning  
11 map and should be used only for preliminary determination of the application of  
12 the overlay zone.

13  
14 *C. Relationship to underlying zoning.* All of the use listings and site design  
15 requirements of the underlying R-6, C-1, C-2, and ID-1 commercial or industrial  
16 districts shall continue to apply. This C-4(OL) district adds one prohibited use  
17 and adds to the list of uses that shall require conditional use review and  
18 approval by the Board of Adjustment. The conditional use review shall require a  
19 finding of fact on both those performance standards listed in section 2.05.03 of  
20 the Code and the additional performance standards listed in F. and G. below.

21  
22 *D. Prohibited uses.* Off-premises [signs].

23  
24 *E. Uses requiring special conditional use review.*

- 25 1. Convenience stores.
  - 26 2. Retail sale of alcohol for off-premises consumption.
  - 27 3. Bars and nightclubs.
  - 28 4. Pawn shops and check-cashing services.
  - 29 5. Commercial amusement arcades, including billiard parlors and game  
30 machine arcades.
  - 31 6. Automotive uses (including used car sales, automobile rental  
32 agencies, car washes, auto repair facilities, tire sales, etc.).
  - 33 7. Truck, utility trailer, and RV rental service or facility.
  - 34 8. Portable food vendors.
- 35  
36  
37  
38  
39  
40  
41  
42  
43

1 ~~9. Any new building that is more than 15 percent taller than any~~  
2 ~~building on an adjacent parcel.~~

3  
4 ~~10. Tattoo parlors.~~

5  
6 ~~11. Welding shops located in C-1 zoning districts prior to March 1, 2004.~~

7  
8 ~~F. Performance standards.~~

9  
10 ~~1. Building and sign design. The choice of building materials, colors and~~  
11 ~~building signage shall be compatible with the intent of this district.~~  
12 ~~Buildings shall incorporate "human scale" design. Such design is~~  
13 ~~proportioned to reflect pedestrian scale and movement, and to~~  
14 ~~encourage interest at the street level.~~

15  
16 ~~a. Orientation. Wherever feasible, buildings shall be "street-~~  
17 ~~oriented" to create a desirable pedestrian environment between~~  
18 ~~the building and the street. Street orientation should include~~  
19 ~~entrances, storefronts, and display windows facing Mobile~~  
20 ~~Highway, Cervantes Street, or "T" Street. If the rear of the~~  
21 ~~building any of these streets, the rear of the building must have a~~  
22 ~~pseudo-storefront.~~

23  
24 ~~b. Color and materials. Colors shall be compatible with the~~  
25 ~~general pattern existing on the Mobile Highway and "T" Street~~  
26 ~~commercial corridors.~~

27  
28 ~~c. Setback. New construction shall be setback from Mobile~~  
29 ~~Highway, Cervantes Street, or "T" Street a distance similar to~~  
30 ~~adjacent buildings unless customer parking is provided adjacent~~  
31 ~~to any of these streets in support of Crime Prevention Through~~  
32 ~~Environmental Design (CPTED).~~

33  
34 ~~G. Conditional use performance standards. The department of growth~~  
35 ~~management urban design planner or community redevelopment agency~~  
36 ~~redevelopment specialist shall provide a staff assessment for the board of~~  
37 ~~adjustment (BOA) based upon the following criteria, and the BOA shall make~~  
38 ~~findings of fact relative to the following conditional use standards in addition to~~  
39 ~~those in F.1.a., b., and c. cited above and article 2 of this Code:~~

40  
41 ~~1. Distance. At least 500 feet shall separate any two uses of the same~~  
42 ~~kind or, for automotive uses, of a similar kind as listed in E. above. For~~  
43 ~~example, a car wash shall be separated from any other car wash by a~~  
44 ~~distance of least 500 feet. This shall be measured from the closest point~~  
45 ~~on the building facade of the use.~~



1  
2 ~~2. *Freestanding on-premises signs.* There shall be only one such sign~~  
3 ~~per parcel and it shall not exceed 100 square feet per sign face and 25~~  
4 ~~feet in height; in the case of multiuse parcels, the sign shall not exceed~~  
5 ~~200 square feet. The sign face shall have colors, materials and lighting~~  
6 ~~that are compatible with the general pattern existing on the Mobile~~  
7 ~~Highway and "T" Street commercial corridors.~~

8  
9 ~~3. *Management plan.* The applicant shall submit a management plan the~~  
10 ~~addresses the following:~~

11  
12 ~~a. Proposed hours of operations.~~

13  
14 ~~b. Other similar properties managed by the applicant, now or in~~  
15 ~~the past.~~

16  
17 ~~c. Explanation of any franchise agreement.~~

18  
19 ~~6.07.04. *RA-1(OL) Barrancas Redevelopment Area Overlay District.*~~  
20

21 ~~*A. Intent and purpose of the district.* This district is intended to provide an~~  
22 ~~enhanced level of protection for land uses, which are located in the Barrancas~~  
23 ~~Redevelopment Area, and to protect the unique environmental resources of~~  
24 ~~Bayou Chico. This is an overlay district and the regulations herein expand upon~~  
25 ~~the existing R-1, R-2, R-3, R-4, R-6, C-1, and WMU underlying districts~~  
26 ~~otherwise imposed on individual parcels within the Redevelopment Area. The~~  
27 ~~purpose of this district is to (1) alleviate the harmful effects of industrial~~  
28 ~~pollutants entering and degrading the quality of Bayou Chico and (2) enhance~~  
29 ~~the character of the area, which has been changed by the realignment of~~  
30 ~~Barrancas Avenue, through appropriate land use controls.~~

31  
32 ~~*B. Applicability.* This overlay district applies to all R-1, R-2, R-3, R-4, R-6, C-1,~~  
33 ~~and WMU zoned properties indicated on "Exhibit 1, RA-1(OL) Barrancas~~  
34 ~~Redevelopment Area Overlay District" zoning map, which is incorporated by~~  
35 ~~reference herein and is reflected in the official zoning maps. A generalized map~~  
36 ~~of the RA-1(OL) District is depicted in Figure 4 attached to Ordinance No. 2006-~~  
37 ~~\_\_\_\_\_;~~  
38 ~~however, it is not the official zoning map and should be used~~  
39 ~~only for preliminary determination of the application of the overlay zone.~~

40 ~~*C. Relationship to underlying zoning.* All of the use listings and site design~~  
41 ~~requirements of the underlying R-1, R-2, R-3, R-4, R-6, C-1 and WMU districts~~  
42 ~~shall continue to apply unless modified by the following:~~

43  
44 ~~*D. Permitted uses.*~~  
45

1 ~~1. Antique shops allowed in R-6 and C-1 underlying zoning districts.~~

2  
3 ~~2. Bed and breakfast inns, as licensed under F.S. ch. 509, allowed in R-~~  
4 ~~4, R-6, C-1, and WMU underlying zoning districts.~~

5  
6 ~~3. Multifamily residential developments, allowed in R-4, R-6, C-1, and~~  
7 ~~WMU underlying zoning districts, consisting of three (3) or more~~  
8 ~~attached units are required to be condominium developments pursuant~~  
9 ~~to the Condominium Act, F.S. ch. 718. This does not apply to single-~~  
10 ~~family attached homes such as duplexes, townhomes, or rowhouses.~~

11  
12 *E. Conditional uses.*

13  
14 ~~1. Private clubs and lodges.~~

15  
16 ~~2. Automobile repair shops, including indoor repair and restoration (not~~  
17 ~~including painting) for ignition, fuel, brake and suspension systems or~~  
18 ~~similar uses and sale of related products necessary for automobile~~  
19 ~~repair, gross floor area not to exceed 6,000 square feet. Outside repair~~  
20 ~~and/or storage and automotive painting is prohibited.~~

21  
22 *F. Prohibited uses.*

23  
24 ~~1. Automobile service stations that include the sale of gasoline. Outside~~  
25 ~~repair and/or storage and automotive painting is prohibited.~~

26  
27 ~~2. Boarding and lodging houses, or other similar uses.~~

28  
29 ~~3. Commercial boat storage, except in the underlying WMU district.~~

30  
31 ~~4. Commercial RV Storage.~~

32  
33 ~~5. Campgrounds.~~

34  
35 ~~6. Carnival-type amusements and amusement arcades.~~

36  
37 ~~7. Fortune tellers, palm readers, psychics, etc.~~

38  
39 ~~8. Mini-warehouses.~~

40  
41 ~~9. Mobile homes and manufactured homes.~~

10. ~~Off-premises signs, billboards and other sign structures erected, located and maintained as provided for in article 8 of this Code.~~

11. ~~Pawn shops.~~

12. ~~Used clothing deposit box.~~

13. ~~Wholesale and/or distribution warehousing except in WMU underlying zoning district.~~

~~G. Site and building requirements.~~

1. ~~Building height.~~ Except for properties within the WMU zoning district, no building or structure shall exceed 45 feet in height as defined in section 3.00.01 of this Code. Height for buildings with pitched roofs shall be measured to the bottom of the eaves. If a lower height is specified in an underlying zoning district, the lower height shall prevail.

2. ~~Building design.~~

a. ~~The choice of building materials and colors shall be compatible with the intent of this district and shall not have an adverse visual impact on surrounding properties.~~

b. ~~For R-3 and R-4 zoning districts buildings shall be "street-oriented" to create a desirable pedestrian environment between the building and the street. Street orientation is defined as having a clear and visible orientation to the street. Street orientation should include:~~

(1) ~~Garages.~~ For residential uses, there shall be no front facing garages unless they are setback an additional ten feet from the primary front facade and do not exceed 25 percent of the street facing building facade. If the lot width is forty feet or less, the 25 percent requirement shall not apply. All other garages must face the side or rear of the parcel.

(2) ~~Front entry.~~ The front facade shall include the primary entry door, be street facing, and include a porch or stoop.

(a) ~~Front porches.~~ Front porches shall be a minimum six feet deep and ten feet wide. The

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1 scale of the front porch should be in scale with the  
2 primary facade.

3  
4 (b) Stoops. Stoops provide connections to  
5 building entrances or porches where residential  
6 buildings are elevated above grade. Stoops shall  
7 be a minimum of five feet wide.

8  
9 (3) Off-street parking. All off-street parking shall be  
10 located in the rear of the building that faces the public  
11 street or within a garage. For single-family detached  
12 housing, off-street parking can be located in a carport,  
13 driveway or garage.

14  
15 c. For R-6 and C-1 zoning districts buildings shall be "street-  
16 oriented" to create a desirable pedestrian environment between  
17 the building and the street. Street orientation is defined as  
18 having a clear and visible orientation to the street. Street  
19 orientation should include:

20  
21 (1) Front and side setback lines should be consistent with  
22 adjacent structures. Rear setbacks shall be as required  
23 by the underlying zoning district. Where setback lines are  
24 not clearly established, buildings shall be built to within  
25 ten (10) feet of property lines.

26  
27 (2) Buildings shall be oriented so that the principal facade  
28 is parallel or nearly parallel to the streets they face. On  
29 corner sites, buildings shall occupy the corner.

30  
31 (3) Walkways that lead to front doors, separate from the  
32 driveway are encouraged.

33  
34 (4) Entrances shall be well lit, visible from the street and  
35 easily accessible.

36  
37 (5) Off-street parking.

38  
39 (a) For residential uses, all off-street parking shall  
40 be located in the rear of the building that faces the  
41 public street or within a garage. For single-family  
42 detached housing, off-street parking can be  
43 located in a carport, driveway or garage. There  
44 shall be no front facing garages unless they are  
45 setback an additional ten feet from the primary



# DRAFT

1 front facade and do not exceed 25 percent of the  
2 street facing building facade. If the lot width is  
3 forty feet or less, the 25 percent requirement shall  
4 not apply.

5  
6 (b) For commercial uses, off-street parking areas  
7 shall be located on the side or rear of the building  
8 unless a shared central parking facility is  
9 developed through an easement or common  
10 ownership among contiguous properties.  
11 Curbscuts shall be limited to one 20-foot access  
12 point for a shared central parking facility. Liner  
13 buildings or landscaping shall be used to screen  
14 parking from the street.

15  
16 (c) Walkways shall be included in off-street  
17 parking areas.

18  
19 (6) Buildings shall incorporate "human scale" design.  
20 That is, designed in proportions to reflect human  
21 pedestrian scale and movement, and to encourage  
22 interest at the street level. "Human scale" is best  
23 achieved when the street-to-building height ratio is 1:2  
24 and does not exceed 1:3. (e.g. if the street is 24 feet  
25 wide, building height should not exceed 72 feet)

26  
27 (7) All service and loading areas shall be entirely  
28 screened from view.

29  
30 (8) Sidewalk sales and/or tent sales with temporary  
31 displays shall be permitted immediately adjacent to the  
32 business for no more than fourteen days in any one  
33 calendar year provided that all required permits are  
34 obtained and a traffic management and parking plan are  
35 presented to, and approved by, the traffic engineering  
36 department prior to events.

37  
38 (9) Outdoor dining. Outdoor dining and seating shall be  
39 permitted. Dining areas shall be properly designated and  
40 appropriately separated from public walkways and streets  
41 using attractive materials such as railings, opaque  
42 wrought iron fences, landscaping, or other suitable  
43 material. Designated outdoor dining areas adjacent to  
44 public right-of-way shall allow a minimum unobstructed  
45 sidewalk of six feet along the public right-of-way.  
46

1                    ~~3. Landscaping.~~

2  
3                    a. ~~See section 7.01.00 of this Code.~~

4  
5                    b. ~~It is the proposed intent of this ordinance to encourage water~~  
6                    ~~conservation through proper plant selection, installation and~~  
7                    ~~maintenance practices. All commercial and industrial projects~~  
8                    ~~shall submit a landscape plan as part of the development review~~  
9                    ~~criteria. The plan will include plant species proposed, location of~~  
10                   ~~all plant material, including areas proposed for sod, areas of~~  
11                   ~~natural vegetation to be protected, and an irrigation plan. Native~~  
12                   ~~plant species are required. Sabal palm is considered a native~~  
13                   ~~plant species.~~

14  
15                   ~~4. Buffers and screening of outdoor storage.~~ See section 7.01.06 of this  
16                   ~~Code except the following revisions shall be applied to the RA-1(OL)~~  
17                   ~~Barrancas Redevelopment Area Overlay District.~~

18  
19                   a. ~~Section 7.01.06.D.2. Type. Only fencing (may or may not be~~  
20                   ~~opaque) or walls made of concrete or stucco may supplement~~  
21                   ~~buffers. Specifically, old garage doors and pieces of tin do not~~  
22                   ~~qualify for fencing or wall materials; and~~

23  
24                   b. ~~Section 7.01.06.E. Screening of outdoor storage. Opaque~~  
25                   ~~fencing shall mean chain link fence with slats, privacy wooden~~  
26                   ~~fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco~~  
27                   ~~wall may also be used to screen outdoor storage.~~

28  
29                   ~~5. Natural features.~~ Natural features shall be protected and integrated  
30                   ~~into site design/development where possible. The applicant shall~~  
31                   ~~demonstrate how the development protects and incorporates existing~~  
32                   ~~vegetation.~~

33  
34                   ~~6. Crime prevention through environmental design.~~ Crime Prevention  
35                   ~~Through Environmental Design (CPTED) principles shall be used when~~  
36                   ~~designing any element within the RA-1(OL) District, including but not~~  
37                   ~~limited to site design, buildings, street design, signs, landscaping and~~  
38                   ~~parking. The following CPTED guidelines should be considered when~~  
39                   ~~designing any element within the RA-1 (OL) District.~~

40  
41                   a. ~~Territoriality.~~ All building entrances, parking areas, pathways  
42                   ~~and other elements should incorporate appropriate features that~~  
43                   ~~express ownership. The use of these features shall not conflict~~  
44                   ~~with the need for natural surveillance.~~

1 ~~b. *Natural surveillance.* The site layout, building and landscape~~  
2 ~~design shall promote the principles of natural surveillance.~~  
3 ~~Physical features and activities should be oriented and designed~~  
4 ~~in ways that maximize the ability to see throughout the site.~~

5  
6 ~~c. *Activity support.* The site layout and building design should~~  
7 ~~encourage legitimate activity in public spaces.~~

8  
9 ~~d. *Access control.* To discourage crime, entrances and exits~~  
10 ~~should be located and designed in a manner that incorporates~~  
11 ~~natural surveillance techniques and area control measures.~~

## 12 ~~7. *Signs.*~~

13  
14  
15 ~~a. See article 8 of this Code.~~

16  
17 ~~b. The choice of building signage shall be compatible with the~~  
18 ~~intent of this district and shall not have an adverse visual impact~~  
19 ~~on surrounding properties.~~

20  
21 ~~c. Free-standing on-premises signs shall be "human scaled".~~  
22 ~~There shall be only one such sign per parcel and it shall not~~  
23 ~~exceed 100 square feet per sign face and 12 feet in height; in~~  
24 ~~the case of multi-use parcels, the sign shall not exceed 299~~  
25 ~~square feet. The sign face shall have colors, materials and~~  
26 ~~lighting that are compatible with the general pattern existing in~~  
27 ~~the Barrancas Redevelopment Area Overlay District.~~  
28 ~~Freestanding signs shall be limited to monument signs. Attached~~  
29 ~~signs or shingles may be permitted for individual businesses in a~~  
30 ~~multi-use building. Such signs shall not exceed 20 square feet~~  
31 ~~per sign face.~~

32  
33 ~~d. Billboards or pole signs are not permitted in this overlay~~  
34 ~~district.~~

## 35 36 ~~8. *Locational criteria.* See section 7.20.02 of this Code.~~

### 37 38 6.07.01. Warrington Overlay District.

39  
40 A. *The intent and purpose.* The Warrington Overlay District is intended to provide  
41 an enhanced level of protection for land uses and provide primary access  
42 (gateways) to the two major military installations located within the Warrington  
43 Community Redevelopment District. This is a zoning overlay district and the  
44 regulations herein expand upon the existing zoning district regulations otherwise  
45 imposed on individual parcels within the Warrington Community Redevelopment  
46 District.

1  
2 B. *Applicability.* This zoning overlay district applies to all zoned properties located  
3 in the Warrington Community Redevelopment District.

4  
5 C. *Relationship to underlying zoning.* All of the use listings and site design  
6 requirements of the underlying zoning districts shall continue to apply unless  
7 modified by the following:

8  
9 D. *Permitted uses.* Mixed-use developments, defined as where non-residential  
10 and residential uses occupy the same building. The non-residential use(s) shall  
11 contain the first or bottom floor and the residential use(s) contain the second or  
12 upper floor(s).

13  
14 E. *Prohibited uses.*

15  
16 1. Portable food vendors.

17  
18 2. Mobile homes and manufactured homes. (This does not prohibit the  
19 construction of modular homes; see Article 3 of this code.)

20  
21 3. Mobile home/manufactured home parks.

22  
23 F. *Uses requiring management plan submittal.* The following uses shall require  
24 submission of a management plan to the CRA prior to development approval.  
25 The CRA must be notified of any amendments to a submitted management plan.  
26 shall have approval of the CRA manager or his/her designee.

27  
28 1. Convenience stores.

29  
30 2. Tattoo Parlors.

31  
32 3. Retail sale of alcohol for off-premises consumption.

33  
34 4. Bars and nightclubs.

35  
36 5. Pawn shops and check cashing services.

37  
38 6. Commercial amusement arcades, including billiard parlors and game  
39 machine arcades.

40  
41 7. Automotive uses (including car sales, automobile rental agencies, car  
42 washes, auto repair facilities, tire sales, etc.).

43  
44 8. Truck, utility trailer, and RV rental service or facility.

45  
46 G. *Management plan.* The applicant shall submit a management plan that  
47 addresses the following:

48  
49 1. Proposed hours of operations.



2. Other similar properties managed by the applicant, if applicable.

3. Explanation of any franchise agreement.

H. Rezoning. The following rezoning requests shall be prohibited:

1. Rezoning of C-1 properties to a more intense zoning district if located on an arterial roadway.

2. Surrounding uses, whether conforming or non-conforming should not be taken into consideration for the rezoning rationale. Rezoning where the result would create a spot zoning. (See LDC Section 2.14.03 for definition of spot zoning.)

I. Non-residential site and building requirements.

1. Building height. New buildings, additions and redeveloped buildings shall complement the existing pattern of building heights. Buildings in the overlay district may not exceed 45 feet in height.

2. Building design.

a. Setbacks. New construction must maintain the existing alignment of facades along the street front. Exceptions may be granted if the setback is pedestrian oriented and contributes to the quality and character of the streetscape.

b. Facades. A building more than 80 feet in width shall be divided into increments by incorporation of one of the following techniques, but not limited to:

(1). Divisions or breaks in materials

(2). Bay windows or the like

(3). Building setbacks

c. Rear façade. A minimum of 15 feet of the building’s rear façade facing a public right of way, parking area, or open space shall consist of transparent materials. Reflective glass is prohibited as a transparent material.

d. Materials and detailing. New buildings and structures, additions and renovations shall be constructed to be long lasting and use materials and detailing that maintain the distinct character and harmony of the Warrington Community Redevelopment District. Aluminum, vinyl or metal material siding is prohibited on the primary facades of buildings adjacent to public right of ways.

1  
2 e. Awnings. Awnings are encouraged to enhance the character of  
3 Warrington while providing sun protection for display windows,  
4 shelter for pedestrians, and a sign panel for businesses.  
5

6 3. Accessory Structures. All accessory structures shall be located in the  
7 rear or side area and be a minimum of 5 feet inside the property  
8 boundary. All accessory structures shall meet the County landscaping,  
9 buffering, and screening requirements and shall use the same materials,  
10 color, and/or style of the primary façade if visible to the public from any  
11 road, driveway, right-of-way, or similar.  
12

13 4. Natural features. Natural features shall be protected and integrated into  
14 site design/development where possible. The applicant shall demonstrate  
15 how the development protects and incorporates existing vegetation.  
16

17 5. Crime prevention through environmental design. Crime Prevention  
18 Through Environmental Design (CPTED) principles shall be used when  
19 designing any element within the district, including but not limited to site  
20 design, buildings, street design, signs, landscaping and parking. The  
21 following CPTED guidelines shall be considered when designing any  
22 element within the district.  
23

24 a. Territoriality. All building entrances, parking areas, pathways  
25 and other elements should incorporate appropriate features that  
26 express ownership. The use of these features shall not conflict  
27 with the need for natural surveillance.  
28

29 b. Natural surveillance. The site layout, building and landscape  
30 design shall promote the principles of natural surveillance.  
31 Physical features and activities should be oriented and designed  
32 in ways that maximize the ability to see throughout the site.  
33

34 c. Activity support. The site layout and building design should  
35 encourage legitimate activity in public spaces.  
36

37 d. Access control. To discourage crime, entrances and exits  
38 should be located and designed in a manner that incorporates  
39 natural surveillance techniques and area control measures.  
40

## 41 6. Signs.

42  
43 a. See Article 8.  
44

45 b. The choice of building signage shall be compatible with the  
46 intent of this district and shall not have an adverse visual impact  
47 on surrounding properties.  
48

1 c. Free-standing on-premises signs shall be "human scaled".  
2 There shall be only one such sign per parcel and it shall not  
3 exceed 100 square feet per sign face and 12 feet in height; in the  
4 case of multi-use parcels, the sign shall not exceed 299 square  
5 feet. The sign face shall have colors, materials and lighting that  
6 are compatible with the general pattern existing in the Warrington  
7 Redevelopment Area Overlay District. Freestanding signs shall be  
8 limited to monument signs. Attached signs or shingles may be  
9 permitted for individual businesses in a multi-use building. Such  
10 signs shall not exceed 20 square feet per sign face.

11  
12 d. Signs cannot block or obstruct design details, windows, or  
13 cornices of the building upon which they are placed.

14  
15 7. Lighting. Lighting in the overlay district should serve to illuminate  
16 facades entrances and signage to provide an adequate level of personal  
17 safety while enhancing the aesthetic appeal of the buildings. Building and  
18 signage lighting must be indirect, with the light source(s) hidden from  
19 direct pedestrian and motorist view.

20  
21 8. Parking. Parking in the overlay district must adequately serve the  
22 users without detracting from the compact design that makes it a  
23 successful commercial center.

24  
25 9. Off-street parking. Off-street parking must be located in the rear. If the  
26 lot orientation cannot accommodate adequate rear parking, parking on  
27 the side would then be permitted.

28  
29 10. Landscaping.

30  
31 a. See Section 7.01.00.

32  
33 b. It is the proposed intent of this ordinance to encourage water  
34 conservation through proper plant selection, installation and  
35 maintenance practices. All commercial and industrial projects shall  
36 submit a landscape plan as part of the development review  
37 criteria. The plan will include plant species proposed, location of  
38 all plant material, including areas proposed for sod, areas of  
39 natural vegetation to be protected, and an irrigation plan. Native  
40 plant species are required.

41  
42 11. Buffers and screening of outdoor storage. The screening of outside  
43 storage must use the same materials, color, and/or style as the primary  
44 building in order to be architecturally compatible with the primary building  
45 and the building it is adjacent to. All outside storage must be screened  
46 from public view. If the outside storage area is separate from the building  
47 it serves the following shall apply:  
48

1                    a. Section 7.01.06.D.2. Type. Only fencing (may or may not be  
2                    opaque) or walls made of concrete or stucco may supplement  
3                    buffers. Specifically, old garage doors and pieces of tin do not  
4                    qualify for fencing or wall materials; and

5  
6                    b. Section 7.01.06.E. Screening of outdoor storage. Opaque  
7                    fencing shall mean chain link fence with slats, privacy wooden  
8                    fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco  
9                    wall may also be used to screen outdoor storage.

10  
11                   12. Exceptions. Financial hardship alone is not a basis to grant an  
12                   exception; however, it is recognized that there may be circumstances that  
13                   require a departure from the requirements in this overlay district in order  
14                   to be feasible. Possible grounds to be considered for granting exceptions  
15                   to the ordinance include, but not limited to:

16  
17                   a. Safety

18  
19                   b. Unique site or building characteristics

20  
21                   c. Standards would have a negative effect on the use of the  
22                   property

23  
24                   d. Public benefit

25  
26                   J. C-2 performance standards. Any project within this overlay district that is  
27                   zoned C-2 General Commercial shall be subject to the following design  
28                   standards.

29  
30                   1. Landscaping. For developments subject to section 7.01.00 a minimum  
31                   ten-foot wide landscaped strip shall be required on all roadway frontages,  
32                   and shall contain one tree and ten shrubs for every 35 linear feet of  
33                   frontage. Preservation of existing plant communities within the required  
34                   landscaped areas can be used to satisfy this requirement. Buffers  
35                   required adjacent to residential districts shall include a minimum of two  
36                   trees and 15 shrubs for every 35 linear feet of required buffer area.

37  
38                   2. Vehicular use areas. Areas other than public rights-of-way, designed to  
39                   be used for parking, storage of vehicles for rent or sales, or movement of  
40                   vehicular traffic, shall be separated by a five-foot landscaped strip from  
41                   any boundary of the property on which the vehicular use area is located.  
42                   This landscaped strip shall consist of shrubs or ground covers with a  
43                   minimum mature height of 24 inches and a maximum height of 30 inches.  
44                   Plant material shall be spaced 18 inches to 24 inches apart, depending  
45                   on their mature size.

46  
47                   3. Parking lots. Interior parking areas shall have one landscape island  
48                   containing at least one tree and shrubs or ground covers as per the  
49                   above specifications, for every eight contiguous spaces.



1  
2 4. Irrigation system.

3  
4 a. An irrigation system shall be installed for all landscaped areas  
5 of the site.

6  
7 b. All irrigation materials used shall be ASTM approved.

8  
9 c. All irrigation systems shall include rain sensors.

10  
11 5. Existing development. Notwithstanding Section 7.00.01.B, any C-2  
12 change of use that applies for approval within this zoning overlay district  
13 must meet the above standards as well as those of Section 7.01.05.

14  
15 **GRAPHIC LINK: Warrington Overlay District**

16  
17 6.07.02. Barrancas Overlay District

18  
19 A. Intent and purpose of the district. The Barrancas Overlay District is intended to  
20 provide an enhanced level of protection for land uses that are located in the  
21 Barrancas Community Redevelopment District, and to protect the unique  
22 environmental resources of Bayou Chico. This is a zoning overlay district and the  
23 regulations herein expand upon the existing zoning district's regulations  
24 otherwise imposed on individual parcels within the Barrancas Community  
25 Redevelopment District. The purpose of this district is to alleviate the harmful  
26 effects of industrial pollutants entering and degrading the quality of Bayou Chico  
27 and enhance the character of the area, which has been changed by the  
28 realignment of Barrancas Avenue, through appropriate land use controls.

29  
30 B. Applicability. This zoning overlay district applies to all existing zoning districts  
31 located in the Barrancas Community Redevelopment District.

32  
33 C. Relationship to underlying zoning. All of the use listings and site design  
34 requirements of the underlying zoning districts shall continue to apply unless  
35 modified by the following:

36  
37 D. Permitted uses.

38  
39 1. Antique shops allowed in R-6 and C-1 underlying zoning districts.

40  
41 2. Bed and breakfast inns, as licensed under F.S. Ch. 509, allowed in R-  
42 4, R-6, C-1, and WMU underlying zoning districts.

43  
44 3. Multifamily residential developments, allowed in R-4, R-6, C-1, and  
45 WMU underlying zoning districts, consisting of three (3) or more attached  
46 units are required to be condominium developments pursuant to the  
47 Condominium Act, F.S. Ch. 718. This does not apply to single-family  
48 attached homes such as duplexes, townhomes, or row houses.

1                   4. Mixed-use developments, defined as where non-residential and  
2                   residential uses occupy the same building. The non-residential use(s)  
3                   shall contain the first or bottom floor and the residential use(s) contain the  
4                   second or upper floor(s).

5  
6                   E. Uses requiring management plan submittal. The following uses shall require  
7                   submission of a management plan to the CRA prior to development approval.  
8                   The CRA must be notified of any amendments to a submitted management plan.  
9                   shall have approval of the CRA manager or his/her designee.

10  
11                   1. Private clubs and lodges.

12  
13                   2. Automobile repair shops, including indoor repair and restoration (not  
14                   including painting) for ignition, fuel, brake and suspension systems or  
15                   similar uses and sale of related products necessary for automobile repair,  
16                   gross floor area not to exceed 6,000 square feet. Outside repair and/or  
17                   storage and automotive painting is prohibited.

18  
19                   F. Management plan. The applicant shall submit a management plan that  
20                   addresses the following:

21  
22                   1. Proposed hours of operations.

23  
24                   2. Other similar properties managed by the applicant, if applicable.

25  
26                   3. Explanation of any franchise agreement.

27  
28                   G. Prohibited uses.

29  
30                   1. Automobile service stations that include the sale of gasoline. Outside  
31                   repair and/or storage and automotive painting is prohibited.

32  
33                   2. Boarding and lodging houses, or other similar uses.

34  
35                   3. Commercial boat storage, except in the underlying WMU district.

36  
37                   4. Commercial RV Storage.

38  
39                   5. Campgrounds.

40  
41                   6. Carnival-type amusements and amusement arcades.

42  
43                   7. Fortune tellers, palm readers, psychics, etc.

44  
45                   8. Mini-warehouses.

46  
47                   9. Mobile homes and manufactured homes. (This does not prohibit the  
48                   construction of modular homes; see Article 3 of this code.)

1                    10. Mobile home/manufactured home parks.

2  
3                    11. Off-premises signs, billboards and other sign structures erected,  
4                    located and maintained as provided for in Article 8 of this Code.

5  
6                    12. Pawn shops.

7  
8                    13. Used clothing deposit box.

9  
10                   14. Wholesale and/or distribution warehousing except in WMU underlying  
11                   zoning district.

12  
13                   H. Rezoning. Surrounding uses, whether conforming or non-conforming should  
14                   not be taken into consideration for the rezoning rationale. Rezoning where the  
15                   result would create a spot zoning shall be prohibited. (See LDC Section 2.14.03  
16                   for definition of spot zoning.)

17  
18                   I. Site and building requirements.

19  
20                   1. Building height. Except for properties within the WMU zoning district,  
21                   no building or structure shall exceed 45 feet in height as defined in  
22                   Section 3.02.00. Height for buildings with pitched roofs shall be measured  
23                   to the bottom of the eaves. If a lower height is specified in an underlying  
24                   zoning district, the lower height shall prevail.

25  
26                   2. Building design.

27  
28                   a. The choice of building materials and colors shall be compatible  
29                   with the intent of this district and shall not have an adverse visual  
30                   impact on surrounding properties.

31  
32                   b. For R-3 and R-4 zoning districts buildings shall be "street-  
33                   oriented" to create a desirable pedestrian environment between  
34                   the building and the street. Street orientation is defined as having  
35                   a clear and visible orientation to the street. Street orientation  
36                   should include:

37  
38                   (1) Garages. For residential uses, there shall be no front  
39                   facing garages unless they are setback an additional ~~ten~~  
40                   eight feet from the primary front facade and do not exceed  
41                   25 percent of the street facing building facade. If the lot  
42                   width is forty feet or less, the 25 percent requirement shall  
43                   not apply. All other garages must face the side or rear of  
44                   the parcel.

45  
46                   (2) Front entry. The front facade shall include the primary  
47                   entry door, be street facing, and include a porch or stoop.  
48

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1 (a) Front porches. Front porches shall be a  
2 minimum six feet deep and ten feet wide. The scale  
3 of the front porch should be in scale with the  
4 primary facade.

5  
6 (b) Stoops. Stoops provide connections to building  
7 entrances or porches where residential buildings  
8 are elevated above grade. Stoops shall be a  
9 minimum of five feet wide.

10  
11 (3) Off-street parking. All off-street parking shall be located  
12 in the rear of the building that faces the public street or  
13 within a garage. For single-family detached residential  
14 dwelling, off street parking can be located in a carport,  
15 driveway or garage.

16  
17 c. For R-6 and C-1 zoning districts buildings shall be "street-  
18 oriented" to create a desirable pedestrian environment between  
19 the building and the street. Street orientation is defined as having  
20 a clear and visible orientation to the street. Street orientation  
21 should include:

22  
23 (1) Front and side setback lines should be consistent with  
24 adjacent structures. Rear setbacks shall be as required by  
25 the underlying zoning district. Where setback lines are not  
26 clearly established, buildings shall be built to within ten  
27 (10) feet of property lines.

28  
29 (2) Buildings shall be oriented so that the principal facade  
30 is parallel or nearly parallel to the streets they face. On  
31 corner sites, buildings shall occupy the corner.

32  
33 (3) Walkways that lead to front doors, separate from the  
34 driveway, are encouraged.

35  
36 (4) Entrances shall be well lit, visible from the street and  
37 easily accessible.

38  
39 (5) Off-street parking.

40  
41 (a) For residential uses, all off-street parking shall  
42 be located in the rear of the building that faces the  
43 public street or within a garage. For single-family  
44 detached housing, off street parking can be located  
45 in a carport, driveway or garage. There shall be no  
46 front facing garages unless they are setback an  
47 additional ten feet from the primary front facade  
48 and do not exceed 25 percent of the street facing



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1 building facade. If the lot width is forty feet or less,  
2 the 25 percent requirement shall not apply.

3  
4 (b) For commercial uses, off-street parking areas  
5 shall be located on the side or rear of the building  
6 unless a shared central parking facility is developed  
7 through an easement or common ownership among  
8 contiguous properties. Curb cuts shall be limited to  
9 one 20-foot access point for a shared central  
10 parking facility. Liner buildings or landscaping shall  
11 be used to screen parking from the street.

12  
13 (c) Walkways shall be included in off-street parking  
14 areas.

15  
16 (6) Buildings shall incorporate "human scale" design. That  
17 is, designed in proportions to reflect human pedestrian  
18 scale and movement, and to encourage interest at the  
19 street level. "Human scale" is best achieved when the  
20 street-to-building height ratio is 1:2 and does not exceed  
21 1:3. (e.g. if the street is 24 feet wide, building height should  
22 not exceed 72 feet)

23  
24 (7) All service and loading areas shall be entirely screened  
25 from view.

26  
27 (8) Sidewalk sales and/or tent sales with temporary  
28 displays shall be permitted immediately adjacent to the  
29 business for no more than fourteen days in any one  
30 calendar year provided that all required permits are  
31 obtained and a traffic management and parking plan are  
32 presented to, and approved by, the traffic engineering  
33 department prior to events.

34  
35 (9) Outdoor dining. Outdoor dining and seating shall be  
36 permitted. Dining areas shall be properly designated and  
37 appropriately separated from public walkways and streets  
38 using attractive materials such as railings, opaque wrought  
39 iron fences, landscaping, or other suitable material.  
40 Designated outdoor dining areas adjacent to public right-  
41 of-way shall allow a minimum unobstructed sidewalk of six  
42 feet along the public right-of-way.

43  
44 3. Accessory Structures. All accessory structures shall be located in the  
45 rear or side area and be a minimum of 5 feet inside the property  
46 boundary. All accessory structures shall meet the County landscaping,  
47 buffering, and screening requirements and shall use the same materials,  
48 color, and/or style of the primary façade if visible to the public from any  
49 road, driveway, right-of-way, or similar.

1  
2 4. Landscaping.  
3

4 a. See Section 7.01.00.  
5

6 b. It is the proposed intent of this ordinance to encourage water  
7 conservation through proper plant selection, installation and  
8 maintenance practices. All commercial and industrial projects shall  
9 submit a landscape plan as part of the development review  
10 criteria. The plan will include plant species proposed, location of  
11 all plant material, including areas proposed for sod, areas of  
12 natural vegetation to be protected, and an irrigation plan. Native  
13 plant species are required. Sabal palm is considered a native  
14 plant species.  
15

16 5. Buffers and screening of outdoor storage. See section 7.01.06 of this  
17 Code except the following revisions shall be applied to the Barrancas  
18 Redevelopment Area Overlay District.  
19

20 a. Section 7.01.06.D.2. Type. Only fencing (may or may not be  
21 opaque) or walls made of concrete or stucco may supplement  
22 buffers. Specifically, old garage doors and pieces of tin do not  
23 qualify for fencing or wall materials; and  
24

25 b. Section 7.01.06.E. Screening of outdoor storage. Opaque  
26 fencing shall mean chain link fence with slats, privacy wooden  
27 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco  
28 wall may also be used to screen outdoor storage.  
29

30 6. Natural features. Natural features shall be protected and integrated into  
31 site design/development where possible. The applicant shall demonstrate  
32 how the development protects and incorporates existing vegetation.  
33

34 7. Crime prevention through environmental design. Crime Prevention  
35 Through Environmental Design (CPTED) principles shall be used when  
36 designing any element within the district, including but not limited to site  
37 design, buildings, street design, signs, landscaping and parking. The  
38 following CPTED guidelines shall be considered when designing any  
39 element within the district.  
40

41 a. Territoriality. All building entrances, parking areas, pathways  
42 and other elements should incorporate appropriate features that  
43 express ownership. The use of these features shall not conflict  
44 with the need for natural surveillance.  
45

46 b. Natural surveillance. The site layout, building and landscape  
47 design shall promote the principles of natural surveillance.  
48 Physical features and activities should be oriented and designed  
49 in ways that maximize the ability to see throughout the site.

1  
2 c. Activity support. The site layout and building design should  
3 encourage legitimate activity in public spaces.

4  
5 d. Access control. To discourage crime, entrances and exits  
6 should be located and designed in a manner that incorporates  
7 natural surveillance techniques and area control measures.

8  
9 8. Signs.

10  
11 a. See Article 8.

12  
13 b. The choice of building signage shall be compatible with the  
14 intent of this district and shall not have an adverse visual impact  
15 on surrounding properties.

16  
17 c. Free-standing on-premises signs shall be "human scaled".  
18 There shall be only one such sign per parcel and it shall not  
19 exceed 100 square feet per sign face and 12 feet in height; in the  
20 case of multi-use parcels, the sign shall not exceed 299 square  
21 feet. The sign face shall have colors, materials and lighting that  
22 are compatible with the general pattern existing in the Barrancas  
23 Redevelopment Area Overlay District. Freestanding signs shall be  
24 limited to monument signs. Attached signs or shingles may be  
25 permitted for individual businesses in a multi-use building. Such  
26 signs shall not exceed 20 square feet per sign face.

27  
28 d. Billboards or pole signs are not permitted in this overlay district.

29  
30 9. Locational criteria. See Section 7.20.02.

31  
32 10. Exceptions. Financial hardship alone is not a basis to grant an  
33 exception; however, it is recognized that there may be circumstances that  
34 require a departure from the requirements in this overlay district in order  
35 to be feasible. Possible grounds to be considered for granting exceptions  
36 to the ordinance include, but not limited to:

37  
38 a. Safety

39  
40 b. Unique site or building characteristics

41  
42 c. Standards would have a negative effect on the use of the  
43 property

44  
45 d. Public benefit

46  
47 **GRAPHIC LINK: Barrancas Overlay District**

48  
49 6.07.03. Brownsville Overlay District

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PB 07-09-12

RE: Art. 2, 3 & 6 Community Redevelopment & Overlay Districts  
Ordinance Draft 1C

1  
2 A. Intent and purpose of district. The Brownsville Overlay District is intended to  
3 provide an enhanced level of protection to the unique and historic character of  
4 the Brownsville Community Redevelopment District thereby furthering the  
5 objectives of the Brownsville Community Redevelopment Plan. This is a zoning  
6 overlay and the regulations herein expand upon the existing zoning district  
7 regulations otherwise imposed on individual parcels within the district.  
8

9 B. Applicability. This zoning overlay district applies to all zoned properties within  
10 the Brownsville Community Redevelopment District.  
11

12 C. Relationship to underlying zoning. All of the use listings and site design  
13 requirements of the underlying zoning districts shall continue to apply.  
14

15 D. Permitted uses. Mixed-use developments, defined as where non-residential  
16 and residential uses occupy the same building. The non-residential use(s) shall  
17 contain the first or bottom floor and the residential use(s) contain the second or  
18 upper floor(s).  
19

20 E. Prohibited uses.  
21

- 22 1. Off-premises signs.
- 23
- 24 2. Mobile homes and manufactured homes. (This does not prohibit the  
25 construction of modular homes; see Article 3 of this code.)
- 26
- 27 3. Mobile home/manufactured home parks.  
28

29 F. Uses requiring management plan submittal. The following uses shall require  
30 submission of a management plan to the CRA prior to development approval.  
31 The CRA must be notified of any amendments to a submitted management plan.  
32 shall have approval of the CRA manager or his/her designee.  
33

- 34 1. Retail sale of alcohol for off-premises consumption.
- 35
- 36 2. Bars and nightclubs.
- 37
- 38 3. Pawn shops and check cashing services.
- 39
- 40 4. Commercial amusement arcades, including billiard parlors and game  
41 machine arcades.
- 42
- 43 5. Automotive uses (including car sales, automobile rental agencies, car  
44 washes, auto repair facilities, tire sales, etc.).
- 45
- 46 6. Truck, utility trailer, and RV rental service or facility.
- 47
- 48 7. Portable food vendors.



1  
2           8. Tattoo parlors.

3  
4           9. Welding shops located in C-1 zoning districts.

5  
6           G. Management plan. The applicant shall submit a management plan that  
7           addresses the following:

8  
9                   1. Proposed hours of operations.

10  
11                   2. Other similar properties managed by the applicant, if applicable.

12  
13                   3. Explanation of any franchise agreement.

14  
15           H. Rezoning. Surrounding uses, whether conforming or non-conforming should  
16           not be taken into consideration for the rezoning rationale. Rezoning where the  
17           result would create a spot zoning shall be prohibited. (See LDC Section 2.14.03  
18           for definition of spot zoning.)

19  
20           I. Non-residential site and building requirements.

21  
22                   1. Building height. New buildings, additions and redeveloped buildings  
23                   shall complement the existing pattern of building heights. Buildings in the  
24                   overlay district may not exceed 45 feet in height.

25  
26                   2. Building design.

27  
28                           a. Setbacks. New construction shall be setback from Mobile  
29                           Highway and Cervantes Street a distance similar to adjacent  
30                           buildings unless customer parking is provided adjacent to any of  
31                           these streets in support of Crime Prevention through  
32                           Environmental Design (CPTED). Exceptions may be granted if the  
33                           setback is pedestrian oriented and contributes to the quality and  
34                           character of the streetscape.

35  
36                           b. Facades. A building more than 80 feet in width shall be divided  
37                           into increments by incorporation of one of the following  
38                           techniques, but not limited to:

39  
40                                   (1). Divisions or breaks in materials

41  
42                                   (2). Bay windows or the like

43  
44                                   (3). Building setbacks

45  
46                           c. Rear façade. A minimum of 15 feet of the building's rear façade  
47                           facing a public right of way, parking area, or open space shall  
48                           consist of transparent materials. Reflective glass is prohibited as a  
49                           transparent material.

1  
2 d. *Materials and detailing.* New buildings and structures, additions  
3 and renovations shall be constructed to be long lasting and use  
4 materials and detailing that maintain the distinct character and  
5 harmony of the Brownsville Community Redevelopment District.  
6 Aluminum, vinyl or metal material siding is prohibited on the  
7 primary facades of buildings adjacent to public right of ways.  
8

9 3. *Accessory Structures.* All accessory structures shall be located in the  
10 rear or side area and be a minimum of 5 feet inside the property  
11 boundary. All accessory structures shall meet the County landscaping,  
12 buffering, and screening requirements and **shall use the same materials,**  
13 **color, and/or style** of the primary façade if visible to the public from any  
14 road, driveway, right-of-way, or similar.  
15

16 4. *Natural features.* Natural features shall be protected and integrated into  
17 site design/development where possible. The applicant shall demonstrate  
18 how the development protects and incorporates existing vegetation.  
19

20 5. *Crime prevention through environmental design.* Crime Prevention  
21 Through Environmental Design (CPTED) principles shall be used when  
22 designing any element within the district, including but not limited to site  
23 design, buildings, street design, signs, landscaping and parking. The  
24 following CPTED guidelines shall be considered when designing any  
25 element within the district.  
26

27 a. *Territoriality.* All building entrances, parking areas, pathways  
28 and other elements should incorporate appropriate features that  
29 express ownership. The use of these features shall not conflict  
30 with the need for natural surveillance.  
31

32 b. *Natural surveillance.* The site layout, building and landscape  
33 design shall promote the principles of natural surveillance.  
34 Physical features and activities should be oriented and designed  
35 in ways that maximize the ability to see throughout the site.  
36

37 c. *Activity support.* The site layout and building design should  
38 encourage legitimate activity in public spaces.  
39

40 d. *Access control.* To discourage crime, entrances and exits  
41 should be located and designed in a manner that incorporates  
42 natural surveillance techniques and area control measures.  
43

44 6. *Signs.*  
45

46 a. *See Article 8.*  
47

1                    b. The choice of building signage shall be compatible with the  
2                    intent of this district and shall not have an adverse visual impact  
3                    on surrounding properties.

4  
5                    c. Free-standing on-premises signs shall be "human scaled".  
6                    There shall be only one such sign per parcel and it shall not  
7                    exceed 100 square feet per sign face and 12 feet in height; in the  
8                    case of multi-use parcels, the sign shall not exceed 299 square  
9                    feet. The sign face shall have colors, materials and lighting that  
10                   are compatible with the general pattern existing in the Brownsville  
11                   Redevelopment Area Overlay District. Freestanding signs shall be  
12                   limited to monument signs. Attached signs or shingles may be  
13                   permitted for individual businesses in a multi-use building. Such  
14                   signs shall not exceed 20 square feet per sign face.

15  
16                   d. Signs cannot block or obstruct design details, windows, or  
17                   cornices of the building upon which they are placed.

18  
19                   7. Lighting. Lighting in the overlay district should serve to illuminate  
20                   facades entrances and signage to provide an adequate level of personal  
21                   safety while enhancing the aesthetic appeal of the buildings. Building and  
22                   signage lighting must be indirect, with the light source(s) hidden from  
23                   direct pedestrian and motorist view.

24  
25                   8. Parking. Parking in the overlay district must adequately serve the  
26                   users without detracting from the compact design that makes it a  
27                   successful commercial center

28  
29                   9. Off-street parking. Off-street parking must be located in the rear. If the  
30                   lot orientation cannot accommodate adequate rear parking, parking on  
31                   the side would then be permitted.

32  
33                   10. Landscaping.

34  
35                   a. See Section 7.01.00.

36  
37                   b. It is the proposed intent of this ordinance to encourage water  
38                   conservation through proper plant selection, installation and  
39                   maintenance practices. All commercial and industrial projects shall  
40                   submit a landscape plan as part of the development review  
41                   criteria. The plan will include plant species proposed, location of  
42                   all plant material, including areas proposed for sod, areas of  
43                   natural vegetation to be protected, and an irrigation plan. Native  
44                   plant species are required.

45  
46                   11. Buffers and screening of outdoor storage. The screening of outside  
47                   storage must use the same materials, color, and/or style as the primary  
48                   building in order to be architecturally compatible with the primary building  
49                   and the building it is adjacent to. All outside storage must be screened

1 from public view. If the outside storage area is separate from the building  
2 it serves the following shall apply:

3  
4 a. Section 7.01.06.D.2. Type. Only fencing (may or may not be  
5 opaque) or walls made of concrete or stucco may supplement  
6 buffers. Specifically, old garage doors and pieces of tin do not  
7 qualify for fencing or wall materials; and

8  
9 b. Section 7.01.06.E. Screening of outdoor storage. Opaque  
10 fencing shall mean chain link fence with slats, privacy wooden  
11 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco  
12 wall may also be used to screen outdoor storage.

13  
14 12. Exceptions. Financial hardship alone is not a basis to grant an  
15 exception; however, it is recognized that there may be circumstances that  
16 require a departure from the requirements in this overlay district in order  
17 to be feasible. Possible grounds to be considered for granting exceptions  
18 to the ordinance include, but not limited to:

19  
20 a. Safety

21  
22 b. Unique site or building characteristics

23  
24 c. Standards would have a negative effect on the use of the  
25 property

26  
27 d. Public benefit

28  
29 **GRAPHIC LINK: Brownsville Overlay District**

30  
31 **6.07.04. Englewood Overlay District**

32  
33 A. Intent and purpose of district. The Englewood Overlay District is intended to  
34 provide an enhanced level of protection to the unique and historic character of  
35 the Englewood Community Redevelopment District thereby furthering the  
36 objectives of the Englewood Community Redevelopment Plan. This is a zoning  
37 overlay and the regulations herein expand upon the existing zoning district  
38 regulations otherwise imposed on individual parcels within the district.

39  
40 B. Applicability. This zoning overlay district applies to all zoned properties within  
41 the Englewood Community Redevelopment District.

42  
43 C. Relationship to underlying zoning. All of the use listings and site design  
44 requirements of the underlying zoning districts shall continue to apply.

45  
46 D. Permitted uses. Mixed-use developments, defined as where non-residential  
47 and residential uses occupy the same building. The non-residential use(s) shall



1 contain the first or bottom floor and the residential use(s) contain the second or  
2 upper floor(s).

3  
4 E. Prohibited uses.

- 5  
6 1. Off-premises signs.  
7  
8 2. Mobile homes and manufactured homes. (This does not prohibit the  
9 construction of modular homes; see Article 3 of this code.)  
10  
11 3. Mobile home/manufactured home parks.

12  
13 F. Uses requiring management plan submittal. The following uses shall require  
14 submission of a management plan to the CRA prior to development approval.  
15 The CRA must be notified of any amendments to a submitted management plan.  
16 shall have approval of the CRA manager or his/her designee.

- 17  
18 1. Retail sale of alcohol for off-premises consumption.  
19  
20 2. Bars and nightclubs.  
21  
22 3. Pawn shops and check cashing services.  
23  
24 4. Commercial amusement arcades, including billiard parlors and game  
25 machine arcades.  
26  
27 5. Automotive uses (including car sales, automobile rental agencies, car  
28 washes, auto repair facilities, tire sales, etc.).  
29  
30 6. Truck, utility trailer, and RV rental service or facility.  
31  
32 7. Portable food vendors.  
33  
34 8. Tattoo parlors.  
35  
36 9. Welding shops located in C-1 zoning districts.

37  
38 G. Management plan. The applicant shall submit a management plan that  
39 addresses the following:

- 40  
41 1. Proposed hours of operations.  
42  
43 2. Other similar properties managed by the applicant, if applicable.  
44  
45 3. Explanation of any franchise agreement.

46  
47 H. Rezoning. Surrounding uses, whether conforming or non-conforming should  
48 not be taken into consideration for the rezoning rationale. Rezoning where the

1 ~~result would create a spot zoning shall be prohibited. (See LDC Section 2.14.03~~  
2 ~~for definition of spot zoning.)~~

3  
4 I. Non-residential site and building requirements.

5  
6 1. Building height. New buildings, additions and redeveloped buildings  
7 shall complement the existing pattern of building heights. Buildings in the  
8 overlay district may not exceed 45 feet in height.

9  
10 2. Building design.

11  
12 a. Setbacks. New construction shall be setback from a distance  
13 similar to adjacent buildings unless customer parking is provided  
14 adjacent to any of these streets in support of Crime Prevention  
15 through Environmental Design (CPTED). Exceptions may be  
16 granted if the setback is pedestrian oriented and contributes to the  
17 quality and character of the streetscape.

18  
19 b. Facades. A building more than 80 feet in width shall be divided  
20 into increments by incorporation of one of the following  
21 techniques, but not limited to:

22  
23 (1). Divisions or breaks in materials

24  
25 (2). Bay windows or the like

26  
27 (3). Building setbacks

28  
29 c. Rear façade. A minimum of 15 feet of the buildings rear façade  
30 facing a public right of way, parking area, or open space shall  
31 consist of transparent materials. Reflective glass is prohibited as a  
32 transparent material.

33  
34 d. Materials and detailing. New buildings and structures, additions  
35 and renovations shall be constructed to be long lasting and use  
36 materials and detailing that maintain the distinct character and  
37 harmony of the Englewood Community Redevelopment District.  
38 Aluminum, vinyl or metal material siding is prohibited on the  
39 primary facades of buildings adjacent to public right of ways.

40  
41 3. Accessory Structures. All accessory structures shall be located in the  
42 rear or side area and be a minimum of 5 feet inside the property  
43 boundary. All accessory structures shall meet the County landscaping,  
44 buffering, and screening requirements and ~~shall use the same materials,~~  
45 ~~color, and/or style~~ of the primary façade if visible to the public from any  
46 road, driveway, right-of-way, or similar.

1 4. Natural features. Natural features shall be protected and integrated into  
2 site design/development where possible. The applicant shall demonstrate  
3 how the development protects and incorporates existing vegetation.

4  
5 5. Crime prevention through environmental design. Crime Prevention  
6 Through Environmental Design (CPTED) principles shall be used when  
7 designing any element within the district, including but not limited to site  
8 design, buildings, street design, signs, landscaping and parking. The  
9 following CPTED guidelines shall be considered when designing any  
10 element within the district.

11  
12 a. Territoriality. All building entrances, parking areas, pathways  
13 and other elements should incorporate appropriate features that  
14 express ownership. The use of these features shall not conflict  
15 with the need for natural surveillance.

16  
17 b. Natural surveillance. The site layout, building and landscape  
18 design shall promote the principles of natural surveillance.  
19 Physical features and activities should be oriented and designed  
20 in ways that maximize the ability to see throughout the site.

21  
22 c. Activity support. The site layout and building design should  
23 encourage legitimate activity in public spaces.

24  
25 d. Access control. To discourage crime, entrances and exits  
26 should be located and designed in a manner that incorporates  
27 natural surveillance techniques and area control measures.

28  
29 6. Signs.

30  
31 a. See Article 8.

32  
33 b. The choice of building signage shall be compatible with the  
34 intent of this district and shall not have an adverse visual impact  
35 on surrounding properties.

36  
37 c. Free-standing on-premises signs shall be "human scaled".  
38 There shall be only one such sign per parcel and it shall not  
39 exceed 100 square feet per sign face and 12 feet in height; in the  
40 case of multi-use parcels, the sign shall not exceed 299 square  
41 feet. The sign face shall have colors, materials and lighting that  
42 are compatible with the general pattern existing in the Englewood  
43 Redevelopment Area Overlay District. Freestanding signs shall be  
44 limited to monument signs. Attached signs or shingles may be  
45 permitted for individual businesses in a multi-use building. Such  
46 signs shall not exceed 20 square feet per sign face.

47  
48 d. Signs cannot block or obstruct design details, windows, or  
49 cornices of the building upon which they are placed.

1  
2 7. Lighting. Lighting in the overlay district should serve to illuminate  
3 facades entrances and signage to provide an adequate level of personal  
4 safety while enhancing the aesthetic appeal of the buildings. Building and  
5 signage lighting must be indirect, with the light source(s) hidden from  
6 direct pedestrian and motorist view.

7  
8 8. Parking. Parking in the overlay district must adequately serve the  
9 users without detracting from the compact design that makes it a  
10 successful commercial center

11  
12 9. Off-street parking. Off-street parking must be located in the rear. If the  
13 lot orientation cannot accommodate adequate rear parking, parking on  
14 the side would then be permitted.

15  
16 10. Landscaping.

17  
18 a. See Section 7.01.00.

19  
20 b. It is the proposed intent of this ordinance to encourage water  
21 conservation through proper plant selection, installation and  
22 maintenance practices. All commercial and industrial projects shall  
23 submit a landscape plan as part of the development review  
24 criteria. The plan will include plant species proposed, location of  
25 all plant material, including areas proposed for sod, areas of  
26 natural vegetation to be protected, and an irrigation plan. Native  
27 plant species are required.

28  
29 11. Buffers and screening of outdoor storage. The screening of outside  
30 storage must use the same materials, color, and/or style as the primary  
31 building in order to be architecturally compatible with the primary building  
32 and the building it is adjacent to. All outside storage must be screened  
33 from public view. If the outside storage area is separate from the building  
34 it serves the following shall apply:

35  
36 a. Section 7.01.06.D.2.Type. Only fencing (may or may not be  
37 opaque) or walls made of concrete or stucco may supplement  
38 buffers. Specifically, old garage doors and pieces of tin do not  
39 qualify for fencing or wall materials; and

40  
41 b. Section 7.01.06.E.Screening of outdoor storage. Opaque  
42 fencing shall mean chain link fence with slats, privacy wooden  
43 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco  
44 wall may also be used to screen outdoor storage.

45  
46 12. Exceptions. Financial hardship alone is not a basis to grant an  
47 exception; however, it is recognized that there may be circumstances that  
48 require a departure from the requirements in this overlay district in order



1 to be feasible. Possible grounds to be considered for granting exceptions  
2 to the ordinance include, but not limited to:

3  
4 a. Safety

5  
6 b. Unique site or building characteristics

7  
8 c. Standards would have a negative effect on the use of the  
9 property

10  
11 d. Public benefit

12  
13 **GRAPHIC LINK: Englewood Overlay District**

14  
15 6.07.05. Palafox Overlay District

16  
17 A. Intent and purpose of district. The Palafox Overlay District is intended to  
18 provide an enhanced level of protection to the mixed use character of the Palafox  
19 Community Redevelopment District thereby furthering the objectives of the  
20 Palafox Community Redevelopment Plan. The Palafox Overlay District is rather  
21 diverse with the amount of commercially and industrially zoned properties  
22 blended with isolated neighborhood-type residentially zoned properties. This is a  
23 zoning overlay and the regulations herein expand upon the existing zoning  
24 district regulations otherwise imposed on individual parcels within the district.

25  
26 B. Applicability. This zoning overlay district applies to all zoned properties within  
27 the Palafox Community Redevelopment District.

28  
29 C. Relationship to underlying zoning. All of the use listings and site design  
30 requirements of the underlying zoning districts shall continue to apply.

31  
32 D. Permitted uses. Mixed-use developments, defined as where non-residential  
33 and residential uses occupy the same building. The non-residential use(s) shall  
34 contain the first or bottom floor and the residential use(s) contain the second or  
35 upper floor(s).

36  
37 E. Prohibited uses.

- 38  
39 1. Mobile homes and manufactured homes. (This does not prohibit the  
40 construction of modular homes; see Article 3 of this code.)  
41  
42 2. Mobile home/manufactured home parks.

43  
44 F. Uses requiring management plan submittal. The following uses shall submit a  
45 management plan to the CRA prior to development approval. The CRA must be  
46 notified of any amendments to a submitted management plan. shall have  
47 approval of the CRA manager or his/her designee.  
48

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47

1. Retail sale of alcohol for off-premises consumption.

2. Bars and nightclubs.

3. Pawn shops and check cashing services.

4. Commercial amusement arcades, including billiard parlors and game machine arcades.

5. Automotive uses (including car sales, automobile rental agencies, car washes, auto repair facilities, tire sales, etc.).

6. Truck, utility trailer, and RV rental service or facility.

7. Portable food vendors.

8. Welding shops located in C-1 zoning districts.

G. Management plan. The applicant shall submit a management plan that addresses the following:

1. Proposed hours of operations.

2. Other similar properties managed by the applicant, if applicable.

3. Explanation of any franchise agreement.

H. Rezoning. ~~Surrounding uses, whether conforming or non-conforming should not be taken into consideration for the rezoning rationale. Rezoning where the result would create a spot zoning shall be prohibited. (See LDC Section 2.14.03 for definition of spot zoning.)~~

I. Non-residential site and building requirements.

1. Building height. New buildings, additions and redeveloped buildings shall complement the existing pattern of building heights. Buildings in the overlay district may not exceed 45 feet in height.

2. Building design.

a. Setbacks. New construction shall be setback from a distance similar to adjacent buildings unless customer parking is provided adjacent to any of these streets in support of Crime Prevention through Environmental Design (CPTED). Exceptions may be granted if the setback is pedestrian oriented and contributes to the quality and character of the streetscape.

1 b. Facades. A building more than 80 feet in width shall be divided  
2 into increments by incorporation of one of the following  
3 techniques, but not limited to:

4  
5 (1). Divisions or breaks in materials

6  
7 (2). Bay windows or the like

8  
9 (3). Building setbacks

10  
11 c. Rear façade. A minimum of 15 feet of the buildings rear façade  
12 facing a public right of way, parking area, or open space shall  
13 consist of transparent materials. Reflective glass is prohibited as a  
14 transparent material.

15  
16 d. Materials and detailing. New buildings and structures, additions  
17 and renovations shall be constructed to be long lasting and use  
18 materials and detailing that maintain the distinct character and  
19 harmony of the Palafox Community Redevelopment District.  
20 Aluminum, vinyl or metal material siding is prohibited on the  
21 primary facades of buildings adjacent to public right of ways.

22  
23 3. Accessory Structures. All accessory structures shall be located in the  
24 rear or side area and be a minimum of 5 feet inside the property  
25 boundary. All accessory structures shall meet the County landscaping,  
26 buffering, and screening requirements and shall use the same materials,  
27 color, and/or style of the primary façade if visible to the public from any  
28 road, driveway, right-of-way, or similar.

29  
30 4. Natural features. Natural features shall be protected and integrated into  
31 site design/development where possible. The applicant shall demonstrate  
32 how the development protects and incorporates existing vegetation.

33  
34 5. Crime prevention through environmental design. Crime Prevention  
35 Through Environmental Design (CPTED) principles shall be used when  
36 designing any element within the district, including but not limited to site  
37 design, buildings, street design, signs, landscaping and parking. The  
38 following CPTED guidelines shall be considered when designing any  
39 element within the district.

40  
41 a. Territoriality. All building entrances, parking areas, pathways  
42 and other elements should incorporate appropriate features that  
43 express ownership. The use of these features shall not conflict  
44 with the need for natural surveillance.

45  
46 b. Natural surveillance. The site layout, building and landscape  
47 design shall promote the principles of natural surveillance.  
48 Physical features and activities should be oriented and designed  
49 in ways that maximize the ability to see throughout the site.

1  
2 c. Activity support. The site layout and building design should  
3 encourage legitimate activity in public spaces.

4  
5 d. Access control. To discourage crime, entrances and exits  
6 should be located and designed in a manner that incorporates  
7 natural surveillance techniques and area control measures.

8  
9 6. Signs.

10  
11 a. See Article 8.

12  
13 b. The choice of building signage shall be compatible with the  
14 intent of this district and shall not have an adverse visual impact  
15 on surrounding properties.

16  
17 c. Free-standing on-premises signs shall be "human scaled".  
18 There shall be only one such sign per parcel and it shall not  
19 exceed 100 square feet per sign face and 12 feet in height; in the  
20 case of multi-use parcels, the sign shall not exceed 299 square  
21 feet. The sign face shall have colors, materials and lighting that  
22 are compatible with the general pattern existing in the Palafox  
23 Redevelopment Area Overlay District. Freestanding signs shall be  
24 limited to monument signs. Attached signs or shingles may be  
25 permitted for individual businesses in a multi-use building. Such  
26 signs shall not exceed 20 square feet per sign face.

27  
28 d. Signs cannot block or obstruct design details, windows, or  
29 cornices of the building upon which they are placed.

30  
31 7. Lighting. Lighting in the overlay district should serve to illuminate  
32 facades entrances and signage to provide an adequate level of personal  
33 safety while enhancing the aesthetic appeal of the buildings. Building and  
34 signage lighting must be indirect, with the light source(s) hidden from  
35 direct pedestrian and motorist view.

36  
37 8. Parking. Parking in the overlay district must adequately serve the  
38 users without detracting from the compact design that makes it a  
39 successful commercial center

40  
41 9. Off-street parking. Off-street parking must be located in the rear. If the  
42 lot orientation cannot accommodate for adequate rear parking, parking on  
43 the side would then be permitted.

44  
45 10. Landscaping.

46  
47 a. See Section 7.01.00.



1                    b. It is the proposed intent of this ordinance to encourage water  
2                    conservation through proper plant selection, installation and  
3                    maintenance practices. All commercial and industrial projects shall  
4                    submit a landscape plan as part of the development review  
5                    criteria. The plan will include plant species proposed, location of  
6                    all plant material, including areas proposed for sod, areas of  
7                    natural vegetation to be protected, and an irrigation plan. Native  
8                    plant species are required.

9  
10                   11. *Buffers and screening of outdoor storage.* The screening of outside  
11                   storage must use the same materials, color, and/or style as the primary  
12                   building in order to be architecturally compatible with the primary building  
13                   and the building it is adjacent to. All outside storage must be screened  
14                   from public view. If the outside storage area is separate from the building  
15                   it serves the following shall apply:

16  
17                   a. Section 7.01.06.D.2. *Type.* Only fencing (may or may not be  
18                   opaque) or walls made of concrete or stucco may supplement  
19                   buffers. Specifically, old garage doors and pieces of tin do not  
20                   qualify for fencing or wall materials; and

21  
22                   b. Section 7.01.06.E. *Screening of outdoor storage.* Opaque  
23                   fencing shall mean chain link fence with slats, privacy wooden  
24                   fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco  
25                   wall may also be used to screen outdoor storage.

26  
27                   12. *Exceptions.* Financial hardship alone is not a basis to grant an  
28                   exception; however, it is recognized that there may be circumstances that  
29                   require a departure from the requirements in this overlay district in order  
30                   to be feasible. Possible grounds to be considered for granting exceptions  
31                   to the ordinance include, but not limited to:

32  
33                   a. Safety

34  
35                   b. Unique site or building characteristics

36  
37                   c. Standards would have a negative effect on the use of the  
38                   property

39  
40                   d. Public benefit

41  
42                   **GRAPHIC LINK: Palafox Overlay District**

43  
44                   6.07.026. *Scenic Highway Overlay District.*

45  
46                   *A. Intent, boundaries and purpose of the district.* This district is intended to  
47                   protect the unique scenic vista and environmental resources of the Scenic  
48                   Highway Corridor and adjacent Escambia Bay shoreline. This is an overlay  
49                   district and the regulations herein expand upon existing R-1, R-2, R-3, R-6, C-1,

1 and/or ID-1 zoning district regulations otherwise imposed on individual parcels  
2 within the corridor. The district overlays all parcels adjacent to the Pensacola  
3 Scenic Bluffs Highway corridor on the west side of the highway and all of the  
4 property between the Pensacola Scenic Bluffs Highway and the Escambia Bay  
5 on the east side of the highway, for approximately five miles from the city limit of  
6 Pensacola along Scenic Highway continuing along Highway 90 to the bridge over  
7 the Escambia River at the Santa Rosa County line. A generalized map of the  
8 Scenic Highway Overlay district is depicted in Figure 2; however, it is not the  
9 official zoning map and should be used only for preliminary determination of the  
10 application of the overlay zone. The purpose of the district is to alleviate harmful  
11 effects of on-site generated erosion and runoff caused by clearing natural  
12 vegetation and changing existing contours of the land, and to ensure the  
13 preservation of the bluffs, wetland areas and scenic views along the bay and  
14 assure continued public access to the views along the corridor. Views are an  
15 amenity and human appreciation of views is reflected in both private property  
16 values and the overall general welfare of the community.

17  
18 B. *Permitted uses.* See underlay zoning districts.

19  
20 C. *Lot coverage.* Maximum area land coverage by all structures, parking areas,  
21 driveways and all other impervious surfaces shall not exceed 50 percent of the  
22 gross site area.

23  
24 D. *Setback.* All structures shall be located a minimum of 50 feet from the Scenic  
25 Highway right-of-way unless precluded by lot configuration or topography.

26  
27 E. *Building separation.* The minimum distance between structures shall be 15  
28 feet and there shall be at least 100 feet between a multifamily structure (including  
29 hotels and motels) and single-family dwellings.

30  
31 F. *Pedestrian-bicycle.* The intent of the corridor management plan is to provide a  
32 multiuse path on the east side of Scenic Highway the full length of the corridor at  
33 the maximum distance possible from the roadway pavement, within the right-of-  
34 way. During the site review process the staff will work with the applicant to  
35 maximize the innovative integration of a path extension, into the project, outside  
36 of the right-of-way on public property or on easements donated by private  
37 property owners.

38  
39 G. *Building heights.* Buildings between the Scenic Highway and Escambia Bay  
40 shall have a maximum height of 35 feet as measured at the average finished  
41 grade elevation of the lot above mean sea level (MSL). Nonresidential uses can  
42 exceed the height limit only with conditional use approval by the board of  
43 adjustment. In addition to the other conditional use criteria, the requested height  
44 must be found not to interfere with the scenic attractiveness of the location as  
45 viewed from any plausible direction. In addition, for structures over 35 feet in  
46 height, for every two feet in height over 35 feet, there shall be an additional one  
47 foot of front and side setback at the ground level.

48  
49 H. *Tree protection.*

1  
2 1. A canopy road tree protection zone is hereby established for all land  
3 within 20 feet of the right of way of Scenic Highway and Highway 90 to  
4 the Santa Rosa County line. No person or agency shall cut, remove, trim  
5 or in any way damage any tree in any canopy tree protection zone without  
6 a permit. Except in unique cases, such pruning shall not remove more  
7 than 30 percent of the existing tree material. Utility companies are not  
8 permitted to prune more than 30 percent of the existing tree canopy.  
9

10 2. Heritage Oak trees shall be prescribed.

11  
12 3. Clearing of natural vegetation within the corridor shall require a land  
13 disturbing permit and is generally prohibited except for the minimum area  
14 needed for construction of allowable structures or view enhancement.  
15

16 I. Landscaping.  
17

18 1. For developments subject to section 7.01.00, a minimum ten-foot wide  
19 landscaped strip shall be required along the Scenic Highway frontage,  
20 and shall contain one tree for every 35 linear feet of frontage. The trees  
21 shall be tall enough so that a six-foot view shed exists at planting.  
22 Preservation of existing plant communities within the required landscaped  
23 areas can be used to satisfy this requirement.  
24

25 2. Orientation of commercial buildings shall be away from residential  
26 development within or adjacent to the district. Layout of parking and  
27 service areas, access, landscaping, yards, courts, walls, signs, lighting  
28 and control of noise and other potentially adverse influences shall be  
29 such as to promote protection of such residential development, and will  
30 include adequate buffering.  
31

32 J. Fences. See section 7.04.00. No fence may be solid. No chain link fence shall  
33 be located between Scenic Highway and the principal building. Any other type of  
34 fence in this area shall not exceed three feet. Where single story structures are  
35 higher than the roadbed, there should be no wall, fence, structure or plant  
36 material located between the front building line and the roadbed that will obstruct  
37 the view from automobiles on the scenic route.  
38

39 K. Structure location. Whether a conditional use or site planning review, all  
40 structures will be reviewed to assure conformance with the following criteria:  
41

42 1. The location shall afford maximum views of the bay from the street  
43 right-of-way.  
44

45 2. The location shall minimize impact on the natural bluff and plant  
46 material (other than pruning to enhance views).  
47

48 3. Provide underground utilities.  
49

**GRAPHIC LINK: Scenic Highway Overlay District**

**Section 4. Severability.**

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 5. Inclusion in Code.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by 125.68, Fla. Stat. (2012); and that the sections, subsections and other provisions of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

**Section 6. Effective Date.**

This Ordinance shall become effective upon filing with the Department of State.

**DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**BOARD OF COUNTY COMMISSIONERS  
OF ESCAMBIA COUNTY, FLORIDA**

**By: \_\_\_\_\_  
Wilson B. Robertson, Chairman**

**ATTEST: ERNIE LEE MAGAHA  
Clerk of the Circuit Court**

**By: \_\_\_\_\_  
Deputy Clerk**

**(SEAL)**

**ENACTED:**

**FILED WITH THE DEPARTMENT OF STATE:**

**EFFECTIVE DATE:**

H:\Community & Environment Bureau\Divisions\Community Redevelopment Agency\Projects\ LDC Ordinances\CRA Overlays Ordinance\PB 07-09-12\Art. 6 Community Redevelopment Ordinance Draft 1C





**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Regular**

**4. D.**

**Meeting Date:** 07/09/2012

**Issue:** Repeal & Replace Comprehensive Plan Ordinance 2012-18

**From:** T. Lloyd Kerr, AICP, Department Director

**Organization:** Development Services

---

**Information**

**RECOMMENDATION:**

That the Planning Board recommend to the Board of County Commissioners (BCC) that they adopt an Ordinance repealing and replacing Ordinance 2012-18 in its entirety.

**BACKGROUND:**

On May 17, 2012, the Board of County Commissioners adopted Comprehensive Plan Ordinance 2012-18. Subsequently, staff discovered that an outdated version of the Comprehensive Plan had been inadvertently incorporated in the ordinance.

**BUDGETARY IMPACT:**

No budgetary impact is anticipated by the adoption of this Ordinance.

**LEGAL CONSIDERATIONS/SIGN-OFF:**

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

**PERSONNEL:**

No additional personnel are required for implementation of this Ordinance.

**POLICY/REQUIREMENT FOR BOARD ACTION:**

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

**IMPLEMENTATION/COORDINATION:**

Implementation of this Ordinance will consist of a text amendment to the Comprehensive Plan and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

---

**Attachments**

Draft Ordinance

Comp Plan 2030



LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Comprehensive Plan:2030 Repealing & Replacing Ord. 2012-18

Date: 6/18/2012

Date requested back by: 6/19/2012

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: 6/18/2012

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:  
Include minor changes - wordy and format.

ORDINANCE NO. 2012-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; REPEALING AND REPLACING IN ITS ENTIRETY ORDINANCE NO. 2012-18; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Escambia County Board of County Commissioners adopted Ordinance 2012-18 on May 17, 2012; and

**WHEREAS**, it was subsequently discovered that an outdated version of the Comprehensive Plan was inadvertently incorporated in the ordinance; and

**WHEREAS**, the Board of County Commissioners of Escambia County, Florida, finds that it is appropriate to amend its Comprehensive Plan by repealing and replacing in its entirety Ordinance No. 2012-18;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1. Purpose.**

The purpose of this ordinance is to repeal and replace the Escambia County Ordinance 2012-18 to correct an outdated version of the Comprehensive Plan that was inadvertently incorporated in it.

**Section 2. Repeal and Replacement of Ordinance 2012-18.**

Ordinance 2012-18 is hereby repealed and the Escambia County Comprehensive Plan: 2030 shall be amended as shown in the Exhibit A attached to this ordinance and codified in Part II of the Escambia County Code of Ordinances (additions are underlined and deletions are ~~struck through~~).

**Section 3. Severability.**

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this ordinance.

**Section 4. Inclusion in the code.**

The Board of County Commissioners intends that the provisions of this ordinance will be codified as required by Section 125.68, Florida Statutes, and that the sections of



this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish its intentions.

**Section 5. Effective date.**

Pursuant to Section 163.3184(3)(c)4, Florida Statutes, this ordinance shall not become effective until 31 days after the Department of Economic Opportunity notifies Escambia County that the plan amendment package is complete. If timely challenged, this ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the ordinance to be in compliance.

DONE AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2012.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

By: \_\_\_\_\_  
Wilson B. Robertson, Chairman

ATTEST: Ernie Lee Magaha  
Clerk of the Circuit Court

By: \_\_\_\_\_ Date Executed: \_\_\_\_\_  
Deputy Clerk

(SEAL)

ENACTED:

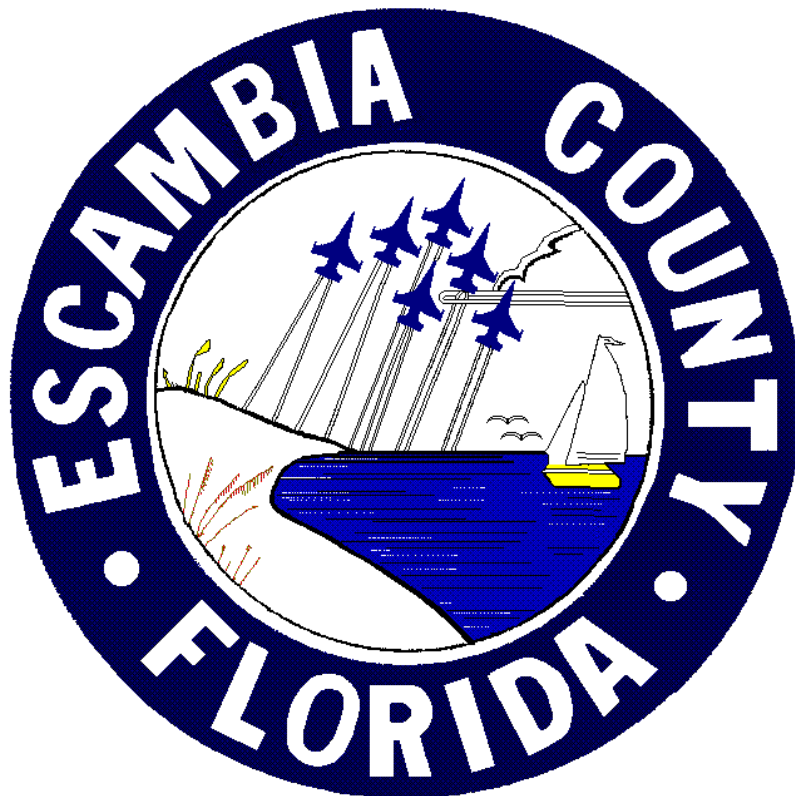
FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

ATTACHMENTS: Escambia County Comprehensive Plan: 2030

# ESCAMBIA COUNTY COMPREHENSIVE PLAN

2030



## **Table of Contents**

Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended, is further amended to read as set forth on the following pages attached hereto, which includes the following chapters:

- Chapter 1: Legal
- Chapter 2: Administration
- Chapter 3: Definitions
- Chapter 4: Public Participation
- Chapter 5: General Requirements
- Chapter 6: Concurrency Management System
- Chapter 7: Future Land Use
- Chapter 8: Mobility
- Chapter 9: Housing
- Chapter 10: Infrastructure
- Chapter 11: Coastal Management
- Chapter 12: Conservation
- Chapter 13: Recreation and Open Space
- Chapter 14: Intergovernmental Coordination Element;
- Chapter 15: Capital Improvement Element;
- Chapter 16: Public Schools Facilities Element

## **Chapter 1 Legal.**

### **Section 1.01 Title.**

This ordinance shall be known as the "Escambia County Comprehensive Plan: 2030".

### **Section 1.02 Jurisdiction.**

The lands subject to this ordinance shall include all unincorporated areas of Escambia County.

### **Section 1.03 Intent.**

It is the intent of this ordinance to provide orderly growth management for those areas identified in section 1.02 above. This ordinance is not intended to terminate growth but rather to provide mechanisms for growth management in order to serve the citizens, visitors and property owners of Escambia County. Implementation of this ordinance is designed to maintain and improve the quality of life for all citizens of the county.

The Board of County Commissioners of Escambia County finds that the goals, objectives, policies and regulations set forth hereunder are a necessary and proper means for planning and regulating the development and use of land in the county and for otherwise protecting and promoting the public health, safety, and general welfare of its citizens. It is the intent of this ordinance that the comprehensive plan sets general guidelines and principles concerning its purposes and contents and that this ordinance shall be construed broadly to accomplish its stated purposes and objective.

### **Section 1.04 Effect on previous plan.**

This ordinance/comprehensive plan supersedes and replaces the Escambia County Comprehensive Plan, which was adopted by the Board of County Commissioners on October 20, 1993, as amended.



## **Chapter 2 Administration.**

### **Section 2.01 Local planning agency.**

(1) The Escambia County Planning Board is hereby established by the Board of County Commissioners (BCC) of Escambia County as the Local Planning Agency (LPA).

(2) Duties: The duties of the LPA shall be as specified in Section 163.3174, Florida Statutes, and include:

- a. Be responsible for the preparation of the Escambia County Comprehensive Plan and make recommendations to the BCC regarding the adoption of the plan;
- b. Monitor the effectiveness and status of implementation of the comprehensive plan and recommend to the BCC any changes in the plan as may, from time to time, be required;
- c. Monitor, review and prepare periodic reports required by Section 163.3191, Florida Statutes, including regular assessments of the plan and preparation of the evaluation and appraisal report on the plan;
- d. Review any proposed land development regulations, codes or amendments thereto and make recommendations to the BCC as to the consistency of proposed regulations, codes or amendments with the comprehensive plan;
- e. Perform any other function, duty or responsibility assigned to it by the Escambia County BCC or by general or special law; and,
- f. Additional duties and responsibilities may be placed upon the LPA by inclusion of such duties and responsibilities within the Land Development Code (LDC).

(3) Resources: The LPA may utilize any resources provided it by the BCC in furtherance of the duties and responsibilities of the LPA. These resources may include, but are not limited to, facilities and equipment of the County, temporary assignment of employees, utilization of County committees, boards or authorities, consultants, persons or entities to prepare or assist in the preparation of the plan, amendments thereto or any other land development regulation, proposed or existing, as it may deem appropriate.

### **Section 2.02 Administration.**

The Escambia County Administrator shall administer this ordinance with the assistance of other personnel within the County, as necessary. Policy direction and guidance shall be provided by the LPA and the BCC. In addition, assistance may be provided pursuant to Section 2.01(3) above.

### **Section 2.03 Public participation and notices.**

Refer to Chapter 4 for public participation and notices.

## **Chapter 3 Definitions.**

### **Section 3.01 Definitions.**

The definitions listed here are hereby adopted. In addition, any words not defined here shall be defined as found in Chapter 163, pt. II, Florida Statutes, and ~~Rule 9J-5, Florida Administrative Code,~~ which ~~are~~ is which is hereby adopted by reference. There may be other definitions contained in the chapters (elements) of this ordinance and such definitions are not "in conflict" with the definitions in rule or law. Also, the additional definitions, if any, relate to terms or phrases not otherwise defined.

### **Section 3.02 Germane definitions.**

The Escambia County Land Development Code (land development regulations) will contain specific definitions germane to any items within the Land Development Code (LDC).

### **Section 3.03 Singular and plural terms; gender; general interpretation.**

Unless the context clearly indicates otherwise, singular words include the plural, person or man includes both genders and words not otherwise defined shall have those meanings commonly and customarily ascribed to them and as can be found in any standard dictionary reference books.

### **Section 3.04 Definitions.**

**Avigation easement:** An easement that gives a clear property right to maintain flight operations in the airspace above the property.

**Buffer:** A designated area with natural and/or manmade features functioning to minimize or eliminate adverse impacts on adjoining land uses, or wetlands as defined by Section 373.019(22) Florida Statutes.

**Commercial use:** Any nonresidential use that is typically carried out for the purpose of monetary gain, including, but not limited to, any business use or activity at a scale greater than a home occupation.

**Compact development:** A development pattern typically featuring narrow streets, multifunction structures (such as residential over retail), multifamily housing, front porches, small lots, wide sidewalks, neighborhood parks, community landscaping, easily walkable distances from residences to local commercial uses, places of employment and schools.

**Concurrency:** The condition or circumstance that at the time new demands are placed on public facilities, facility capacities will meet or exceed the adopted level of service (LOS) standards established by the Comprehensive Plan.

**Conservation:** The act of preserving, guarding, or protecting; keeping in a safe or entire state; preservation.

**Conservation subdivision:** A form of residential subdivision characterized by clustered compact lots, common open space and natural features, used to protect agricultural lands, open space or other natural or historical resources while allowing for the maximum number of dwellings under applicable zoning and subdivision regulations.

**Deficiencies:** Inadequacies, insufficiencies, or the falling short of a prescribed norm.

**Density:** The number of dwelling units per acre of land.

**Development:** The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. Specific activities or uses involving or excluded from development are defined in Section 380.04, Florida Statutes.

**Enhance:** To make greater, as in value, beauty, or effectiveness; to augment.

**Environmentally sensitive lands:** Those areas of land or water that are determined by the BCC as being necessary to conserve or protect natural habitats and ecological systems. The following classifications are those that have been determined by Escambia County to be environmentally sensitive:

- a. Wetlands as defined herein, and wetlands as defined by the U.S. Army Corps of Engineers.
- b. Shoreline Protection Zones.
- c. Aquatic preserves and the Escambia River Management Area.
- d. Outstanding Florida Waters as defined by Rule 62.302.700 Florida Administrative Code and as defined and approved by the Florida Legislature.
- e. Habitats of threatened or endangered species as defined by the U.S. Fish and Wildlife Service (USFWS), the Florida Fish and Wildlife Conservation Commission (FWC) or other state or federal agencies.
- f. Essential fishery habitat (EFH), including seagrasses.
- g. Floodplain areas defined on the FEMA Flood Insurance Rate Map (FIRM) as areas of special flood hazard subject to a one percent annual chance of flooding.
- h. Potable water wells, cones of influence, and potable water well fields.

**Existing communities:** Established residential or mixed-use areas; developed land that contains homes, businesses, and/or other civic and community uses.

**Farm worker:** A person who works on, but does not own, a farm; an agricultural laborer (may be permanent or temporary).

**Financial feasibility:** The ability of a proposed land use or change of land use to justify itself from an economic point of view.

**Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Floor Area Ratio (FAR):** A standard measure of the intensity of non-residential land use, calculated by dividing the total gross floor area of all structures on a lot by the total area of the lot.

**Group home/group home facility:** An occupied residence, licensed by the State of Florida, in which a family living environment is provided for six or fewer unrelated residents with developmental disabilities, as defined in Section 393.063, Florida Statutes, including such supervision and care by support staff as may be necessary to meet the physical, emotional, and social needs of its residents.

**Hazardous material:** A poison, corrosive agent, flammable substance, explosive, radioactive chemical, or any other material that can endanger human or animal health or well-being if handled improperly.

**Hazardous waste:** Material or a combination of materials that require special management techniques because of their acute and/or chronic effects on air and water quality; on fish, wildlife, or other biota; or on the health and welfare of the public. Such materials include, but are not limited to, volatile, chemical, biological, explosive, flammable, radioactive and toxic materials regulated pursuant to Chapter 62-730, Florida Administrative Code.

**Historic/cultural resource:** Any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value, and folk life resources. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state.

**Impervious surface:** Any surface that does not allow, or minimally allows, the penetration of water, and is highly resistant to infiltration by water.



**Impervious Surface Ratio:** A standard measure of the intensity of land use calculated by dividing the total area of all impervious surfaces within a lot by the total area of the lot.

**Incompatible/compatible development:** Incompatible development is new development proposed to be constructed next to existing development where the proximity of the two kinds of development each would diminish the usefulness of the other, or be detrimental to existing operations. The incompatibility can arise from either land use or structure size and design. Compatible development is new development proposed to be constructed next to existing development where proximity of the two kinds of development each would complement or enhance the usefulness of the other.

**Infill development:** The development of new housing or other land uses on vacant or underutilized land in existing developed areas; focuses on the reuse and repositioning of obsolete or underutilized buildings and sites.

**Infrastructure:** Facilities and services needed to sustain land use activities, including but not limited to roads, potable water service, wastewater service, solid waste facilities, stormwater management facilities, power grids, telecommunication facilities, and public schools.

**Invasive species:** A non-indigenous or exotic species that is not native to the ecosystem under consideration and that has the ability to establish self-sustaining, expanding, free-living populations that may cause economic and/or environmental harm, or harm to human health.

**Low-impact landscaping:** Landscape design practices that apply Florida-Friendly landscaping principles to reduce water consumption, use of horticultural chemicals, loss of native vegetation and wildlife habitat, stormwater runoff, and other negative environmental impacts.

**Mitigation:** Methods used to alleviate or lessen the impact of development.

**Mixed-use:** Any use that includes both residential and nonresidential uses.

**Mobile/manufactured home:** A complete, factory-built, single-family dwelling, constructed in accordance with the federal Manufactured Housing Construction and Safety Standards (the HUD Code) and transportable in one or more sections on a permanent chassis for site installation with or without a permanent foundation. Mobile home is the term used for manufactured homes built prior to June 15, 1976 when the HUD Code became effective.

**Multi-family development:** Residential development containing multi-family dwellings exclusively or predominantly.

**Multi-modal:** A transportation system that involves multiple methods of transporting people and/or goods; may include pedestrian activity, bicycling, transit (buses and/or rail), and the automobile.

**Native vegetation:** Vegetation that exists naturally, without intervention by humans, in a specific geographic area.

**Natural Resources:** Resources provided by the natural environment, including air, water, soils, wetlands, beaches, flood plains, forests, fisheries, wildlife, and any other such environmental resource identified by Florida Statute for conservation and protection.

**Non-conforming use:** Any lawfully established use of a structure, land, or water, in any combination that does not conform to the land use regulations of the zoning district or future land use category in which the use is located.

**Non-residential use:** A use characterized by the absence of residences and the presence of primary land uses that include retail, commercial, office, industrial, civic or recreation uses.

**Open space:** Land or portions of land preserved and protected, whether public or privately owned and perpetually maintained and retained for active or passive recreation, for resource protection, or to meet lot coverage requirements. The term includes, but is not limited to, required yards, developed recreation areas and improved recreation facilities, natural and landscaped areas, and common areas.

**Paratransit system:** A form of public transportation service characterized by the flexible routing and scheduling of small vehicles such as taxis, vans and small buses, to provide shared-occupancy, doorstep or curbside personalized transportation service.

**Performance-oriented controls:** A set of criteria or limits relating to certain characteristics that a particular use or process may not exceed; regulations are based upon the intensity and impacts of an activity, rather than land use.

**Preserve:** To protect natural resources and/or historic and cultural resources from the negative impacts of human activity, including land development or natural resource extraction, such as mining or logging. Preservation may include permanently protecting land, structures and/or wetlands and water bodies via purchase, conservation easement, regulations, or other methods, and may include the restoration and management of natural or historic resources.

**Primary dune:** The first natural or manmade dune located landward of the beach with sufficient vegetation, height, continuity, and configuration to offer protective

value. The landward extent occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

**Redevelopment:** The removal and replacement, rehabilitation or adaptive reuse of an existing structure or structures, or of land from which previous improvements have been removed.

**Residential use:** Any use for residences, domiciles, or dwellings, including, but not limited to, single-family houses, townhouses, condominiums, and apartments.

**Restoration:** The act of repairing damage to a site with the aim of restoring the site as closely as possible to its natural condition before it was disturbed.

**Revitalization:** The renewal and improvement of older commercial and residential areas through any of a series of actions or programs that encourage and facilitate private and public investment.

**Rural:** A sparsely developed area, where the land is primarily used for agricultural purposes.

**Shoreline, Natural:** Undeveloped or restored areas of shoreline fronting the waters of marine, estuarine, or riverine systems such as bays, bayous, rivers, and streams.

**Sprawl:** Haphazard growth of dispersed, leap-frog and strip development in suburbs and rural areas and along highways; typically automobile-dependent, single use, resource-consuming and low-density development in previously rural areas and disconnected from existing development and infrastructure.

**Street, collector:** A street providing service that is of relatively moderate traffic volume, moderate trip length, and moderate operating speed, and which distributes traffic between local streets or arterial streets.

**Street, major arterial:** A street providing service that is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. Note: Every United States numbered highway is an arterial street.

**Street, minor arterial:** A street providing connections between major activity centers of the county, which augments the major arterial system for local and inter-county traffic by feeding traffic from collector and local street systems onto major arterials.

**Suburban area:** A predominantly low-density residential area located immediately outside of an urban area or a city and associated with it physically and socioeconomically.

**Threatened and endangered species habitat.** An area that contains, or shows factual evidence of, a species that is listed as "threatened", "endangered", or "species of special concern", including all such areas that are classified as "critical habitat" by the Florida Fish and Wildlife Conservation Commission (FWC).

**Urban area:** A highly developed area that contains a variety of industrial, commercial, residential, and cultural uses.

**Urban forest:** Collectively, the trees and other vegetation within and around the developed areas of the county.

**Water-dependent uses:** Uses that require access to water bodies, such as commercial boating or fishing operations.

**Water-related uses:** Uses that do not require a waterfront location to function, but are often essential to the efficient functioning of water-dependent uses and can be essential to their economic viability, such as shops, restaurants, parking, boat sales, or fish processing plants.

**Wetlands:** Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does or would support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include, but are not limited to, swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas.

**Wildlife habitat:** An area that offers feeding, roosting, breeding, nesting, and refuge areas for a variety of existing and future native wildlife species.

## **Chapter 4 Public Participation.**

### **Section 4.01 Purpose.**

This chapter establishes procedures in accordance with Section 163.3181, Florida Statutes, to provide for broad dissemination of information regarding comprehensive plans and amendments, the planning process, the adoption or amendment of the Land Development Code (LDC) and other matters pertaining to the regulation or use of land or structures. In addition, it is the intent of this chapter to provide the public opportunity for written or verbal comments, processes for public hearings, provision for open discussion, communications programs, information services and consideration of and response to public comments.

### **Section 4.02 Intent.**

It is the intent of this chapter that all citizens affected by comprehensive planning and land development regulation proposals are encouraged to participate and be afforded the opportunity for input throughout the preparation and enactment process. The provisions of this chapter apply to the formal adoption process of the comprehensive plan, amendments to the comprehensive plan, preparation or amendment of the LDC, including regulation of land subdivision, open space provisions, stormwater management, floodplain development, environmentally sensitive areas, signage, parking, innovative land development regulations, consideration of the Evaluation and Appraisal Report (EAR), and any other matters deemed appropriate by the Board of County Commissioners (BCC).

### **Section 4.03 Public participation and affected parties.**

For the purposes of this chapter the terms, "citizen participation" and "public participation" are synonymous and apply to affected persons, substantially affected persons and aggrieved or adversely affected parties, as defined in current state statute.

### **Section 4.04 Public notice.**

(1) So as to notify property owners, interested citizens and affected parties, Escambia County will advertise in a newspaper of general circulation within the County that a public hearing will be held to consider any of the matters described in section 4.02 above. The advertisement will include an identification of who is holding the hearing, as well as the date, time, place and general subject of the hearing and the location where copies of the proposed matter may be reviewed. The advertisement will encourage the public to provide written and/or verbal comments on the matters under consideration.

(2) All public hearings shall be held at approximately the time specified in the advertisement and shall be conducted Monday through Thursday.



(3) Escambia County will conform to the applicable notice requirements for adoption or amendment of the comprehensive plan or land development code as prescribed in Sections 125.66, 163.3184, and 163.3187, Florida Statutes.

**Section 4.05 Workshops.**

(1) Whenever possible, workshops shall be advertised to notify the public and interested parties that a workshop meeting is scheduled to discuss the subjects of the scheduled workshop. However, workshops may be held without advertising, provided a public announcement is made at a public meeting of the BCC or LPA and a notice of the workshop is posted in the County courthouse and other public places as appropriate.

(2) Workshops may be held at any time deemed appropriate to facilitate the timely exchange of information regarding the subject of the workshop.

(3) County staff shall provide to the Local Planning Agency (LPA) the total number of citizens that attended the workshop meeting at the next publicly advertised LPA meeting.

**Section 4.06 Notification and status reports.**

Escambia County will periodically provide notification to the media by announcements of public hearings and workshops at the regular public meetings of the BCC regarding the status of matters under consideration by the department or the LPA.

**Section 4.07 Local Planning Agency.**

Prior to BCC approval, adoption and/or enactment of regulations, as appropriate, of any matter listed in section 4.02, the LPA shall hold at least one public hearing in conformance with the notice requirements described herein. The hearing may be continued to an announced time certain upon a majority vote of the members present.

(1) The LPA public hearing shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his discretion, rule out-of-order public comments he deems repetitious or not germane to the matter under discussion.

(2) The sequence of activities regarding the matters under consideration shall be as follows:

- a. Announcement of the matter for consideration by the chairman;
- b. Presentation of staff reports/comments, if any, whether written or verbal;
- c. Presentation by the applicant or principle proponent of the matter;
- d. Comments from the proponents and opponents of the matter. All speakers will be required to complete speaker request forms so that an

- accurate record of participants can be maintained;
- e. Close public input except for direct questions as may be initiated by the members of the LPA; and
- f. LPA discussion, debate and recommendation by majority vote prior to considering the next matter, adjournment, or tabling for a time certain.

(3) The LPA shall transmit its recommendation on each matter decided to the BCC at the public hearing held for each matter by the BCC.

(4) The LPA shall not initiate consideration of agenda items later than 12:00 midnight, unless agreement to do so is obtained by majority vote of the members present. Agenda items not considered due to time will be tabled until a time certain.

#### **Section 4.08 Board of County Commissioners.**

As soon as practical after the LPA makes a recommendation regarding any matter described in section 4.02, the BCC shall hold at least one public hearing to consider the recommendation and pursuant to the notice requirements described herein (reference Section 4.04). The hearing may be continued to an announced time certain upon a majority vote of the commissioners present.

(1) The BCC hearing shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his/her discretion rule out of order public comments he deems repetitious or not germane to the matter under discussion.

(2) The sequence of activities regarding matters under consideration shall be as follows:

- a. Announcement of the matter for consideration by the chairman;
- b. Presentation of LPA and/or staff reports/comments, if any, whether written or verbal;
- c. Presentation by the applicant or principal proponent of the matter;
- d. Comments from the proponents and opponents of the matter. All speakers will be required to complete speaker request forms so that an accurate record of participants can be maintained;
- e. Close public input except for direct questions as may be initiated by members of the BCC;
- f. BCC discussion, debate and approval, adoption or enactment, as appropriate for the specific matter, by majority vote prior to considering the next matter, adjournment or tabling until a time certain; and
- g. The BCC shall not initiate agenda items later than 11:00 p.m., unless agreement to do so is obtained by majority vote of the members present. Agenda items not considered due to time will be tabled until a time certain.

**Section 4.09 Advisory committees.**

The LPA and/or the BCC may, from time to time, appoint advisory committees to provide information and/or participate in the matters listed in section 4.02. Advisory committees shall be subject to the notice requirements described herein.

## **Chapter 5 General Requirements.**

### **Section 5.01 Format.**

The Comprehensive Plan meets the format requirements of Section, Chapter 9J-5, Florida Administrative Code. Florida Statutes 163.3177, Florida Statutes.

### **Section 5.02 Combined elements.**

The traffic circulation element, the mass transit element, and the port, aviation and related facilities element have been combined into the Mobility Element to avoid repetition and provide clarity. The requirements of Sections 163.3177 and 163.3178, Florida Statutes and Chapter 9J-5, Florida Administrative Code have been met within ~~these~~ this combined element.

### **Section 5.03 Support documents.**

Support data, analysis and documents are not adopted as part of this ordinance. Support data, analysis and documents will be available for public inspection while the comprehensive plan is being considered for adoption and while it is in effect at the offices of the Escambia County Planning Division and at the office of the County Clerk in the County Courthouse in Pensacola. Support data, analysis, and other documentation are found in the foundation documents.

This ordinance contains references to various chapters, appendices or contents of the foundation documents. The references are included for clarity and ease of review by the reader. The reference is not to be construed as making the foundation document or causing the foundation document contents to be made part of this ordinance or the County's Comprehensive Plan.

### **Section 5.04 Preparation date.**

The preparation of this plan started in 1987 and has continued through December 2010 with public hearings and workshops. This ordinance is being transmitted to the Florida Department of ~~Community Affairs (FDCA)~~ Economic Opportunity (FDEO) for compliance review after a final public hearing.

### **Section 5.05 Name of preparer.**

This ordinance was prepared by the Escambia County Planning Board sitting as the Local Planning Agency (LPA) and the Escambia County Staff. Professional and technical assistance and production of this ordinance (plan) and the foundation documents have been provided by MSCW, Inc. Support information in the foundation documents have been taken from the data and analysis used to support the 2007 Evaluation and Appraisal Report (EAR) and supplemented, revised or replaced with information gathered, collected, analyzed or generated by MSCW, Inc. and County staff.

### **Section 5.06 Data and analysis.**

Copies or summaries of foundation and support data, analysis and adopted documents shall be submitted to ~~FDCA~~FDEO after approval by the BCC.

**Section 5.07 Population projections.**

This ordinance is based upon the Bureau of Economic and Business Research (BEBR), University of Florida, Mid-Range Projections. The population projections are included within the foundation documents supporting this plan. Population projections will be updated annually or the most current projections available.

**Section 5.08 Level of service standards.**

Level of service (LOS) standards are as established in the elements contained within this ordinance for roads, mass transit, wastewater, solid waste, stormwater, potable water, public schools and recreation. The Concurrency Management Element provides a location listing for LOS standards.

**Section 5.09 Planning time frame.**

The time frame for planning used in this ordinance is through the year 2030 with a five year time frame for the capital improvements element starting with the County budget year beginning October 1, 2009.

**Section 5.10 Internal consistency.**

Each chapter (element) is consistent with the other chapters and this ordinance shall be construed in its entirety as the County's comprehensive plan. The Future Land Use Map (FLUM) included and adopted as part of this ordinance reflects goals, objectives and policies contained within this ordinance.

The goals, objectives and policies of this ordinance are based on data contained within the foundation documents. Where data is relevant to several elements, the same data has been used to support said elements.

**Section 5.11 Plan implementation.**

Among other means, this comprehensive plan shall be implemented by the adoption of land development regulations. In addition to the requirements in Section 163.3202, Florida Statutes, the Land Development Code (LDC) shall address regulations of specific items contained in the goals, objectives and policies of this ordinance.

**Section 5.12 Monitoring and evaluation.**

An EAR shall be prepared at the end of each five-year time frame for the purpose of evaluating and appraising the implementation of this comprehensive plan. The EAR shall address items contained in Section Rule 9J-5.005(7), Florida Administrative Code, as amended 163.3191, Florida Statutes. In addition, continuous monitoring shall be maintained by the concurrency management system. The Capital Improvements Element and various portions of this plan shall be reviewed on an annual basis pursuant to OBJ CIE 1.4.

The EAR Steering Committee appointed pursuant to Policy CIE 1.1.1 shall prepare a draft EAR for consideration by the LPA consistent with the time frames



established by rule for submission of the EAR. The LPA shall promulgate its report (EAR) to the Board of County Commissioners (BCC) and the report shall address:

- a. Citizen participation in the process;
- b. Updating appropriate base line data;
- c. The extent to which objectives within the plan have been accomplished (or not accomplished) in the first five-year period of the plan;
- d. The expectations for accomplishing the objectives in the second five-year period covered by the plan;
- e. Accomplishments in the first five-year period;
- f. Identification of problems and opportunities for achieving the desired ends as expressed within the goals, objectives and policies of the plan;
- g. Recommendations regarding any new goals, objectives or policies or modifications to existing goals, objectives and policies to correct unanticipated problems;
- h. A detailed analysis of the effectiveness of the continuous monitoring and evaluation of the plan pursuant to the Concurrency Management Element; and
- i. Any other matters deemed relevant or appropriate by the committee, the LPA or the BCC.

**Section 5.13 Procedural requirements.**

This Comprehensive Plan shall be considered, adopted and amended pursuant to the procedural requirements of Sections ~~163.3104~~163.3161--163.3215, Florida Statutes. Refer to Chapter 4, Public Participation, for notices and public hearings.

Any applicant requesting an amendment to this ordinance may be responsible for and pay all costs associated with the amendment including required Evaluation and Appraisal Reports.

## **Chapter 6 Concurrency Management.**

The purpose of the Concurrency Management System Element is to ensure that all necessary public facilities and services are available to support new development. The Concurrency Management System Element must establish Levels of Service standards for public services and facilities, and delineate a system for the implementation of concurrency, in a way that is timely, fair, and cost-efficient, pursuant to Rule 9J-5.0055, Florida Administrative Code.

### **GOAL CMS 1 CONCURRENCY MANAGEMENT SYSTEM**

**Escambia County shall adopt a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impacts of such development.**

#### **OBJ CMS 1.1 Level of Service Standards**

**Ensure that Escambia County's adopted Level of Service (LOS) standards for roadways, mass transit, potable water, wastewater, solid waste, stormwater, public schools and recreation will be maintained.**

### **POLICIES**

**CMS 1.1.1 Oversight.** The Escambia County planning staff shall be responsible for ensuring compliance with the Concurrency Management System and shall report on such compliance to the Local Planning Agency (LPA) and Board of County Commissioners (BCC) on an annual basis, in accordance with the Capital Improvements Element.

**CMS 1.1.2 Primary Tasks.** The County Administrator, or designee, shall be responsible for the five primary tasks described below:

- a. Maintaining an inventory of existing public facilities and capacities or deficiencies;
- b. Determining concurrency of proposed development that does not require BCC approval;
- c. Providing advisory concurrency assessments and recommending conditions of approval to the BCC for those applications for development orders that require BCC approval;
- d. Reporting the status of all public facilities covered under this system to the BCC and recommending a schedule of improvements for those public facilities found to have existing deficiencies; and
- e. Administering the Proportionate Fair Share Program as outlined in the Land Development Code (LDC) and the Escambia County Concurrency Management System Procedure Manual, if the County CMS-1 and an applicant choose to utilize this program to mitigate transportation impacts

on transportation facilities found to have deficient capacity during the process of testing for concurrency.

**CMS 1.1.3 Information and Data.** Escambia County will collect and make available to the public information regarding various public facilities. The information shall be updated on an annual basis consistent with the reports required by the Capital Improvements Element. The information will contain data such as:

- a. design capacity for roadways and roadway types;
- b. existing and adopted LOS for all roadways;
- c. programmed roadway system improvements in the current year by the County and improvements to be made to the roadway system by the private sector;
- d. design capacity of potable water and wastewater facilities and the identification of any deficiencies within such systems;
- e. the existing and adopted LOS standards for water and wastewater systems;
- f. programmed potable water and wastewater facility improvements;
- g. design capacity for solid waste facilities including transfer stations and landfills;
- h. existing and proposed LOS standards for stormwater management systems;
- i. existing and proposed provisions of recreation and open space facilities by the County or the private sector; and
- j. the School Board Educational Facilities Report which contains information detailing existing facilities, their locations, and projected needs. The report also contains the School Board's financially feasible Five-Year District Facilities Work Program.

## **OBJ CMS 1.2 Coordination and Timing of Concurrency Determination**

**Coordinate establishing LOS standards for the above-named facilities with state, regional or local entities having operational and maintenance responsibility for such facilities, in accordance with Rule 9J-5.015(3)(b)3, Florida Administrative Code.**

## **POLICIES**

**CMS 1.2.1 Concurrency Determination.** The test for concurrency shall be met and the determination of concurrency shall be made prior to the approval of an application for a development order or permit that contains a specific plan for development, including the densities and intensities of the proposed development. If an applicant fails concurrency, he/she may apply to satisfy the requirements of the concurrency management system through the proportionate fair share program. For applicants participating in the proportionate fair share

program, the BCC must approve a proportionate fair share agreement before a certificate of concurrency can be issued. A multi-use Development of Regional Impact (DRI) may satisfy the transportation concurrency requirements of the concurrency management system and of Section 380.06, Florida Statutes, by payment of a proportionate share contribution in accordance with the terms of Section 163.3180(12), Florida Statutes.

**CMS 1.2.2 Allocation of Capacity.** Capacity shall be allocated upon issuance of a development order for a preliminary plat, site plan, or Planned Unit Development (PUD); or phased or longer term project; or DRI. The allocation of capacity, however, shall be subject to the following sunset provisions:

- a. Capacity approved and assigned to a preliminary plat and construction plan will remain allocated for a period of two years from the date of issuance of the development order or as extended by the BCC.
- b. Capacity approved and assigned to a site plan shall remain allocated for a period of 18 months from the date of the issuance of the development order or as extended by the BCC.
- c. Capacity approved and assigned to longer term projects or DRI will remain allocated for a period as established in an enforceable development agreement.
- d. Capacity approved and assigned to a development order subject to the condition that the applicant will satisfy all transportation concurrency requirements through a proportionate fair share agreement shall remain allocated for a period of 12 months from the date of the conditional development order. The applicant will be required to adhere to the timeframes detailed in the concurrency management provisions of the LDC or the conditional development order will be considered null and void and the capacity will be revoked. Once the proportionate fair share agreement is approved, the allocation of capacity will be subject to the applicable conditions of items (a) through (c) above.

### **OBJ CMS 1.3 Standards**

**Establish concurrency management system requirements and LOS standards.**

### **POLICIES**

**CMS 1.3.1 Consistency with Comprehensive Plan.** No development activity may be approved unless it is found that the development is consistent with the Escambia County Comprehensive Plan and that the provision of the facilities enumerated in CMS 1.2.2 will be available at prescribed LOS concurrent with the impact of the development on those facilities.

**CMS 1.3.2 Minimum Requirements.** At a minimum, the Concurrency Management System shall ensure that at least one of the following standards will be met prior to issuance of a development permit or order:

- a. The necessary facilities and services are in place at the time a development permit is issued; or
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy; or
- c. The necessary facilities are under construction at the time a permit is issued. This provision only relates to parks and recreation facilities and roads; or
- d. The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued. This provision only relates to parks and recreation facilities. The LDC will include a requirement that the provision or construction of the facility or service must commence within one year of the issuance of the development order or permit; or
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of the LDC. For potable water, wastewater, solid waste, stormwater and public school facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy; or
- f. The necessary facilities needed to serve new developments are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or in place or under actual construction no more than three years after the issuance, by the County, of a development order or permit. This provision only relates to roads. The Five-Year FDOT Work Program is attached herein to this ordinance as Exhibit A.
- g. The necessary concurrency standards for public school facilities shall be consistent with Chapter 16, Public School Facilities Element.

**CMS 1.3.3 LOS During Construction.** The provisions of CMS 1.3.2 above notwithstanding, the prescribed LOS for any system or systems may be downgraded during construction of new facilities if, upon completion of the new facilities, the prescribed LOS will be met and maintained.



CMS 1.3.4 **LOS Standards.** The adopted LOS standards in this ordinance are as indicated in the following policies:

<b>LOS</b>	<b>Policy</b>
Roads	MOB 1.1.2
Mass Transit	MOB 2.2.3
Wastewater	INF 1.1.9
Solid Waste	INF 2.1.4
Stormwater Management	INF 3.1.9
Potable Water	INF 4.1.7
Recreation/Open Space	REC 1.3.6
Public Schools	PSF 2.1.2

CMS 1.3.5 **Phased construction.** The construction of any development project may be phased or staged so as to coincide with the phased or staged construction of infrastructure facilities so that the LOS for such facilities are maintained upon completion of each phase or stage of the development project.

#### **OBJ CMS 1.4 Methods**

**Establish the quantitative methods for determining LOS compliance and maintaining LOS standards.**

#### **POLICIES**

CMS 1.4.1 **Responsibility.** The LDC shall designate responsibility within the Escambia County government for determining prior to the issuance of a development order or building permit whether LOS standards are met and will be maintained. The LDC may place the burden of demonstrating compliance upon the developer or applicant. To be approved, applications for development approval shall provide sufficient information showing compliance with LOS standards.

CMS 1.4.2 **Quantitative Methods.** The LDC shall include quantitative methods for determining LOS that may be impacted by any particular development application. In addition, the LDC will fully describe the process for a finding of compliance with LOS.

CMS 1.4.3 **Impact Calculation.** The LDC shall include standardized quantitative methods to be used in determining the impact of any proposed development upon the public facilities and services within the County (roads, stormwater, potable water, wastewater, solid waste, recreation and open space, and public schools).

Applications for development approval shall include the projected impact upon public facilities and services upon occupancy or use of the proposed development. Any deviation from the standardized methods within the LDC must have the prior approval of the BCC before such data may be used for determining or projecting impacts of the proposed development.

**CMS 1.4.4 Exemption to concurrency requirement.** For the purpose of issuing a development order or permit, a proposed development may be deemed to have a de minimis impact and may not be subject to the concurrency requirements of ~~Rule 9J-5.0055(3)(c) 1-4, Florida Administrative Code~~, only if all of the conditions specified in Section 163.3180(6), Florida Statutes, are met.

## **Chapter 7 Future Land Use Element.**

The purpose and intent of the Future Land Use Element is to establish future land patterns that support and encourage compact, mixed-use urban development, support transit, reduce vehicle miles traveled and reduce greenhouse gases. The Future Land Use Element shall also provide a clear separation between urban, suburban and rural areas and provide protection for existing agricultural areas.

### **GOAL FLU 1 FUTURE DEVELOPMENT PATTERN**

**Escambia County shall implement a planning framework that defines, supports and facilitates the desired future development pattern in Escambia County while protecting and preserving natural and historic resources.**

#### **OBJ FLU 1.1 Growth Strategies**

**Apply accepted planning principles and utilize innovative and flexible planning strategies to achieve orderly and balanced growth and development.**

### **POLICIES**

**FLU 1.1.1 Development Consistency.** New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM). The 2030 FLUM is attached herein to this ordinance as Exhibit B.

**FLU 1.1.2 Land Development Code.** Escambia County shall adopt and maintain within a Land Development Code (LDC) those specific and detailed provisions necessary and desirable to implement goals, objectives, and policies of the Comprehensive Plan. The provisions shall include regulations for use of land and water, subdivision of land, flood-prone areas, on-site vehicular use, stormwater drainage, signage, and concurrency of infrastructure and services. LDC regulations shall also provide for open space, compatibility of adjacent uses, correction of nonconforming uses and structures, and protection of potable water sources, environmentally sensitive lands, and other natural resources. Additionally, the LDC shall document the administrative processes necessary to implement its regulations, including development approval and permitting, rezoning, appeal of administrative decisions, variances or exceptions to standards, and public notification of those processes. Other policies within the Comprehensive Plan may prescribe more specific LDC content.

**FLU 1.1.3 Principles and Methodologies.** Escambia County shall ensure that all future development is consistent with accepted planning principles and professionally accepted methodologies.

**FLU 1.1.4 Zoning Districts.** Escambia County shall, through LDC provisions, utilize various zoning districts to implement land use, density, intensity, and other development standards consistent with accepted planning principles and the designated future land use categories of the Comprehensive Plan and FLUM. Within a given future land use category there shall be one or more implementing zoning districts, and development standards for each parcel shall be those of the applicable zoning district. Additionally, the County shall adopt and maintain parcel-based zoning district maps, and the LDC shall contain provisions for map amendments (rezoning), including the minimum criteria necessary for approval of an amendment.

**FLU 1.1.5 Density Clustering:** The LDC shall include provisions for density clustering outside of the site areas intended for preservation and within the site areas intended for development.

**FLU 1.1.6 Subdivision Regulations.** Escambia County shall, through LDC provisions, apply uniform subdivision regulations, including requirements to provide paved roads and stormwater management.

**FLU 1.1.7 Performance-oriented Controls.** The LDC shall include performance oriented land development controls. These are intended to protect and preserve important natural resources; provide incentives for design improvements to existing subdivisions and neighborhoods and encourage better design for newly proposed subdivisions or neighborhoods; provide incentives for minimizing adverse impacts on adjacent lands or uses; and encourage a mix of housing types.

**FLU 1.1.8 Planned Unit Development.** Escambia County shall, through LDC provisions, promote and encourage the use of the Planned Unit Development (PUD) process that will allow expansion of uses, increased site specific densities, clustering, or other incentives to achieve innovative land use design superior to that produced by the strict application of standard development regulations. Generally, the PUD process shall be limited to a development that is planned, developed, and considered as a single project. The LDC shall establish minimum PUD design criteria, including minimum site area and open space.

**FLU 1.1.9 Buffering.** In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

**FLU 1.1.10 Locational Criteria.** The LDC shall include locational criteria for broad categories of proposed non-residential land uses. The site criteria for such uses shall address the transportation classification of, and access to, adjoining streets, the proximity of street intersections and large daily trip generators (i.e. college or university), the surrounding land uses, the ability of a site to accommodate the proposed use while adequately protecting adjoining uses and resources, and other criteria that may be appropriate to those categories of uses.

**FLU 1.1.11 Public Schools.** Escambia County shall coordinate with the Escambia County School Board to plan the siting and development of public schools, consistent with the Intergovernmental Coordination and Public Schools Facilities Elements. Schools shall be collocated with parks or other civic uses such as public libraries where possible, to promote joint use of facilities and encourage compact land use patterns. Schools shall be located in close proximity to residential areas and accessible by various modes of transportation.

**FLU 1.1.12 Family Conveyance Exception.** Escambia County shall, through LDC provisions, continue to allow property owners to convey parcels of property to a grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child or grandchild for use solely as a homestead by that individual without regard to maximum residential densities established in the applicable zoning districts. However, the LDC may impose other limitations. The family conveyance provision shall apply only once to any individual.

**FLU 1.1.13 Administrative Appeal Procedure.** Consolidation of future land use categories and zoning districts on the 2030 FLUM and associated Zoning Map is intended to simplify administration while respecting private property rights. Any property owner contending that a parcel of land had greater development rights under the future land use and zoning in place prior to the adoption of the 2030 FLUM and associated Zoning Map may submit a written request to the County for a determination under the vested rights provisions of the LDC.

## **OBJ FLU 1.2 Historic Resources**

**Protect and preserve Escambia County's historical resources.**

### **POLICIES**

**FLU 1.2.1 State Assistance.** Escambia County shall utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County. The County will utilize guidance, direction and technical assistance received from this agency to develop provisions and regulations for the preservation and protection of such sites and structures. In addition, the County will utilize assistance from this agency together with other sources, such as the



University of West Florida, in identifying newly discovered historic or archaeological resources. The identification will include an analysis to determine the significance of the resource.

**FLU 1.2.2 LDC Provisions.** Escambia County shall include provisions in the LDC that require identification and preservation of significant archeological and/or historic sites or structures within the County. The provisions will include protection for all sites listed on the Florida Master Site File and will be developed in cooperation with the Department of State, Division of Historical Resources. The provisions also will include requirements that provide for the cessation of land disturbing activities any time artifacts with potential historical significance are revealed during construction activities on any site with potential historical significance. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. Normally, determinations will be made by those approved to make such determinations by the Division of Historical Resources.

**FLU 1.2.3 Density Clustering.** Escambia County shall include density clustering provisions in the LDC to protect significant historical or archaeological sites. The density clustering provisions will allow for historical or archaeological areas within a larger site to remain intact and an appropriate proportion of the density that may otherwise have been permitted within those areas to be clustered on a non-sensitive portion of the site.

**OBJ FLU 1.3 Future Land Use Map Designations**

Designate land uses on the FLUM to discourage urban sprawl, promote mixed use, compact development in urban areas, and support development compatible with the protection and preservation of rural areas.

**POLICIES**

**FLU 1.3.1 Future Land Use Categories.** General descriptions, range of allowable uses and residential densities and non-residential intensities for all future land use categories in Escambia County are outlined in Table 1.

<b>FLUM Designation</b>	<b>General Descriptions</b>	<b>Range of Allowable Uses</b>	<b>Standards</b>
Agriculture (AG)	Intended for routine agricultural and silvicultural related activities and very low density residential uses. Also allows for commercial activity limited to those endeavors	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Silviculture</li> <li>• Residential</li> <li>• Recreational</li> <li>• Public and Civic</li> <li>• Limited Ancillary or Supportive</li> </ul>	<p><b>Residential</b> Minimum Density: None</p> <p>Maximum Density: 1 du/20 acres</p> <p><b>Non-Residential</b></p>

	ancillary to agricultural and silvicultural pursuits or in support of agricultural activities such as seed, feed and food outlets, farm equipment and repair and veterinary services.	Commercial	<p>Minimum Intensity: None</p> <p>Maximum Intensity: 0.25 Floor Area Ratio (FAR)</p>
Rural Community (RC)	Intended to recognize existing residential development and neighborhood serving nonresidential activity through a compact development pattern that serves the rural and agricultural areas of Escambia County.	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Silviculture</li> <li>• Residential</li> <li>• Recreational Facilities</li> <li>• Public and Civic</li> <li>• Compact, traditional neighborhood supportive commercial</li> </ul>	<p><b>Residential</b> Minimum Density: None</p> <p>Maximum Density: 2 du/acre</p> <p><b>Non-Residential</b> Minimum Intensity: None</p> <p>Maximum Intensity: 0.25 Floor Area Ratio (FAR)</p>
Mixed-Use Suburban (MU-S)	Intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses.	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Retail and Services</li> <li>• Professional Office</li> <li>• Recreational Facilities</li> <li>• Public and Civic</li> </ul>	<p><b>Residential</b> Minimum Density: 2 du/acre</p> <p>Maximum Density: 10 du/acre</p> <p><b>Non-Residential</b> Minimum Intensity: None</p> <p>Maximum Intensity: 1.0 Floor Area Ratio (FAR)</p> <p>Escambia County intends to achieve the following mix of land uses for new development within a ¼ mile of arterial roadways or transit corridors by 2030:</p> <p>a) Residential – 8% to 25%</p>

			<p>b) Public/Rec/Inst. – 5% to 20%</p> <p>c) Non-Residential: Retail/Service – 30% to 50%</p> <p>Office – 25% to 50%</p> <p>In areas beyond a ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:</p> <p>a) Residential – 70% to 85%</p> <p>b) Public/Rec/Inst. – 10% to 25%</p> <p>c) Non-Residential – 5% to 10%</p>
Mixed-Use Urban (MU-U)	Intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Retail and Services</li> <li>• Professional Office</li> <li>• Light Industrial</li> <li>• Recreational Facilities</li> <li>• Public and Civic</li> </ul>	<p><b>Residential</b> Minimum Density: 3.5 du/acre</p> <p>Maximum Density: 25 du/acre</p> <p><b>Non-Residential</b> Minimum Intensity: 0.25 Floor Area Ratio (FAR)</p> <p>Maximum Intensity: 2.0 Floor Area Ratio (FAR)</p> <p>Escambia County intends to achieve the following mix of land uses for new development within a ¼ mile of arterial roadways or transit corridors by 2030:</p> <p>a) Residential – 8% to</p>

			<p>25%</p> <p>b) Public/Rec/Inst. – 5% to 20%</p> <p>c) Non-Residential: Retail/Service – 30% to 50%</p> <p>Office – 25% to 50%</p> <p>Light Industrial – 5% to 10%</p> <p>In areas beyond a ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:</p> <p>a) Residential – 70% to 85%</p> <p>b) Public/Rec/Inst. – 10% to 25%</p> <p>c) Non-Residential – 5% to 10%</p>
<p>Mixed-Use Perdido Key (MU-PK)</p>	<p>Intended for a complementary mix of residential, commercial and tourism (resort) related uses.</p> <p>Residential development in the MU-PK FLUM category shall be limited to 7,150 dwelling units and 1,000 lodging units.</p>	<p>Single family and multi-family residential; condominiums; hotels/motels, commercial, active and passive recreational facilities, plazas and other civic uses; public and quasi-public facilities (including government facilities, public utilities, religious facilities and organizations).</p> <p>Up to 16% of the land in the MU-PK FLUM category may be developed in resort/tourist related uses and in small scale commercial uses.</p> <p>Also, the types of small scale commercial uses allowed will be strictly controlled pursuant to the Perdido Key</p>	<p><b>Residential</b> Minimum Density: None</p> <p>Maximum Density: <del>5</del> <u>25</u> du/acre (based on proposed zoning districts)</p> <p>Building heights in residential areas may be no more than eight stories, or two stories less than an adjacent structure, if the adjacent structure is greater than eight stories and existed on June 1, 1997.</p> <p><b>Non-Residential</b> Minimum Intensity: None</p>

		<p>zoning districts.</p> <p>In the low and medium density residential zoning districts the non-residential uses may include churches, public utilities and facilities, parks and recreation areas, golf courses, tennis courts, swimming pools, etc. In the medium density residential zoning districts, non-residential uses may also include kindergarten and childcare centers and professional offices (architects, engineers, lawyers, consultants, medical/dental, real estate, insurance, etc.)</p> <p>The uses allowed in the commercial district include a full range of commercial enterprise activities and are contingent upon conformity of such uses with all requirements of this Plan and the Perdido Key zoning regulations, thereby assuring that such commercial development is undertaken in an environmentally sensitive manner. When using density transfers, densities may not be transferred to parcels south of Perdido Key Drive.</p>	<p>Maximum Intensity: 1.1 Floor Area Ratio (FAR)</p> <p>Building heights in commercial areas may be no more than eight stories plus two stories for parking. Building heights in the commercial core area will be based on percentage of lot coverage.</p>
<p>Mixed-Use Pensacola Beach (MU-PB)</p>	<p>Intended for a complementary mix of uses on the developable lands at Pensacola Beach and is designed to accommodate and encourage innovative land development types and arrangements.</p>	<p>The location and distribution of uses shall generally follow the distribution of uses included in the 1988 Pensacola Beach Land Utilization Plan, which is included in Chapter 1 of the Foundation Document and Chapter 85-409, Laws of</p>	<p>Mix of uses shall be approx. 35% residential, 15% commercial/tourism (resort) and 50% open space/recreation.</p> <p>Also, densities may be increased, decreased</p>



	<p>Residential development in the MU-PB FLUM category shall be limited to 4,128 dwelling units and 726 lodging units.</p>	<p>Florida.</p> <p>Other allowable uses include public utilities and facilities, religious and educational facilities and medical facilities. Note: Laws of Florida, Chapter 85-409, prohibits residential or commercial development of a specified parcel within this category. Further, provisions within the Land Utilization Plan provide that environmental studies be completed prior to approving any development or use of the specified parcel.</p>	<p>or transferred on any particular parcel to provide protection to important natural resources, accommodate the provision of adequate and functional open space and the provision of a complimentary mix of recreation uses within the Pensacola Beach Community.</p> <p>Site specific densities and uses will be further defined by the lease agreements for individual parcels, the 1985 Bond Validation Compromise and Settlement, and Special Acts of the legislature regarding land use, ownership and development on Pensacola Beach. However, development thresholds established by this Policy shall not be exceeded unless this Comprehensive Plan has been amended and such amendment provides for increased development thresholds.</p>
<p>Commercial (C)</p>	<p>Intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development.</p>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Retail and Services</li> <li>• Professional Office</li> <li>• Light Industrial</li> <li>• Recreational Facilities</li> <li>• Public and Civic</li> </ul>	<p><b>Residential</b> Minimum Density: None</p> <p>Maximum Density: 25 du/acre</p> <p><b>Non-Residential</b> Minimum Intensity:</p>

			None Maximum Intensity: 1.0 Floor Area Ratio (FAR)
Industrial (I)	Intended for a mix of industrial development and ancillary office and commercial uses that are deemed to be compatible with adjacent or nearby properties. Industrial areas shall facilitate continued industrial operations within the County and provide jobs and employment security for present and future residents.	<ul style="list-style-type: none"> <li>• Light to Intensive Industrial</li> <li>• Ancillary Retail and Office</li> <li>• No new residential development is allowed</li> </ul>	<b>Residential</b> Minimum Density: None  Maximum Density: None  <b>Non-Residential</b> Minimum Intensity: None  Maximum Intensity: 1.0 Floor Area Ratio (FAR)
Conservation (CON)	Intended for the conservation of important natural resources, such as wetlands, marshes and significant wildlife habitats. This may include passive recreational opportunities for citizens of and visitors to the County.	<ul style="list-style-type: none"> <li>• Passive parks and trails</li> <li>• Preservation lands</li> <li>• Educational uses that use natural amenities for public benefit</li> <li>• No new residential development is allowed</li> </ul>	<b>Residential</b> Minimum Density: None  Maximum Density: None  <b>Non-Residential</b> Minimum Intensity: None  Maximum Intensity: None
Recreation (REC)	Recreational opportunities for the Escambia County citizens including a system of public and private park facilities.	<ul style="list-style-type: none"> <li>• Active and passive recreation activities and amenities</li> <li>• Park facilities such as boat launch, basketball courts, tennis courts, baseball and softball fields</li> <li>• Meeting halls and the like</li> <li>• No new residential development is allowed</li> </ul>	<b>Residential</b> Minimum Density: None  Maximum Density: None  <b>Non-Residential</b> Minimum Intensity: None  Maximum Intensity: 0.5 Floor Area Ratio (FAR)
Public (P)	Provides for uses or facilities owned or managed by the federal,	<ul style="list-style-type: none"> <li>• Public Parks</li> <li>• Local, Regional, State or Federal Facilities</li> </ul>	<b>Residential</b> Minimum Density: None

	state or county government or other public institutions or agencies.	<ul style="list-style-type: none"> <li>Public structures or lands</li> <li>Quasi-public Facilities providing public services</li> </ul>	Maximum Density: None  <b>Non-Residential</b> Minimum Intensity: None  Maximum Intensity: None
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**OBJ FLU 1.4 Protect Existing Communities**

**Escambia County shall protect and enhance existing communities by eliminating nonconforming uses and structures over time and through an active code enforcement program.**

**POLICIES**

**FLU 1.4.1 Nonconformity.** Escambia County shall prohibit expansion of nonconforming land uses or structures within the County. The LDC shall restrict any activity that would expand the land use in question, improve structures or expand improvements associated with a nonconforming land use.

**FLU 1.4.2 Code Enforcement.** Escambia County shall conduct a combination of complaint-driven and systematic code enforcement actions to reduce property maintenance code violations; this process shall continue to use a hearing examiner (code enforcement special magistrate) when appropriate.

**OBJ FLU 1.5 Sustainable and Energy Efficient Development**

**Escambia County shall promote sustainable and energy efficient development by encouraging compact, mixed- and multi-use land use patterns.**

**POLICIES**

**FLU 1.5.1 Reduction of Green House Gases and Single Occupant Vehicle Trips.** The County will direct growth toward lands designated for higher intensity, mixed use development, especially the Mid-West Sector Plan Overlay area and major transportation corridors in the Mixed Use Urban Future Land Use category, to encourage compact, mixed or multiple use developments that are walkable and can be served by public transportation, thereby establishing opportunities for reduced reliance on single occupant vehicle trips and reduction in automobile generated greenhouse gas emissions.

**FLU 1.5.2 Use of Planned Unit Development.** Escambia County shall support the use of the Planned Unit Development process to create developments that incorporate sustainable development practices, including:

- a. A variety of nonresidential uses in close proximity to residential uses;
- b. A variety of uses mixed as compact vertical or horizontal development;
- c. Active first floor retail and service uses in multi story buildings;
- d. Convenient access to typical daily needs;
- e. A system of streets that are attractive and safe for pedestrians and bicycle use;
- f. Walking/bicycling trails and wide pedestrian sidewalks as referenced in Chapter 8, Mobility Element and the Safe Routes to Schools Program;
- g. Greenspaces, such as pocket parks, trails, greenbelts and natural areas; and
- h. Travel mode choice, including walking, bicycling, bus/transit and automobile.

**FLU 1.5.3 New Development and Redevelopment in Built Areas.** To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

**FLU 1.5.4 Compact Development and Maximum Densities and Intensities.** To ensure developments are designed to be compact and to accommodate travel mode choice, especially for short, local trips, the County will require minimum densities in the Mixed-Use-Suburban Future Land Use category and encourage the maximum densities and intensities in the Mixed Use-Urban Future Land Use category.

## **GOAL FLU 2 DEVELOPMENT AND PUBLIC SERVICES**

**Escambia County shall promote urban strategies for compact development, efficient provision of infrastructure and urban services, and the protection of natural resources. Urban strategies shall include infill development, mixed-use development and coordinated land use and transportation planning.**

### **OBJ FLU 2.1 Urban Development**

**Direct growth toward those areas where infrastructure and services exist to support development at approved densities and intensities.**

## **POLICIES**

**FLU 2.1.1 Infrastructure Capacities.** Urban uses shall be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department permits where central sewer is not available.

**FLU 2.1.2 Compact Development.** To promote compact development, FLUM amendments and residential rezonings to allow higher residential densities may be allowed in the Mixed-Use Urban (MU-U) and Mixed-Use Suburban (MU-S) future land use categories.

**FLU 2.1.3 CHHA Density.** Consistent with the goals, objectives and policies of the Coastal Management Element, Escambia County will not support rezonings and FLUM amendments to categories allowing higher densities within the Coastal High Hazard Area (CHHA).

**FLU 2.1.4 Residential Density and Non-residential Intensity Bonuses.** Through specific LDC criteria that implement the urban development objective, mixed use projects may be allowed to be developed above the maximum residential density and non-residential intensity permitted in the zoning district but not to exceed the FLU limits.

## **OBJ FLU 2.2 Provision of Public Services**

**Promote orderly and balanced growth and development as a fiscal management technique to provide cost-efficient public services and facilities.**

## **POLICIES**

**FLU 2.2.1 Location.** Public facilities and services shall be located to minimize their cost and negative impacts on the natural environment and maximize their efficiency. Cost alternatives, impacts on the environment and levels of efficiency shall be discussed during the design phase and bid process utilized by the County to accomplish the installation or location of public facilities and/or services. In addition, the County will coordinate with the Emerald Coast Utilities Authority, other water and/or sewer providers and state or federal agencies with facilities located in the County or with plans to expand existing facilities or create new facilities in the County. Among other things, it is the intent of this policy that public facilities and services are available to support the densities and intensities



of uses provided by this plan and the FLUM and that there is adequate and suitable land available for such utility facilities.

**FLU 2.2.2 Land Acquisition.** Escambia County shall include land acquisition within its Capital Improvements Element and its Capital Improvements Program (CIP) when necessary to provide for public lands for County owned facilities.

**FLU 2.2.3 Right-of-way Dedication.** Escambia County shall continue to require dedication of adequate rights-of-way as approved by the County.

**FLU 2.2.4 Existing Facilities.** Prior to embarking on the construction of new capital improvements, Escambia County will consider the feasibility of upgrading or rehabilitating existing facilities to determine if the rehabilitation of present facilities would be in the best interest of the County and its citizens.

### **OBJ FLU 2.3 Infill Development**

**Encourage infill development in appropriate urbanized areas where infrastructure is sufficient to meet demands, such as in MU-U and MU-S.**

### **POLICIES**

**FLU 2.3.1 Area Designation.** The Englewood and Brownsville Redevelopment Areas, as adopted by the BCC, are hereby designated as an Urban Infill and Redevelopment Area in conformance with Section 163.2514(2), Florida Statutes. The County shall pursue similar designation for the remaining adopted redevelopment areas.

**FLU 2.3.2 Community Redevelopment Areas.** Escambia County shall use its fiscal resources to encourage infill residential, commercial and public development, particularly in the Community Redevelopment Areas.

### **OBJ FLU 2.4 Community Redevelopment**

**The Community Redevelopment Agency (CRA) will continue to implement the recommendations of the 1995 Community Redevelopment Strategy, as may be updated from time to time.**

### **POLICIES**

**FLU 2.4.1 Strategy.** The CRA and other County agencies shall implement the recommendations of the 1995 Community Redevelopment Strategy through the Palafox, Englewood, Brownsville, Warrington and Barrancas Redevelopment Plans, as may be updated from time to time.

FLU 2.4.2 **Block Grants.** Escambia County shall direct its Community Development Block Grant (CDBG) efforts primarily to the Community Redevelopment Areas, but in any case, the program requirements promulgated by the U.S. Department of Housing and Urban Development (HUD) shall be met.

FLU 2.4.3 **Unsafe Conditions.** Escambia County shall utilize and administer its provisions for removal or repair of structures that are unsafe or constitute a health hazard. Also, the County will continue to target CDBG funds primarily for improvement to areas or structures where unsafe or substandard conditions exist.

FLU 2.4.4 **Needs Identification.** Escambia County shall identify neighborhoods showing initial signs of distress and evaluate the need for revitalization and enhancement, which is anticipated to be complete by December 2011. Distressed neighborhoods may be scheduled for targeted code enforcement and for supplemental public infrastructure and park improvements through the CIP.

### **GOAL FLU 3 RURAL STRATEGIES**

**Escambia County shall promote rural strategies, including protecting agriculture, silviculture and related activities, protecting and preserving natural resources and guiding new development toward existing rural communities.**

#### **OBJ FLU 3.1 Rural Development**

**All new development within rural areas, including commercial development, that is compatible with the protection and preservation of rural areas, shall be directed to existing rural communities.**

#### **POLICIES**

FLU 3.1.1 **Infrastructure Expenditures.** Escambia County shall limit the expenditure of public funds for infrastructure improvements or extensions that would increase the capacity of those facilities beyond that necessary to support the densities and intensities of use established by this plan unless such expenditures are necessary to implement other policies of this plan.

FLU 3.1.2 **Water Facility Extensions.** Escambia County shall coordinate with potable water providers on any extensions of potable water facilities in rural area.

FLU 3.1.3 **FLUM Amendments.** During consideration of FLUM amendments, Escambia County shall consider the impacts of increased residential densities to the agriculture and silviculture industries and public facility maintenance and operation expenditures (i.e. roads, water, sewer, schools,) needed to serve the proposed development.

**FLU 3.1.4 Rezoning.** Escambia County shall protect agriculture and the rural lifestyle of northern Escambia County by permitting rezonings to districts allowing higher residential densities in the Rural Community (RC) future land use category.

**FLU 3.1.5 New Rural Communities.** To protect silviculture, agriculture and agriculture-related activities Escambia County shall not support the establishment of new rural communities.

**FLU 3.1.6 Residential Clustering.** Clustering of residential units in the Agriculture (AG) and Rural Community (RC) future land use categories shall only be permitted for subdivisions of 10 or more dwelling units, with preservation of at least 80 percent of the project site in a perpetual conservation easement as contemplated in, Section 704.06, F.S., and in conjunction with a PUD to ensure the project is compatible with surrounding properties and protects the rights of adjacent property owners. The minimum lot size shall be  $\frac{1}{4}$  acre and the maximum residential density permitted in the future land use category shall not be exceeded.

**FLU 3.1.7 Farm Worker Housing.** Group quarters, temporary housing, and other residential structures for the use of permanent and/or temporary farm workers may be permitted in areas of agricultural activity. Although, in no case shall such uses exceed the maximum intensity specified in the applicable future land use category or densities exceed 8 dwelling units per gross acre. This provision is intended to preserve and promote agricultural uses by making it possible for farm workers to both work and reside on or near property devoted to agricultural uses.

**FLU 3.1.8 Conservation Subdivisions.** Escambia County shall, by December 2012, review the appropriateness of allowing conservation subdivisions in the future land use categories.

#### **GOAL FLU 4 MILITARY INSTALLATIONS**

**Escambia County shall support the missions of local military installations.**

##### **OBJ FLU 4.1 Compatibility and Encroachment.**

**Recognize the economic and historical significance of retaining local military installations and address compatibility and encroachment issues through implementation of the recommendations of the 2003 Joint Land Use Study (JLUS).**

## POLICIES

**FLU 4.1.1 Planning Objective.** Escambia County shall consider the protection of public health, safety and welfare as a principal objective of land use planning around military airfields.

**FLU 4.1.2 Airfield Influence Planning Districts.** Escambia County shall provide for Airfield Influence Planning Districts (AIPDs) as a means of addressing encroachment, creating a buffer to lessen impacts from and to property owners, and protecting the health, safety and welfare of citizens living in close proximity to military airfields. The overlay districts shall require density and land use limitations, aviation easements, building sound attenuation, real estate disclosures, and Navy (including other military branches where appropriate) review of proposed development based on proximity to Clear Zones, Accident Potential Zones (APZs), aircraft noise contours, and other characteristics of the respective airfields. The districts and the recommended conditions for each are as follows:

*A. Airfield Influence Planning District--1 (AIPD-1):* Includes the current Clear Zones, Accident Potential Zones and noise contours of 65 Ldn and higher, (where appropriate) as well as other areas near and in some cases abutting the airfield.

1. Density restrictions and land use regulations to maintain compatibility with airfield operations; and
2. Mandatory referral of all development applications to local Navy officials for review and comment within ten working days; and
3. Required dedication of aviation easements to the county for subdivision approval and building permit issuance; and
4. Required sound attenuation of buildings with the level of sound protection based on noise exposure; and
5. Required disclosure for real estate transfers.

*B. Airfield Influence Planning District--2 (AIPD-2):* Includes land that is outside of the AIPD -1 but close enough to the airfield that it may affect, or be affected by, airfield operations.

1. Mandatory referral of all development applications to local Navy officials for review and comment within ten working days; and
2. Required dedication of aviation easements to the county for subdivision approval and building permit issuance; and
3. Required sound attenuation of buildings with the level of sound protection based on noise exposure; and
4. Required disclosure for real estate transfers; and

5. No County support of property rezonings that result in increased residential densities in excess of JLUS recommendations.

The three installations in Escambia County - Naval Air Station Pensacola (NASP), Navy Outlying Field (NOLF) Saufley and NOLF Site 8, are each utilized differently. Therefore, the size and designations of the AIPD Overlays vary according to the mission of that particular installation. The Escambia County Land Development Code details and implements the recommendations. The AIPD Overlays Map is attached herein to this ordinance as Exhibit C.

**FLU 4.1.3 Infrastructure Impacts.** Escambia County shall review, in coordination with other agencies or organizations that provide necessary infrastructure (i.e. streets and utilities), the possible growth-inducing impacts of service extensions into AIPD's.

**FLU 4.1.4 Information Access.** Escambia County shall continue to maintain an interactive page on its website as a tool for all users to access information concerning airfield influence planning districts, noise zones and accident potential zones. The County is committed to continuous improvement and expansion of the website, with links to other information sources as needed.

**FLU 4.1.5 Land Acquisition.** Escambia County shall seek dedicated sources of funds for acquiring the development rights or outright purchase of select lands for public purpose. The land acquisition program shall be designed to serve multiple, complementary goals, including the elimination of possible development from lands near airfields, the protection of the environment, the maintenance of agricultural uses, and the conservation of quality open spaces.

**FLU 4.1.6 Supporting Infrastructure.** Section 288.980(4), Florida Statutes, creates the "Defense Infrastructure Grant Program" to support local infrastructure projects deemed to have a positive impact on the military value of installations within the state. Escambia County shall support and proceed with infrastructure projects that would have a positive impact on local military installations, pursuing all assistance available.

**FLU 4.1.7 Military Representation.** Pursuant to Section 163.3175, Florida Statutes, a representative of the military installations located within Escambia County shall be placed on the Planning Board as an ex officio, nonvoting member. The selection of the representative will initially be by a Memorandum of Agreement between the Commanding Officers of Naval Air Station Pensacola and Naval Air Station Whiting Field. The Interlocal Agreement with the Navy details the procedures and responsibilities of both parties.

**FLU 4.1.8 JLUS Implementation.** The Local Planning Agency, the Planning Board, shall function as the JLUS Implementation Oversight Committee to guide



the implementation of technically sound, community-based, collaborative planning. The duties of the JLUS Implementation Oversight Committee shall include, at a minimum, annual meetings, with others scheduled as necessary, to:

- a. Monitor the timely completion of the implementation of the JLUS recommendations; and
- b. Make policy decisions and recommendations concerning the JLUS implementation to the BCC; and
- c. Monitor the effectiveness of the implemented recommendations in controlling encroachment; and
- d. If necessary in the future, recommend additional measures to ensure compatible development in the AIPD's.

## **GOAL FLU 5 MID-WEST ESCAMBIA COUNTY OPTIONAL SECTOR PLAN**

**Escambia County shall utilize the Optional Sector Plan process to encourage cohesive and sustainable development patterns within central Escambia County, emphasizing urban form and the protection of regional resources and facilities.**

### **OBJ FLU 5.1 Conceptual Long-term Build-out Overlay**

**Adopt a conceptual long-term buildout overlay for the Mid-West Optional Sector Plan area as authorized by the Florida Department of Community Affairs.**

## **POLICIES**

FLU 5.1.1 The Long-Range Conceptual Framework Map, attached and incorporated in this Ordinance as Exhibit D, identifies the location, type and extent of land uses, regionally significant public facilities, and regionally significant natural resources. This area shall be depicted on the Future Land Use Map as the Optional Sector Plan (OSP) and be evaluated in future statutorily required evaluation & appraisal reports.

FLU 5.1.2 Development within the OSP area shall support and further the following general principles:

### **Economic Development**

- a. Promote economic development and job creation
- b. Promote the fiscally efficient use of land and infrastructure
- c. Provide adequate retail and service opportunities to meet the needs of the surrounding community

### **Transportation**

- a. Create a highly interconnected, multi-modal transportation system that efficiently links housing to employment and retail opportunities
- b. Develop a hierarchy of transportation corridors that would increase mobility and accessibility within the OSP while respecting existing residential development
- c. Create an interconnected and accessible pedestrian and bicycle network
- d. Reduce vehicle trips (VT) and vehicle miles traveled (VMT) through the use of compact, mixed-use and transit-oriented development patterns

#### Environment

- a. Establish a “green infrastructure” network of interconnected recreation areas and open space
- b. Identify, protect and when impacted by development restore key ecosystems
- c. Identify, protect and when impacted by development restore wildlife habitat and corridors
- d. Reduce greenhouse gas (GHG) emissions

#### Community Design

- a. Create a hierarchy of place
- b. Promote compact neighborhood design
- c. Create neighborhoods that would provide a broad range of housing options varying in size, style, cost and type of ownership
- d. Provide neighborhood schools and parks within close proximity to housing consistent with Chapter 16, Public Schools Facilities Element.
- e. Construct resource-efficient homes and businesses

FLU 5.1.3 The total maximum development scenario of the Mid-West Escambia County Optional Sector Plan shall be limited to 12,175,000 sq. ft. of non-residential development and 23,000 residential dwelling units. Any future amendments to this total shall result in a balanced jobs-to-housing ratio.

### **OBJ FLU 5.2 Economic Development**

**Adopt development guidelines that implement the economic development principles of the Optional Sector Plan area.**

#### **POLICIES**

FLU 5.2.1 The OSP shall contain two Regional Employment Districts. The Northern Regional Employment District is intended to recognize and build upon the County’s pre-existing investment in the Central Commerce Park. The Southern Regional Employment District is intended to create an immediate

opportunity for significant economic development and job creation proximate to Interstate 10 and existing population centers.

The location of these districts shall be generally consistent with the conceptual long-term buildout overlay. The intent of these districts is to support economic development and improve the jobs-to-housing balance in central Escambia County. These districts are intended to contain predominantly industrial, distribution and office uses. Development within the Regional Employment Districts shall be consistent with the following standards:

**Northern Regional Employment District**

<i>Development Standards</i>	
Maximum Size	400 net acres*
Maximum FAR	.50
Maximum Gross Floor Area	2,500,000 sq. ft.

*\*Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential	0%	10%
Office	20%	60%
Commercial	0%	5%
Industrial	20%	60%
Recreation/Public	5%	No Maximum

*\*Percentages apply to the Northern Regional Employment District as a whole and not by individual parcel.*

**Southern Regional Employment District**

<i>Development Standards</i>	
Maximum Size	1,600 net acres*
Maximum FAR	.50
Maximum Gross Floor Area	8,000,000 sq. ft.

*\*Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential	0%	10%
Office	20%	60%
Commercial	0%	5%
Industrial	20%	60%
Recreation/Public	5%	No Maximum

*\*Percentages apply to the Southern Regional Employment District as a whole and not by individual parcel.*

FLU 5.2.2 In order to minimize public expenditures and maximize the efficient use of public infrastructure and services such as utilities and roads, development within the OSP shall be in the form of clustered, compact neighborhoods and centers.

### **OBJ FLU 5.3 Transportation**

**Adopt development guidelines that implement the transportation principles of the Optional Sector Plan area.**

#### **POLICIES**

FLU 5.3.1 Transportation infrastructure within the OSP shall be designed as a network of hierarchical local, collector and arterial roadways that form a curvilinear grid pattern that respects the natural environment while providing a high degree of interconnectivity.

FLU 5.3.2 Local and collector streets, sidewalks, bike lanes and multi-use paths shall contribute to a system of fully-connected and attractive routes from individual neighborhoods to neighborhood, village, town and employment centers. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high speed vehicular traffic.

FLU 5.3.3 Neighborhood, Village and Town Centers shall be transit-oriented and designed to accommodate current and future transit systems.

FLU 5.3.4 Land uses adopted within the OSP shall result in an appropriate job to housing balance that reduces overall vehicle miles traveled (VMT) locating residential uses within close proximity to jobs.

### **OBJ FLU 5.4 Environment**

**Adopt development guidelines that implement the environmental principles of the Optional Sector Plan area.**

#### **POLICIES**

FLU 5.4.1 “Green infrastructure” shall be defined as an interconnected network of preservation areas, open space, parks, greenbelts and other natural areas that support the function of natural systems, allow the natural management of stormwater, support wildlife migration patterns, and promote community access to recreational areas. Throughout the OSP these areas shall be constructed, restored and maintained to the greatest extent possible.

FLU 5.4.2 Wherever possible, the natural terrain, drainage and vegetation of the area shall be preserved.

FLU 5.4.3 Environmentally sensitive areas shall be preserved in a way that will maintain their integrity as wildlife habitat consistent with the definition in Chapter 3, Definitions. The County shall require mandatory clustering on the upland areas of properties that are impacted by environmentally sensitive areas; however, for those properties that lack an adequate amount of uplands, limited development in the OSP would be permitted if a taking would result.

FLU 5.4.4 Key wildlife corridors shall be identified and protected from the impacts of development.

FLU 5.4.5 Measures shall be implemented to reduce greenhouse gas (GHG) emissions consistent with the intent of Chapter 2008-191, Laws of Florida. The implementation of this policy shall include but not be limited to the following measures:

- a. Reduction of vehicle miles traveled (VMT) by encouraging the design of compact, walkable, mixed-use, transit-oriented neighborhoods.
- b. Creation of a highly interconnected, multi-modal transportation that incorporates facilities for current and future transit systems.
- c. Promotion of alternative (non-fossil fuel) energy sources.

FLU 5.4.6 To ensure appropriate identification, protection and management of regionally significant natural resources within the OSP, the following process is established:

1. Regionally significant natural resources, including waterbodies, wetlands, listed species habitat, unique vegetative communities and publicly owned lands acquired for conservation purposes, shall be identified at the long-term master plan level utilizing publicly available data. These resources shall be depicted on the long-term master plan framework map as "Anticipated Conservation Areas."
2. At the Detailed Specific Area Plan (DSAP) level, Anticipated Conservation Areas shall be subject to further study and refinement. Methods such as photo-interpretation and ground-truthing shall be utilized to verify and, where appropriate, revise Anticipated Conservation Area boundaries. These areas shall be depicted as Low Impact Natural Resource Areas (LINRA) on the DSAP land use map. LINRA designation is intended to identify areas of regionally significant natural resources within the Mid-West Escambia County Sector Plan. It is anticipated that these areas will be subject to further delineation under the State of Florida's



Environmental Resource Permit (ERP) program and may be regulated accordingly.

3. Land within a DSAP and located within areas designated as LINRAs will be evaluated during the development review process for environmental significance. Land uses, densities, and intensities will be that of the underlying land use plan. However, wetlands and other environmentally sensitive lands as defined in Section 3.04 will be subject to the relevant requirements of Conservation Policies 1.3.7, 1.3.8 and Conservation Objective 1.4. Lands identified through the permitting process for preservation shall be protected through the recordation of conservation easements consistent with Section 704.06, Florida Statutes.

### **OBJ FLU 5.5 Community Design**

**Adopt development guidelines that implement the community design principles of the Optional Sector Plan area.**

### **POLICIES**

FLU 5.5.1 The OSP shall contain mixed-use town, village and neighborhood centers. The location of these centers shall be generally consistent with the conceptual long-term build-out overlay. The intent of these centers is to provide recreation, retail, service, and employment opportunities within close proximity to residential neighborhoods. These centers and the surrounding neighborhoods shall be linked by interconnected, multi-modal transportation corridors containing pedestrian, bicycle, public transit and auto facilities, thereby encouraging alternative forms of travel and reducing both Vehicle Trips (VT) and Vehicle Miles Traveled (VMT). Prior to site development a conceptual plan will be provided to the county to demonstrate these standards set forth below.

#### **A. Town Center**

The Town Center is intended to be the retail center of the OSP and capture a market area approximately 5 to 15 miles in size. The design of the Town Center is intended to be compact, mixed-use and similar in nature to traditional downtown cores. The Town Center shall be designed to accommodate approximately 500,000 to 1,000,000 sq. ft. of non-residential uses predominantly comprised of retail and office space. The Town Center shall contain significant residential opportunities. Residential uses shall be limited to multi-family units which may be located above

ground floor office or retail uses. In addition, higher density single-family development may occur within ½ mile of the Town Center. Development within the Town Center shall be consistent with the following standards:

<i>Development Standards</i>	
Maximum Size	500 net acres*
Maximum FAR	1.0
Maximum Gross Floor Area	1,200,000 sq. ft.
Minimum Residential Density	10.0 du. ac.

*\*Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential**	30%	50%
Office	20%	40%
Commercial	20%	40%
Industrial	Not Permitted	
Recreation/Public	15%	No Maximum

*\*Percentages shall be applied to the Town Center as a whole and not by individual parcel.*

**B. Village Centers**

Village Centers are intended to be sub-area retail centers and capture a market area approximately ½ to 2 miles in size. The design of Village Centers shall be compact, mixed-use and similar in nature to traditional, small town main streets. Village Centers shall be designed to accommodate approximately 40,000 to 200,000 sq. ft. of non-residential uses predominantly comprised of retail and office space. In addition, Village Centers may contain centralized park and recreation, community and educational facilities. Development within the Village Centers shall be consistent with the following standards:

<i>Development Standards</i>	
Maximum Size	40 net acres*
Maximum FAR	.50
Maximum Gross Floor Area	200,000 sq. ft.
Minimum Residential Density	7.0 du. ac.

*\*Net acres are to be defined as gross acreage less waterbodies and wetlands*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential**	20%	40%
Office	10%	25%
Commercial	15%	30%
Industrial	Not Permitted	
Recreation/Public	10%	No Maximum

*\*Percentages shall be applied to each Village Center as a whole and not by individual parcel.*

*\*\*Residential uses shall be limited to multi-family and may be located above ground floor office or commercial.*

**C. Neighborhood Centers**

Neighborhood Centers are intended to provide small, neighborhood serving retail and service opportunities with a market area approximately ¼ to 1 mile in size. The design of Neighborhood Centers shall be compact and pedestrian oriented. Neighborhood Centers shall be designed to accommodate approximately 1,000 to 15,000 sq. ft. of non-residential uses. In addition, Neighborhood Centers may contain centralized park and recreation, community and educational facilities. Neighborhood Centers shall be generally located as indicated on the Optional Sector Plan long-range conceptual framework map. Additional neighborhood centers may be considered where market data and analysis demonstrate the trade area will support an additional center. Development within the Neighborhood Centers shall be consistent with the following standards:

<i>Development Standards</i>	
Maximum Size	5 net acres*
Maximum FAR	.25
Maximum Gross Floor Area	15,000 sq. ft.
Minimum Residential Density	5.0 du. ac.

*\*Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential**	-	-
Office	0%	20%
Commercial	0%	35%
Industrial	Not Permitted	
Recreation/Public	20%	No Maximum

*\*Percentages shall be applied to each Neighborhood Center as a whole and not by individual parcel. \*\*Residential uses shall be limited to multi-family and must be located above ground floor office or commercial.*

FLU 5.5.2 The OSP shall contain a mixture of residential neighborhoods that vary in regards to dwelling unit type and density. The location of these neighborhoods shall be generally consistent with the conceptual long-term build-out overlay. The intent of these neighborhoods is to provide a variety of housing options and within close proximity to schools and parks as well as retail, service, and employment opportunities. The location and design of new neighborhoods shall be such that they ensure the continued protection of natural resources and existing neighborhoods, promote a strong sense of community, and provide access to nearby recreational opportunities.

**A. Traditional/Urban Neighborhoods**

Traditional/Urban Neighborhoods are intended to be high density, compact communities adjacent to centralized retail and service opportunities. Traditional Urban Neighborhoods shall be designed in a manner that creates a strong sense of place through the layout of the streets, arrangements of open space, appearance of streetscapes and linkage of neighborhoods to supporting services. To allow the efficient use of land and infrastructure, increase walkability and support existing and future transit systems, Traditional/Urban Neighborhoods shall be located within ½ mile of Town, Village or Neighborhood centers and contain a variety of housing types ranging on average from 5 to 25 dwelling units per gross acre. Individual sites may have density greater than 25 units per gross acre provided the average density stays within the 5 to 25 dwelling units range.

**B. New Suburban Neighborhoods**

Residential development greater than ½ mile from Town, Village or Neighborhood centers shall be in the form of New Suburban Neighborhoods. These neighborhoods are intended to be medium density communities comprised of a highly interconnected transportation system including pedestrian, bicycle, and automobile networks. A variety of housing types ranging from 3 to 10 dwelling units per gross acre shall be permitted.

**C. Conservation Neighborhoods**

Residential neighborhoods greater than 1/2 mile from Town, Village or Neighborhood centers with a density less than 2.5 dwelling units per gross acre shall only be permitted as Conservation Neighborhoods. Conservation Neighborhoods are intended to replace typical suburban neighborhoods with a more efficient and environmentally protective development pattern. Conservation Neighborhoods shall be low density, clustered communities with a distinct “edge” consisting of interconnected open space. This open space shall serve to protect and preserve areas of significant natural resources and wildlife habitat while offering passive recreational opportunities to residents. Conservation Neighborhoods shall

be required to preserve a minimum of 50% open space. Open space shall be preserved in perpetuity through a conservation easement.

FLU 5.5.3 Escambia County recognizes the number of pre-existing neighborhoods within the OSP. These neighborhoods range from loosely associated subdivisions of land to historical communities with a strong sense of place. Through the Detailed Specific Area Plan (DSAP) process, residents of existing neighborhoods will be asked to provide input regarding new development within the OSP. In addition, existing neighborhoods will be provided the opportunity to either redevelop or more strongly establish their existence through the use of organizing elements such as signage and designation of a community park or center.

FLU 5.5.4 To reduce the impacts and costs of transportation and create a neighborhood focal point, the County shall encourage the location of schools, consistent with Chapter 16, Public Schools Facilities Element, within residential neighborhoods or adjacent to centers. Co-location with community parks shall be encouraged.

FLU 5.5.5 Residential and non-residential construction within the OSP shall promote green building principles intended to reduce overall energy and water consumption.

#### **OBJ FLU 5.6 Specific Area Plans**

**Adopt procedures and guidelines for the development and approval of detailed specific area plans.**

#### **POLICIES**

FLU 5.6.1 Development within the OSP shall be subject to the adoption of Detailed Specific Area Plans (DSAP). Each DSAP must be a minimum of 1,000 acres in size and developed in sufficient detail to allow evaluation of the interrelationship of its parts and establish consistency with principles and criteria contained in FLU 5.1.1-FLU 5.5.5. Until and unless a DSAP is approved by the Escambia County Board of County Commissioners and found in compliance by the Florida Department of ~~Community Affairs~~ Economic Opportunity, the property in the OSP shall maintain the underlying future land use category (e.g. Agricultural, Rural Community, Mixed-Use Suburban) and zoning district (e.g. the agricultural, the rural community, the mixed-use low density zonings or the equivalents), except for those projects that are vested.

All applications for development approvals (i.e. lot splits, special exceptions, variances, etc.) on any property within the OSP shall be reviewed on a case-by-case basis for the effect of such development approval on adopted or future DSAPs and in compliance with the general principles established in FLU Policy

5.1.2. At a minimum, development of a DSAP must include the following information:

**I. DSAP Boundary Determination Analysis**

Conduct a preliminary site analysis of the proposed DSAP area to determine appropriate boundaries. This analysis shall include the following:

1. Identification of the extent and location of natural resources.
2. Identification of the environmental opportunities and constraints to development within the area.
3. Identification of the net usable land area.
4. Determination of a maximum development scenario based upon the uses, densities and intensities identified in the Conceptual Long-term Build-out Overlay.
5. A Jobs-to-housing balance assessment consistent with policy FLU 5.3.4 and utilizing a professionally acceptable methodology.
6. Identification of public facilities and services available to the area; available capacity; potential deficiencies; and an approximation of necessary improvements.

The final boundaries for a DSAP must be approved by Escambia County before initiating a conceptual DSAP as described in Section II below.

**II. Conceptual DSAP**

The intent of the Conceptual DSAP process is to prepare an initial plan for public review and comment. A Conceptual DSAP shall address the following:

1. The location of neighborhoods, centers and regional employment districts generally consistent with the conceptual long-term buildout overlay. For neighborhoods, a computation of density shall be provided along with the permitted uses and proposed lot sizes. For centers, a computation of density and intensity shall be provided, as well as the area and percentage of land use mix consistent with the categories found in FLU 5.5.1. For regional employment districts, a computation of the area, intensity and percentage of land use mix consistent with the categories found in FLU 5.2.1 shall be provided.



2. Circulation routes for pedestrians, bicycles, transit and automobiles, including consideration for connection with the surrounding area. For each facility to be included in the DSAP, design criteria should be included addressing:
  - Roadway cross-sections
  - On street parking (if applicable)
  - Pedestrian, Bicycle and Transit facilities
  - Landscape and streetscape standards
3. Location and size/capacity of major infrastructure components including wastewater, water, re-use water, stormwater and solid waste.
4. Design criteria proposed for each land use category proposed for the DSAP including, but not limited to:
  - Typical lot size
  - Setbacks
  - Height
  - Density
  - Floor Area Ratio (commercial)
  - Signage
5. Strategies for the integration of existing development.

The Conceptual DSAP shall be presented to the public at an information workshop. This workshop is to be advertised in a manner consistent with Chapter 4, Public Participation. In addition, each property owner in the DSAP and each property owner within 1,000 feet of the boundary of the DSAP must be notified of the workshop. Substantial compliance with the provisions of this policy regarding the various methods for providing notice shall be sufficient to constitute notice to all affected parties. Comments from the public must be documented and included in a report to Escambia County.

### **III. Preliminary DSAP.**

Based on the results of the informational workshop described in Section II., prepare a Preliminary DSAP shall be prepared. At a minimum, this plan shall consist of the following elements:

1. Statement of the community goals and objectives to be accomplished by the DSAP.
2. DSAP exhibits including:
  - a. A detailed land use plan indicating the distribution, extent and location of future land uses, including the proposed

locations for transportation facilities (auto, transit, bike, pedestrian), major community services (water and wastewater plants, fire and police substations, government buildings), neighborhood school(s), parks and any conservation areas.

- b. A detailed public facilities plan identifying regionally significant public facilities, including public facilities outside the jurisdiction of Escambia County, anticipated impacts of future land uses on these facilities and required improvements consistent with Chapter 9J-2, Florida Administrative Code. In addition, this plan shall include the following components:
  - i. A transportation analysis consistent with Chapter 9J-2, indicating the general location of all arterial and collector roadways necessary to serve the DSAP, their right-of-way width, and design cross section. It should also address the proposed location of transit routes and the manner in which they can be integrated into the regional transportation system. The general location of all bikeways and pedestrian paths should demonstrate access to all schools, commercial and civic areas from any point in the DSAP. The transportation analysis should be accompanied by a report demonstrating the impact on transportation facilities and documenting the timing and estimated cost for transportation improvements required by development of the DSAP. Prior to initiation of any transportation analysis, the County shall consult with the Florida Department of Transportation (FDOT) regarding the analysis methodology in regards to impacts to the Florida Intrastate Highway System (FIHS). Each DSAP shall analyze the cumulative traffic impact of all previously approved DSAPs on the area road network, including the FIHS. Prior to approval of any DSAP, the Florida DOT shall have the opportunity to comment on the traffic analysis in regards to impacts to any State roads.
  - ii. A public improvements analysis that identifies the location and size of the water and wastewater systems necessary to support development of the DSAP. The analysis shall address demand, the location and size of plants, major distribution and collection systems, the design performance standards

that will be used in the review and approval of all development plans processed for the individual land use categories, the proposed source of funding, and the approximate timing for construction.

- c. A housing analysis addressing the need for affordable and workforce housing within the DSAP, the ability of the DSAP to provide a sustainable balance of housing units to employment opportunities, and potential impact of the proposed plan on existing neighborhoods and infill opportunities throughout the County.
- d. A detailed natural resource analysis that identifies specific measures to assure the protection of regionally significant natural resources and other important resources both within and outside the jurisdiction of Escambia County, including those resources identified in Chapter 9J-2, Florida Administrative Code.
- e. An energy efficiency analysis addressing the ability to reduce greenhouse gas emissions and improve energy efficiency within the DSAP.
- f. A land use need analysis addressing the amount of land necessary to accommodate both the projected population and future employment opportunities and promote sustainable development patterns.

The Preliminary DSAP shall be presented to the public at an informational workshop as per the requirements of Section II.

#### **IV. Final DSAP and Report**

Refinements to the Preliminary DSAP documents, based on the informational workshop described in IV, shall be prepared. The resulting Final DSAP shall be submitted to Escambia County for review and approval by the Planning Board and Board of County Commissioners. DSAP's prepared by an individual property owner or other venture must be presented through the County planning staff to the Board of County Commissioners. The DSAP will not be effective until approved by the Escambia County Board of County Commissioners. and found in compliance by the Florida Department of Community Affairs.

#### **V. Changes to an Existing DSAP.**

Any addition or deletion of property or changes to the neighborhood, center or district boundaries in an approved DSAP shall ~~be processed as~~

~~an amendment to the Comprehensive Plan, following~~ follow the County's established processes. It shall include an evaluation and analysis of the impacts to the approved or planned land uses and the ability of the proposed amendment to meet the principles and guidelines outlined in this plan. Such additions or deletions shall not be designed to create remnant areas or fragmented DSAPs.

FLU 5.6.2 Approval of zoning changes shall be based on consistency with the OSP principles and guidelines outlined in FLU 5.1.1-5.5.4. Specifically, such changes shall consider the impact on the overall DSAP in terms of the central focus of the land uses in the DSAP, with higher density in general proximity to Centers.

FLU 5.6.3 Once a DSAP is adopted by the Board of County Commissioners, all applications for development approval (i.e., lot splits, special exceptions, variances) under the existing zoning shall be evaluated for compatibility with the adopted DSAP.

FLU 5.6.4 Applications for a comprehensive plan amendment to establish a DSAP shall include an analysis matrix indicating compliance with the specific requirements of Sec. 163.3245, Florida Statutes.

FLU 5.6.5 OSP design criteria shall be incorporated into the Land Development Code within one year of the adoption of the first DSAP. All development within the boundary of an adopted DSAP shall comply with the OSP design criteria and other applicable provisions of the LDC. Where OSP design criteria conflict with other LDC provisions, the OSP criteria shall govern.

FLU 5.6.6 Should a development be proposed requiring an amendment to the OSP, which the County Local Planning Agency determines is contrary to the intent of the OSP planning concept and, therefore, should not be exempt from the requirements of Section 380.06 Florida Statutes, the applicant may be required, with concurrence by the ~~FDCA~~FDEO, to be processed as a DRI.

#### **OBJ FLU 5.7 Adequate Public Facilities and Services**

**Adopt procedures and guidelines for the provision of adequate public facilities to serve the OSP and subsequent DSAPs.**

#### **POLICIES**

FLU 5.7.1 Each DSAP shall be evaluated to determine whether adequate public facilities and services exist or will be in existence to serve the identified needs of the DSAP.

FLU 5.7.2 Prior to or in conjunction with the approval of an DSAP by the Escambia Board of County Commissioners, the land for the following public facilities shall be conveyed to Escambia County or a development agreement addressing the timely conveyance of such lands shall be approved by Escambia County.

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- Land for identified schools sites, consistent with Chapter 16, Public Schools Facilities Element.
- Land for identified parks and recreation facilities
- Right-of-way for identified collector and arterial roadways necessary to serve the DSAP
- Land for identified potable water and wastewater treatment facilities
- Right-of-way for all utilities necessary to serve the DSAP

FLU 5.7.3 Procedures and guidelines governing the provision of adequate public facilities and services shall not replace or supersede and provisions of the Escambia County concurrency management system.

#### **OBJ FLU 5.8 Intergovernmental Coordination**

**Adopt procedures to ensure intergovernmental coordination to address extrajurisdictional impacts.**

FLU 5.8.1 To provide for intergovernmental coordination to address extrajurisdictional impacts within the jurisdiction of the Florida Department of ~~Economic Opportunity~~ Economic Opportunity under Chapter 9J-2, F.A.C., the County shall provide to adjacent municipalities and counties, other units of government providing services but not having regulatory authority over the use of land, state and regional regulatory agencies, and the Escambia County School Board, information and copies of appropriate material related to the applications for a DSAP. The material provided shall include information indicating issues of regional significance in the region, or containing regional policies. It shall include material describing planning, permitting or review requirements of state, regional or local significance. It shall also include detailed identification of regionally significant public facilities, including public facilities outside the jurisdiction of Escambia County, anticipated impacts of future land uses on those facilities, and required improvements consistent with Chapter 9J-2, F.A.C. The adjacent municipalities, counties, other units of government and regulatory agencies shall have the opportunity to review and provide comments to the County, to ensure communication and coordination are used to minimize any potential adverse impacts.

## **Chapter 8 Mobility Element.**

The purpose of the Mobility Element, serving as the Transportation Element, is to establish the desired and projected transportation system in Escambia County and to plan for future motorized and non-motorized traffic circulation systems. This element provides guidelines to prepare for and establish an effective multi-modal transportation system.

### **GOAL MOB 1 TRANSPORTATION**

**Escambia County shall provide a safe, cost-effective and functional roadway and transportation system for all residents and visitors to Escambia County.**

#### **OBJ MOB 1.1 Transportation System**

**Continue to provide a safe, convenient, efficient and cost-effective multimodal transportation system and roadway network for present and future residents.**

### **POLICIES**

**MOB 1.1.1 New Development.** Future developments will pay all costs and construct all roads within the development as well as existing and proposed access roads (internal and external) to Escambia County standards so that the roads, upon construction, may be accepted into Escambia County's road system. Nothing in this policy shall be interpreted to preclude the County from requiring the development to pay all costs to the County associated with construction of any transportation improvement made necessary by the development.

**MOB 1.1.2 Level of Service (LOS) Standards.** Levels of Service (LOS) based on annualized p.m. peak hour conditions will be used to evaluate facility capacity and for issuance of development orders. LOS standards for all roadways are hereby established as shown below according to the functional classification of roadways identified on the 2005 Federal Functional Classifications Map. The Mobility Series is attached herein to this ordinance as Exhibit E. The Mobility Series includes the 2005 Federal Functional Classifications Map, the Number of Lanes – Escambia County Map, the FL-AL TPO Prioritized Bicycle & Pedestrian Projects Map, the Transportation Improvement Program FY 2010-2014 Major Projects Map, the Traffic Volume & Level of Service Report, and the FL-AL TPO Long Range Plan (future roadway). The FDOT LOS standards are also used for SIS facilities.



Roadway Functional Classification	Annualized P.M. Peak Hour Level of Service Standard
<b>Florida Intrastate System Roads</b>	
Principal Arterial (SIS Rural)	B
Principal Arterial (SIS Urbanized)	C
<b>Transportation Regional Incentive Program and Emerging SIS Connector Funded Roads</b>	
Minor Arterial (Urbanized)	D
<b>Other State and Local Roads</b>	
Principal and Minor Arterial (Rural)	C
Principal and Minor Arterial (Urbanized)	D
Major and Minor Collector (Rural or Urbanized)	E

**MOB 1.1.3 On-site Facilities.** All new private developments, including but not limited to planned unit developments, shopping centers, multifamily residential projects and other projects with internal circulation and parking needs shall be required to provide safe and convenient on-site traffic flow, facilities for non-motorized transportation and sufficient vehicular parking to accommodate the needs of the development. This policy does not apply to residential subdivisions.

**MOB 1.1.4 Non-motorized Transportation.** All new public road construction projects in urban areas or community redevelopment areas shall accommodate non-motorized transportation. At a minimum, sidewalks and bicycle facilities should be included. Consideration should also be given to include storage racks, striping, or signage.

**MOB 1.1.5 Maintenance and Reconstruction Priorities.** Escambia County shall continue its practice of maintaining and/or reconstructing County roads on an “on-going” basis through implementation of the Capital Improvements Program (CIP) and Concurrency Management System. The County shall utilize CIE 1.2.2 together with any cost/benefit analysis, traffic analysis and analysis of the physical condition of the various roadways within the County. Said analyses may be performed by Escambia County or others.

**MOB 1.1.6 Participation in Transportation Planning Organization.** Escambia County will participate in and cooperate with the preparation of the Florida Alabama Transportation Planning Organization’s (TPO’s) Cost Feasible Plan and will continue its active participation with the TPO to ensure that the TPO recommendations and activities are consistent with this ordinance. In addition, the County will continue to encourage the TPO to request funding for the Florida Department of Transportation (FDOT) by the governor and the legislature.

**MOB 1.1.7 Planning for Major Commercial Use.** Applications for large-scale commercial development review shall address adequate traffic circulation, parking and access management measures that are necessary to minimize access to impacted State and County road segments, promote compatibility and

functional relationship of adjacent land uses and provide adequate buffer and landscape requirements. Escambia County shall encourage joint access agreements with adjacent property owners, encourage a mix of land uses that place less traffic intensive land uses adjacent to arterial segments, provide incentives for not platting commercial lots with direct access to arterial segments and apply density bonuses for converting commercial land uses to residential land uses.

**MOB 1.1.8 Future Transportation Corridors.** Escambia County shall preserve future transportation corridors as identified in the TPO Fiscal year (FY) 2010-2014 Plan Maps MOB 2A-C. The TPO FY 2010-2014 Plan is attached herein to this ordinance as Exhibit F.

**MOB 1.1.9 Access Management.** Escambia County shall promote access management by limiting the number of conflict points that a motorist experiences during travel; separating conflict points as much as possible when they cannot be eliminated; and control turning movements to facilitate traffic flow on affected roadways.

**MOB 1.1.10 Commuter Assistance Programs.** Escambia County will support the TPO commuter assistance programs in order to reduce the number of vehicle miles traveled per capita in the community and region.

**MOB 1.1.11 Cross-Access.** Escambia County will incorporate requirements for cross-access easements and connections for commercial sites in the LDC. The County will prioritize the implementation of this policy based on corridor planning efforts. The regulations will be implemented on private properties along roadways with proper connection spacing and an access management plan.

**MOB 1.1.12 Ozone Task Force Recommendations.** Escambia County will implement the following recommendations of the 2001 Escambia County Ozone Task Force Report so as to modify peak hour demand and reduce the number of vehicle miles traveled per capita in the community and region.

- a. Implement flex work hours (i.e. extended hours, four-day work week) for government employees during peak ozone season June through September).
- b. Provide information about benefits of flex work hours to local industry and encourage use of such programs.
- c. Encourage mixed use development offering sidewalks and bicycle paths.
- d. Accelerate bicycle/pedestrian improvements.
- e. Promote telecommuting and teleconferencing.

**MOB 1.1.13 Safe Routes to School.** Pursuant to Section 1006.23, Florida Statutes, Escambia County, the Escambia County School Board and the Community Traffic Safety Team shall coordinate to prepare a "Safe Routes to

School” (SRTS) master plan for each public school, and then implement construction of improvements (e.g., sidewalks, shoulders) to encourage walking to school. SRTS improvements shall be focused to provide priority to improvements within the following radii:

Elementary School – ½ mile radius

Middle and High School – 1 mile radius

**MOB 1.1.14 Required Bicycle and Pedestrian Facilities.** Escambia County shall, through LDC provisions, require the installation of sidewalks along the street frontage of new development to provide connectivity and utility for existing sidewalks in the vicinity of the development. New development along routes shown on the TPO Bicycle and Pedestrian Plan, the County’s Bicycle and Pedestrian Plan, or the SRTS Plan shall install sidewalks and/or bicycle facilities as specified by those plans for any street frontage of the development that coincides with those routes. New development in proximity to a school shall install sidewalks consistent with policies PSF 1.4.5 and PSF 1.4.6.

**MOB 1.1.15 Coordination with School District.** Escambia County will coordinate with the Escambia County School District regarding new school siting and needs at existing schools when determining locations for improvements to pedestrian facilities.

**MOB 1.1.16 Sidewalk Planning Participation.** Escambia County will seek public input from citizens, the School Board of Escambia County and the development community regarding sidewalk needs and priorities.

**MOB 1.1.17 Intelligent Transportation System.** Escambia County will cooperate with FDOT studies now underway that address intelligent transportation system opportunities to improve system efficiency and enhance safety.

**MOB 1.1.18 Roadway Improvement Recommendations.** Escambia County will study roadway segments that are estimated to exceed the adopted LOS standard and recommend specific improvements to address deficiencies. Those recommendations will be targeted toward short- and mid-range improvements. These projects will be identified in the County’s CIP. The County will continue to work with the TPO to address long range improvements identified in the Cost Feasible Plan and County Transportation Plan.

**MOB 1.1.19 Interregional and Intrastate Function Protection.** Escambia County will maintain adopted LOS standards on arterial and collector roadways that parallel the State’s Strategic Intermodal System (SIS) and Florida Intrastate Highway System (FIHS) to protect the system’s interregional and intrastate functions.

**MOB 1.1.20 Interstate Interchange Additions.** Escambia County shall only promote the construction of additional interchanges on Interstate-10 and Interstate-110 if they protect the system's interregional and intrastate functions.

**MOB 1.1.21 Interstate Crossing Additions.** Escambia County will work with the TPO to strengthen the local roadway network by providing additional north-south and east-west crossings of Interstate-10 and Interstate-110, thereby protecting the FIHS interregional and intrastate functions.

**MOB 1.1.22 Road Improvement Funding Partnerships.** Escambia County will pursue partnerships with FDOT, the Federal Highway Administration (FHA) and private development entities to identify potential new revenue streams for roadway improvements and capacity enhancements at both the state and federal levels.

**MOB 1.1.23 Public-private Partnerships.** Escambia County will consider public-private partnerships (P-3s) as a valid mechanism to obtain transportation funding from additional sources.

#### **OBJ MOB 1.2 Transportation Concurrency Exception Areas**

**Establish Transportation Concurrency Exception Areas (TCEAs) to promote and enhance:**

- a. Urban redevelopment,
- b. Infill development,
- c. A variety of transportation choices and opportunities including automobile, pedestrian, bicycle and transit,
- d. Escambia County's economic viability,
- e. Desirable urban design and form,
- f. A mix of residential and non-residential uses,
- g. Streetscaping/landscaping of roadways within the County, and
- h. Pedestrian and bicyclist comfort, safety and convenience.

**Consistent with Section 163.3180, Florida Statutes, a TCEA may be established within areas designated for:**

- a. Urban infill development;
- b. Urban redevelopment;
- c. Downtown revitalization;
- d. Urban infill and redevelopment under Section 163.2517, Florida Statutes; or
- e. An urban service area that includes lands appropriate for compact, contiguous urban development, which does not exceed the amount of land needed to accommodate the

**projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning period, and which is served or is planned to be served with public facilities and services as provided by the Capital Improvements Element.**

## **POLICIES**

**MOB 1.2.1 TCEAs Established.** The following TCEAs are hereby established, and the TCEA Map is attached herein to this ordinance as Exhibit G:

- a. Warrington TCEA - That area coterminous with the area approved in 1995 as the Warrington Redevelopment Area and including the Sunset Avenue Corridor of Navy Point;
- b. Fairfield Drive TCEA - That area coterminous with the approved Englewood-Ebonwood and Palafox Redevelopment Areas and including a portion of the Brownsville Redevelopment Area.

The Transportation Concurrency Exception Areas will continue to be reviewed annually to ensure they meet the TCEA requirements; results of this review will be reported in the County's Comprehensive Plan Implementation Annual Report.

**MOB 1.2.2 LOS Exemptions.** All land uses and development located within the Warrington and Fairfield Drive TCEAs shall be exempted from transportation concurrency for roadway LOS standards. Developments outside of the TCEA that impact roadways within the TCEA shall be required to meet transportation concurrency standards.

**MOB 1.2.3 Transportation Improvements.** Transportation concurrency exceptions granted within the TCEA shall not relieve development from being required to construct transportation improvements that are required due to traffic safety and/or operating conditions.

**MOB 1.2.4 TCEA Proportionate Fair Share.** Within the TCEAs, development or redevelopment shall be required to mitigate transportation impacts proportional to those impacts based on trip generation (including all phases) by providing the following:

- a. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage.
- b. Cross-access connections/easements or joint driveways, where available and economically feasible.
- c. Deeding of land or conveyance of required easements along the property frontage to the County, as needed, for the construction of public sidewalks, bus turn-out facilities, and/or bus shelters. Such deeding or conveyance of required easements, or a portion of same, shall not be required if it would render the property unusable

for development. The placement of a bus shelter and related facilities on private property with an appropriate agreement with the County may be used in lieu of deeding or conveyance of easements, if agreeable to the County.

d. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined in the Access Management portion of the LDC.

e. Provide safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings and parking areas at the development site.

f. Funding of corridor assessments and TCEA mobility studies to ensure goals are maintained.

### **OBJ MOB 1.3 Transportation and Land Use**

**Assure the continual coordination of land use decisions with the future traffic circulation system by coordinating traffic circulation improvements with the future land use maps and maintaining consistency between land use decisions and traffic circulation system improvements.**

#### **POLICIES**

MOB 1.3.1 **Consistency.** All plans and proposals for development and redevelopment and all land use decisions shall be reviewed for consistency with the Future Land Use Map (FLUM).

MOB 1.3.2 **Non-motorized Transportation Facilities.** Escambia County shall provide or require the provision of non-motorized transportation facilities to link residential areas with recreational and commercial areas in a safe manner. This may include the construction of sidewalks, bike lanes, installation of signage, striping of roadways, or the like so as to accommodate non-motorized transportation facilities.

### **OBJ MOB 1.4 Coordinated Transportation Planning**

**Continually coordinate Escambia County's decision-making process with the plans and programs of TPO and FDOT.**

#### **POLICIES**

MOB 1.4.1 **TPO Participation.** Escambia County will participate and cooperate with the preparation of the TPO's Cost Feasible Plan. The County's participation will continue to be the provision of representation on the TPO and its several committees, paying its fair share of the cost to operate the TPO, and assuring that projects required within Escambia County are included within the TPO and FDOT plans.



**MOB 1.4.2 Regional Priorities.** Escambia County will coordinate with the TPO and FDOT to ensure that regional priorities are included in County decision-making.

**MOB 1.4.3 Interstate System Improvements.** In cooperation with the TPO and FDOT, Escambia County will support improvements to the federal interstate system located within the County. In addition the County shall support the construction of a new roadway segment that links Interstate- 10 with Interstate- 65.

**MOB 1.4.4 Transportation Improvement Plans.** Escambia County will participate in and review the annual updates of the TPO five-year Transportation Improvement Plan and FDOT five-year Work Program to ensure that activities of the County and the transportation improvement plans of other agencies are consistent.

**OBJ MOB 1.5 Corridor Preservation**

**Provide for the protection of existing and future rights-of-way from encroachment by including appropriate regulations within the LDC.**

**POLICIES**

**MOB 1.5.1 Standard Right-of-way.** Within any Project Development and Environmental Impact study for a capacity improvement project, standard right-of-way shall be considered as follows:

Major Collectors	80'
Major Arterials	125'
Beltways	300'

**MOB 1.5.2 Setback Regulation.** Escambia County shall, through zoning district provisions in the LDC, apply setbacks that will aid in the protection of existing and future rights-of-way, including transportation corridors, from building encroachments.

**MOB 1.5.3 Density and Intensity Regulation.** Escambia County shall regulate density and intensity within the existing or designated transportation corridor areas that may interfere with right-of-way needs.

**MOB 1.5.4 Right-of-way Set Aside.** Escambia County may require the set aside of right-of-way necessary to comply with programmed roadway widening or, as necessary, for proposed transportation corridors.

**MOB 1.5.5 Scenic Roadway Designation.** Because of their unique scenic character and related historic and tourist significance, Scenic Highway (SR-10A) and Perdido Key Drive (SR 292) are designated “scenic roadways.” Parcels adjacent to these rights-of-way shall be the subject of specific sign controls in the LDC.

**MOB 1.5.6 Proposed Transportation Corridors.** Escambia County shall make efforts to inform the public about the location of proposed transportation corridors. Such proposed transportation corridors are to be initially designated in this section, the adopted TPO's “Cost Feasible Plan”, the proposed or adopted County Capital Improvement Plan or in any proposed or adopted Development of Regional Impact (DRI) or development plan. Transportation corridor protection regulations shall be incorporated in the LDC.

The Beulah Expressway is designated as a proposed transportation corridor. Maps and descriptions of the proposed north/south corridor and the east/west connecting corridors are on file as Exhibits A and B to Ordinance 2007-02D.

**OBJ MOB 1.6 Automobile Use and Greenhouse Gas Reduction.**

**Through encouraging compact, mixed and multi-use developments and alternative mode transportation strategies Escambia County shall strive to reduce average per capita Vehicle Miles Traveled (VMT) within the County, overall contributing to a reduction in automobile generated greenhouse gas (GHG) emissions, Reducing the County average annual per capita Vehicle Miles Traveled (VMT) by 2.0% annually starting in 2010 totaling a 40% reduction by the year 2030, as compared to the FDOT 2008 baseline.**

**Escambia Average Annual Per Capita Vehicle Miles Traveled (VMT)**

Year	Target Reductions
2010:	2008 Baseline (10,170 VMT)
2015:	10.0 percent decrease (9,150 VMT)
2020:	20.0 percent decrease (8,140 VMT)
2025:	30.0 percent decrease (7,120 VMT)
2030:	40.0 percent decrease (6,100 VMT)

**POLICIES**

**MOB 1.6.1 Funding Research for VMT Reduction.** Escambia County shall seek funding to support advocacy and research regarding VMT reduction, including establishing ongoing VMT modeling and monitoring on a County-wide basis and for development projects.

**MOB 1.6.2 Vehicle Miles Traveled Reduction Strategies.** Through its Land Development Code, Escambia County shall implement the following

transportation and travel mode strategies in a long term effort to reduce average per capita Vehicle Miles Traveled (VMT) within the County:

- a. Require developments of over 200 acres to provide a highly interconnected system of complete streets (for pedestrians, bicycles and vehicles) to encourage the reduction of automobile use, trips and trip lengths.
- b. Require developments of over 200 acres to provide a connected network of pedestrian and bicycle facilities to promote biking and walking within new developments and redeveloping areas.
- c. Support appropriately located compact, high density mixed-use development within the Mid-West Sector Plan Overlay, Mixed-Use Urban, Mixed-Use Suburban and Commercial future land use districts.
- d. Coordinate with the Florida Department of Transportation to improve traffic management on State roads to reduce the aggregate time spent at traffic signals.
- e. Provide expedited development review to developments that can show, at project build-out, a 20% increased automobile trip internal capture using accepted FDOT methodologies or an average annual per person VMT that is 20% less than the Escambia County average, based upon most recent FDOT data.

## **GOAL MOB 2 TRANSIT**

**Escambia County shall encourage the provision and use of a safe, efficient and financially feasible mass transit transportation system, which is responsive to community needs, consistent with land use policies, is environmentally sound, and promotes economic opportunity and energy conservation.**

### **OBJ MOB 2.1 Bus Fleet**

**Ensure safe and efficient operation of the bus fleet.**

## **POLICIES**

**MOB 2.1.1 Fleet Replacement.** Escambia County Area Transit (ECAT) shall replace the bus fleet at 10 years or 500,000 miles, as recommended by the Federal Transit Administration. The ECAT Map Series is attached herein to this ordinance as Exhibit H.

**MOB 2.1.2 Preventative Maintenance.** ECAT shall conduct preventative maintenance of bus fleet according to the preventive maintenance plan.

## **OBJ MOB 2.2 Mass Transit and Growth Patterns**

**Operate an efficient and accessible fixed route mass transportation service in support of the projected growth patterns of the service area while maintaining or increasing ECAT's operating ratio.**

### **POLICIES**

**MOB 2.2.1 Route Modernization.** ECAT shall modernize service from the existing radial route system into a modified grid system to improve efficiency.

**MOB 2.2.2 Service Area Adjustments.** ECAT shall realign or adjust existing routes to provide service to areas requiring service while at the same time reducing service to lower use areas in order to provide more efficient service to more riders at comparable cost.

**MOB 2.2.3 LOS Standard.** ECAT shall establish and maintain a mass transit LOS standard as measured by a 60-minute maximum period of wait throughout the current areas and hours of service.

**MOB 2.2.4 Transportation Development Plan.** ECAT shall consider and/or implement recommendations contained within the current transportation development plan.

**MOB 2.2.5 Transportation Development Plan Implementation.** Upon completion of the TPO Transit Development Plan Update, Escambia County will amend the comprehensive plan to address (1) the establishment of land use and site design guidelines in public transit corridors, to assure the accessibility of new development to public transit; (2) the establishment of numerical indicators against which the achievement of mobility goals can be measured; and (3) coordination with the Future Land Use element, to encourage land uses that promote public transportation.

**MOB 2.2.6 Marketing Strategy.** ECAT shall develop marketing strategies to maximize the advertisement program within fiscal constraints.

**MOB 2.2.7 User Fee/Fare Policy.** ECAT shall develop a fare policy to provide for routing fare increases in order to ensure the transit riders pay a fair share of costs (user fee policy).

## **OBJ MOB 2.3 Annual Review of Transit System**

**Provide for an efficient and safe transit system for all users.**

### **POLICIES**

**MOB 2.3.1 Annual Operation Review.** ECAT shall annually review the operation (i.e., bus routes, maintenance procedures, etc.) of the normal mass transit system and the paratransit system to identify and correct deficiencies of those operations.

**MOB 2.3.2 Annual Facilities Review.** ECAT shall provide for annual review and maintenance of all mass transit and paratransit facilities, with the exception of the bus fleet, to ensure that buildings and other related facilities are in proper working order and are supporting the continued efficiency of the operations.

## **OBJ MOB 2.4 Mass Transit ROW**

**Designate and protect future mass transit rights-of-way and corridors.**

### **POLICIES**

**MOB 2.4.1 Consistency Review.** ECAT shall provide for the review of the future mass transit map prior to the issuance of any land use certificate to determine if development would conflict with any existing or future mass transit rights-of-way or corridors as approved by the Board of County Commissioners (BCC).

**MOB 2.4.2 Special Review Process.** ECAT shall develop a special review and approval mechanism for any land use certificate that is found to be in conflict with existing or future mass transit rights-of-way or corridors approved by the BCC.

## **OBJ MOB 2.5 Handicapped Services**

**Provide service to the handicapped as required by U.S. Department of Transportation Regulation 49 CFR Part 27 and to other transportation disadvantaged persons.**

### **POLICIES**

**MOB 2.5.1 Paratransit System Support.** ECAT shall contract or otherwise provide for the coordinated paratransit system to fulfill the federal requirements for transporting handicapped passengers and shall contract or otherwise provide for the system to fulfill federal requirements for transporting handicapped passengers.

**MOB 2.5.2 Vehicle Rehabilitation.** ECAT shall provide assistance to the coordinated system by rehabilitating vehicles or other similar programs that will support their efforts.

**MOB 2.5.3 Service Improvements.** In order to continually improve services, education and individual transit training for disabled passengers and volunteer companions should be provided.

### **GOAL 3 PORTS**

**Escambia County shall advocate and promote the economic viability of port operations in Escambia County consistent with balanced utilization of transportation facilities, natural resources, and available waterfront land.**

#### **OBJ MOB 3.1 Port Facilities**

**Support the operation and expansion as necessary of port facilities through intergovernmental coordination and in a manner consistent with the goals, objectives and policies in the Future Land Use, Coastal Management and Conservation Elements of this plan.**

### **POLICIES**

**MOB 3.1.1 Coordinated Support.** Escambia County shall support continued port operation and/or development coordination with appropriate agencies, both governmental and private, recognizing that port facilities in Escambia County are within the planning jurisdiction of the City of Pensacola.

**MOB 3.1.2 Consistency with Plan.** Escambia County shall support the activities of port facilities to the extent consistent with the goals, objectives, and policies contained in the Future Land Use, Coastal Management, Conservation, and Mobility Elements.

**MOB 3.1.3 Industrial Land Use Designation.** Escambia County shall consider port facilities in Escambia County to be water dependent or water related industrial land uses. Any such facilities located within the jurisdiction of Escambia County shall be considered as industrial land uses on the FLUM.

**MOB 3.1.4 Port and Navigation Projects.** Escambia County shall support projects, which serve to maintain or expand port operations or navigation to the extent that such projects meet all applicable permit requirements and standards, consistent with appropriate objectives and policies in the Future Land Use, Coastal Management and Conservation Elements. The County shall advocate federal and state public works programs and projects that provide funding for such projects.



## **OBJ MOB 3.2 Access to Port Facilities**

**Ensure that surface transportation access to port facilities is properly integrated with the traffic circulation portion of this element and with other modes of surface and water transportation.**

### **POLICIES**

**MOB 3.2.1 Public-Private Coordination.** Escambia County shall coordinate with appropriate public and private sector agencies to provide adequate access to port facilities.

**MOB 3.2.2 Coordinated Intermodal Transportation.** Escambia County shall encourage and support balanced intermodal management of surface and water transportation through coordination of roadway, rail, and port facilities.

## **OBJ MOB 3.3 Coastal Conservation and Port Services**

**Promote balanced utilization of coastal areas and resources consistent with sound conservation principles and the need for continued provision of port services.**

### **POLICIES**

**MOB 3.3.1 Resource Impact Mitigation.** Escambia County shall coordinate with the City of Pensacola to ensure mitigation of adverse structural and nonstructural impacts upon adjacent natural resources consistent with applicable permit requirements.

**MOB 3.3.2 Qualified County Support.** Escambia County shall advocate only those port maintenance and expansion projects that meet applicable permit requirements and environmental standards.

## **GOAL MOB 4 AVIATION FACILITIES**

**Escambia County shall provide public aviation facility services sufficient to meet current and future economic development and passenger needs and protect naval aviation facilities.**

### **OBJ MOB 4.1 Airport Master Plan**

**Support the implementation activities set forth in the adopted airport master plan for the Pensacola Gulf Coast Regional Airport as directed by the BCC.**

## **POLICIES**

**MOB 4.1.1 Coordinated Land Uses.** Escambia County shall coordinate adjacent land uses with the City of Pensacola and the airport master plan to provide development patterns that are compatible with airport development.

**MOB 4.1.2 Incompatible Development.** Escambia County shall enforce adopted land development regulations that restrict the height, density and intensity of development in areas adjacent to the airport boundaries and clear zones to ensure that incompatible land uses will not be allowed to encroach on airport facilities and hinder airport activities.

**MOB 4.1.3 County Review.** Escambia County shall review and comment on proposed airport development and/or expansion that may impact the County.

**MOB 4.1.4 Stormwater Management.** Escambia County shall work with the City of Pensacola and Florida Department of Environmental Protection (FDEP) to ensure that adequate stormwater management techniques are provided for existing and future airport development.

## **OBJ MOB 4.2 Naval Aviation Facilities**

**Evaluate development proposals for property located within the established Airfield Influence Planning District (AIPD) overlays of the existing Naval aviation facilities within Escambia County to ensure compatibility and to protect airfield facilities from encroachment of incompatible land uses. The Naval aviation facilities in Escambia County are of significant value to the County, and protecting these important economic resources requires the prevention of the development of airfield hazards and incompatible land uses.**

## **POLICIES**

**MOB 4.2.1 Airfield Influence Planning Districts.** To promote an orderly transition and rational organization of land uses, protect the health, safety and welfare of the public, and maintain the mission of the military facilities, Escambia County establishes AIPD overlays over and around each of the military aviation facilities within Escambia County.

**MOB 4.2.2 Development Plan Review.** The Navy shall designate a representative from NAS Pensacola and from NAS Whiting Field to function as ex officio members of the Escambia County Development Review Committee (DRC). As part of the regular DRC process, the County will forward the weekly DRC agenda to the Navy designee. When a development is proposed within the AIPD overlay areas, the County will include a copy of the submitted development plans. The Navy designee will review the development plans for land use

compatibility with the Navy mission in relation to proposed structure height, density and intensity of land use and will submit comments to County staff to be forwarded to the applicant.

**MOB 4.2.3 Military Representation.** Pursuant to Section 163.3175, Florida Statutes, a representative of the military installations located within Escambia County shall be placed on the Planning Board as an ex officio, nonvoting member. The Navy's Planning Board representative shall coordinate with the Navy Base Commanding Officers to review and comment on all proposed Comprehensive Plan and LDC amendments that would affect the intensity, density or use of the land within the AIPDs. The comments shall address the impacts such proposed Comprehensive Plan or LDC changes may have on the mission of the military installations. They shall include:

- a. Whether such proposed changes will be incompatible with the safety and noise standards contained in the Air Installations Compatible Use Zones (AICUZs) study adopted by the military installation for that airfield or the AIPD adopted by the County for that airfield;
- b. Whether such changes are incompatible with the findings of the Joint Land Use Study (JLUS) for the area;
- c. Whether the military installation's mission will be adversely affected by the proposed actions of the County.

**MOB 4.2.4 JLUS Amendment.** Needs of the Navy may be identified that require an amendment to the completed JLUS. When a determination is made that such an amendment is desirable, the Commanding Officer is encouraged to provide information concerning any community planning assistance grants that may be available to the County through the Department of Defense, Office of Economic Adjustment.

**MOB 4.2.5 Interlocal Agreement.** An interlocal agreement to determine the details of the coordination between the Navy and Escambia County shall include, but not be limited to, the individual responsibilities of the County and the Navy; the method by which the Navy will appoint a Planning Board representative; the length of the term of appointment; the details of the coordination required to produce, receive and transmit any Navy comments to the State; establish who will be responsible for forwarding the comments; the method by which the Navy will apprise the County of any available grants and the details to be reported on the Annual Report on Comprehensive Plan Implementation. The Military Interlocal Agreement became effective September 2003.

**MOB 4.2.6 County-Navy Coordination.** Escambia County shall coordinate with the Navy to effectively regulate land uses in areas covered by the AIPD overlays and the AICUZ to support the Navy's aviation mission while protecting the private property rights of the land owners.

**MOB 4.2.7 Compliance Monitoring.** Escambia County shall monitor development in the AIPDs for compliance with the JLUS recommendations and AICUZ study requirements. Rezoning to a higher density will be discouraged. The compatibility requirements will be revised as the mission of the military facility changes or removed if the facility closes.

**MOB 4.2.8 Encroachment Control Planning.** Escambia County shall utilize information provided by the Navy, such as the AICUZ Study Program Procedures and Guidelines (OPNAVINST 11010.36C) or approved successor and Aircraft Noise Survey, together with the recommendations of the JLUS when developing plans to control the encroachment of incompatible development in the vicinity of Naval Air Station Pensacola and Navy Outlying Landing Fields Saufley and Site 8, to ensure protection of each installation's aviation mission.

**MOB 4.2.9 Infrastructure Impact Report.** A formal information exchange between the County, FDOT, Emerald Coast Utilities Authority (ECUA) and other utility service providers in the area will be established to explore the growth inducing impacts of utility expansion and infrastructure improvements within the AIPD overlay areas in relation to the JLUS recommendations. Annual reporting of the status of the planned utility expansion and infrastructure improvements will be included in the Comprehensive Plan Implementation Annual Report.

**MOB 4.2.10 Annual Assessment.** Pursuant to Section 163.3191(n) Florida Statutes, and beginning in Fiscal Year 2004/2005, the County shall conduct an annual assessment of the effectiveness of the criteria adopted pursuant to Section 163.3177(6)(a), Florida Statutes, in achieving compatibility with military installations in areas designated as AIPDs. This assessment shall be based on a compilation of data for the calendar year and shall compare the current years' development with the previous years' development relevant to the following in each AIPD:

- a. Single-family residential building permits in each AIPD area based on the number of permits issued, and broken down by Accident Potential Zone (APZ) and AIPD area.
- b. Number of residential units (high density) approved and permitted.
- c. Extension of sewer and water lines in the AIPD Overlay areas as reported by ECUA (or relevant potable water distributors).
- d. Number of units approved in preliminary and final subdivision plats.
- e. Number of site plans for commercial projects approved.
- f. Number of communication towers approved.
- g. Number of variances and/or conditional use requests and approvals.
- h. Number of rezoning requests/approvals.

i. Number of future land use amendments.

The intent is to measure the increase or decrease in residential development activity within the AIPDs to determine the effectiveness of the measures adopted to control residential density and encourage commercial development, as recommended by the JLUS. The County shall review the collected data to ensure compliance with the intent of the JLUS recommendations. In addition, analysis of the collected data over a period of time will assist in determining what future changes may be required to enhance or improve the County's efforts to control encroachment on the military installations. The reports shall be included in the Annual Comprehensive Plan Implementation Report, and shall be further analyzed for inclusion in the Evaluation and Appraisal of the Comprehensive Plan required every seven years.

## **Chapter 9 Housing Element.**

The purpose of the Housing Element is to provide guidance for the development of safe, sanitary and affordable housing for all residents of Escambia County. In particular, the goals, objectives and policies contained in this element are intended to identify and address current and future deficits in the provision of moderate, low and very-low income housing, group homes, foster care facilities and housing for those with special needs. In addition, this element is intended to provide guidance to public and private sector housing providers, as well as the residents of Escambia County, regarding redevelopment of existing neighborhoods, removal of substandard housing, relocation assistance and critical housing assistance programs.

### **GOAL HOU 1 PROVISION OF HOUSING**

**Escambia County shall provide safe, sanitary and affordable housing for the current and future residents of the County.**

#### **OBJ HOU 1.1 Housing Delivery Process**

**Provide guidance and direction to both the public and private sectors to assist in the provision of adequate housing that varies in type, density, size, tenure, ownership, cost and location.**

#### **POLICIES**

**HOU 1.1.1 Residential Areas.** The Escambia County Future Land Use Map (FLUM) and Zoning maps shall identify areas suitable for residential development and/or redevelopment.

**HOU 1.1.2 Site Development Criteria.** The Escambia County Land Development Code (LDC) shall include site development criteria for all housing types including affordable and special needs housing.

**HOU 1.1.3 Permitting Process.** The LDC shall include an efficient and reasonable permitting process for residential development. This process shall include the use of checklists and referrals to appropriate regulatory agencies.

**HOU 1.1.4 Adequate Infrastructure.** To assure the sustainability of residential communities, Escambia County shall require new residential development to locate where adequate infrastructure is available.

**HOU 1.1.5 Mixed-use Development.** Escambia County shall encourage mixed-use development, which places housing within close proximity to nonresidential opportunities such as retail and employment centers.



HOU 1.1.6 **Ownership Types.** Escambia County shall recognize the need to provide a mix of ownership types, including for-sale and rental units, to meet the diverse needs of County residents.

HOU 1.1.7 **Housing Types.** Escambia County's Future Land Use Element and LDC shall provide for a mix of housing types including, but not limited to, single-family residential, multi-family residential, mobile and manufactured homes, live-work units, accessory dwellings and other residential types that vary in density, size, cost and location.

## **OBJ HOU 1.2 Affordable Housing**

**Assure the provision of safe, sanitary and affordable housing for moderate, low and very-low income residents.**

### **POLICIES**

HOU 1.2.1 **Definition.** Escambia County shall define affordable housing as residential dwelling units with monthly rents or mortgage payments (including taxes and insurance) that do not exceed 30 percent of median annual gross income for the following households:

- a. Moderate Income Household: 81-120 percent of area median family income
- b. Low Income Household: 51-80 percent of area median income
- c. Very-Low Income Household: 0-50 percent of area median income

HOU 1.2.2 **Location.** Escambia County shall allow the location of affordable housing in any residential FLUM category provided the housing is compatible with all applicable rules and regulations of the LDC.

HOU 1.2.3 **Development Types.** Escambia County shall promote affordable housing opportunities by allowing cluster developments, zero-lot line developments, planned unit developments and other types of housing layouts that may reduce the cost of individual dwelling units.

HOU 1.2.4 **Mobile or Manufactured Home Location.** Escambia County shall designate areas on both the FLUM and Zoning maps that are suitable for the location of mobile or manufactured homes.

## **OBJ HOU 1.3 Special Needs Housing**

**Ensure adequate housing opportunities are available in residential areas or areas of residential character to accommodate citizens with special needs.**

## **POLICIES**

**HOU 1.3.1 Location Criteria.** The LDC shall include criteria guiding the location of housing for group homes, foster care facilities and households with special needs.

**HOU 1.3.2 Compatible Zoning.** Escambia County shall allow foster care facilities and group homes, housing six or fewer residents, in any residential zoning category. Group homes, housing seven or more residents, may be located in any medium density, high density or mixed-use category.

**HOU 1.3.3 Senior Needs.** Escambia County shall encourage the development of accessible and affordable senior housing within close proximity to support services and public infrastructure.

### **OBJ HOU 1.4 Existing Neighborhoods and Redevelopment**

**Protect the character of existing residential neighborhoods, provide opportunities for redevelopment and infill development and reduce the number of substandard housing units through the continued implementation of structural and aesthetic improvement programs.**

## **POLICIES**

**HOU 1.4.1 Preservation and Infill.** The LDC shall include standards that maintain existing neighborhood character while allowing compatible infill development.

**HOU 1.4.2 Regulation Enforcement.** Escambia County shall implement strategies that enhance enforcement of existing regulations (i.e., abandoned property regulations, litter regulations, sign regulations, etc.), which maintain the aesthetics of existing residential areas.

**HOU 1.4.3 Construction Inspection.** The LDC shall contain provisions for inspection procedures during the construction and reconstruction of residential units.

**HOU 1.4.4 Improvement Aid.** Escambia County shall continue to allocate loan and grant assistance to moderate, low and very-low income homeowners to aid in the improvement of substandard dwelling units.

**HOU 1.4.5 Unsafe Building Abatement.** Escambia County shall enforce the Unsafe Building Abatement Ordinance, which requires the removal of housing stock with structural deficiencies.

**HOU 1.4.6 Substandard Home Removal.** Escambia County shall report annually the number of substandard homes removed as a result of code enforcement actions and Neighborhood Enterprise Foundation, Inc. (NEFI) programs.

**HOU 1.4.7 Infrastructure Improvements.** Escambia County shall continue its efforts, through the Community Redevelopment Agency (CRA), to complete the activities necessary to improve the infrastructure in specified redevelopment neighborhoods.

**HOU 1.4.8 Rental Units.** Escambia County shall support the acquisition, rehabilitation and/or development of rental units, by the private sector and local Community Housing Development Organizations (CHDOs), for occupancy by moderate, low and very-low income families meeting the occupancy criteria of Title 24 of the Code of Federal Regulations (CFR), Part 92.

**HOU 1.4.9 Housing Stock Conservation/Rehabilitation.** Escambia County's housing agencies and the CRA shall continue to administer programs that further the conservation or rehabilitation of existing housing stock.

#### **OBJ HOU 1.5 Relocation Assistance**

**Provide housing assistance, including relocation housing, for persons displaced by public programs, projects or housing rehabilitation.**

#### **POLICIES**

**HOU 1.5.1 Grants.** Escambia County shall pursue grants to provide for relocating moderate, low and very-low income persons displaced during the housing rehabilitation process.

**HOU 1.5.2 County Policy.** Escambia County shall utilize its "Relocation Policy" that was developed in compliance with Public Law 93-383 (The Housing and Community Development Act of 1974) and adopted by the Escambia County Board of County Commissioners (BCC) on November 28, 1988, including any revisions thereto.

#### **OBJ HOU 1.6 Housing Programs**

**Continue implementation of critical housing programs.**

#### **POLICIES**

**HOU 1.6.1 Program Information.** Escambia County shall continue its housing outreach program to assure dissemination of housing information.

HOU 1.6.2 **Non-discrimination.** Escambia County shall enforce its nondiscrimination policies and provisions so as to ensure access to housing opportunities by all segments of the County's population.

HOU 1.6.3 **Low-Interest Mortgage Loans.** Escambia County shall cooperate with appropriate local, state and federal agencies to facilitate bond-backed low-interest mortgage loans for home purchase by qualified individuals or families.

HOU 1.6.4 **Housing Finance Authority.** Escambia County shall participate with the Escambia County Housing Finance Authority (HFA) in the issuance of bonds to provide low interest mortgage loans for home purchases by qualified families.

HOU 1.6.5 **Neighborhood Enterprise Foundation Reports.** Escambia County shall receive, review and respond to the annual reports produced by NEFI as such reports relate to this comprehensive plan and/or the provision of safe, sanitary and affordable housing for all citizens of Escambia County.

HOU 1.6.6 **State and Federal Assistance.** Escambia County shall participate in the following programs or any replacement or supplemental programs, which may be developed by state, federal or other appropriate agencies:

- a. HUD Section 8 Rental Voucher Program existing housing program, for rent supplements to qualified low-income families;
- b. The Community Development Block Grant (CDBG) Program;
- c. The Consolidated Plan pursuant to the Cranston-Gonzalez National Affordable Housing Act;
- d. The Home Investments Partnership Program (HOME); and
- e. The State Housing Initiatives Partnership (SHIP) Program, among others.

HOU 1.6.7 **Neighborhood Enterprise Foundation.** Escambia County shall provide assistance, through NEFI to provide affordable homeownership opportunities for moderate, low and very-low income homebuyers.

HOU 1.6.8 **SHIP Fund Initiatives.** Escambia County shall use SHIP funds to expand and/or enhance ongoing activities designed to develop new affordable housing initiatives conforming to the statutory requirements of Chapter 420, Florida Statutes. Such funds may be used to:

- a. Provide local cash match for federal or state housing programs such as HOME, Housing Opportunities for People Everywhere (HOPE), McKinney Act Programs, Florida Housing Finance Corporation (FHFC) programs, etc.;
- b. Provide down-payment assistance, construction subsidies, mortgage reduction, mortgage interest rates subsidies, and/or

direct mortgage loans to moderate, low and very-low income families;

c. Provide appropriately targeted grants and loans in support of moderate and substantial rehabilitation/preservation of substandard housing owned and/or occupied by low and very-low income families;

d. Support the availability and enhancement of emergency home repair assistance for low and very-low income families;

e. Provide assistance for construction or rehabilitation of housing designed to address families with special needs; and

f. Utilize funds to supplement existing and future FHFC, Escambia County HFA, and/or Florida Department of ~~Community Affairs (DCA)~~Economic Opportunity (FDEO) affordable housing projects undertaken for the benefit of lower income families within the County.

**HOU 1.6.9 County-Private Partnerships.** Escambia County shall seek partnerships with private and non-profit organizations in an effort to improve coordination among participants involved in housing production and delivery. In particular, the County shall continue its partnerships with nonprofit housing providers such as Community Enterprise Investments, Inc., Circle Inc. and Habitat for Humanity.

**HOU 1.6.10 County-City Partnerships.** Escambia County, in partnership with the City of Pensacola, shall ensure the continued administration of the HUD Section 8 Rental Voucher Program, intended to aid eligible families and individuals in acquiring safe, sanitary and affordable housing.

**HOU 1.6.11 Florida Housing Coalition.** Escambia County shall participate with the Florida Housing Coalition (FHC) so as to provide opportunities for low cost home ownership for families meeting eligibility requirements.

## **OBJ HOU 1.7 Data and Monitoring**

**Escambia County shall continually monitor the success of its housing objectives and policies.**

## **POLICIES**

**HOU 1.7.1 Housing Inventory.** Escambia County shall collect housing inventory data every five years during the update to the individual CRA plans.

**HOU 1.7.2 Special Needs Housing.** Escambia County shall update inventories of providers of special needs housing (group and foster homes, facilities for the homeless, etc.) on an annual basis, including quantity and location.

**HOU 1.7.3 EAR Housing Review.** Escambia County shall review its regulatory and permitting process and evaluate changes necessary to improve the public and private sector housing delivery process. The review shall be concurrent with state-mandated Evaluation and Appraisal Reports (EARs). During each review, opportunities for involvement of the County with private sector providers shall be analyzed.

**HOU 1.7.4 Annual Housing Review.** Escambia County shall examine its housing needs and implementation activities annually so as to maintain up-to-date information on the housing delivery process program and the success of prior activities.

**OBJ HOU 1.8 Energy Efficient Housing.**

**Escambia County shall encourage energy efficiency in the design and construction of new residential housing.**

**POLICIES**

**HOU 1.8.1 Energy Efficient Incentive Programs.** The County, by 2012, shall develop an incentive program to encourage residential construction that meets the energy efficiency criteria of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating systems, Florida Green Building Coalition (FGBC) certification, US Environmental Protection Agency (EPA) Energy Star program, or a similar third-party green building certification. The incentive program may include educational materials, expedited permitting, and/or public recognition.

**HOU 1.8.2 No Prohibition for Energy Conservation.** The County shall not prohibit the use of energy-efficient or alternative-energy practices for residences, such as photovoltaic panels, passive solar orientation of buildings, or strategic placement of landscaping materials to reduce energy consumption.

**HOU 1.8.3 Energy Efficiency Enforcement.** The County shall continue to enforce the minimum energy efficiency requirements of the Florida Building Code.



## **Chapter 10 Infrastructure Element.**

The purpose of the Infrastructure Element is to provide guidance in the provision of services necessary to accommodate existing and future development in a way that is environmentally sensitive, efficient, and cost-effective. Included within this Element are goals, objectives and policies regarding potable water provision, wastewater treatment, solid waste disposal, stormwater management and aquifer protection. The adequate provision of these services is intended to promote orderly growth within areas best suited to accommodate development, protect sensitive natural resource systems and rural and agricultural areas, and preserve the public health, safety, and general welfare of Escambia County's citizens.

### **GOAL INF 1 WASTEWATER**

**Escambia County shall ensure the provision of environmentally safe and efficient wastewater collection, treatment, and disposal concurrent with the demand for such services.**

#### **OBJ INF 1.1 Provision of Wastewater Service**

**Ensure the safe and efficient provision of wastewater services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies and protection of natural resources.**

### **POLICIES**

**INF 1.1.1 Service Agreements.** Wastewater service shall be provided at established levels of service within Escambia County consistent with the Interlocal Agreement between the County and the Emerald Coast Utility Authority (ECUA), the Escambia County Utilities Authority Act, Chapter 2001-324, Laws of Florida, and agreements with other wastewater providers.

**INF 1.1.2 Provider Consistency with Plan.** Escambia County shall coordinate with ECUA and other providers relative to their capital improvements and program formulation to assure consistency with this Comprehensive Plan.

**INF 1.1.3 Effluent Disposal.** Escambia County shall cooperate with and assist appropriate regulatory agencies and central sewer systems to provide for additional techniques and methods for effluent disposal so as to improve the ability of ECUA (and other providers) to obtain the requisite permits for treatment upgrades and capacity expansions as they become necessary.

**INF 1.1.4 Required Septic Tank Retirement.** Escambia County shall, in coordination with the Escambia County Health Department and wastewater service providers, require all onsite sewage treatment and disposal system (i.e.,

septic tank) users to connect to an available central sewer system within the times prescribed by Section 381.00655, Florida Statutes. Sewer availability shall also be as defined in Florida Statutes.

**INF 1.1.5 Service Location Principles.** Public wastewater services shall be located in a manner that minimizes their cost and negative impacts on the natural environment and maximizes their efficiency. Escambia County will cooperate, assist, and encourage the service providers to provide wastewater service within the urbanized areas, and to limit extensions of wastewater infrastructure into rural areas.

**INF 1.1.6 Package Treatment Plants.** Escambia County shall encourage owners of package treatment plants not in compliance with Florida Department of Environmental Protection (FDEP) permit requirements to connect their systems to the ECUA regional system where available. Package plants will be permitted in rural areas when such plants are necessary to protect the health and safety of citizens or to preserve important resources.

**INF 1.1.7 Coordination on System Expansions.** Escambia County shall coordinate with ECUA and other wastewater service providers on the extensions of sanitary sewer collection lines and the siting or increase in capacity of wastewater treatment facilities to meet future needs.

**INF 1.1.8 Concurrency Management.** Escambia County shall ensure the maintenance of Level of Service (LOS) standards through implementation of the County's Concurrency Management System and consistency with the Capital Improvements Element.

**INF 1.1.9 Level of Service (LOS) Standards.** Average LOS standard for wastewater service shall be 210 gallons per residential connection per day and the peak LOS shall be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements shall be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County shall continue to work with the water providers to ensure adequate capacity is available.

**INF 1.1.10 Facility Funding.** The construction, maintenance and operation of facilities will be the responsibility of ECUA or other service providers and funded by user fees, special assessments, developer contributions and state or federal grants or other means. Escambia County may consider additional funding mechanisms as appropriate.

**INF 1.1.11 LOS Monitoring.** Escambia County shall monitor development to ensure that the LOS standards are maintained concurrent with development, consistent with the Capital Improvements Element.

**INF 1.1.12 LOS Evaluation and Revision.** By December 2011, Escambia County shall develop a report evaluating the current Level of Service standard for wastewater service provision. This report shall examine alternative LOS standards and establish a five-year plan to achieve and maintain a LOS that is sufficient to meet the County's projected needs. Upon completion of this report, recommendations for revisions to adopted LOS standards and other related policies identified within this report shall be adopted as amendments to the Escambia County Comprehensive Plan within 18 months. The LOS will be maintained before, during and after study period. The purpose of the proposed study is to evaluate and, if necessary, revise the current LOS standards for potable water and wastewater.

**INF 1.1.13 Required New Service Connection.** All new structures intended for human occupancy shall connect to the ECUA wastewater system unless ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA wastewater system shall not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.

## **GOAL INF 2 SOLID WASTE**

**Escambia County shall ensure the provision of environmentally safe and cost effective solid waste collection and disposal concurrent with the demand for such services.**

### **OBJ INF 2.1 Provisions of Solid Waste Services**

**Ensure the safe and efficient provision of solid waste services through coordination with service providers, maximized use of existing landfill facilities, maintenance of appropriate levels of service, promotion of recycling and reuse, and protection of natural resources.**

## **POLICIES**

**INF 2.1.1 Facility Funding.** The construction, maintenance, and operation of solid waste facilities will be funded by user fees.

**INF 2.1.2 Perdido Landfill Operation.** Escambia County shall provide and operate the Perdido Landfill so as to accommodate the municipal solid waste disposal needs of the entire County.

**INF 2.1.3 Perdido Landfill Expansion.** Escambia County shall acquire property adjacent to the Perdido Landfill so as to accommodate the long-term expansion of the facility and provide solid waste disposal capacity for future generations.

**INF 2.1.4 Level of Service (LOS) Standards.** The LOS standard for solid waste disposal shall be 6 pounds per capita per day.

**INF 2.1.5 Concurrency Management.** Escambia County shall continuously monitor growth and development to ensure that the LOS standard is maintained concurrent with development, consistent with the Capital Improvements Element.

**INF 2.1.6 LOS Evaluation and Revision.** By December 2011, Escambia County shall develop a report evaluating the current LOS standard for solid waste service provision. This report shall examine alternative LOS standards and establish a five-year plan to achieve and maintain a LOS that is sufficient to meet the County's projected needs. Upon completion of this report, recommendations for revisions to adopted LOS standards and other related policies identified within this report shall be adopted as amendments to the Escambia County Comprehensive Plan within 18 months.

**INF 2.1.7 Recycling Program.** Escambia County shall cooperate with ECUA, franchised haulers and other entities involved in the collection or generation of solid waste and recycling of waste products, in the continued development and implementation of a recycling program within the County. It is the goal of Escambia County to comply with the statewide goal of reducing the amount of recyclable solid waste disposed of in waste management facilities, landfills or incineration facilities by at least 75 percent by 2020.

**INF 2.1.8 Recycling Education.** Escambia County shall continue its public education and information campaigns aimed at informing the general public and specific solid waste generators of the benefits of recycling and other techniques designed to improve the useful life of the municipal solid waste management facilities within the County.

### **GOAL INF 3 STORMWATER MANAGEMENT**

**Escambia County shall ensure the provision of environmentally safe and efficient stormwater management concurrent with the demand for such services.**

#### **OBJ INF 3.1 Provision of Stormwater Management**

**Ensure the safe and efficient provision of stormwater management through maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies and protection of natural resources.**

## **POLICIES**

**INF 3.1.1 Existing Deficiencies.** Escambia County shall not issue development permits for projects, which fail to meet the design and performance criteria for correcting existing deficiencies.

**INF 3.1.2 County System Improvements.** Escambia County shall continue its practice of enhancing localized and regional drainage systems to increase the LOS associated with development prior to current stormwater management requirements.

**INF 3.1.3 Maintenance and Inspection.** Escambia County shall continue its periodic inspection and maintenance program of stormwater control structures to insure the proper functioning of such structures.

**INF 3.1.4 Stormwater Management Enforcement.** Escambia County shall continue enforcement of its stormwater management ordinance, consistent with the Capital Improvements Element and in cooperation with the municipalities and regulatory agencies, pursuant to the detailed guidance provided by Escambia County's stormwater management plan.

**INF 3.1.5 Vegetated Drainage Swales.** Where soil conditions permit, Escambia County may allow the use of vegetated swales on all new roadways and drainage rights-of-way.

**INF 3.1.6 Facility Improvement Planning.** Escambia County shall utilize the best available information contained in the 1994 Stormwater Management Plan and its subsequent updates to assist in the planning of capital stormwater projects. The goal of the project planning shall be to retrofit existing areas of the County to as near to current stormwater levels of service as possible. Updated information shall be added to the stormwater management plan as funding allows, to support development and allow planning staff to plan for the future and minimize or eliminate facility deficiencies.

**INF 3.1.7 Concurrency Management.** Escambia County shall ensure the provision of stormwater management facilities concurrent with the demand for such facilities as created by development or redevelopment through implementation of the Concurrency Management System.

**INF 3.1.8 Developer Responsibilities.** Installation of stormwater management facilities made necessary by new development shall be the responsibility of the developer.

**INF 3.1.9 Level of Service (LOS) Standards.** Stormwater management LOS standards shall be considered met if the application includes a stormwater management plan certified by a registered and licensed professional engineer

documenting the project's design, and subsequent construction is in compliance with the adopted LOS standard and such plan has been reviewed, inspected and approved by the County Engineer or designee. The minimum standards to be certified are:

- a. The post development run-off rate shall not exceed the pre-development run-off rate for a 25-year storm event, up to and including an event with greatest intensity. However, the County Engineer may reduce detention/retention storage requirements for developments that provide a direct discharge of treated stormwater to the Gulf of Mexico, Escambia Bay, Pensacola Bay, or Perdido Bay.
- b. Compliance with environmental resource permitting and other stormwater design and performance standards of the Florida Department of Environmental Protection and Northwest Florida Water Management District as prescribed in the Florida Administrative Code.
- c. The contribution of the new development to any existing, functioning area-wide drainage system shall not degrade the ability of the area-wide system to adequately retain/detain/store and control stormwater run-off.
- d. The design and construction for all major channels of stormwater systems under arterial and collector roads shall be predicated upon, and designed to control stormwater from, at least a 100-year storm event.

**INF 3.1.10 Natural Drainage Features.** Existing functioning drainage features shall be utilized whenever sufficient capacity is available within such features. Utilization of natural drainage features shall be required when such use does not impact sensitive natural resources. The Land Development Code (LDC) shall include land use regulations that require site specific development plans to protect natural drainage features and incorporate such features into the site planning and development process.

**INF 3.1.11 Untreated Stormwater.** Channeling untreated run-off directly into receiving waters shall be prohibited. Thus, no new "direct" discharge of untreated stormwater shall be permitted. Note: For the purposes of this plan, adequate vegetative filtration of sheet flow from pervious surfaces may be considered "treatment".

#### **GOAL INF 4 POTABLE WATER**

**Escambia County shall ensure provision of environmentally safe and efficient potable water procurement, treatment and distribution concurrent with the demand for such services.**



## **OBJ INF 4.1 Provision of Potable Water Service**

**Ensure the safe and efficient provision of potable water services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, water conservation and protection of natural resources.**

### **POLICIES**

**INF 4.1.1 Service Agreements.** Potable water service shall be provided at established levels of service within Escambia County consistent with the Interlocal Agreement between the County and ECUA, the Escambia County Utilities Authority Act and franchise agreements between Escambia County and other water service providers that were in operation on August 1, 1981.

**INF 4.1.2 Cooperation with Service Providers.** Escambia County shall cooperate with the various water service providers to provide for the timely and efficient provision of potable water facilities or to correct facility deficiencies.

**INF 4.1.3 Existing Facility Utilization.** The LDC shall contain provisions, regulations and incentives to encourage new development to utilize existing potable water facilities and systems to serve the needs of the development.

**INF 4.1.4 Concurrency Management.** Escambia County shall ensure the provision of potable water facilities concurrent with the demand for such facilities, but no later than the certificate of occupancy, as created by development or redevelopment through implementation of the Concurrency Management System.

**INF 4.1.5 Facility Funding.** All costs for potable water facilities shall be the responsibility of the service providers and shall be funded by user fees, special assessments, developer contributions and state or federal grants or other means. Escambia County may consider additional funding mechanisms as appropriate.

**INF 4.1.6 Developer Responsibility.** The cost of water line extensions made necessary by new development shall be the responsibility of the developer unless otherwise funded by the service provider.

**INF 4.1.7 Level of Service (LOS) Standards.** The LOS standard for potable water service within Escambia County shall be 250 gallons per residential connection per day. For non-residential uses, the LOS requirements shall be based upon an Equivalent Residential Connection (ERC) to be calculated by the service provider at the time of application. Escambia County shall continue to work with the water providers to ensure adequate capacity is available.

**INF 4.1.8 LOS Compliance Agreements.** Escambia County shall implement the Interlocal Agreement between Escambia County and the ECUA, and shall execute agreements with the other entities providing water service in the unincorporated areas of Escambia County, to establish procedures for assurance of compliance with LOS standards.

**INF 4.1.9 LOS Evaluation and Revision.** By December 2011, Escambia County shall develop a report evaluating the current LOS standard for potable water service provision. This report shall examine alternative LOS standards and establish a five-year plan to achieve and maintain a LOS that is sufficient to meet the County's projected needs. Upon completion of this report, recommendations for revisions to adopted LOS standards and other related policies identified within this report shall be adopted as amendments to the Escambia County Comprehensive Plan within 18 months.

**INF 4.1.10 Conservation and Monitoring.** Escambia County shall promote conservation of potable water resources and periodically monitor per capita water consumption to confirm decreases over the planning time frame.

**INF 4.1.11 Mandated Conservation Measures.** Escambia County shall require compliance with all state and federal mandated water conservation measures.

**INF 4.1.12 Area of Water Resource Concern.** An area of water resources concern may be established by the Northwest Florida Water Management District (NFWFMD) to protect the area's water resources from depletion, salt water intrusion, or contamination, or from any other activity, which may substantially affect the quality or quantity of the area's water resources. Within such area, the NFWFMD may establish lower permit thresholds, maximum and minimum levels, and stipulate any limiting conditions as necessary to monitor, manage, and control the use of water. Escambia County shall cooperate with the NFWFMD in its enforcement of regulations if an area of water resources concern is established within Escambia County.

**INF 4.1.13 Additional Conservation Opportunities.** Escambia County shall implement water conservation measures for County owned and operated facilities. These measures may include, but not be limited to, the use of reclaimed water for irrigation and the use of drought tolerant landscaping. In addition, the County shall explore opportunities for establishing and coordinating water conservation programs with local potable water providers.

## **GOAL INF 5 AQUIFER RECHARGE PROTECTION**

**Escambia County shall protect and provide for the rainfall recharge of the sand and gravel aquifer, the principal source of the County's potable water.**

## **OBJ INF 5.1 Aquifer Protection**

**Utilize LDC provisions, state funding, aquifer modeling, and other tools and resources to safeguard the long-term integrity of the sand and gravel aquifer.**

### **POLICIES**

**INF 5.1.1 Groundwater Recharge Protection.** Escambia County shall, through LDC provisions, protect groundwater recharge quantity and quality by regulating lot coverage, extent of impervious surfaces, land uses, open space and stormwater management throughout the County.

**INF 5.1.2 Abandoned Wells.** Escambia County shall cooperate with the NFWFMD to obtain state funding for an abandoned well plugging program, including requests to the legislature to fund the program. Further, Escambia County and its officials shall notify the NFWFMD anytime information becomes available to the County regarding the location, or possible location, of an abandoned well. County officials shall immediately communicate the location of any abandoned well to the NFWFMD so that the district may initiate appropriate actions.

**INF 5.1.3 Wellhead Protection.** Wellhead protection zones shall be located based in part upon the most current NFWFMD three-dimensional sand and gravel aquifer computer model. Compliance with design and performance standards pursuant to Chapter 62.532 Florida Administrative Code, is required to adopt FDEP minimum wellhead protection standards. The Potable Wells Wellhead Protection Areas Map is attached herein to this ordinance as Exhibit I.

**INF 5.1.4 Cooperation.** Escambia County shall cooperate with ECUA, the City of Pensacola and the NFWFMD in the use and application of the three-dimensional sand and gravel aquifer computer model and use the results of the model in the protection of public potable water wells and wellfields. The method of cooperation between Escambia County and the other agencies will be embodied within an Interlocal Agreement.

**INF 5.1.5 Development Review.** Escambia County shall employ the three-dimensional sand and gravel aquifer computer model in reviewing applications for development approval in areas with public potable water system wells as defined by statute.

## **Chapter 11 Coastal Management Element.**

The purpose of the Coastal Management Element is to address both the natural hazards and the natural resources particular to Escambia County as a coastal county. The element establishes the necessary protection from hazards, including limiting public expenditures that subsidize development in areas subject to natural disasters. Additionally, the element ensures an orderly and balanced utilization of coastal zone resources that conserves and restores their quality.

### **GOAL COA 1 HAZARD MITIGATION**

**Escambia County shall reduce the exposure of people and property to natural hazards and limit public expenditures in coastal areas subject to destruction by natural disaster.**

#### **OBJ COA 1.1 General Hazard Mitigation**

**Reduce the exposure of people and property to natural hazards.**

#### **POLICIES**

**COA 1.1.1 Building Code.** Escambia County shall, through adoption of the Florida Building Code, regulate the construction, alteration, use, maintenance and other aspects of buildings and structures to minimize the exposure to wind, flood, fire and other hazards.

**COA 1.1.2 Flood Hazard Maps.** Escambia County shall, through Land Development Code (LDC) provisions and adoption of the County Flood Insurance Study with accompanying Flood Insurance Rate Maps, regulate land use and development within areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA).

**COA 1.1.3 Flood Elevation.** Escambia County shall, as supported by federal emergency management regulations (Title 44, Code of Federal Regulations (CFR) 60.1) and the County's experience of significant flood hazard events, require additional height above the base flood elevation to more effectively reduce the exposure of people and property to losses from flood hazards.

**COA 1.1.4 Beach and Dune Systems.** The County shall protect and enhance the primary dune system. The LDC shall contain provisions requiring dune protection and shall specifically require the planting of sea oats by new development in primary dune areas. dune enhancement projects shall through the local hazard mitigation strategy. Dune enhancement projects may include the planting of native salt tolerant dune vegetation, installation of sand fences, beach/dune renourishment, and other similar activities that assure the existence, integrity and function of dunes.

COA 1.1.5 **Stormwater Management.** Escambia County shall, through LDC provisions and periodic drainage basin studies, improve existing public stormwater management systems and assure the provision of adequate drainage facilities concurrent with the demand for such facilities to reduce the exposure of people and property to flood hazards.

COA 1.1.6 **Wastewater Systems.** Escambia County shall, through LDC provisions and coordination with sanitary sewer providers, expand environmentally safe and efficient wastewater collection, treatment and disposal systems, especially in developed areas where elimination of septic tanks may improve public health and safety through reduced contamination of surface water and groundwater resources.

COA 1.1.7 **Future Land Use and Zoning.** Escambia County shall, through Future Land Use categories, zoning districts, and LDC provisions, regulate land use and development to reduce the exposure of people and property to natural hazards.

COA 1.1.8 **Mitigation Strategy.** Escambia County shall, particularly through the Local Mitigation Strategy (LMS), coordinate with other local and regional governing and regulating authorities, private and civic organizations, and others with interest in mitigation strategies and initiatives, to reduce the exposure of people and property to natural hazards.

COA 1.1.9 **Emergency Management.** Escambia County shall update and implement its Comprehensive Emergency Management Plan, utilizing best available information and data, including recommendations and guidance provided in the Northwest Florida Hurricane Study (U.S. Army Corps of Engineers, July 1999), the Escambia County Hurricane Evacuation Clearance Time Model prepared by PBS&J, subsequent revisions to these, and other appropriate sources as they become available.

COA 1.1.10 **Report Recommendations.** Escambia County shall incorporate recommendations from various interagency hazard mitigation reports, as practical.

## **OBJ COA 1.2 Coastal High-Hazard Area**

**Direct population concentrations away from coastal high-hazard areas, limiting development within those areas and any public expenditure that subsidizes development there.**

## **POLICIES**

COA 1.2.1 **Establishment and Adoption.** The Coastal High-Hazard Area (CHHA) of Escambia County shall be established as “the area below the elevation of the Category 1 Storm Surge Line as established by a Sea, Lake, and Overland Surges from Hurricane (SLOSH) computerized storm surge model.” Escambia County adopted the Coastal High-Hazard Area Map as the delineation of the CHHA and will use the most current SLOSH model to maintain the map. The CHHA Map is attached herein to this ordinance as Exhibit J.

COA 1.2.2 **Expenditure Limits.** Public expenditures within the CHHA shall be limited to the provision or support of recreation uses (i.e., parks), improvements required to increase public beach access, erosion control devices and infrastructure necessary to correct pre-existing deficiencies.

COA 1.2.3 **Facilities Criteria.** Escambia County shall not place new public facilities within the CHHA unless the following criteria are met:

- a. The facility is necessary to protect human lives or preserve important natural resources; and
- b. The service provided by the facility cannot be provided at another location outside the CHHA; and
- c. The facility is designed to provide the minimum capacity necessary to meet Level of Service (LOS) standards for its service area and its sizing is consistent with the densities and intensities reflected on the future land use map.

COA 1.2.4 **Infrastructure Inventory.** Escambia County shall maintain an inventory of infrastructure located within the CHHA. The 1995 report on coastal infrastructure shall be updated annually. The Comprehensive Plan Implementation Committee shall produce a report for consideration by the Escambia County Board of County Commissioners (BCC) that presents opportunities to relocate or replace such infrastructure.

COA 1.2.5 **Prohibited Uses.** Escambia County shall, through LDC provisions, prohibit the location of new group homes, nursing homes, or other uses that have special evacuation requirements in the CHHA.

COA 1.2.6 **Mobile Home Development.** The Escambia County shall, through LDC provisions, not allow new mobile home developments within the CHHA.

COA 1.2.7 **Post-disaster Assessment.** Escambia County staff shall, as part of the post-disaster review of a hurricane or other major storm event, reassess the current and future populations within the CHHA and provide recommendations to the BCC within 12 months of the storm event.



## **OBJ COA 1.3 Population Evacuation**

**Maintain the capability to promptly and safely evacuate people from hazard prone areas in the event of an impending hurricane or other natural disaster.**

### **POLICIES**

**COA 1.3.1 Evacuation Zones.** Escambia County shall establish and maintain hurricane evacuation zones based on storm intensity categories.

**COA 1.3.2 Infrastructure Improvements.** Escambia County shall, by ordinance, provide for funding sources for infrastructure improvements necessary to meet hurricane evacuation standards including, but not limited to, the creation of tax increment financing districts. Following the adoption of any such ordinance, the Five-Year Schedule of Capital Improvements shall be amended to identify the tax increment, or other financing funds allocated and available for each infrastructure improvement. The identification and availability of such funding shall be a prerequisite to approval of any development that requires an increase or expansion of infrastructure.

**COA 1.3.3 Roadway Clearance Times.** Escambia County shall maintain a 12-hour roadway clearance time for hurricane evacuation to the nearest shelter that is reasonably expected to accommodate existing residents, a percentage of tourists, and any new residents that are expected from development approvals or potential future land use amendments that increase density. Time to the nearest shelter with adequate capacity shall be assessed based upon a category five storm event as measured on the Saffir-Simpson scale.

**COA 1.3.4 Transportation Planning.** Escambia County shall support critical roadway segment improvements through participation with the Florida-Alabama Transportation Planning Organization (TPO) and interaction with the Florida Department of Transportation (FDOT) to further reduce hurricane evacuation times. The Evacuation Routes / Evacuation Zones Map is attached herein to this ordinance as Exhibit K.

**COA 1.3.5 Special Needs Evacuees.** Escambia County shall implement the evacuation procedures for special needs evacuees as outlined in the Comprehensive Emergency Management Plan. The Division of Emergency Management will maintain a voluntary register of people who need assistance during an evacuation as required by Chapter 252, Florida Statutes. The Division of Emergency Management will ensure that an annually updated list of special needs shelters is available and maintained at the emergency operations center.

**COA 1.3.6 Interstate Highway Improvements.** Escambia County shall support improvements to the Interstate Highway System serving northwest Florida.

Specifically, the County shall support and encourage the construction of a new segment of interstate connecting I-10 and I-65; however, the County's support is contingent upon the location of the connecting segment being within or in close proximity to Escambia County so as to provide improved hurricane evacuation times from the County's coastal areas.

**COA 1.3.7 Coordination with Alabama.** Escambia County will continue yearly intergovernmental coordination efforts with State of Alabama officials regarding hurricane evacuation.

**COA 1.3.8 Development Impact Analysis.** The Comprehensive Plan Implementation Annual Report shall include an analysis of proposed and new developments' impact on hurricane evacuation times. The BCC, upon receipt of the report from the Local Planning Agency (LPA), will address any deficiencies identified in the report and take corrective measures as necessary. The report and recommendations will consider the actual development that has occurred during the evaluation period (preceding 12 months) as well as the projected development anticipated to be approved during the succeeding evaluation period. The needed corrective actions by the BCC will maintain or reduce the County's adopted roadway clearance time.

**COA 1.3.9 Development Orders.** All development order applications that propose 50 or more dwelling and/or lodging units (on a one-time or cumulative basis) within the CHHA shall be evaluated for impact to roadway evacuation times to shelter. Additionally, through LDC provisions, the County may require such evaluation of other developments based on the number and location of new units proposed. Escambia County shall not issue a development order for a project if it is determined that the proposed development would cause the adopted roadway evacuation time for hurricane evacuation to shelter to be exceeded.

Hurricane evacuation times shall be evaluated based on all existing and vested development in the County, including individual building permits for buildings that are not part of a larger development plan approval.

**COA 1.3.10 Notifications.** Escambia County shall notify households of their need to evacuate at various threat levels. Hotels, motels and other similar facilities shall conspicuously post the need for evacuation, evacuation routes and shelter locations.

**COA 1.3.11 Roadway Lane Changes.** Escambia County shall allow reverse laning on multi-lane roadways and evacuation routes during evacuation events in cooperation with public safety officials (Florida Highway Patrol, Escambia County Sheriff's Office, Gulf Breeze and Pensacola Police Departments, etc.).

COA 1.3.12 **Shelter Locations.** The Escambia County Division of Emergency Management shall identify appropriate shelter locations for evacuees. The Division of Emergency Management shall work with the Escambia County School District, the University of West Florida, Pensacola Junior College, and the Northwest Florida Chapter of the American Red Cross (ARC) to identify additional shelter capacity, based on ARC 4496 structural criteria, through mitigation projects and the incorporation of enhanced hurricane protection areas into new construction projects. The County may establish a County-wide fee to pay for hurricane evacuation shelters and other necessary mitigation measures, operational capabilities, and infrastructure necessary to maintain the adopted hurricane evacuation LOS.

COA 1.3.13 **Adopted Routes.** Escambia County's Hurricane Evacuation Route Map identifies the adopted hurricane evacuation routes.

COA 1.3.14 **Roadway Improvements.** Escambia County shall promote, to the greatest extent possible, roadway improvements identified by state and local transportation organizations as critical to hurricane evacuation.

#### **OBJ COA 1.4 Redevelopment**

**Reduce or eliminate unsafe conditions and inappropriate land use through post-disaster redevelopment and as other opportunities occur.**

#### **POLICIES**

COA 1.4.1 **National Flood Insurance.** Escambia County shall participate in the National Flood Insurance Program (NFIP) in conformance with Public Law 93-288.

COA 1.4.2 **Post-Disaster Plan.** Escambia County shall implement the Post Disaster Redevelopment Plan whose purpose is to reduce or eliminate the exposure of human life and public and private properties to natural hazards. Additionally, the plan distinguishes between immediate repair and cleanup actions needed to protect public health and safety and long-term repair and redevelopment activities. To assist with the implementation of this policy, the County shall maintain an inventory of areas that have experienced repeated damage from coastal storms. The County will use the inventory in guiding and directing redevelopment activities, including those activities associated with repairing or relocating infrastructure.

COA 1.4.3 **Priority Recovery Actions.** Escambia County shall give permitting priority to immediate recovery actions needed to protect public health and safety following hurricane storm events or natural disasters. Such priority actions will include, but not be limited to, debris removal; roadway and infrastructure repair; water use restrictions, if necessary; access restrictions, if required to protect lives

or property; and other similar activities needed to assure the safe movement of people, goods and supplies within the impacted area. Long-term repair or recovery actions, such as relocating infrastructure, rebuilding of damaged structures and the like, will be distinguished from the short-term actions herein described.

**COA 1.4.4 Structure Damage Criteria.** The Post Disaster Redevelopment Plan shall be re-evaluated within one (1) year of a disaster or a minimum of every five (5) years if no disasters occur. The Post Disaster Redevelopment Plan will provide a process and criteria for the relocation, removal or modification of damaged structures. The criteria will include, but not be limited to:

- a. Compliance with national flood insurance minimum elevation and construction standards;
- b. Conformance with coastal construction standards pursuant to Chapter 161, Florida Statutes;
- c. Hazard mitigation sufficiency;
- d. Extent of damage;
- e. The impact the removal or modification of the structure would have on:
  1. Important natural resources;
  2. Infrastructure;
  3. The need to protect lives and property;
  4. Financial feasibility; and
- f. Consistency with the requests, recommendations or permits issued by state or federal regulatory agencies.

**COA 1.4.5 Public Safety Recommendations.** The Escambia County Public Safety Official shall make recommendations to the BCC, as needed, regarding Comprehensive Plan and ordinance amendments to insure consistency with the Comprehensive Emergency Management Plan and applicable inter-agency hazard mitigation reports.

**COA 1.4.6 Intergovernmental Task Force.** An Intergovernmental Task Force, as outlined in the Post Disaster Redevelopment Plan, shall foster cooperation between local governments during pre-disaster planning, post-disaster mitigation analysis, and redevelopment. Additionally, the task force will be activated and mobilized for a minimum of 60 days following a disaster declaration. The task force will make recommendations concerning predisaster planning, post-disaster mitigation analysis, and redevelopment for inclusion in the Comprehensive Plan Implementation Annual Report of every fiscal year during which it was mobilized.

**COA 1.4.7 Local Mitigation Strategy.** Escambia County shall maintain and update the adopted LMS (approved by FEMA in 2004) at five-year intervals. The Planning Official shall ensure LMS coordination among the County's Emergency Management, the Emergency Medical Services, 911 Communication, Fire

Services, law enforcement agencies, ARC, civic groups, other local, state, and regional agencies and Escambia County planning staff to predict and assign future responsibilities for pre-disaster planning, response, recovery, and mitigation activities.

### **OBJ COA 1.5 Levels of Service**

**Ensure that satisfactory LOS standards, consistent with Escambia County Concurrency Management System, are maintained within the coastal area.**

#### **POLICIES**

**COA.1.5.1 Concurrency Management.** Escambia County will ensure that required infrastructure is available to serve proposed development or redevelopment in the coastal areas by implementing the concurrency management system described in the Concurrency Management System Element and implemented through the Infrastructure, Mobility and Capital Improvement Elements.

**COA 1.5.2 Evacuation Requirements.** All proposed development or redevelopment within the coastal area shall be consistent with safe evacuation requirements established by this plan and the Escambia County LDC.

### **GOAL COA 2 COASTAL RESOURCE PROTECTION**

**Escambia County shall maintain, restore, and enhance the overall quality of the coastal environment, utilizing and preserving all coastal resources consistent with sound conservation principles, including restricting development activities.**

#### **OBJ COA 2.1 General Coastal Resource Protection**

**Protect, conserve, and enhance coastal ecosystems, environmentally sensitive areas, water resources, living marine resources, remaining coastal barriers, wildlife habitats and other natural coastal resources.**

#### **POLICIES**

**COA 2.1.1 Consistency with Plan.** In addition to the provisions of the Coastal Management Element, the coastal ecosystems, environmentally sensitive areas, water resources, living marine resources, remaining coastal barriers, wildlife habitats, and other natural coastal resources of Escambia County shall be protected, conserved and enhanced consistent with the goals, objectives and policies of the Conservation Element of this plan.

**COA 2.1.2 Resource Monitoring.** Escambia County staff shall monitor the resources referenced in Objective COA 2.1 and provide recommendations to the BCC regarding their protection, conservation, and enhancement. Monitoring data and recommendations shall be included in the Comprehensive Plan Implementation Annual Report and shall include at least:

- a. Changes in the total acreage of coastal wetlands and the extent of coastal wetland communities;
- b. Changes in the volume of the commercial fish catch and the amount of fish and shellfish annually landed;
- c. Changes in acreage of protected land on barrier islands; and
- d. Changes in acreage of coastal lands held for conservation and recreation use.

**COA 2.1.3 Development Impact Limits.** Escambia County shall, through LDC provisions and other measures, limit the specific and cumulative impacts of development or redevelopment upon the resources referenced in Objective COA 2.1.

**COA 2.1.4 Habitat Conservation.** Escambia County shall protect the habitat of protected species on Perdido Key through the development and implementation of a comprehensive Habitat Conservation Plan in coordination with the U.S. Fish and Wildlife Services (FWS) and the Florida Fish and Wildlife Conservation Commission (FFWCC). Until the Habitat Conservation Plan becomes effective, the County shall implement an existing Intergovernmental Coordination Agreement that requires permit coordination and mitigation for any habitat of a listed species that is taken.

**COA 2.1.5 Interlocal Agreements.** Escambia County shall protect estuaries within the jurisdiction of the County and other local governments through Interlocal Agreements with the City of Pensacola, the City of Gulf Breeze, and Santa Rosa County. The agreements will establish procedures whereby each government will be afforded the opportunity to review development proposals that affect Escambia Bay, Santa Rosa Sound, East Bay or other water bodies deemed appropriate. The agreements shall ensure that adequate sites for water dependent uses are made available, estuarine pollution is prevented, surface water runoff is controlled, living marine resources are protected, exposure to natural hazards is reduced and public access to the shorelines is maintained.

## **OBJ COA 2.2 Shoreline Use Protection**

**Preserve adequate shoreline for public access and recreational and commercial water-dependent and water-related uses.**



## **POLICIES**

COA 2.2.1 **Structure Setbacks.** Escambia County shall require natural shorelines wherever possible. Development shall be required to provide adequate setbacks for structures other than water-dependent/water-related and stormwater management. A minimum 15' setback is required for construction activities proposed along shorelines. The setback shall be measured from the mean high water line.

Exemptions: Bulkheads, gazebos, docks, walkways, piers, and boathouses may be constructed within this setback.

COA 2.2.2 **Shoreline Siting Priorities.** Escambia County shall, through zoning districts and LDC provisions, regulate shoreline land uses. Additionally, the uses shall be limited to the following, listed in descending order of priority:

- a. Conservation or recreation;
- b. Water-dependent commercial/industrial;
- c. Residential;
- d. Water-related commercial/industrial.

COA 2.2.3 **Waterfront Use Priorities.** Escambia County shall, through zoning districts and LDC provisions, regulate the siting of water-dependent and water-related commercial/industrial uses. Additionally, the uses shall be limited to the following, listed in descending order of priority:

- a. Public use marinas;
- b. Water-dependent utilities;
- c. Water-dependent industries and associated docking facilities;
- d. Docks for water-dependent industry;
- e. Water-related industries and associated docking facilities;
- f. Docks for water-related industry.

COA 2.2.4 **Marina Siting Regulations.** Escambia County shall, through LDC provisions, regulate the development of marinas and provide incentives to exceed minimum standards, to resist the impacts of natural disasters and minimize impacts to submerged aquatic vegetation and water quality.

COA 2.2.5 **Public Access.** Escambia County shall enforce the public access requirements of the Coastal Zone Protection Act of 1985 and shall include such requirements within the LDC.

COA 2.2.6 **County-Owned Sites.** Escambia County shall maintain County-owned shoreline or open space access sites and provide adequate parking facilities for each site.

COA 2.2.7 **Federal and State Assistance.** Escambia County shall seek all available federal and state financial assistance to increase public access to the shoreline.

COA 2.2.8 **Alternative Public Access.** Escambia County's development review process shall consider impacts of development or redevelopment on publicly established access ways to the beach. Developments that would preclude such access shall not be approved unless a comparable alternative access way is provided as a condition of development approval.

COA 2.2.9 **Public Access Acquisition.** Escambia County shall continually coordinate with local real estate professionals to develop, prioritize and update a list of shoreline sites for potential public acquisition with the intent to obtain title, easements or other ownership interest in areas commonly used for public access.

COA 2.2.10 **Public Access Inventory.** Escambia County shall maintain and update on a two-year cycle an inventory of public beach access facilities, including those in the coastal area, and periodically survey conditions at those sites.

COA 2.2.11 **Publicly-Maintained Shoreline.** Escambia County shall provide public access to shoreline nourished at public expense. This access shall be provided at one-half mile intervals or less, as practical.

## **OBJ COA 2.3 Beach and Dune Protection**

**Protect beaches and dunes and restore degraded beach and dune systems.**

### **POLICIES**

COA 2.3.1 **Dune Protection and Enhancement.** Escambia County shall protect and enhance the primary dune and other dune systems as appropriate. The County will seek funding for dune enhancement projects through the LMS. Dune enhancement projects may include the planting of native salt tolerant vegetation, installation of sand fences, beach/dune nourishment, and other similar activities that assure the existence, integrity and function of dunes.

COA 2.3.2 **Shoreline Protection Zones.** Escambia County shall establish shoreline protection zones and preserve beaches, dunes and other shoreline resources. For all gulf-front properties, the protection zone shall commence at the mean high water line and run landward to the 1975 Coastal Construction Control Line (CCCL). The County shall regulate within the zone by requiring a landward setback greater than or equal to the 1975 CCCL boundary for major structures, minor structures, and uninhabitable major structures. To prevent takings, Pensacola Beach gulf-front properties that have an insufficient building

area to rebuild or redevelop may request a variance to allow reconstruction of a similar structure provided that intrusion into Shoreline Protection Zone is reduced to the maximum extent possible.

**COA 2.3.3 State and Federal Permits.** No new construction seaward of the CCCL will be allowed until the applicant for such construction has obtained all necessary permits and approvals from state or federal regulatory agencies.

**COA 2.3.4 Beach and Shoreline Regulations.** Escambia County shall protect beach and shoreline systems. These regulating provisions shall be reviewed annually for the Comprehensive Plan Implementation Annual Report and updated as necessary to address concerns and issues including, but not limited to, the following:

- a. "White Sand" regulations;
- b. Shoreline protection zone;
- c. CCCL-related regulations;
- d. Dune replenishment, enhancement and re-vegetation programs;
- and
- e. Wetland and environmentally sensitive area regulations.

**COA 2.3.5 Beach Nourishment Assistance.** Escambia County shall continue its practice of cooperating with, and encouraging, the U.S. Army Corps of Engineers (ACOE) and the Florida Department of Environmental Protection (FDEP) to nourish public beaches using white sand made available by maintenance dredging of Pensacola Pass, the bays, bayous and/or sound, or other water bodies within or near Escambia County.

**COA 2.3.6 Beach Hardening Restrictions.** No hardening (seawalls, break waters, revetments, etc.) of gulf beaches shall be allowed unless such hardening has been determined to have an overriding public purpose. Such determination, by necessity, will be made cooperatively between all regulatory agencies having authority over the gulf beaches.

**COA 2.3.7 State and Federal Funds.** Through the LMS, Escambia County shall jointly seek state or federal funding, for the development and establishment of a "Dune Restoration and Protection Program" that will be applicable to all County-owned shoreline areas.

**COA 2.3.8 Conservation and Recreation Future Land Use.** Escambia County shall implement provisions applicable to the designated Recreation (REC) and Conservation (CON) future land use areas on Santa Rosa Island and Perdido Key that provide for public use and recreation while maintaining the important natural features, functions, and habitats of the areas. The provisions shall minimize the impacts of development on sensitive natural systems and will include:

- a. Prevention of motor vehicle traffic on beaches and dune areas, excluding publicly authorized vehicles;
- b. Prevention of destruction of native vegetation from beach pedestrian traffic by providing boardwalks and dune walkover structures;
- c. Improvement of parking at high-use beach sites;
- d. Placement of secure bicycle racks at beach sites to encourage bicycle transportation;
- e. The preparation and implementation of techniques needed to protect established or identified nesting bird colonies, including restrictions on public access to such nesting areas; and
- f. Limitations on public access or the provision of alternate routes in environmentally sensitive beach dune areas (i.e., dunes undergoing restabilization).

## **Chapter 12 Conservation Element.**

The purpose of the Conservation Element is to ensure the protection of Escambia County's natural resources. The conservation and appropriate use of these resources is critical to maintaining a high quality of life for County residents and ensuring sustainable economic growth. The goals, objectives and policies of this element are intended to guide the management of air, water, soil, mineral, vegetative, wildlife and other natural resources in fulfillment of this purpose without County duplication of federal and state requirements.

### **GOAL CON 1 RESOURCE MANAGEMENT**

**Escambia County shall conserve, protect and appropriately use all natural resources.**

#### **OBJ CON 1.1 General Resource Management**

**Effectively manage the natural resources of Escambia County through sound conservation principles.**

### **POLICIES**

**CON 1.1.1 Environmentally Sensitive Lands.** Escambia County shall inventory the County's environmentally sensitive lands as defined in Chapter 3, Definitions. The Escambia County Wetlands Map and the Escambia County Special Flood Hazard Areas Map are attached to this ordinance as Exhibits L and M, respectively.

**CON 1.1.2 Wetland and Habitat Indicators.** Escambia County has adopted and will use the National Wetlands Inventory Map, the Escambia County Soils Survey, and the Florida Fish and Wildlife Conservation Commission's (FWCC) LANDSAT imagery as indicators of the potential presence of wetlands or listed wildlife habitat in the review of applications for development approval. The Escambia County Hydric Soils Map is attached to this ordinance as Exhibit N.

**CON 1.1.3 Resource Status Indicators.** Escambia County shall utilize surveys, sampling, and other available data sources to assess indicators of natural resource gains or losses.

**CON 1.1.4 Species Diversity.** Escambia County shall maintain and enhance plant and animal species diversity and distribution within the County.

**CON 1.1.5 Open Space Minimums.** Escambia County shall provide incentives to exceed minimum standards to preserve or establish minimum open space within developments to ensure public health, safety, and welfare, to provide

recreational and aesthetic benefits, and to accommodate groundwater recharge, tree canopy cover, wildlife habitat and other natural resource functions.

**CON 1.1.6 Natural Reservation Protection.** Escambia County shall protect existing natural reservations as identified in the Recreation and Open Space Element, or as may additionally be created by action of the federal, state or County government.

**CON 1.1.7 Habitat Management.** Escambia County shall require a habitat management plan for those lands identified as providing listed species habitat within its jurisdiction. The habitat management plan shall be submitted and approved by the wildlife agency or agencies having jurisdiction over the species prior to the approval of the site plan or functional equivalent.

**CON 1.1.8 Habitat Protection.** Escambia County shall coordinate with the FDEP, FFWCC and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the County. The County shall provide to the appropriate regulatory agencies copies of applications for development approval anytime it is deemed that such development may impact fisheries, fishery habitats, wildlife habitats and/or other regulated marine or wildlife resources.

**CON 1.1.9 Endangered Species.** Escambia County shall not approve a development permit if construction pursuant to the permit would threaten the life or habitat of any state or federal listed species unless an Incidental Take permit or other approval has been granted from those state and/or federal agencies having jurisdiction over the resource.

**CON 1.1.10 Public Land Acquisition.** Escambia County shall develop and maintain a list of recommended areas for public acquisition. Such areas will include, but not be limited to, habitat for protected species and parcels that would further the establishment of connected greenways.

**CON 1.1.11 Public Land Restoration and Enhancement.** Escambia County shall continually work to restore and/or enhance degraded natural areas within publicly owned lands. Restoration or enhancement may include such activities as removal of nonnative vegetation, reforestation, shoreline or dune restoration, or restoration of natural hydrology.

## **OBJ CON 1.2 Air Resources**

**Maintain or improve ambient air quality to protect public health and the environment.**

## **POLICIES**

**CON 1.2.1 State and Federal Regulation.** Escambia County shall, through LDC provisions, require any development with emissions that may degrade air quality to comply with all applicable federal and state regulations regarding emission control. New development with the potential to emit air pollutants will be required to obtain the necessary permits from FDEP and/or the U.S. Environmental Protection Agency (EPA) prior to emission of any regulated quantities of pollutants.

**CON 1.2.2 County Enforcement Responsibilities.** Escambia County shall assist in the maintenance of air quality standards within its jurisdiction in conformance with state and federal air quality guidelines. The County shall notify the operator of any facility that is believed to be degrading air quality within the County of such degradation. In addition, the County shall notify the appropriate regulatory agency and encourage the agency to investigate the potential violation of air quality standards and guidelines.

**CON 1.2.3 Industrial Use Impacts.** Industrial land uses shall minimize their negative impacts on air quality. When incompatible with neighboring or proximate residential, conservation, or environmentally sensitive areas, industrial land uses shall be directed to alternative sites where their impacts are minimized.

**CON 1.2.4 County Vehicle Efficiency.** Escambia County shall establish a program to replace County-owned vehicles conventionally powered with gasoline or diesel fuel with higher efficiency hybrid vehicles or alternative fuel (i.e., natural gas) vehicles.

**CON 1.2.5 Open Burning Education.** Escambia County shall develop and implement a program to educate the public regarding County and state laws regulating open burning.

**CON 1.2.6 Transportation Alternatives.** Escambia County shall support and encourage carpooling, mass transit, non-motorized modes of transportation, and other efforts to reduce fuel consumption and motor vehicle miles traveled.

**CON 1.2.7 Motor Vehicle Pollution Reduction.** Escambia County shall continually pursue measures to reduce air pollution from motor vehicles. This will include minimizing waiting times at traffic lights, improving public transportation, and other transportation demand management techniques as referenced in this plan.

## **OBJ CON 1.3 Surface Water Resources**

**Protect and improve the quality, biological health, and natural function of all surface water systems to preserve their ecological and aesthetic values.**



## **POLICIES**

**CON 1.3.1 Stormwater Management.** Escambia County shall protect surface water quality by implementing the stormwater management policies of the Infrastructure Element to improve existing stormwater management systems and ensure the provision of stormwater management facilities concurrent with the demand for such facilities.

**CON 1.3.2 Agriculture Management Practices.** To minimize the potential for discharge of contaminants into water bodies designated as Outstanding Florida Waters and Aquatic Preserves, Escambia County shall coordinate with the Natural Resource Conservation Service (NRCS), or other agencies as deemed acceptable, to develop and implement best management practices (BMPs) for agricultural land uses and include provisions within the LDC that would require all agricultural land uses to implement these practices.

**CON 1.3.3 Silviculture Management Practices.** Escambia County shall allow silviculture and unimproved pastures within wetland areas provided the activities follow the BMPs as outlined in the current Silviculture Best Management Practices publications (Florida Department of Agriculture and Consumer Services, Division of Forestry).

**CON 1.3.4 Monitoring and Recommendations.** Escambia County shall utilize FDEP's annual water quality assessment and other sources to monitor surface water systems. Water quality ratings shall be monitored for the Escambia River, Pensacola Bay, Perdido Bay, and Perdido River basins and other locations as appropriate. Monitoring data and recommendations shall be included in the Comprehensive Plan Implementation Annual Report.

**CON 1.3.5 Studies and Programs.** Escambia County shall support existing studies and programs and the funding of future studies and programs that will determine water quality conditions, sediment conditions, sources of contamination, and necessary actions to improve conditions of surface water systems and their suitability for aquatic life. The County shall support actions necessary to improve and protect surface water systems.

**CON 1.3.6 Cooperative Cleanup Efforts.** Escambia County shall cooperate with federal, state and local agencies in their efforts to cleanup water bodies within and adjoining the County that have shown a documented decline in water quality and decreased suitability for indigenous aquatic life. Such cooperation shall include, but not be limited to, sharing of information and coordination with adjacent jurisdictions on applications for funding of cleanup and enhancement efforts in these areas.

**CON 1.3.7 Wetland Development Provisions.** Development in wetlands shall not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development in wetlands shall be restricted to allow residential density use at a maximum of one unit per five acres or to the density established by the future land use map containing the parcel, whichever is more restrictive, or one unit per lot of record if less than five acres in size. (For this policy, lots of record do not include contiguous multiple lots under single ownership.)

a. Prior to construction in wetlands, all necessary permits must have been issued by the FDEP, and/or NFWFMD, as required by the agency or agencies having jurisdiction, and delivered to the County.

b. With the exception of water-dependent uses, commercial and industrial land uses will not be located in wetlands that have a high degree of hydrological or biological significance, including the following types of wetlands:

1. Wetlands that are contiguous to Class II or Outstanding Florida Waters;
2. Wetlands located in the FEMA Special Flood Hazard Areas;
3. Wetlands that have a high degree of biodiversity (three or more focal species) or habitat value based on maps prepared by the Florida Fish and Wildlife Conservation Commission or Florida Natural Areas Inventory (see attached maps adopted as part of the comprehensive plan), unless a site survey demonstrates that there are no listed plant or animal species on the site. The Escambia County Biodiversity Hot Spots Map and the Escambia County Critical Habitat Map are attached to this Ordinance as Exhibits O and P, respectively.

**CON 1.3.8 Density Clustering.** Escambia County shall require buffers between development and environmentally sensitive areas including wetlands. The purpose of the buffer is to protect natural resources from the activities and impacts of development.

a. The buffer shall function to provide protection to the natural resources from intrusive activities and negative impacts of development such as trespass, pets, visual impacts, vehicles, noise, lights, and stormwater. Incompatibility between the uses shall be minimized or eliminated so that the land uses can co-exist over time with the environmentally sensitive area.

b. Buffer Types: The buffer may be a landscaped natural barrier, a natural barrier, or supplemented with fencing or other manmade barrier, so long as the function of the buffer and intent of the policy is fulfilled.

Buffers for Wetlands as defined by the Florida Department of Environmental Protection: A minimum buffer of 25' measured landward of the jurisdictional line is required. Intrusion into the buffer by development activities may be allowed provided a minimum 15' buffer remains and an equal amount of square feet of buffer loss is provided within the development site along the impacted wetland complex (limited buffer averaging). Escambia County shall include density clustering provisions in the LDC to avoid development in environmentally sensitive lands, conservation and preservation areas, and, wherever feasible, airfield influence planning districts (AIPD).

#### **OBJ CON 1.4 Groundwater Resources**

**Protect and conserve the quality and quantity of groundwater resources to ensure public health and safety, adequate potable water supplies.**

#### **POLICIES**

**CON 1.4.1 Wellhead Protection.** Escambia County shall provide comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions shall establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.

**CON 1.4.2 County Facilities Procedures.** Escambia County shall establish and implement standard operating procedures at all County-operated facilities that use, store, or dispose of materials that have the potential to contaminate groundwater if improperly handled.

**CON 1.4.3 Coordinated Water Supply Protection.** Escambia County shall coordinate with the Emerald Coast Utilities Authority (ECUA) and other water suppliers, the City of Pensacola, NFWFMD and the FDEP when implementing policies related to the protection of potable water resources.

**CON 1.4.4 Emergency Water Conservation.** In cooperation with NFWFMD, Escambia County shall implement any emergency water conservation plans necessary to protect the sand and gravel aquifer during periods of insufficient recharge.

#### **OBJ CON 1.5 Soil and Mineral Resources**

**Regulate the extraction of soil and mineral resources and other land disturbance activities to ensure uses and activities are compatible with site**

**conditions and to prevent adverse impacts to the quality of other resources, land uses, or activities.**

## **POLICIES**

**CON 1.5.1 Erosion Control.** Escambia County shall, through LDC provisions, address the use of appropriate erosion control measures during all construction and other land disturbance activities to minimize off-site migration of soil particles.

**CON 1.5.2 Extraction and Reclamation Limitations.** Resource extraction and reclamation activities are considered unique non-residential uses due to their transient nature and the eventual restoration of affected lands to post mining land uses. However, through LDC provisions, Escambia County shall prohibit resource extraction activities within environmentally sensitive areas that cannot be completely restored, within wellhead protection areas, within the Coastal High-Hazard Area (CHHA), within one-half mile of aquatic preserves, Class II waters, Shoreline Protection Zone 1, or Outstanding Florida Waters, and within all future land use categories except Agriculture, Rural Community, Industrial, and Public. Additionally, resource extraction in the form of borrow pits shall be prohibited abutting state and federal parks, within floodplains, or near existing residential uses, residential zoning districts, or subdivisions intended primarily for residential use. Reclamation activities to restore previously mined lands to an intended post-mining land use may be allowed in any future land use category.

**CON 1.5.3 Extraction and Reclamation Compatibility.** Escambia County shall permit extraction of soils and mineral resources and site reclamation only where compatible with adjacent land uses and where minimal resource degradation will occur. The determination of minimal degradation, if necessary, will be made in cooperation with the appropriate state or federal agencies regulating resource extraction and reclamation activities. The locations where these activities may be allowed, if not otherwise prohibited, shall be determined based on geological constraints and shall be regulated by the applicable zoning district and performance standards established for such activities within the LDC.

**CON 1.5.4 Extraction and Reclamation Review.** Escambia County shall subject all new or expanded resource extraction and reclamation activities to a mandatory development review process to assess technical standards for public safety, environmental protection, and engineering design. The review shall require:

- a. Protection of public health;
- b. Compliance with all applicable state and federal policies and regulations;
- c. Enforcement of the County's environmental and solid waste regulations;

- d. A reclamation plan to restore affected lands within a reasonable timeframe to the intended post-mining land use consistent with the surrounding environment;
- e. Buffers between resource extraction or reclamation activities and adjacent existing or allowed future uses;
- f. Maintenance of level of service standards for commercial traffic on access roadways; and
- g. Prevention of soil erosion or adverse effects to the quality of air, groundwater, surface water, wildlife, or other natural resources.

## **OBJ CON 1.6 Vegetation Resources**

**Require and encourage land development and landscaping practices that conserve, appropriately use, and protect native vegetation, and that maintain and enhance plant species diversity.**

### **POLICIES**

**CON 1.6.1 Urban Forest Preservation.** Escambia County defines the trees and other vegetation within and around the developed areas of the County as an urban forest, and recognizes that a healthy, diverse, and well-managed urban forest is an important public asset. The County shall preserve, maintain, and support the urban forest, requiring the maximum practical preservation of existing native vegetation with all development.

**CON 1.6.2 Identification and Protection.** Escambia County shall ensure the identification and protection of vegetation through LDC provisions that require protected trees and unique vegetative communities to be accurately located and described on development plans submitted for approval. In addition, the plans must include implementation provisions, such as effective temporary construction barricades, for the protection and preservation of vegetation not approved for removal. Unique vegetative communities include, but are not limited to, wetlands.

**CON 1.6.3 Tree Protection.** Escambia County shall protect trees through LDC provisions, giving priority to native hardwood species and consideration to tree condition, size, maturity, wind resistance, drought tolerance, species diversity, uniqueness (i.e., Champion), and historic association. Specific criteria shall be provided for exemptions from protection, including size, species, invasiveness, condition, structure, and emergencies.

**CON 1.6.4 Urban Forest Management.** Escambia County shall, through LDC provisions and other measures, sustain and promote the urban forest by:

- a. Increasing tree age and species diversity for long-term forest stability,
- b. Requiring sufficient planting of trees to compensate for removals,

- c. Increasing the proportion of wind-resistant trees to make future storms less devastating,
- d. Emphasizing the use of native species to reduce irrigation needs and improve plant establishment, survival, and vitality,
- e. Increasing tree canopy cover for effective shading, temperature moderation, stormwater abatement, and other benefits,
- f. Allowing or requiring appropriate removal of dying, diseased, damaged, hazardous, and invasive trees.

**CON 1.6.5 Impact Mitigation.** Escambia County shall, through LDC provisions, require mitigation to adequately offset the removal of protected vegetation. Protected tree removal shall require replacements and code provisions shall address quantity, quality, size, species, and location requirements. Additionally, the provisions shall allow in-lieu payments to the County for support of general tree replacement and restoration of functional benefits provided by the urban forest when tree replacements cannot be reasonably accommodated within the removal parcel.

**CON 1.6.6 Non-compliance Penalties.** Escambia County shall adopt monetary and other penalties to effectively discourage damage to, or removal of, protected trees and other vegetation without proper permitting.

**CON 1.6.7 Invasive Species Management.** Escambia County shall, through LDC provisions, require removal and continued management of any invasive tree or shrub species identified within the development site.

**CON 1.6.8 Florida-Friendly Landscaping.** Escambia County shall promote Florida friendly low-impact landscaping principles through LDC provisions and other measures to protect Florida's environment and preserve its natural resources.

**CON 1.6.9 Professional Standards.** Escambia County shall, through LDC provisions, require the application of professional arboricultural (e.g., International Society of Arboriculture) and horticultural standards and practices that provide for the protection and long-term survival of both existing and planted vegetation as part of an overall strategy to achieve landscape, habitat preservation, and open space objectives.

**CON 1.6.10 County Facilities Standards.** Escambia County shall attempt to exceed minimum landscape and vegetation preservations standards for County owned facilities.

**CON 1.6.11 Prescribed Burning.** Escambia County shall accommodate the use of prescribed burning as a tool to promote ecosystem health and wildfire prevention.

CON 1.6.12 **Intergovernmental Coordination.** Escambia County shall cooperate with adjacent local governments to conserve, appropriately use, and protect unique vegetative communities located within more than one local jurisdiction. Upon submission to the County, proposals for development that would impact unique vegetative communities located within more than one local government jurisdiction shall be provided to the affected local government by Escambia County.

## **OBJ CON 1.7 Hazardous Materials and Waste**

**Ensure the proper storage, use, and disposal of all hazardous materials within Escambia County to eliminate or significantly minimize hazards to the general public and the potential for contamination of natural resources.**

### **POLICIES**

CON 1.7.1 **Required Identification.** Escambia County shall require identification of any and all hazardous waste or materials used or stored by any licensed business within Escambia County.

CON 1.7.2 **Handling, Storage, and Disposal.** Escambia County shall cooperate with appropriate regulatory agencies to develop plans and procedures for the handling, temporary storage, and disposal of hazardous wastes generated within Escambia County. Such plans and procedures will be provided to those industries and commercial operations within the County that generate hazardous wastes in order that they may properly handle and dispose of their hazardous waste products.

CON 1.7.3 **Household Hazardous Waste.** Escambia County shall develop and implement a program to educate the public concerning the proper storage and disposal of household hazardous wastes.

CON 1.7.4 **Petroleum Storage Tanks.** Escambia County shall rely upon the Escambia County Health Department, through its contracts with the FDEP for County compliance inspections and cleanup, to protect people and the environment from contamination risks associated with petroleum fuel storage tanks.

CON 1.7.5 **Accident Procedures.** The Escambia County Comprehensive Emergency Management Plan shall include procedures for handling accidents involving hazardous materials and wastes.

CON 1.7.6 **Locational Criteria.** New industry or businesses that produce hazardous materials in their processes shall not be allowed where surface and groundwater are particularly vulnerable to contamination from hazardous materials, in wellhead protection areas, where hydric soils are present, within



special flood-hazard areas, or coastal high-hazard areas. This policy does not apply to public utilities or public facilities.

**CON 1.7.7 FLU Limitation.** Uses involving the production of hazardous materials shall be limited to the Industrial future land use category. Retail sale of products containing hazardous materials is not limited to the Industrial future land category.

**CON 1.7.8 Disposal Assistance.** Escambia County shall provide assistance with disposal of hazardous waste generated by other than large quantity generators within Escambia County. This will include an Annual Amnesty Days program for Escambia County household generators.

### **OBJ CON 1.8 Water and Energy Conservation.**

**The County shall promote water and energy conservation strategies to support the protection of the County's natural resources.**

### **POLICIES**

**CON 1.8.1 Sustainable Community Development Practices.** The County shall encourage sustainable community development practices that conserve energy and water resources, reduce greenhouse gas emissions through innovative, energy-efficient building construction strategies consistent with recognized green building standards, and contribute to reducing the overall development footprint of the County. These strategies may include:

- a. Developing incentives for water conservation;
- b. Incorporating Florida Waterwise landscaping to reduce the use of potable water for irrigation of new building sites, including public building sites;
- c. Encouraging development on previously-used and under-developed sites where infrastructure already exists;
- d. Encouraging development adjacent to existing developed areas;
- e. Protecting and enhancing natural systems within the County; and
- f. Using surface waters, conservation lands and environmentally sensitive open space as visual amenities.

**CON 1.8.2 Reduced Irrigation Needs.** Escambia County shall require the use of Florida Friendly Landscaping techniques and native or adapted plants in order to reduce potable water consumption for irrigation for new public buildings and private development of 5 acres or 20 residential units or more.

**CON 1.8.3 Low Impact Development.** Escambia County shall promote the use of Low Impact Development (LID) techniques approved by the Northwest Florida Water Management District to protect the water resources of the County.

CON 1.8.4 **High Efficiency Appliances.** Escambia County shall promote the use of Energy Star or equivalent high-efficiency appliances and fixtures to reduce energy use in public and private buildings.

CON 1.8.5 **Carbon Sequestration.** Escambia County shall promote retention of agriculture and timber production, as these uses sequester carbon emissions, thereby improving the air quality of the County.

## **Chapter 13 Recreation and Open Space Element.**

The purpose of the Recreation and Open Space Element is to ensure adequate recreational opportunities for the citizens of Escambia County through the provision of a comprehensive system of public and private park facilities. These facilities may include, but are not limited to, natural reservations, parks and playgrounds, trails, beaches and public access to beaches, open spaces and waterways. Guiding the planning and provision of these facilities are goals, objectives and policies intended to improve public awareness of existing recreational opportunities, ensure access to public facilities, encourage intergovernmental coordination, and establish Levels of Service (LOS) sufficient to meet the current and projected needs of Escambia County's citizens.

### **GOAL REC 1**

**Escambia County shall create recreational opportunities for the citizens of Escambia County through the provision of County facilities and coordination with state and federal agencies and the private sector.**

#### **OBJ REC 1.1 Recreational Facilities Access**

**Continue to develop and improve public awareness of and physical access to all recreation facilities.**

### **POLICIES**

**REC 1.1.1 Public Information.** Escambia County shall, in cooperation with the Tourist Development Council, make information available to the public concerning the location of recreational opportunities and available facilities.

**REC 1.1.2 Facility Signage.** Escambia County shall provide signage to identify County parks and to direct the public to these sites.

**REC 1.1.3 Physical Accessibility.** Escambia County shall provide physical access for disabled individuals to public recreational facilities and require compliance with the Americans with Disabilities Act (ADA) by developers, owners or operators of private recreational facilities. All new County facilities shall meet applicable local, state and federal accessibility requirements.

**REC 1.1.4 Use Policies and Procedures.** Escambia County shall develop standardized policies and procedures that allow for the use of County recreation facilities by private, public and non-profit groups and organizations. In addition, the County shall implement equitable procedures for reservation of facilities and evaluate usage fees every two years.

**REC 1.1.5 Facility Availability.** Escambia County shall maintain or increase the availability of County recreation facilities to civic and other semi-public and private organizations.

**REC 1.1.6 Public-Private Cooperation.** Escambia County shall continue its cooperative efforts with private and nonprofit organizations (e.g., YMCA, Little League, civic groups, etc.) in the provision of recreational facilities/opportunities and open space areas.

**REC 1.1.7 Annual Review and Report.** Escambia County shall annually review and report upon the cooperative efforts between the public and private sectors in the provision of recreational opportunities to assure that such efforts are coordinated. In even numbered years, the report will include an inventory of public beach access facilities, including those in the coastal area.

**REC 1.1.8 Outdoor Facilities.** Escambia County shall provide for public use of those lands held in public ownership by ensuring the provision of facilities for outdoor recreation activities, including nature trails, boardwalks, waterway trails, interpretive displays, educational programs, wildlife observation areas, and picnic areas, whenever feasible.

**REC 1.1.9 Multi-modal Residential Links.** Escambia County shall maintain and improve a multi-modal transportation system that links beach access points, open space and other recreational facilities with residential areas. Improvements shall include, but not be limited to, signage and construction of facilities (e.g., sidewalks, bike racks, etc.) by both the public and private sectors.

## **OBJ REC 1.2 Intergovernmental Coordination**

**Continue intergovernmental coordination between Escambia County and appropriate federal, state, and local agencies (i.e. Escambia County School District, Santa Rosa Island Authority, West Florida Regional Planning Council and Florida-Alabama Transportation Planning Organization) to address mutual concerns and enhance planning for recreation and beach access.**

## **POLICIES**

**REC 1.2.1 Recreation and Beach Access.** Escambia County shall coordinate with appropriate federal, state and local government entities regarding beach access and recreation.

**REC 1.2.2 Cooperation Agreements.** Escambia County shall promote interstate and interlocal cooperation through agreements intended to enhance recreation sites and facilities and public access to such sites and facilities.

REC 1.2.3 **Florida Boating Improvement Program.** Escambia County shall utilize the Florida Boating Improvement Program.

The Escambia County Public Access Map Series is attached to this ordinance as Exhibit Q.

**OBJ REC 1.3 Recreational Facilities Level of Service (LOS)**

**Ensure the adequate provision of recreational facilities and open space through the implementation of level of service standards.**

**POLICIES**

REC 1.3.1 **LDC Definitions.** The Escambia County Land Development Code (LDC) shall include specific definitions for open space, parks and recreation facilities.

REC1.3.2 **Open Space Requirements.** Escambia County shall require the provision of open space by private development when such development is a planned unit development, a multi-family development, a mixed use commercial area or other similar types of development where relatively large land areas are involved. The requirements shall be contained within the LDC. All development projects of five acres or more shall be required to provide open space within the development or contribute to a fund therefore. Nothing in this policy shall be interpreted to eliminate the provision of open space for all projects as required by County regulations.

REC 1.3.3 **County Facilities Inventory.** Escambia County shall maintain a current inventory of all park facilities maintained by the County.

REC 1.3.4 **County Facility Conversion.** Public park or recreation areas operated or maintained by Escambia County shall not be converted to other uses, except by determination of the Board of County Commissioners (BCC) that such a conversion is in the public interest. The Escambia County Parks and Recreation Department shall seek appropriate compensation or replacement land if such a conversion occurs.

REC 1.3.5 **Established Service Districts.** Escambia County's four park and recreation service districts are established as follows: 1) Barrier Islands RSD; 2) Urban RSD; 3) Suburban RSD, and; 4) Rural RSD. These districts may from time to time be modified, added to, or deleted as necessary to address the recreation needs of the County.

REC 1.3.6 **Level of Service (LOS) Standards.** Level of service (LOS) standards for recreation and open space facilities within the County are:

## LOS Standards for Parks & Recreational Facilities by Population

<b>Park Categories</b>	
Neighborhood Parks	1 per 2,500
Regional Parks	1 per 50,000
Community Parks	1 per 15,000
Nature Parks	1 per 50,000
Boat Launch Areas	1 per 15,000
Beach / Water Access Areas	1 per 20,000
Community Centers	1 per 15,000
<b>Special Use Parks</b>	
Equestrian Center	1 per 500,000
Civic Center / Performing Art Center	1 per 500,000
Gun Firing Range	1 per 200,000
Multi-Purpose Use Field Stadium	1 per 250,000
<b>Park Amenities</b>	
Baseball Fields	1 per 2,000
Softball Fields	1 per 2,000
Football Fields	1 per 10,000
Soccer Fields	1 per 10,000
Basketball Courts	1 per 10,000
Tennis Courts	1 per 10,000
Swimming Pools	1 per 25,000
Playground Structures	1 per 5,000
Park Shelters	1 per 5,000
Nature Trails	1 per 15,000
Pedestrian / Bike Trails	1 per 15,000
<b>Park System Acreage:</b>	
Barrier Island RSD	1 ac. per 1,000
Urban RSD	1 ac. per 1,000
Suburban RSD	1 ac. per 1,000
Rural RSD	1 ac. per 1,000

**REC 1.3.7 County Open Space Acquisition.** Escambia County shall acquire (through lease, purchase, or dedication) open space and natural areas to maintain and improve the natural functions of open space, wetlands and other sensitive lands, and recreational opportunities for all residents. The priority for acquisition of open space and/or natural areas shall be:

- a. Unique natural systems/environmentally sensitive lands;
- b. Shoreline sites;
- c. Sites within the urban or transitioning areas experiencing rapid development; and
- d. Sites that are historically or archaeologically significant.

Escambia County shall not accept the donation of land or recreation facilities, unless they meet the Escambia County Parks and Recreation Department's park planning and development standards and a management/funding source is in place.

**REC 1.3.8 Areas within Private Development.** The LDC shall clearly articulate the provision of open space and recreation areas within private developments.

**REC 1.3.9 Designated Natural Reservations.** The following are designated as natural reservations and are intended to provide open space and recreational uses of all types for the citizens of Escambia County:

- a. The Gulf Islands National Seashore;
- b. The Escambia River Wildlife Management Area;
- c. The Perdido River State canoe trail;
- d. Lake Stone Park and boat ramp;
- e. The improved county owned community, neighborhood and urban parks/tot lots;
- f. Wayside Park;
- g. Navy Point Park;
- h. Casino Beach Recreation Area;
- i. Ft. Pickens;
- j. Big Lagoon State Recreation Area;
- k. Jones Swamp Wetland Preserve and Southwest Greenway;
- l. Perdido River Walk;
- m. Perdido Key Parks;
- n. Tarkiln Bayou Preserve State Park;
- o. All publicly owned beach access ways.

**REC 1.3.10 Vacant Property Evaluation.** All vacant property owned by Escambia County shall be evaluated for its potential as a park, recreational facility, designated open-space or other use. New vacant properties acquired by the County shall be added to the existing vacant properties inventory.



## **Chapter 14 Intergovernmental Coordination Element.**

The Intergovernmental Coordination Element seeks to establish and maintain efficient, effective procedures of coordinating planning efforts with adjacent counties and cities; the incorporated areas within Escambia County; regional, state, and federal agencies; and other agencies and entities that provide services but do not have regulatory authority over land. Through coordination and cooperation among the various entities affecting planning and land use, Escambia County can better serve its residents and ensure orderly and balanced growth and development, while protecting and enhancing the County's existing communities and natural resources.

### **GOAL ICE 1 COORDINATED APPROACH TO PLANNING**

**Escambia County shall establish and maintain an efficient, effective program of intergovernmental coordination that achieves the maximum quality of life for residents and visitors and promotes a County-wide approach to planning.**

#### **OBJ ICE 1.1 Coordinate with Federal, State and Local Agencies**

**Coordinate with the City of Pensacola, Town of Century, City of Gulf Breeze, Santa Rosa County, the Emerald Coast Utilities Authority (ECUA), the Santa Rosa Island Authority, the United States Navy, and the Escambia County School Board to ensure consistency among the Escambia County Comprehensive Plan and the plans of adjacent counties and municipalities, and the plans of other agencies or entities affecting land use or providing services in Escambia County.**

### **POLICIES**

**ICE 1.1.1 Large-Scale Future Land Use Map Amendments.** Escambia County shall submit a copy of any proposed large-scale Future Land Use Map (FLUM) amendment to adjacent municipalities and counties within the jurisdiction of the Florida Department of Community Affairs and other units of government providing services but not having regulatory authority over the use of land provided that those agencies have submitted a written request to Escambia County for such information as required by Section 163.3184(3)(a), Florida Statutes. Procedures for intergovernmental coordination with the Escambia County School Board shall be governed by the Interlocal Agreement for Public School Facility Planning and Objective 1.5 of the Public School Facilities Element.

**ICE 1.1.2 Comprehensive Plan Amendments.** For proposed comprehensive plan amendments that could potentially impact adjacent jurisdictions, Escambia

County shall submit copies of the proposed amendment to the affected local government and invite their review and comment.

**ICE 1.1.3 Joint Planning Initiatives.** By 2010 the Escambia County planning staff shall identify planning topics of concern between local governments who would benefit from joint planning efforts and initiate coordination accordingly. Such topics of concern should include infrastructure service areas and redevelopment initiatives. Upon approval by the Planning Board of the identified topics of concern, the Planning Official will meet with representatives from the affected local governments to develop specific procedures for implementation of the identified joint planning initiatives. Such implementation procedures should be established by 2011.

**ICE 1.1.4 Interlocal Agreements.** Escambia County shall implement adopted interlocal agreements with the Escambia County School Board, the City of Milton, the City of Pensacola, the City of Gulf Breeze and Santa Rosa County so as to provide for coordination and evaluation of development proposals that affect the bays, bayous, sound or gulf (including estuaries and estuarine systems).

**ICE 1.1.5 Mediation.** Escambia County may use the West Florida Regional Planning Council's informal mediation process, or other mediation processes, to attempt to resolve conflicts with other units of government that cannot be resolved through meetings between the governing bodies of the affected governments.

## **OBJ ICE 1.2 Level of Service Standards**

**Coordinate with appropriate state, regional and local agencies and other entities that have operational and maintenance responsibility for public facilities in Escambia County, to achieve and maintain, adopted Level of Service (LOS) standards. As required by Section 163.3177(6)(h)2, F.S., when such entity is another unit of local government, Escambia County shall enter into an interlocal agreement or other formal agreement which shall describe joint processes for collaborative planning and decision making on population projections, the location and extension of public facilities subject to concurrency, and siting facilities with County-wide significance, including locally unwanted land uses.**

## **POLICIES**

**ICE 1.2.1 Public Facilities.** Escambia County will, through interlocal agreement or other formal agreement with public service providers, establish LOS standards for public facilities, identify actions that Escambia County will undertake to coordinate the location and extension of these facilities, as well as the siting of facilities with County-wide significance. Established LOS standards will be

maintained through implementation of Escambia County's Concurrency Management System.

**ICE 1.2.2 Water and Wastewater Supply.** Escambia County shall adopt agreements with local water suppliers to establish LOS standards for water usage and identify strategies the County and water suppliers will undertake to address joint planning issues. The County will also coordinate planning efforts with the ECUA with regard to wastewater service.

### **OBJ ICE 1.3 Coordination with the Escambia County School Board**

**Maintain cooperative relationships with the School Board and municipalities, and implement joint planning processes to coordinate land use planning with school facility planning.**

### **POLICIES**

**ICE 1.3.1 Interlocal Agreement for Public School Facility Planning.** In cooperation with the School Board and the local governments within Escambia County, the County implemented the Interlocal Agreement for Public School Facility Planning dated on August, 7th, 2006 (herein Interlocal Agreement) that established procedures for coordination and sharing of information, planning processes, and school concurrency implementation. The Interlocal Agreement was updated on April 30<sup>th</sup>, 2009, and may be amended annually.

**ICE 1.3.2 Annual School Board Report.** On an annual basis, the School Board shall provide information from their Tentative District Educational Facilities Plan to determine the need for additional school facilities. The School Board shall provide to the County, each year, a General Education Facilities Report. The Educational Facilities Report shall contain information detailing existing facilities, their locations, and projected needs. The report shall also contain the School Board's financially feasible Five-Year District Facilities Work Program.

**ICE 1.3.3 Consistent Population and Enrollment Projections.** The staff working group established in Policy ICE 1.3.6 shall meet annually to coordinate and base their local government comprehensive plans and school facility plans on consistent projections. These projections shall include population projections developed in coordination with the Planning Board, and student enrollment projections (district-wide and by concurrency service area) developed by the School Board with the agreement of the Florida Office of Educational Facilities. The School Board's student enrollment projections shall consider the impacts of development trends as per the Interlocal Agreement. To accomplish this policy the County and the School Board agree to provide the information and follow the procedures specified in the Interlocal Agreement.

**ICE 1.3.4 Growth and Development Trends.** As per the Interlocal Agreement, the local governments will provide the School Board with their Comprehensive Plan Implementation Committee Annual Report on growth and development trends within their jurisdiction. To the extent feasible, the reports should be provided in geographic information system compatible format for the purpose of geo-referencing the information. This report will be in tabular, graphic, and textual formats and will include the following:

- a. The type, number, and location of residential units that have received zoning approval, final plat and site plan approval;
- b. Information regarding FLUM amendments;
- c. Building permits and certificate of occupancy data for residential dwellings issued for the preceding year and their location;
- d. Summary of vested rights determinations and other actions that affect demands for public school facilities;
- e. Information regarding the conversion or redevelopment of housing or other structures into residential units that are likely to generate new students and reflects the existing land use; and
- f. The identification of any development orders issued.

**ICE 1.3.5 Elected Officials Joint Planning Workshops.** One or more representatives of the Escambia County Board of County Commissioners, the Pensacola City Council, the Century Town Council, and the School Board will meet on an as needed basis, but not less than annually, in joint workshop sessions. The workshop sessions will be opportunities for the representatives of the elected bodies to receive reports, discuss policy, and reach understandings on issues of mutual concern regarding coordination of land use and school facilities planning. Topics for such workshops may include, but are not limited to: student enrollment trends, growth and development trends, school needs, joint use opportunities, implementation of school concurrency, and performance of the adopted Interlocal Agreement. The workshops will take place in accordance with the procedures established in the Interlocal Agreement.

**ICE 1.3.6 Staff Working Group.** A staff working group comprised of representatives from the County, School Board, City of Pensacola, Town of Century, and Local Planning Agency, or their appointees will meet on an as needed basis, but not less than semi-annually to discuss issues and formulate recommendations regarding coordination of land use and school facilities planning. The staff working group meetings will take place in accordance with the timeframes and procedures established in the Interlocal Agreement.

**ICE 1.3.7 LPA Coordination with the Escambia County School Board.** Pursuant to Section 163.3174, Florida Statutes, a representative of the Escambia County School Board shall be appointed to the County Planning Board as an ex-officio, nonvoting member.

## **OBJ ICE 1.4 Coordination with Santa Rosa County School Board**

**Because the Santa Rosa County School Board provides educational opportunities for residents of Pensacola Beach, Escambia County shall execute an Interlocal Agreement with the Santa Rosa County School Board addressing the issues identified in the Interlocal Agreement with the Escambia County School Board as they relate to Pensacola Beach.**

### **POLICIES**

**ICE 1.4.1 Interlocal Agreement with Santa Rosa County School Board.** Escambia County shall, by September 2012, execute an Interlocal Agreement with the Santa Rosa County School Board.

## **OBJ ICE 1.5 Campus Master Plans**

**Escambia County agrees to recognize campus master plans of the state university system and to work with the board of regents in the development of a "campus development agreement" as the need arises.**

### **POLICIES**

**ICE 1.5.1 Campus Development Agreement.** As required by Section 1013.30, Florida Statutes, Escambia County agrees to recognize campus master plans of the state university system and to work with the Board of Regents in the development of a "campus development agreement" as the need arises.

## **Chapter 15 Capital Improvements Element.**

The purpose of the Capital Improvements Element is to demonstrate how capital projects identified to maintain Levels of Service or accommodate new growth will be programmed and funded. The Capital Improvements Element must include estimates of the cost of improvements for which Escambia County has fiscal responsibility and analyze the ability to finance and construct those improvements. The Capital Improvements Element also outlines financial policies to guide the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required based on needs identified in the Comprehensive Plan. Finally, the Capital Improvements Element requires that an adequate Concurrency Management System is implemented by the local government, pursuant to Section 163.3180, Florida Statutes. ~~Rule 9J-5.0055, Florida Administrative Code.~~

### **GOAL CIE 1 CAPITAL FACILITIES**

**The Capital Improvements Element shall be used to efficiently meet the needs of Escambia County for the construction, acquisition or development of capital facilities necessary to correct existing deficiencies, to accommodate desired future growth and to replace obsolete or worn out facilities.**

#### **OBJ CIE 1.1 Capital Improvements Funding**

**Manage the land development process to provide or require provision of needed improvements so that public facility needs created by previously issued development orders or future development do not exceed the ability of Escambia County to fund and provide or require provision of the needed capital improvements.**

### **POLICIES**

**CIE 1.1.1 Comprehensive Plan Implementation Committee.** Escambia County shall convene a Comprehensive Plan Implementation Committee to review the development activities within Escambia County and to review the Level of Service (LOS) conditions for the County. The County Administrator shall designate those County officials that shall serve on the Committee and those responsible for providing other assistance to the Committee as circumstances and issues may require. The Committee shall maintain information on development activity, LOS conditions, de minimis impacts, and other data necessary to accurately evaluate the implementation of the County's Comprehensive Plan, including the annual Capital Improvements Element update.

CIE 1.1.2 **LOS Standards.** Escambia County shall establish LOS standards for concurrency-related public facilities that are within the jurisdiction of the County. These standards shall be those found in the other Comprehensive Plan Elements. The adopted level of service standards in this ordinance are as indicated in the following policies:

Supp No. 2

TABLE INSET:

LOS	Policy
Roads	
County and State	MOB 1.1.2
Mass Transit	MOB 2.2.3
Sanitary Sewer	INF 1.1.9
Solid Waste	INF 2.1.4
Drainage	INF 3.1.9
Potable Water	INF 4.1.7
Recreation/Open Space	REC 1.3.6
Public Schools	PSF 2.1.2

CIE 1.1.3 **LOS Maintenance.** Escambia County shall coordinate land use decisions and development approvals through implementation of the Concurrency Management System, available and/or projected fiscal resources, and the Five-Year Schedule of Capital Improvements, so as to maintain adopted LOS standards and meet the existing and future facility needs.

CIE 1.1.4 **Vested Development.** Escambia County shall provide for the availability of public facilities to serve developments for which development orders were issued and development rights are vested.

CIE 1.1.5 **Concurrency.** Escambia County shall require the availability of public facilities and services needed to support development concurrent with the impacts of such development.

CIE 1.1.6 **Concurrency Management System.** Escambia County will implement the concurrency management system described in the Concurrency Management System Element. As a component of the Concurrency Management System, the County will make the Proportionate Fair Share Program available as an option for developers to contribute the value of their transportation impacts as provided in the Land Development Code (LDC) and the Escambia County Concurrency Management System Procedure Manual adopted per Ordinance 2007-50.



## **OBJ CIE 1.2 Five-Year Schedule**

**Maintain a Five-Year Schedule of Capital Improvements as the specific guide the County will use to determine construction of capital facilities and maintenance of LOS standards. The Five-Year Schedule of Capital Improvements is attached herein to this ordinance as Exhibit R.**

### **POLICIES**

**CIE 1.2.1 Project Prioritization.** Escambia County shall evaluate and rank capital improvement projects in the Five-Year Schedule of Capital Improvements by using the following criteria to prioritize:

- a. The elimination of future public hazards to preserve the health, safety, and welfare of the public;
- b. The elimination of any existing capacity or LOS deficits;
- c. The impact on the annual operating budget and Capital Improvements Program (CIP) of Escambia County;
- d. Locational needs based on projected growth patterns;
- e. The accommodation of new development and redevelopment facility demands;
- f. Financial feasibility; and
- g. Plans of The Northwest Florida Water Management District (NFWFMD), Escambia County School Board, Florida Department of Transportation, and other state agencies or entities that provide public facilities within the jurisdiction of Escambia County.

**CIE 1.2.2 Funding Prioritization.** Escambia County shall prioritize funding for capital improvements in a manner that generally assigns first priority to the renewal and replacement of obsolete or worn-out facilities; assigns second priority to correcting existing deficiencies in public facilities; and assigns third priority to facilities necessary to accommodate desired future growth. Nothing in this policy shall preclude Escambia County from increasing or rearranging the priority of any particular capital improvement project so that cost savings may be realized or LOS standards are met.

**CIE 1.2.3 Facility Rehabilitation Preference.** Escambia County shall promote rehabilitation and re-use of existing governmental facilities, structures, and buildings as the preferred alternative to new construction.

**CIE 1.2.4 CHHA Expenditure Limits.** Escambia County shall limit public expenditures in the Coastal High Hazard Area (CHHA), except for the provision, or support, of recreation uses such as parks and walkovers, erosion control devices, increased public access and the correction of existing deficiencies.

**CIE 1.2.5 Incorporation of School Board's 5-Year District Facilities Work Plan.** The County hereby incorporates by reference the Escambia County School District 2009-2010 through 2013-2014 Work Plan for the 5-Year District Facilities Work Program approved by the School Board of Escambia County effective December 2009. The Work Plan includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

### **OBJ CIE 1.3 Fiscal Policies**

**Establish fiscal policies to direct the use of public and private funding sources, to implement the Goals, Objectives and Policies of the Comprehensive Plan, and provide a financially feasible Schedule of Capital Improvements.**

### **POLICIES**

**CIE 1.3.1 Fiscal Resource Objectives.** The fiscal resources of Escambia County shall be used, to the extent necessary, to maintain LOS standards and support the Five-Year Schedule of Capital Improvements.

**CIE 1.3.2 Funding Resources.** Escambia County shall use a combination of public resources to fund capital improvements, including state and federal grants, below market interest rate state loans, user fees, connection charges, a combination of long term and short term financing vehicles, accumulated surpluses, and the use of revenues set aside specifically for capital projects (pay as you go and Proportionate Fair Share Agreement revenues).

**CIE 1.3.3 General Obligation Debt.** General obligation debt shall be used sparingly. General obligation debt, if determined necessary during the planning period, shall be established consistent with rating agency standards and guidelines.

**CIE 1.3.4 Enterprise Fund Debt.** Enterprise fund debt shall be, in part, managed through a ratio of net system revenue and other pledged funds to annual debt service. Also, this principle of coverage shall be used in the management of debt for other projects that are supported by user fees or shared revenues. The maximum ratio of total debt service to total revenue shall not exceed 25 percent and the limitation of revenue bonds as a percentage of total debt shall not exceed 80 percent.

**CIE 1.3.5 Municipal Service Taxing Units.** Escambia County shall encourage and assist neighborhoods in the adoption of Municipal Service Taxing Units (MSTU) or Municipal Service Benefit Units (MSBU) as a revenue source. Once

established and approved by the Board of County Commissioners (BCC), a MSTU or MSBU shall be considered a committed funding source.

**CIE 1.3.6 Developer Cost Sharing.** New development shall bear a proportionate share of the cost, if the development creates a deficiency of the adopted LOS, of providing new or expanded public facilities and infrastructure required to maintain adopted LOS Standards through Escambia County's site-related development dedications, and developer contributions. This policy shall be implemented through the County's permitting and inspection process.

**CIE 1.3.7 Acceptable Private Funding.** Escambia County shall rely on private contributions as a committed funding source within the Five-Year Schedule of Capital Improvements only when the obligation to fund a specific capital improvement is addressed in an enforceable development agreement or development order. The County shall not be responsible for funding capital improvements that are the obligation of the developer. If the developer fails to meet any capital improvement commitment that is programmed in the Five-Year Schedule of Capital Improvements, a plan amendment to delete the capital improvement from the Schedule shall be required.

**CIE 1.3.8 Capital Improvements Schedule.** The Five-Year Schedule of Capital Improvements shall be financially feasible, consisting of committed and planned funding sources. The Schedule shall be balanced so that total expenditures do not exceed total revenues for the planning period.

#### **OBJ CIE 1.4 Annual Review**

**Review the Capital Improvements Element each year, amend as necessary, and submit to the state land planning agency for compliance review.**

#### **POLICIES**

**CIE 1.4.1 Implementation Status Report.** By April 1 of each year, the Comprehensive Plan Implementation Committee shall report to the Local Planning Agency (LPA) on the status of capital project implementation activities as well as LOS conditions within the County.

**CIE 1.4.2 LPA Implementation Review.** By June 1 of each year, the Escambia County LPA shall report to the BCC its evaluation of the implementation of the Capital Improvements Element and the Comprehensive Plan during the previous fiscal year. The report shall contain recommendations to maintain LOS standards and any adjustments necessary to the Capital Improvements Element and/or the County's annual capital improvement program.

**CIE 1.4.3 BCC Implementation Review.** The BCC shall consider the report of the LPA upon receipt and during its deliberations on the annual budget and CIP.

Any adjustments made to the Capital Improvements Element or the CIP shall include consideration of the maintenance of LOS standards.

**CIE 1.4.4 LOS Project Schedule Modification.** A plan amendment shall be required to eliminate, defer, or delay the scheduled date of construction of any capital project listed in the County's Five-Year Schedule of Capital Improvements, which is needed to maintain the adopted LOS standard.

**CIE 1.4.5 Capital Improvements Adoption.** Adoption of the Capital Improvements Element may occur at a single public hearing outside of the two regular Comprehensive Plan Amendment cycles established by the County. The Capital Improvements Element adoption ordinance shall be submitted to the state land planning agency no later than December 1 of each year.

**CIE 1.4.6 Capital Improvements Amendment.** Amendments to the Capital Improvements Element that support the amendment of another Element shall be submitted to the state land planning agency during a regular Comprehensive Plan Amendment cycle. If the Escambia County annual budget is adjusted outside of the regular cycle, the Capital Improvements Element may be amended and adopted again, provided that the adoption ordinance is submitted to the state land planning agency no later than December 1.

**CIE 1.4.7 De minimis Roadway Impact Monitoring.** Escambia County shall implement a methodology to monitor and track approved de minimis impacts on the roadway network within its jurisdiction. All de minimis impacts (an impact that would not affect more than one percent of the maximum volume at the adopted LOS of the affected transportation facility) shall be compiled into an annual report and submitted to the state land planning agency with the annual Capital Improvements Element update.

## **Chapter 16 Public Schools Facilities Element.**

The intent of this chapter is to provide guiding policies through which the local governments can effectively manage growth and meet public school needs. The element is required to establish a school concurrency management system through which the local governments can ensure public school capacity is available concurrent with development. The school concurrency management system will allow for a greater communication and understanding between Escambia County, the City of Pensacola, the Town of Century, and the School Board of Escambia County when concentrating on public school capacity issues.

The PSFE is also intended to increase coordination between the School Board and local governments on issues such as land use planning, the school siting process, and school facility expansion.

This chapter establishes a framework for the planning of public schools pursuant to Section 163.3177(12), Florida Statutes. The law requires that local governments adopt a public school facilities element as a part of their comprehensive plans. The 2005 Legislature mandated that the availability of public schools be made a prerequisite for the approval of residential construction and directed a closer integration of planning for school capacity with comprehensive planning.

The following sections present the guidelines by which the School Board evaluates school facilities; an inventory of existing facilities and planned future facilities; an evaluation of the school system based on these guidelines and determination of need; an analysis of funding; an analysis of coordination between school planning and local land use planning.

In addition, the Public School Facilities Element Data & Analysis prepared for the Escambia County School District supports the required implementation of school concurrency in Escambia County. The Data & Analysis evaluates the school system and its relationship to development and growth from both a countywide perspective and a closer look at schools within established Concurrency Service Areas (CSAs). A CSA is defined in Policy PSF 2.2.1. The findings and conclusions of the data and analysis support the goals, objectives and policies of the element including the establishment of level of service standards and the delineation of CSAs.

### **GOAL PSF 1 COORDINATE WITH THE SCHOOL BOARD OF ESCAMBIA COUNTY**

**Coordinate with the School Board of Escambia County (herein "School Board") to ensure high quality public school facilities that are consistent with the Comprehensive Plan and serve to enhance communities. The joint procedures referenced in Policy ICE 1.3.1 state that coordination between**

**the county and the school board is pursuant to the Public School Facility Planning Interlocal Agreement and shall state the obligations of the county under the agreement. Section 163.3177(6)(h)(4), Florida Statutes.**

## **OBJ PSF 1.1 Schools as Community Focal Points**

**Enhance communities and encourage school facilities to serve as community focal points through effective school facility design and siting standards. The location will be coordinated with the future land use map.**

### **POLICIES**

**PSF 1.1.1 School Location.** New schools shall be located proximate to the student population they are intended to serve. For the purpose of determining eligibility for transportation, a reasonable walking distance for students to school is one (1) mile for elementary, one and one-half (1-1/2) miles for middle, two (2) miles for high schools; and to a school bus stop, is one-half (1/2) mile for elementary and one (1) mile for middle and high schools. Such mileage shall be measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school or the nearest school bus stop. The distance (permanent residence to school) may be measured by an automobile having an odometer that has been certified for accuracy. Students whose permanent residence is equal to or greater than these distances from the nearest appropriate school or school bus stop, or students who are handicapped, are eligible for transportation. (School Board Policy 6.02 Eligibility for Transportation).

**PSF 1.1.2 Shared-use and Co-location of School Sites.** Coordinate with the School Board to permit the shared-use and co-location of school sites and County facilities with similar facility needs as described in the Interlocal Agreement for Public School Facility Planning dated April 30th, 2009 (herein "Interlocal Agreement"). The County will identify opportunities for collocation and shared use facilities when preparing updates to the Schedule of Capital Improvements and when planning and designing new community facilities.

**PSF 1.1.3 Emergency Shelters.** Escambia County will coordinate with the School Board on emergency preparedness issues, including the use of public schools as emergency shelters as required by Section 163.3177(12)(g)(8), Florida Statutes. The School Board will fulfill the building code requirements of Section 1013.372, Florida Statutes, that appropriate new educational facilities can serve as public shelters for emergency management purposes.

**PSF 1.1.4 School Design.** The School Board will design and ensure performance standards for new school facilities according to the "Design Guidelines and Technical Specifications 2006" Florida Department of Education State Requirements for Educational Facilities (SREF).

## **OBJ PSF 1.2 Future Land Use and School Siting**

**Consistent with Section 163.3177, Florida Statutes, the County will include sufficient allowable land use designations for schools proximate to residential development to meet the projected need for schools.**

### **POLICIES**

**PSF 1.2.1 Future Land Use Categories.** Consistent with the Escambia County Future Land Use Element, public schools shall be an allowable use in all land use categories, except for Industrial, Mixed-Use Perdido Key, and Recreation and Conservation. The Land Development Code may include siting standards for schools, consistent with the Comprehensive Plan. Escambia County will consider the provisions of Section 1013.33(13), Florida Statutes.

**PSF 1.2.2 Flood Zones & Coastal High Hazard Area.** New schools shall not be allowed within a velocity flood zone or in a coastal high hazard area as delineated by Escambia County.

## **OBJ PSF 1.3 School Facility Siting and Consistency with the Comprehensive Plan**

**Ensure that the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and consistent with the Comprehensive Plan.**

### **POLICIES**

**PSF 1.3.1 Consistency with Comprehensive Plan.** Escambia County will coordinate with the School Board by giving an informal assessment regarding the consistency of potential new school sites, and significant expansions or potential closures of existing schools, with the Comprehensive Plan, as described in the Interlocal Agreement. The informal assessment reviews, as applicable, the following: environmental suitability, transportation and pedestrian access, availability of infrastructure services, safety concerns, land use compatibility, consistency with community vision and other relevant issues.

**PSF 1.3.2 Review of School Sites.** Escambia County shall review potential new school sites, and significant expansions or potential closures of existing schools, for consistency with the following criteria:

- a. That school sites are compatible with present and projected uses of adjacent property.
- b. The locations of proposed new elementary schools are proximate to the student population they are intended to serve.



- c. The locations of proposed new high schools are on the periphery of residential neighborhoods, with access to major roads.
- d. Existing or planned adequate public facilities are available to support the school.
- e. Safe access to and from the school site is available for pedestrians and vehicles.
- f. The site is well drained and the soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements.
- g. The proposed school location is not within a velocity flood zone or floodway, as delineated in the Comprehensive Plan.
- h. The site is not in conflict with Escambia County stormwater management plans or watershed management plans;
- i. The proposed site can accommodate required parking, circulation, and queuing of vehicles.
- j. The proposed location lies outside the area regulated by Section 333.03, Florida Statutes, regarding the construction of public educational facilities in the vicinity of an airport.

Escambia County shall also consider the following in its review:

- a. Site acquisition and development costs;
- b. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization;
- c. Efficient use of existing infrastructure;
- d. Discouragement of urban sprawl;
- e. Environmental constraints that would either preclude or render cost infeasible the development or significant renovation of a public school on a site; and
- f. Adverse impacts to archaeological or historic sites.

**PSF 1.3.3 School Expansion into Unincorporated Portion of County.** When a new school or significant expansion to an existing school is proposed within unincorporated Escambia County, the County shall review the proposed development according to the terms of the Interlocal Agreement for Site Plan Review Requirements for School Board Projects.

#### **OBJ PSF 1.4 Pedestrian Access to Schools**

**Improve safe student access to school facilities, and reduce hazardous walking conditions, in coordination with the School Board and consistent with the Florida Safe Ways to School Program.**

## **POLICIES**

PSF 1.4.1 **Bicycle and Pedestrian Access.** All public schools shall provide bicycle and pedestrian access consistent with Florida Statutes. Parking at public schools will be provided consistent with Escambia County's Land Development Code (LDC) requirements.

PSF 1.4.2 **Sidewalk Master Plan.** Upon completion of the County's sidewalk inventory, the County will create a sidewalk master plan to comprehensively address bicycle and pedestrian needs. The plan will include a focus on bicycle and pedestrian needs relating to school facilities.

PSF 1.4.3 **Sidewalk/Pedestrian Improvements.** To ensure continuous pedestrian access to public schools, priority for County sidewalk/pedestrian improvements will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year.

PSF 1.4.4 **New Development Adjacent to School Property.** New developments adjacent to existing or planned school sites shall be required to provide a right-of-way and an access path for pedestrian travel.

PSF 1.4.5 **Sidewalk Requirements for Residential Development near Schools.** New residential developments within 2 miles of an existing or planned school, as measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school measured by an automobile having an odometer that has been certified for accuracy, shall be required to provide sidewalks along all roads interior to the subdivision. In addition, sidewalks shall be placed along all collector, arterial, and local roads abutting the subdivision to the subdivision property line, where it has been determined that the most direct route from the subdivision to the school is along those roadways. The location, width and other details of the sidewalks shall be as set forth in the LDC.

PSF 1.4.6 **Sidewalks for Commercial Development near Schools.** New commercial developments within 2 miles of an existing or planned school, as measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school measured by an automobile having an odometer that has been certified for accuracy, are encouraged to provide sidewalks along their street frontage. The location, width and other details of the sidewalks shall be as set forth in the LDC.

PSF 1.4.7 **Coordination with FL-AL TPO.** Coordinate with the FL-AL TPO to ensure funding for safe access to schools including participation in the Bicycle Pedestrian Advisory Committee and the Community Traffic Safety Team.

## **OBJ PSF 1.5 Coordinate Future Land Use Map Amendments to Maintain School Capacity**

**It is the objective of Escambia County to coordinate petitions for future land use changes to maintain adequate school capacity to meet future growth needs. This objective will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final plat and site plans that generate students and impact the Escambia County school system.**

### **POLICIES**

**PSF 1.5.1 School Board Review and Input.** As per Section 7.6 of the Interlocal Agreement, Escambia County shall take the School Board comments and findings on the availability of adequate school capacity into consideration when reviewing comprehensive plan amendments and other land use decisions.

**PSF 1.5.2 Determining Impact of Future Land Use Changes.** The School Board shall use the adopted student generation rates to estimate the potential impact of a proposed future land use change on available school capacity. When such analysis projects a potential deficiency, the School Board shall include in its comments how it will propose to meet the projected demand. The County will take these comments into consideration per Policy PSF 1.5.1 prior to approving or denying any future land use change.

## **OBJ PSF 1.6 Address Corrections to Existing School Facilities Deficiencies and Facilities Needed to Meet Future Needs**

**The Escambia County School Board shall make reasonable attempts to address existing school facility deficiencies and make attempts to meet and plan for existing and future needs.**

### **POLICIES**

**PSF 1.6.1 Coordination with School District Capital Projects Planning.** The School Board shall make every effort to ensure that capital projects designed to address capacity/Level of Service (LOS) deficiencies are shared with Escambia County Planning Staff via periodic Tentative District Educational Facilities Plan reviews as set forth in Interlocal Agreement Subsection 3.1.

**PSF 1.6.2 Working Group Coordination with School District.** The staff working group established in Interlocal Agreement Subsection 1.1 will assist the School Board in an advisory capacity in the preparation of all updates to the Educational Plant Survey. The staff working group will evaluate and make

recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the local government comprehensive plan and relevant issues listed in subsections 5.3, 7.6, 7.7, and 8.1 of the Interlocal Agreement.

**PSF 1.6.3 Address Access to Capital Improvements Elements.** The County is required to implement the adoption of annual plan amendments adding a new fifth year, updating the financially feasible public schools capital facilities program, coordinating the program with the 5-year district facilities work plan, the plans for other local governments, and, as necessary, updates to the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained. (Section 163.3177(12)(g)1, Florida Statutes; ~~Rule 9J-5.025(3)(c)2, Florida Administrative Code~~).

## **GOAL PSF 2 SCHOOL BOARD TO COORDINATE WITH ESCAMBIA COUNTY**

**The School Board will coordinate with the County to assure the future availability of public school facilities to serve new development will be consistent with the adopted level of service standards. This goal will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny comprehensive plan amendments, re-zonings or other development orders that generate students and impact the County's school system.**

### **OBJ PSF 2.1 Level of Service Standards**

**Coordinate with the School Board to ensure that the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards within the period covered by the 5-year schedule of capital improvements, and the long range planning period. The adopted LOS standards shall be achieved by the conclusion of the first 5-year schedule of capital improvements and the LOS standards shall be maintained each subsequent year. These standards shall be consistent with the Interlocal Agreement agreed upon by the School Board, the County, and the local municipalities.**

## **POLICIES**

**PSF 2.1.1 Consistency.** The LOS standards set forth herein shall be applied consistently by all local governments within Escambia County and by the School Board to all schools of the same type.

**PSF 2.1.2 Level of Service Standards.** Consistent with the Interlocal Agreement, the County and School Board agree to the following level of service standards for school concurrency in Escambia County, based on Florida Inventory of School Houses (FISH) permanent capacity and maximum school size by type. In calculating achievement of LOS, modular capacity is considered permanent FISH capacity and relocatables/portables are not considered permanent FISH capacity. Permanent FISH capacity includes permanent buildings and Modular Capacity for modular buildings that are Type II Non-combustible and have a 40 year life span. School enrollment shall be based on the annual enrollment of each school based on actual counts reported to the Department of Education in October of each year.

TYPE OF SCHOOL	LEVEL-OF-SERVICE STANDARD
Existing or New Schools	100% of permanent FISH capacity
Centers (Special Purpose)	100% of permanent FISH capacity or the level of service based on the student/teacher ratios dictated by specific programs, whichever is lowest.

**PSF 2.1.3 Amending Level of Service Standards.** Potential amendments to the LOS standards shall be considered at least annually at the staff working group meeting referenced in Policy ICE 1.3.6. If there is consensus to amend any level of service, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the County, City and Town’s comprehensive plans. The amended LOS shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed.

**PSF 2.1.4 Financial Feasibility of LOS.** No LOS standard shall be amended without a showing that the amended LOS standard is financially feasible, supported by adequate data and analysis, and can be achieved and maintained through the five-year schedule for capital improvements.

**OBJ PSF 2.2 School Concurrency Service Areas**

**The School Board shall establish School Concurrency Service Areas as the areas within which an evaluation is made to determine if adequate school capacity exists based on the adopted level of service standards. Concurrency service areas shall be designed so that the adopted level of service will be achieved within the period covered by the first five years of the five-year schedule of capital improvements. After the first five-year schedule of capital improvements, the level of service must be maintained**

**within each year of subsequent five-year schedules of capital improvements.**

## **POLICIES**

**PSF 2.2.1 Concurrency Service Areas.** The Concurrency Service Area (CSA) is the area within which capacity determinations are made as part of the concurrency management system. The PSFE establishes the CSAs as the entire school district by service level, elementary, middle, and high school (district-wide). District-wide: Elementary grades k – 5, District-wide: Middle grades 6 – 8, and District-wide: High grades 9 – 12. For special purpose centers, charter schools, and magnet schools the concurrency service area shall also be district-wide.

**PSF 2.2.2 Maximize Capacity Utilization.** Concurrency service areas shall maximize capacity utilization, taking into account transportation costs, limiting maximum student travel times, achieving socio-economic, racial and cultural diversity objectives, and other relevant factors as related to the School Board's policy on maximization of capacity.

**PSF 2.2.3 Amending Concurrency Service Areas.** Potential amendments to the concurrency service areas shall be considered annually at the staff working group meeting referenced in Policy ICE 1.3.4. If there is consensus to amend the concurrency service areas to establish boundaries other than those stipulated above, it shall be accomplished by a written execution of an amendment to the Interlocal Agreement by all parties and by the amendment to the County, City and Town's comprehensive plans. The amended concurrency service areas shall not be effective until the amended Interlocal Agreement is fully executed and comprehensive plan amendments are in effect. Amendments to the concurrency service areas that keep the CSAs District-wide by service level shall be agreed upon by all parties and shall not require comprehensive plan amendments.

## **OBJ PSF 2.3 Student Generation Rates**

**The School Board will work with Escambia County, City of Pensacola, and Town of Century to establish student generation rates that will be used to determine the impact of development on public school facilities.**

## **POLICIES**

**PSF 2.3.1 Student Generation Rates.** Consistent with the Interlocal Agreement, the School Board staff, working with the County staff and municipal staffs, will develop and apply student generation multipliers for residential developments by dwelling unit type (single family or multi-family) for each school type (elementary, middle, K-8, high, or center), considering past trends in student enrollment in order to project future public school enrollment.

**PSF 2.3.2 Calculating Student Generation Rates.** The student generation rates shall be calculated by the School Board and the County, in accordance with professionally accepted methodologies. The student generation rates shall be determined annually, with input from the staff working group.

#### **OBJ PSF 2.4 Process for School Concurrency Implementation**

**Establish a joint process for implementation of school concurrency, in coordination with the School Board, which includes applicability, capacity determination, and availability standards. Manage the timing of residential subdivision and site plan approvals to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.**

#### **POLICIES**

**PSF 2.4.1 Applicability Standards.** School concurrency implementation applies to residential development or a phase of residential development requiring an approval of subdivision plat, site plan, or its functional equivalent, proposed or established. Prior to the adoption of the land development regulations, Escambia County shall use the comprehensive plan policies as the development regulations as set forth in Interlocal Agreement Subsection 4.3.

**PSF 2.4.2 Exempted Development.** The following residential development shall be considered exempt from the school concurrency requirements:

- a. Single family lots of record; master plans that have received final subdivision plat approval prior to June 24, 2009, the effective date of the PSFE; and single family subdivision plats actively being reviewed or that have received preliminary plat approval at the time of adoption of the PSFE, April 30, 2009.
- b. Residential developments that have received final site plan approval prior to June 24, 2009, the effective date of the PSFE, or residential site plans actively being reviewed at the time of adoption of the PSFE, April 30, 2009.
- c. Amendments to residential site plans or subdivisions that were previously approved prior to June 24, 2009, the effective date of the PSFE, and that do not increase the number of students generated by the development based on the adopted student generation rates.
- d. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy of a resident under the age of fifty-five (55). Such deed restrictions must be recorded and must be irrevocable for a period of at least thirty (30) years.



- e. Group quarters that do not generate students, including facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

**PSF 2.4.3 Capacity Determination Standards.** Escambia County shall adopt LDC provisions to establish the application procedure and process for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement. The School Board shall be responsible for conducting concurrency reviews. The School Board may choose to provide an informal assessment of school concurrency at the time of preapplication. The test of concurrency shall be at preliminary plat, site plan, or functional equivalent approval.

**PSF 2.4.4 School Board Findings.** The School Board's findings and recommendations shall address whether adequate capacity exists for each affected concurrency service area, based on the level of service standards. If adequate capacity does not exist, the School Board findings shall address whether appropriate mitigation can be accepted. If mitigation can be accepted, the School Board's findings shall identify the accepted form of mitigation that is consistent with the policies set forth herein.

**PSF 2.4.5 Determination of Insufficient Capacity.** For the review process, the School Board shall use the first three years of the Five-Year Work Facilities Program for determinations. Any relevant programmed improvements in years four or five of the five-year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through School Board funding to accelerate the project, through proportionate fair share mitigation, or some other means of assuring adequate capacity will be available within the first three years. The School Board may choose to use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed. In the event that the School Board finds that there is not sufficient capacity in the affected concurrency service area(s) to address the impacts of a proposed development, the following standards shall apply:

- a. The project must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation; or
- b. Approval of the site plan or final plat (or functional equivalent) must be delayed to a date when the capacity enhancement necessary to maintain level of service can be assured; or
- c. A condition of approval of the site plan or preliminary plat (or functional equivalent) shall be that the project's development order and/or building permits shall be delayed to a date when the

capacity enhancement necessary to maintain level of service can be assured.

**PSF 2.4.6 Availability Standard.** Where capacity will not be available to serve students generated by a residential development the County shall use the lack of school capacity as a basis for denial of petitions for final plats, site plans or functional equivalents. However, the County shall not deny a petition for a final plat, site plan, or functional equivalent due to a failure to achieve and maintain the adopted level of service for public school capacity where:

- a. Adequate school facilities will be in place or under actual construction within three years after the issuance of the final plat or site plan or functional equivalent; or
- b. The developer executes a legally binding commitment with the School Board to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan (or functional equivalent) as provided in the Interlocal Agreement.

#### **OBJ PSF 2.5 Proportionate Share Mitigation**

**Coordinate with the School Board to provide proportionate share mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the School Board's adopted financially feasible Five-Year Facilities Work Program.**

#### **POLICIES**

**PSF 2.5.1 Acceptable Mitigation.** The School Board shall allow mitigation for developments that would otherwise cause the LOS standards to be exceeded. Mitigation options shall include the following: contribution of, or payment for, acquisition of new or expanded school sites; construction or expansion of permanent school facilities; mitigation banking, the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell excess capacity credits within the same concurrency service area; and charter schools, provided they are constructed to SREF standards, so that they can be relied on over the longer term as public school capacity, designed to whatever minimum size and specifications established by the School Board to ensure that if the School Board is required, it can efficiently operate the school, or such mitigation options acceptable to all parties.

**PSF 2.5.2 CIP and Proposed Mitigation.** Proposed mitigation must be directed toward a permanent capacity improvement identified in the School Board's financially feasible Five-Year Facilities Work Program. However, the School Board may accept mitigation in the form of an improvement not identified on the Five-Year Facilities Work Program and commit to add the needed improvement

to the Five-Year Facilities Work Program. The School Board must find that any proposed mitigation will satisfy the demands created by the proposed development consistent with the adopted level of service standards, and the mitigation shall be assured by a legally binding development agreement between the School Board, the County, and the applicant executed prior to the issuance of the final plat, site plan or functional equivalent.

**PSF 2.5.3 Shifting Impacts.** The School Board shall evaluate how the impacts of a development shall be shifted. Measures to maximize capacity, including modifications to concurrency service areas in lieu of shifting development impacts, can be considered.

**PSF 2.5.4 Relocatable Classrooms.** Relocatable classrooms will not be accepted as mitigation. Modular classrooms are not considered relocatable for purposes of acceptable mitigation.

**PSF 2.5.5 Calculation Proportionate Share Mitigation.** The applicant's total proportionate-share mitigation obligation to resolve a capacity deficiency shall be based on the following formula for each school level: multiply the number of new student stations required to serve the new development by the average cost per student station, as determined by the Department of Education's most current cost per student station applicable to Escambia County plus land costs. The average cost per student station shall include school facility development costs and land costs. The applicant's proportionate-share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

**PSF 2.5.6 School Facility Map.** Consistent with Section 163.3177(12)(h), Florida Statutes, the Public School Facilities Element shall include future conditions maps showing existing and, where practical, anticipated schools over the five-year and long-term planning periods. The maps of necessity may be general over the long-term planning period and do not prescribe a land use on a particular parcel of land. The Public Schools Facilities Element Maps are attached herein to this ordinance as Exhibit S.

**PSF 2.5.7 Long Range Public School Facility Map.** The County is to address coordination of the long range public school facility map with the local government's comprehensive plan, including the Future Land Use Map. (Section 163.3177(12)(g)9, Florida Statutes; ~~Rule 9J-5.025(3)(c)6, Florida Administrative Code~~).



## BOARD OF COUNTY COMMISSIONERS Escambia County, Florida

### Planning Board-Regular

4. E.

Meeting Date: 07/09/2012

Issue: Comprehensive Plan Text Amendment (OBJ FLU 5)

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

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### Information

#### **RECOMMENDATION:**

That the Planning Board review and recommend to the Board of County Commissioners (BCC) an Ordinance Amending Comprehensive Plan Policy FLU 5.5.2 regarding the locational criteria for traditional urban neighborhoods, new suburban neighborhoods, and conservation neighborhoods in specific area plans.

#### **BACKGROUND:**

FLU 5.5.2 The OSP shall contain a mixture of residential neighborhoods that vary in regards to dwelling unit type and density. The location of these neighborhoods shall be generally consistent with the conceptual long-term build-out overlay. The intent of these neighborhoods is to provide a variety of housing options and within close proximity to schools and parks as well as retail, service, and employment opportunities. The location and design of new neighborhoods shall be such that they ensure the continued protection of natural resources and existing neighborhoods, promote a strong sense of community, and provide access to nearby recreational opportunities. The Planning Board has requested the addition of the word "generally" to address the locational criteria for those identified neighborhoods.

#### **BUDGETARY IMPACT:**

No budgetary impact is anticipated by the adoption of this Ordinance.

#### **LEGAL CONSIDERATIONS/SIGN-OFF:**

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

#### **PERSONNEL:**

No additional personnel are required for implementation of this Ordinance.

#### **POLICY/REQUIREMENT FOR BOARD ACTION:**

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

#### **IMPLEMENTATION/COORDINATION:**

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

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### **Attachments**

Legal Sign off and Draft Ordinance

Comp Plan Text Amendment

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: CPA ORDINANCE OBJ FLU 5.5.2

Date: 6/20/2012

Date requested back by: 6/20/2012

Requested by: JC Lemos

Phone Number: 595-3467



(LEGAL USE ONLY)

Legal Review by 

Date Received: June 21, 2012

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING POLICY FLU 5.5.2 REGARDING THE LOCATIONAL CRITERIA FOR TRADITIONAL URBAN NEIGHBORHOODS, NEW SUBURBAN NEIGHBORHOODS, AND CONSERVATION NEIGHBORHOODS IN SPECIFIC AREA PLANS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Escambia County Board of County Commissioners adopted the Escambia County Comprehensive Plan: 2030 (Comprehensive Plan) on January 20, 2011; and

**WHEREAS**, the Board of County Commissioners of Escambia County, Florida, finds that it is appropriate to amend its Comprehensive Plan consistent with Chapter 163, Florida Statutes;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1. Purpose.**

The purpose of this ordinance is to amend the Escambia County Comprehensive Plan: 2030, as amended, Policy FLU 5.5.2, regarding the locational criteria for Traditional Urban Neighborhoods, New Suburban Neighborhoods, and Conservation Neighborhoods in Specific Area Plans.

**Section 2. Comprehensive Plan Amendment.**

The Escambia County Comprehensive Plan: 2030 is amended as shown in the attached Exhibit A (additions are underlined and deletions are ~~struck through~~).

**Section 3. Severability.**

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this ordinance.

**Section 4. Inclusion in the code.**

The Board of County Commissioners intends that the provisions of this ordinance



1 will be codified as required by Section 125.68, Florida Statutes, and that the sections of  
2 this ordinance may be renumbered or relettered and the word "ordinance" may be  
3 changed to "section," "article," or such other appropriate word or phrase in order to  
4 accomplish its intentions.

5  
6 **Section 5. Effective date.**  
7

8 Pursuant to Section 163.3184(3) (c) 4, Florida Statutes, this ordinance shall not  
9 become effective until 31 days after the Department of Economic Opportunity notifies  
10 Escambia County that the plan amendment package is complete. If timely challenged,  
11 this ordinance shall not become effective until the Department of Economic Opportunity  
12 or the Administration Commission enters a final order determining the ordinance to be in  
13 compliance.

14  
15 DONE AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2012.

16  
17 BOARD OF COUNTY COMMISSIONERS  
18 ESCAMBIA COUNTY, FLORIDA  
19

20  
21 By: \_\_\_\_\_

22 ATTEST: Ernie Lee Magaha  
23 Clerk of the Circuit Court

24 Wilson B. Robertson, Chairman

25 By: \_\_\_\_\_ Date Executed: \_\_\_\_\_  
26 Deputy Clerk

27  
28 (SEAL)

29  
30 ENACTED:

31  
32 FILED WITH THE DEPARTMENT OF STATE:

33  
34 EFFECTIVE DATE:

35  
36  
37 ATTACHMENTS: Escambia County Comprehensive Plan: 2030

1 FLU 5.5.2 The OSP shall contain a mixture of residential neighborhoods that vary in  
2 regards to dwelling unit type and density. The location of these neighborhoods shall be  
3 generally consistent with the conceptual long-term build-out overlay. The intent of these  
4 neighborhoods is to provide a variety of housing options and within close proximity to  
5 schools and parks as well as retail, service, and employment opportunities. The location  
6 and design of new neighborhoods shall be such that they ensure the continued  
7 protection of natural resources and existing neighborhoods, promote a strong sense of  
8 community, and provide access to nearby recreational opportunities.  
9

10 **A. Traditional/Urban Neighborhoods**

11 Traditional/Urban Neighborhoods are intended to be high density, compact  
12 communities adjacent to centralized retail and service opportunities. Traditional  
13 Urban Neighborhoods shall be designed in a manner that creates a strong sense  
14 of place through the layout of the streets, arrangements of open space,  
15 appearance of streetscapes and linkage of neighborhoods to supporting  
16 services. To allow the efficient use of land and infrastructure, increase walkability  
17 and support existing and future transit systems, Traditional/Urban Neighborhoods  
18 shall be located generally within ½ mile of Town, Village or Neighborhood  
19 centers and contain a variety of housing types ranging on average from 5 to 25  
20 dwelling units per gross acre. Individual sites may have density greater than 25  
21 units per gross acre provided the average density stays within the 5 to 25  
22 dwelling units range.  
23

24 **B. New Suburban Neighborhoods**

25 Residential development generally greater than ½ mile from Town, Village or  
26 Neighborhood centers shall be in the form of New Suburban Neighborhoods.  
27 These neighborhoods are intended to be medium density communities  
28 comprised of a highly interconnected transportation system including pedestrian,  
29 bicycle, and automobile networks. A variety of housing types ranging from 3 to  
30 10 dwelling units per gross acre shall be permitted.  
31

32 **C. Conservation Neighborhoods**

33 Residential neighborhoods generally greater than 1/2 mile from Town, Village or  
34 Neighborhood centers with a density less than 2.5 dwelling units per gross acre  
35 shall only be permitted as Conservation Neighborhoods. Conservation  
36 Neighborhoods are intended to replace typical suburban neighborhoods with a  
37 more efficient and environmentally protective development pattern. Conservation  
38 Neighborhoods shall be low density, clustered communities with a distinct “edge”  
39 consisting of interconnected open space. This open space shall serve to protect  
40 and preserve areas of significant natural resources and wildlife habitat while  
41 offering passive recreational opportunities to residents. Conservation  
42 Neighborhoods shall be required to preserve a minimum of 50% open space.  
43 Open space shall be preserved in perpetuity through a conservation easement.  
44