

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
February 4, 2014–8:35 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.

2. Proof of Publication.

3. Approval of Minutes.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 7, 2014 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for January 2014.

C. Planning Board 6-Month Outlook for February 2014.

4. Public Hearings.

A. Cinerator as Accessory Use in C-2

A Public Hearing Concerning the Review of an Ordinance Amending Articles 3 and 6

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) amending Article 3, Section 3.02.00 by adding a definition for Cinerators and amending Article 6, Section 6.05.16 by adding Cinerators as a permitted accessory use for mortuaries and funeral homes.

5. Action/Discussion/Info Items.

A. Front Yard Fence, presentation by Andrew Holmer.

6. Draft Land Development Code

1. Chapter 1 - Administration

2. Draft Design Engineering Standards Manual (DESM) and Environmental Standards Manual (ESM)

3. Briefly discuss the proposed outline for February 18, 2014 meeting

7. Public Forum.

8. Director's Review.

A. Request for November Planning Board Meeting to be rescheduled due to the General Election.

9. County Attorney's Report.

10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, March 4, 2014 at 8:35 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.

11. Adjournment.



## BOARD OF COUNTY COMMISSIONERS

### Escambia County, Florida

**Planning Board-Regular**  
**Meeting Date:** 02/04/2014

**3.**

---

**Agenda Item:**

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 7, 2014 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for January 2014.

C. Planning Board 6-Month Outlook for February 2014.

---

**Attachments**

Quasi Mtg Resume

Regular Mtg Resume

Monthly Action Follow up Report

6 Month Outlook

---

# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL HEARING January 7, 2014

**CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:30 A.M. – 10:20 A.M.)**

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
David Luther Woodward  
Dorothy Davis  
Robert V. Goodloe  
Karen Sindel  
Alvin Wingate  
Patty Hightower, School Board (Non-Voting)  
Stephanie Oram, Navy (Non-Voting)

Staff Present: Ryan Ross, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Andrew Holmer, Senior. Planner, Planning & Zoning  
Juan Lemos, Senior Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant  
Debbie Lockhart, Administrative Assistant

1. Called to Order at 8:30 a.m.
2. Invocation and Pledge of Allegiance was given by Mr. Alvin Wingate.
3. Proof of Publication.

Motion by Robert V. Goodloe, Seconded by David Luther Woodward  
Motion was made to approve the Proof of Publication and to waive the reading of the legal advertisement.

**Vote:** 7 - 0 Approved

4. Quasi-judicial Process Explanation.

5. Public Hearings.

A. Z-2013-24

Applicant: Wiley C. "Buddy" Page, Agent  
for Anthony J. Monti, Owner

Address: 2842 Nowak Dairy Rd

From: VAG-2, Villages Agricultural  
Districts Gross Density (one  
du/five acres)

To: V-1, Villages Single-Family  
Residential Gross Density  
(one du/per acre)

Alvin Wingate acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member refrained from voting on this matter due to any conflict of interest.

Motion by Dorothy Davis, Seconded by David Luther Woodward  
Motion was made to recommend that Mr. Buddy Page be treated as and expert witness.

**Vote:** 7 - 0 Approved

Motion by Alvin Wingate, Seconded by David Luther Woodward  
Motion was made to recommend approval to the BCC and adopt Staff's findings of fact.

**Vote:** 4 - 3 Approved

Voted No: Wayne Briske  
Dorothy Davis  
Karen Sindel

B. Z-2013-27

Applicant: Marty Donovan, Agent for  
Betty Jean Perkins, Owner

Address: 6111 W Nine Mile Rd

From: R-R, Rural Residential District  
(cumulative), Low Density

To: C-1, Retail Commercial  
District (cumulative)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member refrained from voting on this matter due to any conflict of interest.

Mr. Marty Donovan requested that he be considered an expert witness (Professional Realtor).

Motion by David Luther Woodward, Seconded by Tim Tate.  
Motion was made to recommend Mr. Marty Donovan be treated as a expert witness.

**Vote:** 7 - 0 Approved

Motion by Dorothy Davis, Seconded by Robert V. Goodloe  
Motion was made to recommend approval to the BCC and adopt Staff's findings of fact.

**Vote:** 7 - 0 Approved

6. Adjournment at 10:20 a.m.

# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD REGULAR MEETING January 7, 2014

**CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(10:25 A.M. – 12:23 P.M.)**

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
David Luther Woodward  
Dorothy Davis  
Robert V. Goodloe  
Karen Sindel  
Alvin Wingate  
Patty Hightower, School Board (Non-Voting)  
Stephanie Oram, Navy (Non-Voting)

Staff Present: Ryan Ross, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Andrew Holmer, Senior. Planner, Planning & Zoning  
Juan Lemos, Senior Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant  
Debbie Lockhart, Administrative Assistant

Attendees: Matthew Mooneyham, Program Manager  
Bonita Player, Consultant

1. Meeting Called to Order at 10:25 a.m.
2. Proof of Publication was given by Board Clerk.
3. Approval of Minutes.

Motion by Karen Sindel, Seconded by Dorothy Davis  
Motion was made to approve the minutes from the December 2,  
2013 Planning Board meeting.

**Vote:** 7 - 0 Approved - Unanimously

4. Public Hearings.

A. LDC Ordinance-Articles 3 and 6, Defining and Providing for Materials Recovery Facilities (MRF)

Motion by Vice Chairman Tim Tate, Seconded by Karen Sindel  
Motion was made to recommend approval to the BCC.

**Vote:** 7 - 0 Approved - Unanimously

B. Park Trailers as Temporary Guest Residences Due to Medical Hardship

Motion by Vice Chairman Tim Tate, Seconded by Dorothy Davis  
Motion was made to recommend approval to the BCC.

**Vote:** 7 - 0 Approved - Unanimously

C. Comprehensive Plan 2030

Motion by Karen Sindel, Seconded by Robert V. Goodloe  
Motion to accept house keeping edits.

**Vote:** 7 - 0 Approved - Unanimously

Motion by Vice Chairman Tim Tate, Seconded by Karen Sindel  
Motion to recommend approval and transmittal to the BCC, these changes to the Comprehensive Plan including the most recent changes to the wellhead protection language policies.

**Vote:** 7 - 0 Approved - Unanimously

D. BCC Review and Action of Rezonings

Motion by Karen Sindel, Seconded by Dorothy Davis  
Motion was made to recommend Denial to the BCC.

**Vote:** 6 - 1 Approved

Voted No: Alvin Wingate

5. Discussion Item.

A. LDC Revisions - Chapters 1 and 2

B. Scheduling of Future LDC Workshops

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 **Tuesday, February 4, 2014 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. Adjourned at 12:23 p.m.



# BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

DEVELOPMENT SERVICES DEPARTMENT  
3363 WEST PARK PLACE  
PENSACOLA, FLORIDA 32505  
PHONE: 850-595-3475  
FAX: 850-595-3481  
www.myescambia.com

## **Memorandum**

**TO:** Planning Board  
**FROM:** Temeka Mallory, Board Clerk  
**DATE:** January 21, 2014  
**RE:** Monthly Action Follow-Up Report for January 2014

Following is a status report of Planning Board (PB) agenda items for the prior month of **January**. 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**

## **COMMITTEES & WORKING GROUP MEETINGS**

## **COMPREHENSIVE PLAN AMENDMENTS**

- **Text Amendments:**
- **Map Amendments:**

## **LAND DEVELOPMENT CODE ORDINANCES**

- **Park Model RV's**  
1/07/14 PB recommended approval  
2/06/14 BCC Meeting
- **MRF**  
1/07/14 PB recommended approval  
2/06/14 BCC Meeting
- **Art 2 BCC Review/Action on Rezoning**  
1/07/14 PB recommended denial  
1/16/14 BCC Approved
- **Comp. Plan**  
1/07/14 PB recommended approval  
1/16/14 BCC Approved transmittal to the DEO

## **REZONING CASES**

**1. Rezoning Case Z-2013-24**

01/07/14 PB recommended approval  
02/06/14 BCC Meeting

**2. Rezoning Case Z-2013-27**

01/07/14 PB recommended approval  
02/06/14 BCC Meeting

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR February 2014

(Revised 1/21/14)

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 and/or Public Hearings	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Tuesday, February 4, 2014	<ul style="list-style-type: none"> <li>Allow Cinerator in C-2</li> </ul>		<ul style="list-style-type: none"> <li>Z-2014-01</li> <li>Z-2014-02</li> </ul>	<ul style="list-style-type: none"> <li>LDC Revisions</li> <li>Front Yard Fence</li> </ul>
Tuesday, March 4, 2014	<ul style="list-style-type: none"> <li>LDC Revisions</li> <li>UWF Agreement (tentative)</li> </ul>	<ul style="list-style-type: none"> <li>LSA -2014-01</li> </ul>	<ul style="list-style-type: none"> <li>Z-2014-03</li> </ul>	
Tuesday, April 1, 2014				
Tuesday, May 6, 2014				
Tuesday, June 3, 2014				
Tuesday, July 1, 2014				

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:** 02/04/2014

**Issue:** Cinerator as Accessory Use in C-2

**From:** Horace Jones, Interim Department Director

**Organization:** Development Services

---

#### **RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Articles 3 and 6

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) amending Article 3, Section 3.02.00 by adding a definition for Cinerators and amending Article 6, Section 6.05.16 by adding Cinerators as a permitted accessory use for mortuaries and funeral homes.

#### **BACKGROUND:**

Staff was directed by the Board of County Commissioners to amend the LDC to provide for the use of cinerators as an allowed accessory use within the confines of a mortuary or a funeral home.

#### **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 Ryan E. Ross, 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.

---

## Attachments

Draft Ordinance

---

ORDINANCE NUMBER 2014-\_\_\_\_\_

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 3, SECTION 3.02.00 BY ADDING A DEFINITION FOR "CINERATOR"; AMENDING ARTICLE 6, SECTION 6.05.16 BY ESTABLISHING CINERATORS AS PERMITTED ACCESSORY USES FOR MORTUARIES AND FUNERAL HOMES IN THE C-2 ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, through its Land Development Code, the Escambia County Board of County Commissioners has authorized certain subordinate activities and land uses as permitted accessory uses in specified zoning districts; and

**WHEREAS**, the Board finds that the reasonable and safe operation of cinerator equipment is a logical accessory use for those mortuaries and funeral homes operating in the C-2 zoning district; and

**WHEREAS**, the Board further finds that imposing certain restrictions on such an accessory use would protect the public health, safety, welfare from any deleterious effects on neighboring properties that may stem from this accessory use.

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

**SECTION 1. RECITALS.**

The aforementioned recitals are hereby incorporated into this ordinance as the legislative findings of the Escambia County Board of County Commissioners.

**SECTION 2. DEFINITION OF CINERATOR.**

Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 3, Section 3.02.00 Terms defined, is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

3.02.00. Terms defined.

Cinerator. A facility where dead human bodies are subjected to cremation.

### **SECTION 3. CINERATOR AS A PERMITTED ACCESSORY USE.**

Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 6, Section 6.05.16, is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

*6.05.16. C-2 General commercial and light manufacturing district (cumulative).*

*A. Intent and purpose of district.* This district is composed of certain land and structures used to provide for the wholesaling and retailing of commodities and the furnishing of several major services and selected trade shops. The district also provides for operations entailing manufacturing, fabrication and assembly operations where all such operations are within the confines of the building and do not produce excessive noise, vibration, dust, smoke, fumes or excessive glare. Outside storage is allowed with adequate screening being provided (see section 7.01.06.E.). Characteristically, this type of district occupies an area larger than that of the C-1 retail commercial district, is intended to serve a considerably greater population, and offers a wider range of services. New residential uses located in a Commercial FLU category are only permitted as part of a predominantly commercial development in accordance with Comprehensive Plan Policy 7.A.4.7.g. The maximum density for residential uses is 25 dwelling units per acre, except in the Low Density Residential FLU category where the maximum density is 18 dwelling units per acre. Refer to article 11 for uses, heights and densities allowed in C-2, general commercial and light manufacturing areas located in the Airport/Airfield Environs. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with C-2 zoning located in the C-3(OL) Warrington Commercial Overlay District or C-4(OL) Brownsville-Mobile Highway and "T" Street Commercial Overlay District. All general commercial and light



1 manufacturing (C-2) development, redevelopment, or expansion must be consistent  
2 with the locational criteria in the Comprehensive Plan (Policies 7.A.4.13 and 8.A.1.13)  
3 and in article 7.

4 *B. Permitted uses.*

- 5 1. Any use permitted in the C-1 district.
- 6 2. Amusement and commercial recreational facilities such as, but not limited to,  
7 amusements parks, shooting galleries, miniature golf courses, golf driving  
8 ranges, baseball batting ranges and trampoline centers.
- 9 3. Carnival-type amusements when located more than 500 feet from any  
10 residential district.
- 11 4. Distribution warehousing, and mini-warehouses with ancillary truck rental  
12 services.
- 13 5. New and used car sales, mobile home and motorcycle sales and mechanical  
14 services. No intrusions are permitted on the public right-of-way (see section  
15 6.04.09). 6. Automobile rental agencies. No intrusions are permitted on the public  
16 right-of-way (see section 6.04.09).
- 17 7. Truck, utility trailer, and RV rental service or facility. No intrusions are  
18 permitted on the public right-of-way (see section 6.04.09).
- 19 8. Automobile repairs, including body work and painting services.
- 20 9. Radio broadcasting and telecasting stations, studios and offices with on-site  
21 towers 150 feet or less in height. See section 7.18.00 for performance standards.
- 22 10. Commercial food freezers and commercial bakeries.
- 23 11. Building trades or construction office and warehouses with outside on-site  
24 storage.
- 25 12. Marinas, all types including industrial.
- 26 13. Cabinet shop.
- 27 14. Manufacturing, fabrication and assembly type operations which are contained  
28 and enclosed within the confines of a building and do not produce excessive  
29 noise, vibration, dust, smoke, fumes or excessive glare.
- 30 15. Commercial communication towers 150 feet or less in height.
- 31 16. Taxicab companies.

1 17. Bars and nightclubs.

2 18. Boat sales and service facilities.

3 19. Boat and recreational vehicle storage. (No inoperable RVs, untrailerred boats,  
4 repair, overhaul or salvage activity permitted. Storage facility must be maintained  
5 to avoid nuisance conditions as defined in section 7.07.06.)

6 20. Adult entertainment uses subject to the locational criteria listed below (See  
7 Escambia County, Code of Ordinances sections 18-381 through 18-392 for  
8 definitions and enforcement; additionally refer to Chapter 6, article IV, Division 2,  
9 titled "Nudity and Indecency"). However, these C-2 type uses are not permitted in  
10 the Gateway Business Districts.

11 a. Adult entertainment uses must meet the minimum distances as  
12 specified in the following locational criteria:

13 (1) One thousand feet from a preexisting adult entertainment  
14 establishment;

15 (2) Three hundred feet from a preexisting commercial  
16 establishment that in any manner sells or dispenses alcohol for on-  
17 premises consumption;

18 (3) One thousand feet from a preexisting place of worship;

19 (4) One thousand feet from a preexisting educational institution;

20 (5) One thousand feet from parks and/or playgrounds;

21 (6) Five hundred feet from residential uses and areas zoned  
22 residential within the county.

23 21. Borrow pits and reclamation activities thereof (subject to local permit and  
24 development review requirements per Escambia County Code of Ordinances,  
25 Part I, Chapter 42, article VIII, and performance standards in Part III, the Land  
26 Development Code, article 7).

27 22. Temporary structures. (See section 6.04.16)

28 23. Arcade amusement centers and bingo facilities.

29 24. Outdoor sales.

25. Cinerator as permitted accessory uses to mortuaries and funeral homes, provided that the operations are contained and enclosed within the confines of a building and do not produce excessive noise, vibration, dust, smoke or fumes.

~~25.~~ 26. Other uses similar to those permitted herein. Determination on other permitted uses shall be made by the planning board (LPA).

**SECTION 3.           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 4. 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 F.S. § 125.68 (2011); and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intentions.

## INTENTIONALLY LEFT BLANK

1  
2  
3  
4  
5  
6  
7  
8 **SECTION 5.            EFFECTIVE DATE.**  
9

10            This Ordinance shall become effective upon filing with the Department of State.  
11

12 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
13

14 **BOARD OF COUNTY COMMISSIONERS**  
15 **OF ESCAMBA COUNTY, FLORIDA**  
16

17 **By:** \_\_\_\_\_  
18 **Lumon J. May, Chairman**  
19

20 **ATTEST:    PAM CHILDERS**  
21 **Clerk of the Circuit Court**  
22

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

26 **(SEAL)**  
27

28 **ENACTED:**  
29

30 **FILED WITH THE DEPARTMENT OF STATE:**  
31

**EFFECTIVE DATE:**

DRAFT



## BOARD OF COUNTY COMMISSIONERS

### Escambia County, Florida

#### Planning Board-Regular

6.

**Meeting Date:** 02/04/2014

**Issue:** Draft Land Development Code

**From:** Horace Jones, Interim Department Director

**Organization:** Development Services

---

#### **RECOMMENDATION:**

1. Chapter 1 - Administration
2. Draft Design Engineering Standards Manual (DESM) and Environmental Standards Manual (ESM)
3. Briefly discuss the proposed outline for February 18, 2014 meeting

#### **BACKGROUND:**

The Board of County Commissioners directed staff and the Planning Board to Review and update the Land Development Code.

#### **BUDGETARY IMPACT:**

N/A

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

N/A

#### **PERSONNEL:**

N/A

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

N/A

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

N/A

---

#### **Attachments**

LDC Chapter 1

DESM

ESM

DESM Matrix



# Working Copy

## Chapter 1 ADMINISTRATION

### Article 1 General Provisions

- Sec. 1-1.1 Purpose of chapter.
- Sec. 1-1.2 Purpose of article.
- Sec. 1-1.3 Title of code.
- Sec. 1-1.4 Authority of LDC.
- Sec. 1-1.5 Purpose of LDC.
- Sec. 1-1.6 Enforcement of LDC compliance.
- Sec. 1-1.7 Applicability of LDC provisions.
- Sec. 1-1.8 Effective date of LDC provisions.
- Sec. 1-1.9 Impartiality of LDC provisions.
- Sec. 1-1.10 Adjustments to LDC provisions.
- Sec. 1-1.11 Rules for understanding LDC provisions.
- Sec. 1-1.12 Appeal of LDC-based determinations.
- Sec. 1-1.13 Relation of LDC to other authorities.
- Sec. 1-1.14 Conflicting provisions with and within LDC.
- Sec. 1-1.15 Severability of LDC provisions.

### Article 2 Nonconformance

- Sec. 1-2.1 Purpose of article.
- Sec. 1-2.2 General conditions
- Sec. 1-2.3 Continuing nonconformance.

### Article 3 County Officials

- Sec. 1-3.1 Purpose of article.
- Sec. 1-3.2 County Administrator.
- Sec. 1-3.3 Planning Official.
- Sec. 1-3.4 Building Official.
- Sec. 1-3.5 County Engineer.

### Article 4 County Boards

- Sec. 1-4.1 Purpose of article.
- Sec. 1-4.2 Board of County Commissioners.
- Sec. 1-4.3 Planning Board.
- Sec. 1-4.4 Santa Rosa Island Authority
- Sec. 1-4.5 Board of Adjustment.



## **Article 1 General Provisions**

### **Sec. 1-1.1 Purpose of chapter.**

The purpose of this chapter is to establish the title, authority and purposes of these assembled land development regulations for Escambia County, Florida, and to assure their effective implementation and enforcement. It is additionally the intent of the chapter to establish the implementing authority and duties of county administrative officials and boards, and to provide for the limited continuation and gradual remedy of nonconformance with these regulations. The provisions of this chapter and the definition of terms in Chapter 6 shall guide and support the implementation of review and approval processes, standards, and other regulations of the remaining chapters.

### **Sec. 1-1.2 Purpose of article.**

The purpose of this article is to establish general provisions that apply broadly to all use and administration of this code. The continuation and remedy of nonconformance with the code, and the code authority and duties of county officials and boards, is prescribed in the remaining articles of this chapter.

### **Sec. 1-1.3 Title of code.**

This code, Part III of the Code of Ordinances of Escambia County, Florida, shall be known as the "Escambia County Land Development Code" and may also be referred to or cited as the "Land Development Code" or the "LDC." [1.02.00]

### **Sec. 1-1.4 Authority of LDC.**

The Escambia County Land Development Code is that collection of local land development regulations required by Florida Statutes (Chapter 163, Part II) to implement provisions of the Escambia County Comprehensive Plan. The Comprehensive Plan further requires that specific and detailed provisions necessary and desirable to implement plan goals, objectives policies and associated manuals be adopted and maintained within a land development code. [1.01.00] [FLU 1.1.2]

### **Sec. 1-1.5 Purpose of LDC.**

The purpose of the Land Development Code is to implement the land use goals, objectives and policies of the Escambia County Comprehensive Plan through specific regulations that govern the use and development of land within the county. These regulations are necessary to protect the public health, safety and general welfare, private property rights, the natural environment, and the economic vitality of the county. More specifically, it is the purpose of the LDC to: [1.01.00, 1.04.00]

(1) Establish an objective, organized and effective system of administration and appeal for county land development regulations that clearly describe compliance review and approval requirements for the public, responds consistently and fairly, and optimizes the resources of government.

(2) Establish clear county zoning and other land use regulations that provide for the orderly, efficient, and sustainable use of land and structures for agricultural,

residential, mixed-use, commercial, industrial, recreational, conservation, public and other needs of the present while ensuring no less for the future.

(3) Establish clear county development standards for the allowed uses of land and structures that ensure the protection of life and property, the provision of adequate public facilities and services, the conservation of natural resources, the protection of public and private investments, and the preservation of social and aesthetic values.

(4) Establish clear county regulations that balance the interests of property owners in continuing lawfully established uses, structures, lots and conditions in productive use with the public benefits of providing a gradual remedy for existing substandard conditions through increased conformance with current standards and prohibited expansion of nonconformance. [FLU 1.4.1] [9.00.01 & .02]

### **Sec. 1-1.6 Enforcement of LDC compliance.**

Land uses and development activities regulated by the LDC shall comply with all applicable county requirements, and nothing in the LDC shall prevent the county from taking any lawful action necessary to prevent or remedy any violation. Although state and federal regulations may also apply to those uses and activities, the intent of the county is to enforce only the terms of its ordinances. Compliance with the LDC shall be fully enforced by any means provided, authorized or allowed by law or ordinance, including Florida Statutes and Chapter 30, *Code Enforcement*, Part 1, Escambia County Code of Ordinances. More particularly: [2.06.00, 7.15.14, Sec. 2-84(1)]

(1) **Procedural remedies.** Failure to comply with LDC provisions may result in application denial, delay of application approval, conditional application approval, voiding an application approval, delay of use or occupancy, multiplied application fees, or penalties as additionally may be prescribed by the LDC. [10.01.05, 13.20.06.E]

(2) **Civil remedies.** The BCC, or any aggrieved party as defined by state law, may apply to the Circuit Court of Escambia County, Florida, to enjoin and restrain any person violating the provisions of the LDC. [2.06.01.A]

(3) **Criminal remedies.** Any person, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of, any of the provisions of the LDC, shall be subject to a misdemeanor punishable by fine and/or imprisonment according to state law. Upon conviction the person shall additionally pay all expenses of the county in the case. Each day a violation exists shall constitute a separate offense. [2.06.01.B]

### **Sec. 1-1.7 Applicability of LDC provisions.**

(a) **Generally.** The provisions of the LDC apply within all unincorporated areas of Escambia County, with the exception of areas exempted by state or federal regulations, and to all land uses and development activities, including the construction, placement, erection, alteration, use or occupancy of any structure, and the division of any land. Accordingly, no principal or accessory structure, or use of any land or structure, shall be established, located, erected, converted,

1 reconstructed, structurally altered, extended, or enlarged, and the county shall issue  
2 no approval to develop or permit to construct, unless such uses and activities  
3 comply with all applicable provisions of the LDC. [1.03.00, 7.00.01, 10.01.05,  
4 13.00.03, 13.20.06.E]

5 **(b) Vested rights.** The county recognizes that certain land development rights are  
6 vested with respect to future adoption or amendment of land development  
7 regulations and cannot be revoked by changes to the LDC without due process of  
8 law. Development rights are statutorily vested for any use or activity lawfully  
9 approved by the county according to the regulations in effect at the time of approval.  
10 For landowners who can adequately demonstrate they have acquired development  
11 rights through other official county action, those rights become equitably vested  
12 under principles of fairness and due process as prescribed in Chapter 2. A use or  
13 activity approved under either form of vesting may be completed or continued, even  
14 when inconsistent with newer LDC provisions. However, any use or activity for  
15 which a vested right has been established shall continue to be subject in all other  
16 respects to regulations and requirements not addressed by the vested rights  
17 confirmation. [1.09.00, 9.01.00.C]

18 **(c) Nonconformance.** The county also recognizes that lawfully established and  
19 maintained uses, structures, site conditions, and lots made nonconforming by later  
20 adoption or amendment of any land development regulations may continue, subject  
21 to the nonconformance provisions of Article 2. The provisions protect the interests  
22 of owners in continuing to use their property while providing the community a  
23 gradual remedy for existing undesirable conditions resulting from nonconformance.  
24 Actions that would expand nonconformance are prohibited and actions that would  
25 make nonconformance more permanent are restricted. Nothing in the LDC shall be  
26 interpreted as authorizing or approving the continuation or expansion of any uses,  
27 structures, conditions, or lots not lawfully established according to regulations in  
28 effect at the time of establishment. [9.01.00.A & B]

#### 29 **Sec. 1-1.8 Effective date of LDC provisions.**

30 Provisions of the LDC are effective as of the effective date of their adopting ordinances.  
31 Any application for county approval required by the LDC and accepted by the county on  
32 or after the effective date of a new or amended LDC provision shall comply with that  
33 provision unless its terms clearly indicate otherwise. [1.07.00, 1.09.00, 7.00.01]

#### 34 **Sec. 1-1.9 Impartiality of LDC provisions.**

35 The provisions of the LDC apply without bias. Decisions regarding the administration of  
36 code provisions shall be influenced only by facts and conditions relevant to those  
37 provisions. Applications for development approval shall be evaluated strictly on the  
38 basis of LDC compliance, and no more or less shall be required of applicants than is  
39 necessary to confirm and document that compliance. Conflicts of interest and other  
40 risks to fair administration of the LDC shall be avoided to maintain impartiality.  
41 Additionally, no county officer or employee shall grant any special consideration,  
42 treatment, or advantage to any person, group or organization beyond that which is

available under the terms of the LDC to every other person, group or organization in the same or similar circumstances.

### **Sec. 1-1.10 Adjustments to LDC provisions.**

The provisions of the LDC apply without any exceptions, exemptions, alternatives, waivers, variances or other adjustments unless such adjustments are specifically established within the code. For some unusual or unanticipated circumstances the LDC allows limited criterion-based variances to provide site-specific relief, and may include alternative requirements to provide flexibility or encourage minimum standards to be exceeded. Except for such provisions, only the lawful amendment of the LDC can permit what is not otherwise authorized. Nothing in the LDC shall allow, encourage or require any change to its provisions except through the formal amendment process established within the LDC and Florida Statutes. [2.07.00]

### **Sec. 1-1.11 Rules for understanding LDC provisions.**

**(a) Generally.** The LDC shall be interpreted and administered broadly by the administrative authorities described in this chapter to achieve its declared purposes. In the interpretation and administration of any LDC provisions, they shall be understood to be the minimum requirements adopted by the BCC for the promotion of the public health, safety and general welfare. It is presumed that the intent of the BCC in a particular provision of the code is expressed by the wording of that provision. Further, the BCC is presumed to act intentionally and purposely when it includes language in one section of the code but omits it in another. The rules of interpretation prescribed in this section shall be observed in the implementation of all LDC provisions. [1.04.00, 2.07.00]

**(b) Confirmation of meaning.** The meaning of a provision in the LDC must first be evaluated according to the plain language of the provision. If the meaning is clear, then the remaining administrative function is to enforce it according to its stated terms. If the provision is unclear, its meaning shall be determined in consideration of other LDC provisions on the same subject, giving priority to those closest in context. Individual provisions must be interpreted so as to be internally consistent and not disconnected from the rest of the LDC. Every part of a provision is presumed to have some effect, and must not be treated as having no effect unless absolutely necessary.

**(c) Delegation of authority.** When a provision of the LDC authorizes the County Administrator, County Engineer, Planning Official, Building Official, or other county officer or employee to perform some act or duty, the provision also authorizes that individual to delegate the performance of that act or duty to other qualified county employees under his authority, unless the terms of the provision clearly indicate otherwise. Similarly, when a provision authorizes the Santa Rosa Island Authority Board (SRIA) to perform some act or duty, the provision also authorizes the board to delegate the performance of that act or duty to qualified individuals under the board's authority.

**(d) Particular and general.** A particular intent expressed in the LDC has authority over a general one, such that when there is a more specific requirement it must be

1 followed in place of a more general one, regardless of whether the general  
2 requirement is more lenient or in conflict with the specific one.

3 **(e) Use of words.** The use of words within the LDC shall be understood according to  
4 the following rules:

5 **(1) Definitions.** In addition to the rules of this section and those terms defined  
6 where used, definitions of selected terms used within the LDC are provided in  
7 Chapter 6. Words not defined within the LDC, and not otherwise having acquired  
8 a meaning by other applicable regulatory definition or judicial construction, shall  
9 be understood according to their usual, ordinary and customary meanings.

10 **(2) Tense and form.** Words used in one tense or form include other tenses or  
11 derivative forms, unless the context clearly indicates otherwise.

12 **(3) Singular and plural.** Words used in the singular include the plural and words in  
13 the plural include the singular, unless the context clearly indicates otherwise.

14 **(4) Gender.** Words used in the masculine, feminine, or neuter gender include the  
15 other genders.

16 **(5) Mandatory, permissive, and advisory.** The words "shall," "will" and "must" are  
17 mandatory in nature and always require compliance where used. The word  
18 "may" is permissive, authorizing but not requiring action. The word "should" is  
19 advisory only, identifying recommendations provided by the county in the  
20 implementation of regulations.

21 **(6) Conjunctions.** Unless the context clearly indicates otherwise, where a  
22 regulation connects items, conditions, provisions or events, the conjunctions shall  
23 be interpreted as follows:

24 **a. And.** The word "and" indicates that all the connected terms, conditions,  
25 provisions, or events apply.

26 **b. Or.** The word "or" indicates that the connected items, conditions, provisions,  
27 or events may apply singly or in any combination.

28 **c. Either or.** The words "either . . . or" indicate that the connected items,  
29 conditions, provisions, or events apply singly but not in combination.

30 **(7) Written or in writing.** The words "written" and "in writing" include any  
31 representation of words, letters, diagrams or figures, whether by handwriting,  
32 printing or other forms of recording.

33 **(8) Used for or as.** The words "used for" and "used as" include intended, designed,  
34 arranged, occupied and maintained for or as, unless the context clearly indicates  
35 otherwise.

36 **(9) Including or includes.** The words "including" and "includes" do not limit a  
37 provision to the specific example or series of examples it contains.

38 **(f) Computation of time.** Unless otherwise specifically provided, a "day" means a  
39 calendar day and a "year" means 365 days. In computing any period of time allowed  
40 or prescribed by the LDC, the day from which the period begins to run is not

1 included. The day after the act or event that begins the period is day one. The last  
2 day of the computed period is included, unless it is a Saturday, Sunday or legal  
3 holiday observed by the county. In that case the period will run until the end of the  
4 next day that is not a Saturday, Sunday or observed legal holiday. In computing any  
5 period of months, the period ends on the same or closest numbered day of the  
6 ending month as the number of the beginning day in the beginning month.

7 **(g) Controlling text.** If there is any inconsistency between the text of LDC regulations  
8 and any picture, illustration, drawing, map, table, or caption within the LDC, the text  
9 of the regulations governs unless otherwise specifically provided.

10 **(h) Headings and titles.** Headings and titles within the chapters of the LDC, typically in  
11 boldface or italic type, are only included to indicate content and organization for the  
12 convenience of the reader. Such headings are only catchwords and do not by their  
13 presence or absence govern, limit, modify, or in any manner affect the scope,  
14 meaning, or intent of any provision of the LDC. Accordingly, no provision of the  
15 LDC will be held invalid by reason of deficiency in any heading or title of any  
16 chapter, article, section or other part.

#### 17 **Sec. 1-1.12 Appeal of LDC-based determinations.**

18 Those persons whose substantial interests have been adversely affected by an  
19 interpretation or other administrative determination of a county official or body  
20 exercising authority under the LDC, including the SRIA, have the right to a review of that  
21 determination. Review of any such action may be requested following the appealable  
22 action as prescribed in Chapter 2. However, review of citations by code enforcement  
23 officers shall be as prescribed in Part I of the Escambia County Code of Ordinances.  
24 Additionally, any challenge to the consistency of either a development approval or a  
25 provision of the LDC with the Comprehensive Plan shall be made in the manner  
26 prescribed by Florida Statutes. [2.04.00, 2.05.07.A]

#### 27 **Sec. 1-1.13 Relation of LDC to other authorities.**

28 **(a) Code of Ordinances.** The LDC exists as Part III of the Escambia County Code of  
29 Ordinances to implement the land use goals, objectives and policies of Part II, the  
30 Comprehensive Plan. Except in their administration and enforcement, or where  
31 specific references are made to other county ordinances, the Comprehensive Plan,  
32 LDC, Design Engineering Standards Manual (DESM) and Environmental Standards  
33 Manual (ESM) are to be construed independently of Part I.

34 **(b) Building Code.** The LDC establishes certain land use regulations for buildings and  
35 prescribes development standards for sites they occupy, but the construction of  
36 buildings and other structures is regulated through the Florida Building Code and  
37 other provisions prescribed within Part I of the Code of Ordinances.

38 **(c) Non-county entities.** Non-county entities also regulate, govern, or otherwise  
39 influence the use or development of land. However, it is the responsibility of each  
40 property owner to determine those entities that have jurisdiction affecting their  
41 property, its use, or activities upon it, and to adequately communicate with them.  
42 The county may assist in directing the applicant to appropriate agencies or entities,



1 but in doing so the county assumes no responsibility or liability in any way for any  
2 owner's failure to adhere to any restrictions or requirements of those or other  
3 entities. [2.02.02, 2.02.03, 12.12.00, 12.13.00, 12.15.00, 12.17.00]

4 **(d) References to other regulations.** References within the LDC to federal, state or  
5 other county regulations are intended only for the convenience of the reader. An  
6 error in any reference or the absence of a reference does not exempt any use or  
7 activity from compliance with applicable requirements of law. [2.02.03]

#### 8 **Sec. 1-1.14 Conflicts with LDC provisions.**

9 **(a) Higher standards.** If any provision of the LDC is in conflict with any county, state or  
10 federal law, ordinance, regulation, DESM, ESM or other requirement, including other  
11 provisions of the LDC, the more restrictive requirement or the one imposing the  
12 higher standard shall prevail unless otherwise specifically provided by the prevailing  
13 requirement. [2.07.00, 7.15.16]

14 **(b) SRIA leases.** Where the provisions of a lease agreement with the Santa Rosa  
15 Island Authority (SRIA) conflict with LDC provisions, the lease will govern unless  
16 otherwise mutually agreed by the lessee and the SRIA that the LDC provisions shall  
17 apply. However, all new or renegotiated lease agreements with the SRIA shall be  
18 consistent with the provisions of the Comprehensive Plan and the LDC. [13.00.03,  
19 13.01.01, 13.22.05.B.2]

20 **(c) Private agreements.** The interpretation and enforcement of the LDC is not affected  
21 by any recorded easements, covenants, lease agreements, deed restrictions or  
22 other agreements between private parties. It is not the intent of the LDC to repeal,  
23 abrogate, or interfere with such private restrictions or agreements, but where the  
24 LDC imposes greater restrictions, its provisions govern. Where the LDC imposes  
25 lesser restrictions, it is the responsibility of those parties in a private agreement to  
26 enforce its greater restrictions. [1.05.00, 2.07.00, 2.10.06.B, 13.00.03]

#### 27 **Sec. 1-1.15 Severability of LDC provisions.**

28 If any section, sentence, clause or other portion of the LDC is for any reason held or  
29 declared by a court of competent jurisdiction to be inoperative, invalid, or  
30 unconstitutional, that decision does not affect other portions of the LDC that can be  
31 given effect without the unacceptable portion. Similarly, if any provision of the LDC is  
32 held to be inapplicable to a particular person, property, or circumstance, that holding  
33 does not affect its applicability to any other person, property, or circumstance. [1.06.00]

## Article 2 Nonconformance

### Sec. 1-2.1 Purpose of article.

The purpose of this article is to establish land use regulations that define the legal status of nonconformance with LDC regulations, prohibit the expansion of any nonconformance, restrict activities that would make any nonconformance more permanent, and correct nonconformance to the extent practical. This article establishes specific provisions through which nonconforming uses, structures, lots and site conditions may be maintained, altered or reconstructed, and conditions under which the nonconformance is terminated. [FLU1.4.1] [9.04.03.A]

### Sec. 1-2.2 General conditions.

**(a) Continuation.** Lawfully established and maintained uses, structures, lots and site conditions that no longer comply with one or more land development regulations may continue in productive use as legal exceptions to those regulations only as prescribed by the nonconformance provisions established in this article and related sections of the LDC. In allowing the continuation of such nonconformance it remains the intent of the LDC to prohibit the expansion and limit the alteration or reconstruction of nonconformities, and to discourage the continuation of those that are inconsistent with the purposes of applicable regulations. Where multiple nonconformities exist, each must comply with the provisions regarding their lawful continuation. [FLU 1.4.1] [9.00.00, 9.00.01]

**(b) Nonconformance status.** Any nonconformance status of a use, structure, lot or site condition runs with the land and is not lost by changes of ownership, tenancy, or management. However, once nonconforming status is lost, the premises become subject to and shall comply with current LDC regulations. For the purposes of determining whether the right to continue a nonconformance is lost, all of the activities and structures on a lot are generally to be considered as a whole. For example, a unit vacancy in a nonconforming multi-tenant building does not result in the loss of the right to rent the unit if the use of the building as a whole is maintained.

**(c) Burden of proof.** The burden of proving the right to continue any nonconformance is on the person seeking to maintain the nonconformance. Evidence of lawful establishment and lawful continuance since establishment is required. In proving such a right, the casual, intermittent, temporary, or unlawful use of land or structures for any length of time is not sufficient to establish the existence of nonconformance. Rental, lease or tax payments are not considered proof of a continued use, and the voluntary disconnection of utilities shall be a means of establishing abandonment of the use of the subject site. [8.09.00, 9.01.00.B]

**(d) Repairs and maintenance.** Minor repairs to and routine maintenance of property where nonconformities exist are permitted and encouraged if such activities do not create or increase any nonconformance and are not otherwise prohibited by the LDC. Such repairs and maintenance may include non-structural interior and exterior alterations or improvements, and normal work necessary to keep a structure in sound condition. Additionally, no requirements of this section shall prevent the



strengthening or restoration of a structure to a safe condition in compliance with the lawful order of a public official. All work, however, remains subject to the Florida Building Code and the proper issuance of building permits. [9.04.01.A-D]

**(e) Historic structures.** The correction of nonconformance for a bona fide historic structure shall not require measures that would preclude the structure's continued designation as a historic structure.

**(f) Parcel modification.** No parcel containing a nonconformity shall be divided, reduced, or otherwise modified if the modification would inhibit correction of the nonconformity. [9.04.03.B]

**(g) Loss of property to public use.** Nonconformance resulting from governmental right-of-way acquisition or other dedication of private property to a public use shall have the same status as nonconformance resulting from amendments to land development regulations. Construction or reconstruction in response to such loss of property to a public use shall be according to current LDC provisions. [9.07.00]

### **Sec. 1-2.3 Continuing nonconformance.**

**(a) Nonconforming uses.** Lawfully established and maintained uses of land or structures that no longer comply with zoning district or other applicable use regulations of the LDC may continue subject to the following provisions which apply to the uses of both conforming and nonconforming structures, site conditions and lots: [9.02.00]

**(1) Loss of nonconformance status.** The nonconformance of a use is lost when any of the following occur, regardless of whether the nonconforming use is maintained in conjunction with a conforming use:

**a. Conversion.** The use is converted to or replaced with a conforming use. [9.03.00.D]

**b. Voluntary discontinuance.** The use is voluntarily discontinued for a continuous period of 12 months or more with no intention to reinstate or reclaim it, as may be verified by the requested termination of site utilities and similar evidence of voluntary discontinuation. [9.05.00.A]

**c. Involuntary discontinuance.** The use is involuntarily discontinued for a continuous period of 18 months or more and no extension of the period has been granted by the BOA or other lawful authority. [9.05.00.B]

**(2) Additions and alterations to structures.** No additions which increase the area of either conforming or nonconforming uses shall be made to any structure occupied, in whole or in part, by a nonconforming use. And, except as allowed in the general conditions of this section, no alterations shall be made to such structures. [9.02.00.E & F, and 9.03.00.E]

**(3) Extension within a structure.** A nonconforming use may be extended to occupy more floor area within the same structure it occupied when it became nonconforming, provided that no dwelling or lodging units are added, and that drainage, access, parking, landscaping, and all other site conditions are

conforming or will be made conforming prior to the increased occupancy of the use. [9.02.00.B]

**(4) Expansion to other structures or land.** Except as may otherwise be allowed in this section, a nonconforming use shall not be expanded or relocated, in whole or part, to occupy any other structures or land beyond that which it occupied when it became nonconforming. This provision does not apply to a borrow pit or similar use involving the expanded removal of natural materials to the boundaries of the parcel it occupied when it became nonconforming, provided the expansion is according to current standards. [9.02.00.A]

**(5) Operation of use.** A nonconforming use shall not be operated in a manner that creates any new conflict or increases any existing conflict with any development standards of the LDC. [9.02.00.C]

**(6) Accessory uses.** A use that is accessory only to a principal nonconforming use may not be continued after the principal use has been discontinued.

**(7) Change to another nonconforming use.** A nonconforming use of a structure or premises may be changed to another nonconforming use provided that all of the following conditions are met:

**a. Alterations.** No structural alterations are made to any structure used, and any other alterations made to a structure occupied by the new use conform to LDC requirements. [9.03.00. and E]

**b. Appropriate use.** The new use, including its customary accessory uses, is no less appropriate under all current LDC regulations than the use it replaces. The most restrictive zoning district in which the existing nonconforming use is permitted by right shall be the reference for evaluating the appropriateness of the new use. [9.03.00.A]

**c. Intensification.** The new use shall not intensify or enlarge the basic use of the building or premises by increasing required parking, vehicular or pedestrian traffic, impervious ground cover, noise, dust or other adverse offsite impacts, or other indicators of use intensity and enlargement. [9.03.00.B]

**d. Restriction.** Once changed to a more restrictive nonconforming use, the new use is not afterward changed to any less restrictive use. [9.03.00.C]

**e. Extension.** The change does not result in an extension of a nonconforming use except within a structure as permitted in this section. [9.03.00.F]

**(b) Nonconforming structures.** Lawfully established and maintained structures that no longer comply with height, setback, floor area ratio or other applicable regulations of the LDC may continue subject to the following provisions:

**(1) Loss of nonconformance status.** The nonconformance of a structure is lost when the structure is converted to or replaced with a conforming structure, or when it is substantially damaged, demolished or removed. However, with the exception of LDC airport and airfield requirements, when a nonconforming building is destroyed by fire or other casualty, or by act of God, its restoration to

1 the same or lesser gross floor area is allowed when in conformance with current  
2 LDC site and building standards to the extent possible as determined by the  
3 Planning Official. Additionally, the continued use or occupancy of any  
4 undamaged portion of a nonconforming building existing at the time of the partial  
5 damage is allowed if the undamaged portion is determined by the appropriate  
6 authorities to be safe for the intended use or occupancy. [9.03.00.D, 9.06.00.A  
7 and B]

8 **(2) Alterations and additions.** A nonconforming structure, other than a sign, may  
9 be structurally altered, enlarged or extended through walled or unwalled  
10 additions only if the use of the structure is conforming and the alteration,  
11 enlargement or extension can be made without increasing the nonconformity of  
12 the structure. [9.04.01.E]

13 **(3) Moving.** A nonconforming structure, other than a sign, may be moved in whole  
14 or part to another location within the same parcel only if the move decreases or  
15 eliminates nonconformity.

16 **(c) Nonconforming lots.** Lawfully established lots that no longer comply with the  
17 minimum area, minimum width, or other applicable regulations of the LDC may  
18 continue subject to the following provisions:

19 **(1) Loss of nonconformance status.** The nonconformance of a lot is lost when the  
20 lot is converted to a conforming lot. [9.03.00.D]

21 **(2) Availability of adjacent land.** No structure shall be erected on any  
22 nonconforming lot that is deficient in area if the owner of the lot owns any  
23 adjoining vacant land which would create a conforming lot if combined with the  
24 deficient lot.

25 **(3) Combination of lots.** The Planning Official may permit the combination of  
26 nonconforming lots of record, in whole or part, into new lots less than the size  
27 requirements established by the LDC if the combination of lots reduces the  
28 degree of nonconformity and results in parcels which are capable of  
29 accommodating structures in conformance with the building area and setback  
30 requirements of the applicable zoning district.

31 **(4) Less than minimum size.** When a nonconforming lot of record can be used in  
32 conformance with all regulations applicable to the intended use, except that the  
33 lot is smaller than the minimum required for any use by the applicable zoning  
34 district, the lot may be used as proposed. However, no use for which the LDC  
35 requires a minimum lot size greater than the zoning district-wide minimum is  
36 permissible on the nonconforming lot.

37 **(d) Nonconforming site conditions.** Lawfully established site conditions, excluding  
38 uses, structures or lots, that no longer comply with applicable regulations of the LDC  
39 may continue subject to the following provisions:

40 **(1) Loss of nonconformance status.** The nonconformance of a site condition is  
41 lost when the condition is demolished, removed, or converted to or replaced with  
42 a conforming condition. This provision does not apply to restriping parking lots  
43 after surface resealing. [what about resurfacing/repaving?]

1       **(2) Expansion.** A conforming use located on a site with nonconforming conditions  
2       shall not be expanded unless the site conditions are brought into conformance  
3       with the provisions of the LDC.

4       **(3) Relocation.** No structure shall be relocated to a site with nonconforming  
5       conditions unless the site conditions are brought into conformance with the  
6       provisions of the LDC.

7       **(4) Change of use.** No existing structure located on a site with nonconforming  
8       conditions shall be changed from one zoning use classification to another use  
9       classification unless the site conditions are brought into conformance with the  
10      provisions of the LDC.

11      **(5) Correction.** When the correction of a nonconforming site condition is required, it  
12      shall be made according to the provisions of the standard with which the  
13      condition does not conform. If the standard provides no specific form of  
14      correction, the condition shall be corrected in general proportion to any proposed  
15      change affecting the condition as determined by the Planning Official.

## Article 3 County Officials

### Sec. 1-3.1 Purpose of article.

The purpose of this article is to establish the authority and duties of county officials, or to document the prior establishment of their responsibilities in other regulations, that are necessary to implement provisions of the LDC. This article identifies specific LDC authority and duties of the County Administrator, Planning Official, Building Official, and County Engineer.

### Sec. 1-3.2 County Administrator.

The County Administrator is appointed by the Board of County Commissioners (BCC) to serve as administrative head of the county. The Administrator's authority and duties, prescribed by Florida Statutes and Chapter 2, *Administration*, Part I, Escambia County Code of Ordinances, include development of an administrative plan and enforcement of all LDC provisions to assure their full implementation. [Sec.2-84] [2.01.01, 2.06.00, 7.01.09, 7.15.14 & 15]

### Sec. 1-3.3 Planning Official.

The Planning Official, an appointee of the County Administrator as designated in the adopted county administrative plan, has the following authority and duties in the implementation of the LDC: [Sec.2-84(8)]

- (1) **Use determinations.** Make determinations concerning uses of land and structures, especially as to whether a particular use or activity, or class of uses or activities, or characteristic of a use or activity is of the same general character as those uses or activities identified in the LDC as permitted, conditionally permitted or prohibited.
- (2) **Review and approval procedures.** Establish and maintain sufficiently detailed procedures to implement the LDC compliance review and approval processes prescribed in Chapter 3, except for those procedures identified as the responsibility of another administrative authority.
- (3) **Approvals and permits.** Confirm the appropriate compliance review processes and administer reviews as required by the LDC to grant, grant with conditions, or deny applications for the use and development of land. Upon the required compliance documentation and approvals the Planning Official shall issue land use certificates, development orders, permits and other forms of county authorization. [2.02.02, 2.13.01.A]
- (4) **LDC interpretations.** Make both general and specific interpretations on the proper application of LDC provisions according to the established rules of interpretation in Chapter 1. Interpretation responsibilities established here are limited to the provisions of the LDC and do not override the responsibilities prescribed by law or ordinance for other county officials or boards. [2.07.02]
- (5) **Map maintenance.** Maintain the accuracy of the county's official future land use category and zoning district maps. The maps can be made available to the

1 general public through the county website and for purchase through the offices of  
2 the Planning Official according to the fee schedule established by the BCC.  
3 Additionally, if uncertainty exists regarding the boundary of any mapped category  
4 or district the Planning Official shall determine the boundary according to the  
5 provisions of Chapter 3. [2.07.02.A.2 and 6.02.00 & 01]

6 **(6) Concurrency management.** Provide assistance in regards to the county's  
7 concurrency management system for those public facilities that have adopted  
8 level of service standards.

9 **(7) Monitoring Systems.** Provide assistance in regards to the county's  
10 transportation and school facilities monitoring systems that have adopted level of  
11 service standards.

12 **(8) Findings and recommendations.** Review rezoning, variance, conditional use,  
13 text amendment, and other land use applications that proceed to the Board of  
14 Adjustment, Planning Board, or BCC and provide findings or recommendations to  
15 the boards according to the provisions of the LDC.

16 **(9) Other duties.** Perform other duties that may be designated by the LDC.

#### 17 **Sec. 1-3.4 Building Official.**

18 The Building Official is appointed by the BCC to serve as the building codes  
19 administrator for the county. The official's authority and duties are prescribed by  
20 Chapter 14, *Buildings and Building Regulations*, Part I, Escambia County Code of  
21 Ordinances, and include enforcing the provision of the Florida Building Code, making  
22 interpretations of that code, and adopting policies and procedures to clarify the  
23 application of its provisions. [Sec. 14-34]

#### 24 **Sec. 1-3.5 County Engineer.**

25 The County Engineer, has the following authority and duties in the implementation of  
26 the LDC:

27  
28 **(1) Standards and specifications.** Within accepted standards of professional  
29 engineering practice, authorize modifications to specific engineering standards or  
30 specifications as specifically provided within the LDC or DESM.

31 **(2) Engineering considerations.** Advise the Planning Official regarding his final  
32 determinations on subdivision infrastructure construction and platting,  
33 interpretations of engineering standards and specifications, and on other  
34 engineering based considerations in development matters.

35 **(3) Findings and recommendations.** Make both general and specific comments  
36 on the proper application of DESM. Review responses established here are  
37 limited to the provisions of the LDC and DESM and do not override the  
38 responsibilities prescribed by law or ordinance for other county officials or  
39 boards. Provide findings or recommendations to the Planning Official according  
40 to the provisions of the DESM and LDC.

1    **Sec. 1-3.6    Director of Environmental Services.**

2    The Director of Environmental Services shall set and execute the rules and regulations  
3    for administration for the Department of Community and Environment, subject to the  
4    approval and under the direction of the Board of County Commissioners. He/she shall  
5    be a classified employee of the County and shall have the powers to perform the duties  
6    provided for by this ordinance or as may be assigned by amendments hereto. He/she  
7    shall see that all laws and ordinances and rules and regulations are enforced and  
8    perform such other duties as may be required by them, not inconsistent with this  
9    ordinance.

10  
11       **(1) Findings and recommendations.** Make both general and specific comments  
12       on the proper application of ESM. Review responses established here are  
13       limited to the provisions of the LDC and ESM and do not override the  
14       responsibilities prescribed by law or ordinance for other county officials or  
15       boards. Provide findings or recommendations to the Planning Official according  
16       to the provisions of the ESM and LDC.



## **Article 4 County Boards**

### **Sec. 1-4.1 Purpose of article.**

The purpose of this article is to establish the authority and duties of county boards, or to document the prior establishment of their responsibilities in other regulations, that are necessary to implement provisions of the LDC. This article identifies the specific LDC authority and duties of the Board of County Commissioners, Planning Board, Santa Rosa Island Authority, and Board of Adjustment.

### **Sec. 1-4.2 Board of County Commissioners.**

The Board of County Commissioners is the legislative and governing body of Escambia County with authority and duties prescribed by Florida Statutes. Within the scope of the LDC, the authority and duty of the BCC includes the following: [2.08.02.E, 2.09.00, 2.11.04 & 05]

### **Sec. 1-4.3 Planning Board. [2.07.01, 2.08.00, 2.12.00]**

**(a) Authority and duties.** The Planning Board is established by the Comprehensive Plan as the local planning agency (LPA) of Escambia County for the purposes established by Florida Statutes and additionally prescribed in the LDC. Accordingly, Planning Board members shall be informed and knowledgeable of the current conditions and development of the county. Board members shall also be familiar with county land development regulations, contemporary planning practices, and the rules of quasi-judicial proceedings. The board shall take action on all matters according to the requirements of the LDC, other applicable county ordinances, and state regulations as may be initiated by the board itself, the County Administrator, or the BCC. The Planning Board has the authority and duty to: [FS 163.3174, CP Sec 2.01(2)] [2.12.01]

**(1) Comprehensive planning.** Prepare the Escambia County Comprehensive Plan or plan amendments, hold public hearings on the proposals, and make recommendations to the BCC regarding adoption. Additionally, monitor and oversee the status and effectiveness of plan implementation and recommend to the BCC any plan changes as may be necessary. [2.12.07.A]

**(2) Land development regulation.** Hold public hearings to review all proposed text amendments to the LDC and make recommendations to the BCC regarding approval, particularly as to consistency with the Comprehensive Plan and other provisions of the LDC. [CP Sec 2.01(2)d]

**(3) Quasi-judicial hearings.** Hold quasi-judicial public hearings on proposed zoning map amendments (rezoning), equitable vested rights, and planned unit developments, to review the established record of evidence in support of LDC criteria and make recommendations to the BCC regarding approval, particularly as to consistency with the Comprehensive Plan and LDC. [2.08.00, 2.08.02, 2.12.07.C]

### **(b) Membership.**



1 **(1) Appointment.** Each of the five County Commissioners shall appoint one  
2 member, and the BCC as a whole shall appoint two “at large” members. All  
3 seven will be voting members and must be approved by a majority vote of the  
4 BCC. The Escambia County School Board shall appoint one *ex officio* member  
5 and the commanding officers of NAS Pensacola and NAS Whiting Field shall  
6 jointly appoint a second *ex officio* member. These two nonvoting members will  
7 provide the school district and military installations with the representation  
8 prescribed by Florida Statutes and interlocal agreement. [2.12.02]

9 **(2) Qualification.** All appointees of the BCC must reside within Escambia County  
10 and none shall be a paid or elected employee of the county. All persons seeking  
11 appointment shall furnish a resume or *curriculum vitae* to the County  
12 Administrator and BCC demonstrating their qualifications to serve. [2.12.02]

13 **(3) Terms of service.** Each member appointed by an individual commissioner shall  
14 serve a four-year term concurrent with their appointing commissioner, and the  
15 two at large members shall serve two-year staggered terms. The school board  
16 and Navy representatives shall serve until replacement by their respective  
17 appointing authorities. [2.12.03.A]

18 **(4) Removal and replacement.** Any member appointed by an individual  
19 commissioner may be removed from office during his term by that commissioner,  
20 and any at large member may be removed by a majority vote of the BCC. Any  
21 voting member absent from four or more meetings within a 12-month period shall  
22 be removed by the BCC unless the absences are reported by the Planning Board  
23 chair as beyond the control of the absentee. The school board and Navy may  
24 replace their appointed representatives at any time and for any reason they  
25 determine appropriate. Any vacancy occurring during an unexpired term of a  
26 member shall be filled for the balance of the term according to the appointment  
27 and qualifications provisions applicable to that member. [2.12.03.B]

28 **(5) Officers.** The voting members shall elect a chair and vice-chair from among  
29 themselves. Terms of the offices shall be for two years, with eligibility for  
30 reelection. [2.12.04.A]

31 **(c) Meetings.** The board shall hold regular meetings for the consideration of business.  
32 Special meetings may also be held as the members may determine necessary, or at  
33 the call of the chair or Planning Official. All meetings shall be public and adhere to  
34 Florida Sunshine Law requirements. [2.12.05.A]

35 **(1) Quorum and vote.** At least four of the seven voting members must be present  
36 to hold a meeting, and a majority vote of those present is required for any official  
37 action to be taken at the meeting. [2.12.06]

38 **(2) Procedure.** The Planning Board shall follow its adopted rules of procedure for  
39 the transaction of its business consistent with the compliance review processes  
40 of the LDC and any other applicable county or state requirements. [2.12.05.A]  
41 Any questions of order or procedure not covered by these rules shall be decided  
42 according to the latest edition of Robert’s Rules of Order, as applicable.

1       **(3) Records.** Minutes shall be kept of all proceedings, showing the vote of each  
2       member on each question considered, or the fact of their absence or failure to  
3       vote. Minutes and other records of official actions shall be maintained in the  
4       offices of the Planning Official.

5       **(d) Staffing and assistance.** County planning staff shall assist in the work of the  
6       Planning Board by preparing agendas, publishing notices, posting signs, arranging  
7       meetings, distributing meeting minutes, and similar operational support. With the  
8       approval of the County Administrator the Planning Board may call upon any county  
9       offices for information and advice that it believes will aid its work. It shall be the duty  
10      of the offices to furnish such information and advice promptly. A reasonable amount  
11      of expenses for the board, such as professional services and legal advertisements,  
12      shall be paid by the county upon the approval of the County Administrator.  
13      However, no services may be contracted without prior approval of the BCC. The  
14      County Attorney's Office shall provide legal assistance to the Planning Board.

15      [2.12.04.B]

1   **Sec. 1-4.4    Santa Rosa Island Authority.**

2   A special act of the 1947 Florida Legislature authorized the BCC to use that portion of  
3   Santa Rosa Island owned by Escambia County for purposes the BCC determined to be  
4   in the public interest. Additionally, the legislative act authorized and required the BCC  
5   to delegate to, and vest certain of its powers and authority in, a separate board - the  
6   Santa Rosa Island Authority (SRIA). The SRIA is charged with the general stewardship  
7   of Pensacola Beach and to protect the public interest in those resources that are unique  
8   to the county, state, and nation. More specifically, and within the scope of the LDC, the  
9   SRIA has the authority and duty to: [2.02.00, 13.00.00, 13.00.05, 13.01.00]

10       **(1) Land leasing.** Lease Santa Rosa Island, in whole or parts, assuring that all such  
11       leases executed or renegotiated for the property under its authority are  
12       consistent with the Comprehensive Plan and LDC. [13.00.03]

13       **(2) Floodplain administration.** Administer and enforce the floodplain management  
14       provisions of the LDC through the SRIA general manager as the authorized  
15       Floodplain Administrator for Pensacola Beach. As Floodplain Administrator, the  
16       general manager is specifically authorized and directed to administer and enforce  
17       the floodplain management regulations of the county on Pensacola Beach as  
18       prescribed in Chapter 4. [MO 103.1] [13.20.06.C]

19       **(3) Development review.** Review development proposed on Pensacola Beach for  
20       compliance with executed leases and specific provisions of the LDC, authorizing  
21       development or providing recommendations to the Planning Official, Board of  
22       Adjustment, (or?) and Planning Board, as applicable, regarding their final actions  
23       on the development proposals.

24       **(4) Quasi-judicial hearings.** Hold quasi-judicial public hearings for Pensacola  
25       Beach properties to review established records of evidence in support of LDC  
26       criteria, and on the basis of those records to do the following:

27           **a. Variances.** Grant, grant with conditions, or deny applications for substantial  
28           hardship variances to the strict site-specific application of eligible LDC  
29           development standards.

30           **b. Conditional uses.** Grant, grant with conditions, or deny applications for  
31           conditional uses as identified within applicable zoning or other LDC  
32           provisions.

33           **c. Zoning map amendments.** Make recommendations to the BCC regarding  
34           approval of requested zoning map amendments (rezoning), particularly as to  
35           consistency with the Comprehensive Plan and LDC.

36   **Sec. 1-4.5    Board of Adjustment.** [2.03.00]

37   **(a) Authority and duties.** The Board of Adjustment (BOA) is established and  
38   authorized by the BCC to review practical difficulties or undue hardships created by  
39   the strict application of land use regulations, and to grant relief according to the  
40   provisions of the LDC. However, the BOA is not granted legislative authority to  
41   substitute its judgment for that of the BCC, nor is it charged with the routine

administration of the LDC. The board shall uphold the meaning and intent of the LDC as enacted by the BCC. Accordingly, BOA members shall be informed and knowledgeable of county land development regulations and the rules of quasi-judicial proceedings. The BOA shall take action on all matters according to the requirements of the LDC, and all other applicable county ordinances and state regulations. Except as established for the SRIA, the BOA has the authority and duty to hold quasi-judicial public hearings, to review established records of evidence in support of LDC criteria, and to grant, grant with conditions, or deny applications for all of the following: [\[2.03.01\]](#)

**(1) Appeals.** Appeals of orders, requirements, decisions, interpretations or determinations of administrative officials, including officials under the authority of the SRIA, regarding LDC compliance.

**(2) Variances.** Substantial hardship variances to the strict site-specific application of eligible LDC development standards.

**(3) Conditional uses.** Conditional uses as identified within applicable zoning districts or other LDC provisions.

**(4) Extensions.** Long-term extensions of LDC standard periods of compliance approval or inactive nonconformance.

**(5) Temporary medical hardships.** Temporary use of manufactured (mobile) homes due to medical hardship.

**(6) Other.** Other approvals as may be specified by the LDC.

**(b) Membership.**

**(1) Appointment.** Each of the five County Commissioners shall appoint one member and the BCC as a whole shall appoint two “at large” members. All members must be approved by a majority vote of the BCC. [\[2.03.02\]](#)

**(2) Qualification.** All appointees must reside within Escambia County and none shall be a paid or elected employee of the county. All persons seeking appointment shall furnish a resume or *curriculum vitae* to the County Administrator and BCC demonstrating their qualifications to serve. [\[2.03.02\]](#)

**(3) Terms of service.** Each member appointed by an individual commissioner shall serve a four-year term concurrent with their appointing commissioner, and the two at large members shall serve two-year staggered terms. [\[2.03.03.A\]](#)

**(4) Removal and replacement.** Any member appointed by an individual commissioner may be removed from office during his term by that commissioner, and any at large member may be removed by a majority vote of the BCC. Any member absent from four or more meetings within a 12-month period shall be removed by the BCC unless the absences are reported by the BOA chair as beyond the control of the absentee. Any vacancy occurring during an unexpired term of a member shall be filled for the balance of the term according to the appointment and qualifications provisions applicable to that member. [\[2.03.03.B\]](#)

1       **(5) Officers.** The members shall elect a chair and vice-chair from among  
2       themselves. Terms of the offices shall be for two years, with eligibility for  
3       reelection. [2.03.04.A]

4       **(c) Meetings.** The board shall hold regular meetings for the consideration of business.  
5       Special meetings may also be held as the members may determine necessary, or at  
6       the call of the chair or Planning Official. All meetings shall be public and adhere to  
7       Florida Sunshine Law requirements. [2.03.05.A]

8       **(1) Quorum and vote.** At least four of the seven members must be present to hold  
9       a meeting, and a majority vote of those present is required for any official action  
10      to be taken at the meeting. [2.03.06]

11      **(2) Records.** Minutes will be kept of all proceedings to provide a written record,  
12      including the meeting time, date and location, confirmation of public notification,  
13      participants, and official actions taken by the board. Minutes will record the vote  
14      of each member on each question considered, or the fact of their absence or  
15      failure to vote. Minutes and other records of official actions shall be maintained  
16      in the offices of the Planning Official. [2.03.05.B]

17      **(3) Procedure.** The BOA shall follow its adopted rules of procedure for quasi-judicial  
18      hearings consistent with the application review processes of the LDC and any  
19      other applicable county or state requirements. [2.03.05.A]

20      **(d) Staffing and assistance.** County planning staff shall assist in the work of the BOA  
21      by preparing agendas, publishing notices, posting signs, arranging meetings,  
22      distributing meeting minutes, and similar operational support. The office of the  
23      County Attorney shall act as legal advisor to the BOA. Additionally, the BOA is  
24      authorized to acquire from any county offices information and advice that it believes  
25      will aid its work. However, such requests shall be made through the County  
26      Administrator's office to ensure the proper allocation of resources and a timely  
27      response. [2.12.04.B]

## CHAPTER 1 - STORMWATER

### Stormwater Management Systems (SMS)

All projects requiring a Stormwater Management System (SMS) shall be designed to meet the following:

1. Stormwater Quality (treatment)

Projects that require a Stormwater Management System (SMS) shall at a minimum be **designed** to provide for the treatment of the first ½" of runoff which shall be recovered in 72 hours. The method of treatment shall comply with the design methods referenced in the latest edition of the Environmental Resources Permit Applicants Handbook Volume II.

2. Stormwater Quantity (attenuation)

Projects that require a Stormwater Management System (SMS) shall at a minimum be **designed** to provide for the following:

A. The SMS shall provide attenuation of the runoff from a 25 year critical duration event, up to and including a 24 hour duration, so that the post-development runoff rate does not exceed the pre-development runoff rate, when a positive discharge route is present.

or

B. The SMS shall provide attenuation of the runoff from a 100 year critical duration event, up to and including a 24 hour duration when no positive discharge route is present. These systems shall remain private and will not be accepted by the county for ownership and maintenance.

or

C. For projects that abut the Gulf of Mexico, Escambia Bay, Pensacola Bay, Perdido Bay or their connected, tidally influenced bodies of water (i.e. Tarkiln Bayou, Chico Bayou, Bayou Texar, etc.) the County Engineer may reduce or waive the SMS from Stormwater Quantity requirements.

3. Stormwater Ponds and Impoundments

A. All stormwater ponds or impoundments shall comply with the design standards provided in the Environmental Resource Permitting Applicants Handbook, Volume II, Florida Department of Environmental Protection and Northwest Florida Water Management District.



## B. Pond Slopes

- (1) All ponds - It is encouraged that the banks of detention and retention areas slope at a gentle grade into the water as a safeguard against accidents, to encourage the growth of vegetation, and to allow alternate flooding and exposure of areas along the shore as water levels change. Detention and retention basins, designed to impound more than two feet of water, must contain side slopes that are no steeper than 4:1 (horizontal to vertical) out to a depth of two feet below the control elevation. Alternatively, the basins can be fenced with a perimeter fence to restrict public access\_ if any slopes are designed to be steeper due to space limitations or other constraints.
- (2) Ponds to be dedicated to the county - Ponds for public dedication require, "Side slopes no steeper than 3:1 (horizontal to vertical). If side slopes are steeper than 4:1, then the basins shall be fenced with a six-foot high chain link perimeter fence.

## C. Maintenance Access - All proposed stormwater ponds or impoundments that are to be dedicated to the county for ownership and maintenance shall provide adequate access.

- (1) Access requirements shall include a minimum width of 15 feet to the detention and retention/detention area and shall have a minimum 14 foot wide access gate, as necessary. The access road to the retention/detention structure shall be unobstructed and shall be a minimum of 12 feet wide, constructed of graded aggregate a minimum of 5" thick, and underlain with geotextile fabric.
- (2) Retention/Detention structures (wet ponds) - Adequate access for maintenance purposes, shall include a minimum width of 15 feet for access around the perimeter of the retention area.
- (3) Detention structures (dry ponds) -A ramp for access to the bottom of the retention area for maintenance equipment shall be required with a slope not to exceed 6:1. The access ramp shall be a minimum of 12 feet wide, constructed of graded aggregate a minimum of 5" thick, and underlain with geotextile fabric. Also, the entire bank slope, from the bottom of the pond to a point three feet beyond the bank line, shall be sodded.

#### 4. Conveyance Systems

All conveyance systems shall be **designed** to convey the runoff from a 25 year critical duration event.

A. Curb & Gutter Systems shall be **designed** to convey runoff without exceeding the following:

- (1) For *Local Residential Roads*, the maximum allowable spread shall not overtop the top of curb and the flow spread should not exceed to the crown of the roadway.
- (2) For two lane *Collector Roads*, the maximum allowable spread shall not overtop the top of curb and the flow spread must leave one lane of free of water in one direction.
- (3) For *Arterial Roads*, the maximum allowable spread shall not overtop the top of curb and the flow spread must leave at least one lane free of water in both directions.

B. Roadside swales and ditches

- (1) Shall be **designed** so that flow shall not extend over the property line, right-of-way line, or drainage/utility easement line.
- (2) All proposed swales and open ditches shall be **designed** to have a minimal longitudinal slope of 0.30%.
- (3) Shall not have a depth of greater than 3 feet.
- (4) Shall be designed to have a minimum distance of 6 feet from the edge of the travel lane.
- (5) Shall not have a design velocity of greater than 3 feet per second unless the swale is lined and shall not have a design velocity of greater than 6 feet per second.

C. Open Channels in drainage right of ways or easements shall be **designed** as follows:

- (1) All ditches or swales shall be stabilized.
- (2) Bank slopes shall be 6:1 or flatter, unless permanent stabilization is provided.
- (3) Velocity of water shall not exceed three feet per second in grassed ditches or six feet per second in lined ditches.
- (4) Maximum allowable design depth of water in ditches shall be three feet during a 25-year storm.
- (5) Bottom of ditch or swale is two inches or more above the water table.



- (6) Any ditches with grades of five percent or greater shall be lined or otherwise improved so as to eliminate erosion and sedimentation buildup in the lower elevations of the ditch, as approved by the County Engineer.
- (7) Adequate access for maintenance equipment (15 feet wide minimum) must be provided.

D. Underground conveyance systems shall be **designed** as follows:

- (1) Inlet/Junction Box spacing shall not exceed 400 linear feet.
- (2) Pipe diameters shall be equal to or larger than the adjoining upstream pipe diameter.
- (3) The minimum pipe size shall be 18" in diameter or its equivalent arch or elliptical pipe.
- (4) Only Reinforced Concrete Pipe (RCP) shall be constructed under all proposed or existing paved roadways.
- (5) Proposed drainage easements for underground conveyance systems shall have a minimum width of 15 feet.

E. Channels under Collector and Arterial Roads shall be designed to convey the runoff from a 100 year critical duration event without overtopping the road.

5. Exemptions

- A. Projects that include the addition of 1000 sf or less of impervious surface which are not part of a large development plan shall be exempt from this chapter.
- B. Residential property improvements (driveways, buildings, pools, etc.) and/or accessory structures that do not exceed 1500 sf shall be exempt from this chapter.
- C. Proposed subdivision of land into no more than five single-family lots, each fronting on an existing paved public or private streets, and complying with all of the following:
  - (1) No adverse impacts. Impervious cover on the lots will not adversely impact wetlands or create adverse off-site impacts.

- (2) Impervious cover limits. Total lot impervious cover will not exceed 2000 square feet on lots less than one acre in size, or five percent of lot area on lots one acre or more.
- (3) Documented limits. Lot impervious cover limitations are permanently documented in the public records of the county, including the subdivision plat and any covenants and restrictions.
- (4) Positive outfall. Each lot has a positive drainage outfall

6. Other agency approvals

It is the responsibility of the applicant and the engineer of record to apply for and obtain all appropriate permits. Projects that are to be dedicated to the county for ownership and maintenance shall be required to provide all applicable permits prior to dedication.

## **Stormwater Management Plans (SMP)**

All projects requiring a Stormwater Management System (SMS) shall be required to submit a Stormwater Management Plan (SMP) which shall be prepared by, signed and sealed by a Professional Engineer actively registered to practice in the State of Florida. The PE shall certify that the SMS has been designed to meet the SMS requirements. The SMP shall include those items needed (i.e. maps, graphs, tables, calculations, photographs, narratives, explanations, etc.) which clearly demonstrate the intent of the Land Development Code and this Design Standards section have been met.

1. Methods

Innovative approaches to stormwater management are encouraged; however the SMP shall document compliance with the standards of this chapter and shall demonstrate control of erosion, sediment transport, stormwater quality, and stormwater quantity (flooding). Methods used for other than listed below shall require approval by the county engineer:

- A. *Urban Hydrology for Small Watersheds*, Technical Release 55, US Department of Agriculture, Soil Conservation Service.
- B. *Environmental Resource Permit Applicants Handbook*, Volumes I & II, Florida Department of Environmental Protection and Northwest Florida Water Management District.
- C. *Drainage Handbook: Drainage Connection Permits*, Florida Department of Transportation.
- D. *Drainage Manual*, Florida Department of Transportation.

## 2. Content

At a minimum, the SMP shall provide the following information:

### A. Existing Conditions of the project site including the following:

- (1) Stormwater flow - the direction, flow rate, and volume of runoff pre-development.
- (2) Offsite Contributing Area – the area, direction, flow rate, and volume of runoff impacting the project site pre-development.
- (3) Receiving area – define or describe the area runoff flows offsite pre-development. Define the positive discharge route if one exists.
- (4) Environmentally Sensitive Lands - Indicate the location, area and description of all jurisdictional wetlands and endangered species habitat.
- (5) Indicate and define special flood zone areas on the site in accordance with the FEMA Flood Insurance Rate Maps should they exist on the project site.
- (6) Vegetation – define the type and extent of existing vegetation on the project site pre-development.
- (7) Topography – Provide a topographic map of the site pre-development. The topographic survey shall be prepared by a Professional Surveyor actively registered in the State of Florida. The topographic survey shall include contours which extend outside the project site property lines when the line adjoins a right of way, jurisdictional wetlands or easements. The requirements of this section may be reduced or waived by the County Engineer.
- (8) Geotechnical Report –For projects proposing less than 9,000 sf of impervious area, the engineer of record (EOR) may use data obtained from the NRCS Soil Survey Map. For projects proposing 9,000 sf or more of impervious area, the geotechnical report shall meet the requirements of the Environmental Resource Permitting Applicants Handbook, Volume II.

### B. Proposed Improvements – All proposed alterations to the project site shall be detailed and include the following:

- (1) Topography – All proposed grades and contours.
- (2) Impervious Cover – The total areas and descriptions of proposed impervious surfaces, semi-impervious surfaces, and pervious surfaces.
- (3) Structures – The size, location, and description of all buildings or structures.
- (4) Vegetation – The amount of vegetative area to be cleared.

- (5) Stormwater Management – All components of the proposed SMS to provide for stormwater treatment and attenuation including the following:
  - (a) Plans and Specifications
  - (b) Calculations – showing all components of all proposed conveyance, attenuation, and treatment systems meet the intent of the Land Development Code and Design Standards.
  - (c) Erosion Control Plan – The control of erosion and sediment transport shall be implemented based on the Best Management Practices (BMP's) designated in the Environmental Resource Permitting Applicants Handbook, Volume II, Florida Department of Environmental Protection and Northwest Florida Water Management District.
  - (d) Maintenance Plan
  - (e) Overall lot grading plan for all proposed subdivisions
- (6) Name, location and right-of-way width of all existing streets noting roadway surface (paved, clay, shell, etc.), rights-of-way and platted streets within 500 feet of the proposed entrance(s) of the proposed subdivision.

## CHAPTER 2 – TRANSPORTATION

### Roadway Design (RD)

1. Minimum right-of-way widths of streets, alleys and easements for utilities and drainage.

- A. Arterials - State highways and county arterials as defined in the LDC shall not be less than 100 feet wide.
- B. Collectors - Collector streets, as defined in the LDC shall not be less than 80 feet wide.
- C. Local streets - Local streets including temporary cul-de-sacs, shall be 50 feet if curb and gutter are utilized, or 66 feet if roadside swales are utilized.
- D. Turning circles - Turning circles (permanent) at the end of cul-de-sacs or dead-end streets shall have a right-of-way 100 feet in diameter.
- E. Easements - Easements for utilities, where required, shall be at least ten feet wide, and where practical shall be centered on rear or side lot lines.
- F. Alleys - Alleys normally shall not be platted within subdivisions. However, where they are acceptable to the overall development of a subdivision by the county engineer, they shall be platted to a width of not less than 20 feet or more than 30 feet.
- G. Drainage easement - Drainage easements must contain underground piping and shall be platted to a width sufficient to accommodate the projected pipe sizes, and shown on the recorded plat but in no case shall such easement be less than 15 feet in width unless a variance is approved by the County Engineer.
- H. Drainage right-of-ways - Open ditches and drainage swales must be constructed within public dedicated or deeded right-of-way with a minimum width of 15 feet and shown on the recorded plat unless a variance is approved by the County Engineer.

2. Minimum pavement widths

The portion of pavement required to be installed at the developer's expense is set forth below. As a condition of approval of new subdivisions on roadways which do not conform to county standards, the developer may be required to improve the portion of said road which adjoins, provides access to or is within the proposed subdivision. Improvements may include installation of turning lanes, increased pavement widths, installation of drainage facilities, paving or dirt roads, etc.

- A. Streets - Local streets will be 20 feet in width and collector roads will be 24 feet in width, plus curb and gutter on both sides. If soil and topographic conditions and impervious areas indicate that no drainage problems will be created or aggravated, the curb and gutter requirements may be waived, and substituted with ribbon curb (or improved shoulders, four feet wide, or other stabilization methods may be used) and swales as approved by the County Engineer. The determination of whether drainage problems shall be created or aggravated will be made by the developer's registered professional engineer, subject to approval of the county engineer.
- B. Turning circles - The pavement of a turning circle at the end of a cul-de-sac or dead-end street shall have a minimum inside curb face diameter of 90 feet.
- C. Temporary turning circle - The pavement of a temporary turning circle at the end of a cul-de-sac or dead-end street shall be tangent to the boundary of the adjacent property and shall have an outside diameter of 80 feet. The County Engineer may recommend that requirements for curb and gutter around the outside of the temporary turning circle be waived.
- D. Alleys - Alleys, if approved by the County Engineer shall be paved to a width of 18 feet.

### 3. Intersections

- A. Angle - Proposed streets shall intersect one another within ten degrees of right angles as topography and other limiting factors of good design permit.
- B. Radii - Street right-of-way intersections and edge of pavement intersections shall be rounded by radii of 25 feet minimum.
- C. Site distance - Intersections should be designed to provide site distance considerations in accordance with FDOT standards.

### 4. Slopes

All proposed roadways shall be designed to have a minimal longitudinal slope of 0.30%.

### 5. Roadway Elevations

The crown of all proposed roadways must be at minimum of 4 feet above mean sea level (NGVD) unless approved by the County Engineer. All proposed roads shall be designed to have a minimum of 2 feet of separation between the seasonal high water table and the bottom of the base coarse.

### 6. Street Layout

- A. Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned or platted streets with which they are to connect. Future commercial and residential subdivisions along major roads, thoroughfares and arterial streets shall provide access routes for all uses within the subdivision.



- B. Proposed streets shall extend to the boundary lines of the tract to be subdivided. If a subdivision or a undeveloped parcel of substantial size is adjacent to the proposed subdivision, said proposed streets shall connect with streets in the existing, platted, or planned subdivision or parcel. However, nothing herein shall grant to any person or entity other than Escambia County any right of access or right to require the granting of access. However, if the county engineer and the applicant agree that the proposed subdivision should not connect with an adjacent subdivision, said connection will not be required.
- C. In a proposed subdivision or accumulation of subdivisions of 100 lots or more adjacent to an existing or platted subdivision where extension of proposed streets to the boundaries would dead end with no feasible street connections, there shall be at least two entrance streets into or a loop street through the proposed subdivision which streets shall be connected to a paved road. For the purpose of this provision a loop street means the primary local road designed to move traffic through the subdivision. The developer may utilize a single ingress/egress point, provided however, that such point provides for separation of traffic entering and exiting the subdivision by a median or other measure and provided however, that left and right turn lanes are provided for the connecting road. The median width shall be at least six feet and shall run the entire length of the entrance road between the connecting road and the loop road. **TRAFFIC WANTS THIS REVISED TO BE MORE RESTRICTIVE.**
- D. A cul-de-sac or local dead-end street shall not exceed 1,200 feet in length, exclusive of the permanent turning circle at the end of that street; however, the county engineer may recommend approval of a cul-de-sac over 1,200 feet in length to serve odd-shaped parcels of land which cannot be developed in any other reasonable manner or to serve property that would otherwise be denied reasonable access caused by manmade or natural obstacles adjacent to such property.
- E. No streets or roads under the two-year warranty will be allowed to be open cut, or jack-and-bored, unless specifically approved by the division manager, development services. To accomplish this requirement, common trenching is required whenever possible. If a determination is made that common trenching is not a feasible option, the developer will install conduit or make other appropriate arrangements for the utility not participating in the common trenching and the utility will be required to use the conduit. This shall require planning between the utility and the developer.

7. Traffic control devices.

The developer shall install traffic control devices as specified by the County Engineer. Such devices shall conform with provisions in the Manual on Uniform Traffic Control Devices and FDOT standards.

## Access Management (AM)

Vehicular access to public roadways shall be accomplished by means of an improved access facility (i.e., driveway, private road, etc.) Unimproved and/or unrestricted access will not be permitted. All driveways and streets shall be designed and constructed pursuant to the design standards in the most recent edition of the "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway Transportation Officials" and/or "The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways," and FDOT.

### 1. Access Location

- A. Unless otherwise approved by the county engineer, in order to reduce turning movements on roadways, new access points to development sites or projects should be as follows:

TABLE INSET: Posted Speed (mph)	Distance Between Access Points (feet)
>45	440
36--45	245
35 or less	125

- B. For parcels which front two or more roadways. Access shall be permitted onto the higher class roadway if the driveway location can meet the driveway separation standard in section (AM)1.A of this manual.

### 2. Pedestrian Access –

- A. For commercial sites with buildings individually or cumulatively 50,000 GSF or greater, pathways through parking lots and across driveways between buildings and out parcels shall be provided for pedestrians. Such pathways shall be separated from vehicle driveways and shall be clearly identified by curbs, pavement markings, planting areas, fences or similar features designed to promote pedestrian safety.

- B. Sidewalks shall be constructed along the frontage, or within a development if any of the following conditions apply:

- (1) An existing sidewalk abuts the development, or is on one or both sides of an intervening/intersecting street, and that such new sidewalk provides connectivity and utility as determined by the 1996 Bicycle and Pedestrian Plan of Escambia County or County Engineer; **TRAFFIC WANTS STRICTER LANGUAGE**



- (2) Along collector, arterial and local roads designed to move traffic through subdivisions, when the property is within 1,500 feet of public school property; **TRAFFIC WANTS THE MEASUREMENT DEFINED TO RADIALLY, STAKEHOLDERS WANT DEFINED AS BY LENGTH OF ROUTE**
- (3) The need for site specific improvements are identified within an approved school "Safe Route to School" Plan approved by the LPA and the BCC.

C. Bikeways - Class I (separated from the roadway) or II (striped) bikeways shall be constructed along the frontage of a development if any of the following conditions apply:

- (1) An existing bikeway abuts the development; or
- (2) The need for a bikeway is identified by TPO Bike and Pedestrian Plan.

D. Repair - Existing sidewalks and bikeways damaged during the development of a property shall be repaired or replaced by the owner of such property as directed by the division manager, development services.

E. Connectivity - A separate access connection that routes pedestrians from the sidewalk to the building shall be provided for developments which are expected to attract pedestrian traffic.

### 3. Traffic control.

A. Traffic control devices - The County Engineer shall require the reasonable placement of traffic control signs, pavement markings, and traffic signals at any roadway or driveway, or within any development, if it is necessary, to provide for the safe and efficient movement of traffic at or prior to the preliminary plat, construction plans or site plan approval, if such device is justified. All traffic control devices shall be designed and installed in accordance with the Manual On Uniform Traffic Control Devices (USDOT, most recent edition) and the Roadway and Traffic Design Standards (FDOT, most recent edition).

B. Traffic signals- If an optional traffic signal serves a public/public intersection and/or if it serves a private/public intersection and has the opportunity for additional users, the signal will be the responsibility of the county. If an optional traffic signal is proposed by a developer or property owner on a private/public intersection that has no opportunity for additional users, it is a private signal. The private signal shall be justified by a traffic study which demonstrates the warrants, design, and

operation of the proposed signal. Such studies shall be provided by the developer for approval by the division manager, development services. All construction costs for the installation of a traffic signal, including associated roadway modifications, necessitated by and proposed by a developer or property owner shall be borne by same. If such proposed traffic signal serves only the development associated with the proposal and no other driveway or side road, the developer or property owner of said development shall reimburse the county for the continuous operating and maintenance costs of the traffic signal on a agreed upon schedule approved by the county prior to installation.

- C. Turn restrictions - The County Engineer shall restrict turning movements into and out of any roadway or driveway where it is deemed necessary for the safe and efficient movement of traffic, and the decision is based on sound professional engineering practices. Roadway or driveway connections with restricted turn movements shall be geometrically designed so as to provide access only for the movements permitted.
- D. Median openings. The location of additional and relocated median openings shall comply with the standards of FDOT in F.A.C. ch. 14.97, as amended.

E. Turn lanes

- (1) The developer shall construct right and/or left turn lanes on a county roadway to serve any turning movement entering a development when the estimated volume of such movement is 60(**TRAFFIC WANTS 40**)or more vehicles during any peak hour. Such turn lanes shall be provided by the developer at no cost to the county and meet all county standards. Turn lane design shall be supported by documentation of the estimated volume of traffic using the lane, resulting queue length, and design speed of the roadway. When existing conditions warrant, i.e., traffic volume, queue length, design speed of roadway, etc., the County Engineer shall require additional length or width of proposed turn lanes and/or modifications to existing lanes. Any rights-of-way required to accommodate the construction of turn lanes shall be provided at no cost to the county.
- (2) All commercial and multifamily development proposals shall provide deceleration lanes as required according to county specifications.

4. Modification of existing access.

- A. Abandoned access- When an existing driveway or other type of access is abandoned, or not used to serve a redeveloped site, the developer or property owner shall remove all pavement or gravel and restore the road rights-of-way. Restoration shall include but not be limited to, grading, culvert removal, and replacement of curbing and sidewalk.
- B. Additions- Unless the project is de minimis, reconstruction and/or removal of existing access connections to current standards is required when a site is redeveloped or expanded and the number of average daily vehicle trip ends attracted/generated by the new use is increased by 50 percent or more of the previous use.
- C. Change of use - alteration of existing access connections by the property owner shall be required by the County Engineer whenever the nature of business conducted at a location changes so as to cause a change in the traffic pattern on a roadway which is reasonably expected to cause undue disruption to traffic or present a safety hazard.

5. Internal site access design

- A. Parking area setbacks - Parking shall be set back from the property line at driveways so as to not interfere with safe ingress/egress of traffic. The set back distance should be determined according to the estimated speed and volume of traffic entering a driveway and shall meet all the visual clearance requirements.
- B. Drive-through stacking - Drive-in and drive-through developments shall provide adequate queue storage capacity based on the peak hour storage requirements of the project which is subject to the review and approval by the County Engineer.

6. Commercial traffic in residential areas

No permit, development order, or other approval shall be issued for any proposed commercial use which requests primary, secondary, or limited access onto a local street if that local street is fronted by more than 50 percent residential zoning in the following districts: R-1, R-1PK, R-2, R-2PK, R-3, V-1, V-2, V-3, V-4, V-5, measured in linear feet along the center line of the local street impacted by the proposed development. This provision will not apply when its strict application would deny all access to a parcel that is zoned for any commercial use.

## CHAPTER 3 - PLANNING

### Parking and Loading (PL)

#### 1. Stall and aisle design

- A. Stall Dimensions - Standard parking stalls shall be nine feet wide by 18 feet long for all but parallel parking. Parallel stalls shall be nine feet wide by 23 feet long.
- B. Stall Angles - The angles of non-parallel parking stalls in relation to the alignment of the accessing drive aisle are restricted to 90, 60 or 45 degrees.
- C. Stall Accessibility - Each parking stall shall be accessible from an aisle or driveway and designed so that vehicles can enter and exit the stall without backing into the travel way of any street.
- D. Aisles Dimensions
  - (1) One-way - Standard one-way drive aisles shall be 24 feet if accessing 90 degree parking stalls, 16 feet wide if accessing 60 degree stalls, and 12 feet wide if accessing 45 degree or parallel stalls, or if accessing no stalls.
  - (2) Two-way - Standard two-way drive aisles shall be 24 feet wide if accessing 90 degree parking stalls, and 20 feet wide if accessing 60 degree, 45 degree or parallel stalls, or if accessing no stalls.
- E. Turnarounds - All parking areas containing three or more parking spaces shall include a turnaround that is designed and located so that vehicles can enter and exit the parking area without backing into a public right-of-way.
- F. Encroachment - Landscape areas and pedestrian pathways shall be protected from vehicle encroachment using wheel stops, raised curbing, bollards or similar fixed barriers such vehicles overhang no more than two feet into landscape areas or pedestrian pathways.
- G. Delineation and traffic control - All paved parking spaces shall be striped in white and all driving aisles clearly delineated. Spaces for motorcycles, bicycles and handicap parking shall be clearly marked. Parking lot traffic control signage and marking shall conform to the latest editions of the *Manual on Uniform Traffic Control Devices*, U.S. Department of Transportation, and the *Florida Accessibility Code for Building Construction*.

- H. Pedestrian entrances - No door or other pedestrian entrance shall open directly upon any driveway or access aisle unless the entrance is at least three feet from the driveway or access aisle.
- I. Surface materials
  - (a) Except as allowed for excess parking or limited uses, the stalls, drive aisles and accesses of all parking required by this article shall be finished with an all-weather surface capable of withstanding ordinary use under normal weather conditions without substantial deterioration. For these purposes, all-weather surfaces are limited to concrete and asphalt pavement, recycled asphalt, gravel, crushed stone or shell, and paving stones. Areas of higher intensity use, such as site accesses or heavy truck routes, may be limited by the county to paved surfaces.
  - (b) All non-handicap required parking for places of worship, parks and campgrounds, or parking in excess of the quantities required by this article, may be finished in stable grass, provided tree protection is established for any preserved trees within the parking area and the spaces are delineated in a manner acceptable to the county.
- J. Drive-through stacking - Any development with drive-through facilities shall provide adequate vehicle queuing capacity based on the peak hour requirements of the development. Where inadequate queuing capacity causes a recurring traffic hazard or nuisance off-site, the owner will be responsible for increasing the queuing capacity or decreasing the need for queuing.

## 2. Parking Demand

- A. Quantity - The number of off-street parking spaces required for development shall be determined by land use according to the parking demand ratios listed below. The ratios may be exceeded or reduced by up to 10 percent without further justification.
- B. Computation - In computing the number of required parking spaces, any interpretations made regarding the independent variables should be in favor of the most reasonable assumptions regarding their associated parking demand and according to the following conditions:
  - (1) Square footage. The independent variable of square footage is gross floor area, unless otherwise noted.
  - (2) Mixed uses - In the case of mixed or multiple uses, the parking shall be equal to the sum of the several uses computed separately, unless otherwise noted.

- C. Other quantities - The required number of parking spaces may be increased more than 10 percent without the granting of a variance only if additional landscape within the parking lot is provided as prescribed in Article 7. The required number of spaces may be reduced more than 10 percent if sufficient documentation supporting the reduced parking demand is provided to the county. Any parking studies used shall document the source of data from which the alternative quantities were developed, demonstrate sound methodology and engineering principles, and be acceptable to the Planning Official. Without such documentation the parking requirements of other jurisdictions are not considered studies. All approved reductions shall include the condition that where inadequate on-site parking causes a recurring traffic hazard or off-site nuisance, the owner will be responsible for increasing the number of parking spaces or decreasing the need for parking.
- D. Uses not listed - Where land uses do not correspond to any categories listed in this article the Planning Official shall alternatively confirm the sufficiency of parking facilities proposed. For any such use the applicant shall estimate the number of parking spaces required to satisfy the projected demand and provide adequate information from which the demand was estimated, including the following as applicable:
- (1) Uses. Type of use(s).
  - (2) Trips - Estimated total number of vehicle trips generated during peak conditions and parking duration per trip (turnover rate).
  - (3) Employees -Number of employees.
  - (4) Capacity - Building design capacity.
  - (5) Area - Square feet of use areas.
  - (6) Hours – Hours of operation.

Use or activity	Required number of parking spaces
<b>Residential household living</b>	
Single-family dwelling, including townhouse and manufactured (mobile) home	2 per dwelling unit.
Two-family dwelling	2 per dwelling unit
Multi-family dwelling	1.5 per dwelling unit 2 per dwelling unit on Pensacola Beach
<b>Residential group living</b>	
Assisted living facility	0.4 per unit
Dormitory, fraternity or sorority house	0.5 per bed
Nursing home or other skilled nursing facility	0.5 per bed or 1 per 1000 sq.ft.
Retirement or senior adult housing	1 per dwelling unit



Use or activity	Required number of parking spaces
<b>Retail sales, excluding vehicles</b>	
Book superstore	1 per 1000 sq.ft.
Convenience store (with or without fuel sales)	3 per 1000 sq.ft. 8 per 1000 sq.ft. on Pensacola Beach
Carpet store	2 per 1000 sq.ft.
Food store, bakery, butcher	4 per 1000 sq.ft.
Furniture store	1 per 1000 sq.ft.
Pharmacy or drugstore: without drive-through with drive-through	3 per 1000 sq.ft. 2.5 per 1000 sq.ft.
Shopping center	3 per 1000 sq.ft.
Retail sales not otherwise listed	3 per 1000 sq.ft.
<b>Retail services, excluding vehicles</b>	
Barber or beauty shop	2 per chair
Bed and breakfast inn	1 per guest room + 2
Boarding and rooming house	1 per guest room + 2
Child care center or adult day care	1 per 6 persons of licensed capacity
Hotel or motel	1 per guest room, or 1 per bedroom if suites, + 50% for restaurants, meeting rooms & other associated uses.
Medical clinic or office	5 per 1000 sq.ft.
Personal service establishment not otherwise listed	2.5 per 1000 sq.ft.
Professional service office	3.5 per 1000 sq.ft.
Service to buildings and dwellings (pest control, janitorial, etc.)	1 per 1000 sq.ft.
Restaurant: Fast food with drive-through All other restaurants	1 per 2.5 seats (including outdoor) or 10 per 1000 sq.ft. 1 per 2 seats (including outdoor) or 15 per 1000 sq.ft.
<b>Vehicle sales and services</b>	
Rental of automobiles, trucks, utility trailers and/or recreational vehicles	1 per 1000 sq.ft.
Sales of parts, accessories and tires	4 per 1000 sq.ft.
Sales of new and used motor vehicles and boats	1 per 400 sq.ft. of sales and service area
Service and repair of motor vehicles	1 per 400 sq.ft., including service bays
<b>Public and civic uses</b>	
Clubs, civic or fraternal	1 per 3 persons
Correctional facility	1 per employee, largest shift
Educational facility: Elementary & middle school (K-8) High school (9-12)	1 per 5 students (capacity) 1 per 10 students (capacity) + 1 per classroom
Emergency service facility	1 per employee/volunteer on normal shift + 5 per 1000 sq.ft. office area
Funeral home	1 per 4 seat in assembly area + 1 per employee
Hospital	2.5 per 1000 sq.ft. or 1 per employee
Library	2.5 per 1000 sq.ft.

Use or activity	Required number of parking spaces
Museum	1.5 per 1000 sq.ft.
Place of worship	1 per 4 seats or 1 per 35 sq.ft. in principal assembly area if no fixed seats
Public utility structure	1 per employee or service person, as applicable
<b>Recreation and entertainment</b>	
Arcade amusement center	1 per game table, video game, or other amusement device
Bar or nightclub	1 per 2 seats
Bowling alley	4 per lane
Golf course	6 per hole + 50% for restaurants & other associated uses.
Health, fitness or athletic club	5 per 1000 sq.ft.
Marina, public	1 per boat berth or slip + spaces for associated uses
Soccer complex	50 per field
Tennis court	4 per court
Theater	1 per 4 seats
<b>Industrial and related uses</b>	
Laboratory	1 per 1000 sq.ft.
Manufacturing and light industrial	1 per 1000 sq.ft. or 1 per employee
Salvage yard	1 per employee
Warehousing, distribution or wholesale	0.5 per 1000 sq.ft. or 1 per employee
<b>Other uses</b>	
Mini-warehouse or self-storage	1.5 per 100 storage units + 2
Public assembly structure not otherwise listed	1 per 5 seats or 1 per 35 sq.ft. of assembly area if no fixed seats
Veterinary clinic or animal hospital	4 per 1000 sq.ft. or 2 per employee

### 3. Off-site and joint use parking

- A. If the off-street parking required for a specific use by this article cannot be fully accommodated on the site of the use, the remaining parking may be provided off-site. The following conditions only apply to off-site parking necessary to comply with the required quantities to meet parking demand:
- (1) Same street side. Off-site parking can be provided on the same side of the street as the use it serves, provided that the parking is within 300 feet of the use as measured along a pedestrian pathway that complies with the latest edition of the *Florida Accessibility Code for Building Construction* to safely route pedestrians from the parking to the use. For any part within the street right-of-way, the pedestrian pathway shall be a concrete sidewalk along the shoulder of the roadway complying with county construction standards.



- (2) Opposite street side. Off-site parking can be provided on the opposite side of the street as the use it serves, provided there is a marked pedestrian crossing, the crossing is at a signalized intersection if the posted speed limit is greater than 35 miles per hour, and there is a pedestrian pathway that utilizes the marked crossing and complies with the pathway requirements for off-site parking on the same side of the street as the use it serves.
- (3) Improvements. If the required pedestrian pathway is not present or is in substandard condition, including applicable street crossing features, the developer shall be responsible for its construction or augmentation. Additional requirements for improvements may be imposed on the developer at the discretion of County Engineer based on the existing condition of the street and/or shoulder to be traversed. Improvements may include striping, signage, lighting, grading, etc.
- (4) Easement. If any part of the intended pedestrian route is through one or more private parcels, the developer shall secure an easement allowing pedestrians to legally traverse the route.
- (5) Mid-block crossings. In general, the county does not support mid-block crossings on streets with average daily trips greater than 600 or with speed limits greater than 35 miles per hour. However, marked mid-block crossings may be proposed by a developer if supported by sound engineering practices. Such proposals must be approved by the County Engineer.

B. Joint use parking. The Planning Official may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking when their respective parking needs do not normally overlap. Reduction of parking requirements because of joint use may be approved only if the following conditions are met:

- (1) The developer submits sufficient data to demonstrate that the demand for parking at the respective uses does not normally overlap.
- (2) The developer submits a legal agreement, approved by the County Attorney and signed by all property owners involved, guaranteeing the joint use of the parking spaces for as long as the uses requiring parking are in existence, or until the required parking is provided elsewhere in accordance with the provisions of this article.

#### 4. Loading and unloading.

- A. Generally - Development shall provide and maintain sufficient off-street loading and unloading areas as prescribed in this section whenever normal operations requires that goods, merchandise, or equipment be routinely delivered to or shipped from the development.

B. Location and design - Loading and unloading areas shall be located and designed to meet the following standards:

- (1) Maneuvering - Vehicles intended to use the areas can maneuver safely and conveniently to and from a public right-of-way and access them without backing into or from a street right-of-way with a posted speed limit of 35 miles per hour or greater.
- (2) Obstructing - Loading and unloading operations can be completed without obstructing or interfering with any public right-of-way.

C. Number of spaces-The following table indicates the minimum number of loading/unloading spaces required to accommodate delivery and shipment, not including the collection of solid waste:

Building gross floor area in square feet	Spaces
10,000 - 19,999	1
20,000 - 79,999	2
80,000 - 127,999	3
128,000 - 191,999	4
192,000 - 255,999	5
256,000 - 319,999	6
320,000 - 391,999	7
each additional 72,000 or fraction	+1

D. Space dimensions - The minimum dimensions of an individual loading/unloading space shall be 12 feet by 55 feet with an overhead clearance of 14 feet above grade.

F. Reasonable extent - Whenever there is a lot with one or more structures on it constructed before the effective date of the LDC and there is a change in use proposed that does not involve any enlargement of a structure on the lot, if the loading area requirements of this section cannot be satisfied for the new use because there is insufficient area available on the lot that can practicably be used for loading and unloading, then the use need only comply with this section to the extent reasonably possible as determined by the County Engineer.

G. Solid waste. Refuse and waste removal areas shall be buffered and/or screened from adjacent properties and public ways by appropriate fences, wall or hedges.

## Density bonus (DB)

The county may award density bonuses (or allow increased densities) for properties in the R-1 through R-6, the PK zoning districts and the following village zoning districts; V-1, V-2, V-2A, V-3, V-4, V-5. Applicants who wish to obtain density bonuses may so qualify if the application submitted, or finally approved, establishes that the proposed development will exceed minimum zoning requirements and exceed minimum design standards. Bonuses will be determined and points will be awarded pursuant to criteria in the subsections below.

1. Environmentally sensitive lands  
Donation of environmentally sensitive lands to a public agency approved by the county or dedication of a conservation easement in perpetuity which encompasses environmentally sensitive lands. Two points per acre donated or reserved.
2. Public access to surface waters, beaches and shores  
Where land is donated to a public agency approved by the county or dedication of a public access easement for the purpose of providing access to public waterways, beaches or shores and such access is maintained for public use and is a minimum 15 feet in width. Four points per access way.
3. Water conservation
  - A. Appropriate use of low water demand plants and native vegetation in all required buffers, landscaped areas or other common areas in subdivisions. Two points per site or one point per acre of qualifying lands.
  - B. The use of drip irrigation or other low water use methods of irrigation. One point per site.
  - C. The use of treated wastewater or "grey" water for irrigation. One point per site or one point per acre irrigated.
4. Affordable housing
  - A. Ten percent of dwelling units for low to moderate income families with assurances on the site plan. Five points.
  - B. Twenty percent of dwelling units for low to moderate income families with assurances on the site plan. Ten points.
5. Redevelopment/adaptive reuse.
  - A. Where existing nonresidential structures are proposed for reuse, for residential purposes. One point per five dwelling units.
  - B. For rehabilitation to existing multifamily residential structures and for participation in state or federal weatherization programs. One point per five dwelling units.

Note: The above bonuses do not apply to any structure for which compliance with applicable building or life safety codes is not voluntary. Voluntary compliance is deemed to exist if no notice of violation has been issued or if all deficiencies identified in an initial notice of violation have been corrected within

the time specified in the notice. The issuance of a second or subsequent notice of violation shall render the structure ineligible for bonus points under this section.

6. Provision of sidewalks and bikeways

- A. The provision of bicycle paths or lane markings and/or the provision of sidewalks in developments or subdivisions where such is not otherwise required. Ten points.
- B. Where the provision of the facilities in part A above also connect to a commercial, office, service, and/or an existing public recreation area and when such nonresidential uses are located within one-half mile of the development. Four points.

7. Protection of historic resources

Where land is donated to a public agency approved by the county for the purpose of preservation of sites or artifacts with known archaeological or historic value or for the dedication of a conservation easement in perpetuity for the preservation of such known site, artifact and value. Two points per acre or site donated.

8. Underground utilities.

In the event that the developer provides underground utilities a bonus of one point for every four dwelling units.

9. Application of density bonuses

Each point earned shall qualify for a two percent increase in the maximum density otherwise allowed for the particular development.

10. Clustering development outside prime farmland.

On parcels which contain prime farmland, as established by the USDA Soil Conservation Service, density bonus points are offered for developments which plat outside prime farmland, and designate such lands for agricultural/open space use. Three points per acre of prime farmland set aside for agricultural/open space use.

11. Clustering development outside jurisdictional wetlands.

On parcels containing jurisdictional wetlands, density bonus points are offered for developments which plat lots entirely outside jurisdictional wetlands. Three points per acre of jurisdictional wetlands set aside for conservation/open space uses.

12. Tree preservation in residential subdivisions.

In subdivisions where at least 75 percent of the protected trees within the required yards and any common open space are preserved, one bonus point for each ten lots with protected trees on them shall be awarded in accordance with (DB)9.

13. Retention ponds as subdivision amenity.

If the developer solves the on-site stormwater run-off requirements by wet retention ponds that provide true scenic amenities to the development, one point for each four lots shall be awarded.

**Affordable housing (AH)**

To encourage the provision of affordable housing (defined as that which costs no more than 33 percent of the median family income, including utilities) the county shall allow cluster developments, zero lot line developments, planned unit developments and density transfers when such developments or approaches to development are documented to contain the cost of housing to the hereinabove referenced threshold.

1. Innovative development types.

Parcels may be rezoned to the appropriate zoning district wherein cluster housing or zero lot line developments are permitted upon presentation of documentation sufficient to indicate that the housing to be constructed can be acquired at a cost not to exceed one third of the median family income as determined by the U.S. Bureau of the Census, the Bureau of Economic and Business Research - University of Florida, or the Florida Department of Community Affairs. Note: Nothing herein shall be deemed to require or "automatically" permit such rezonings. Among other things, compatibility with adjacent and nearby neighborhoods and zoning districts shall be considered.

2. Density transfers.

The owner or developer may transfer density from any portion of a development site to allow innovative development types to another portion of the development site which has been zoned or rezoned to allow such innovative affordable development. Density transfers shall be permitted on a unit by unit (one to one) basis, provided that the receiving portion is sufficient in size to accommodate the density transfer while allowing the development to meet all design and performance standards.

**Zero lot line developments (ZL)**

All applications for a zero lot line development shall submit a development plan and plat which shall comply with the following criteria:

A. Minimum lot area.

The minimum lot size shall be 2,000 square feet for each zero lot line development unit.



B. Dwelling unit setback.

The dwelling unit shall be placed on one interior side property line with no minimum setback (zero lot line), and the side yard setback on the opposite side shall be a minimum of ten feet. In no case shall a zero lot line dwelling unit be built closer than 15 feet of the lot line of a contiguous parcel that is zoned R-1, R-1PK, R-2, R-2PK and R-3. All dwelling units shall be set back a minimum of 20 feet from the front property line and a minimum of 15 feet from the back property line.

D. Minimum lot width.

The average minimum lot width for all lots within a zero lot line development shall be 35 feet.

E. Maximum lot coverage. The total lot coverage permitted for all buildings on each lot shall not exceed 80 percent.

F. Building height. The maximum building height shall not exceed 2 1/2 stories or 35 feet above the habitable first floor.

G. Platting requirements.

Each dwelling shall be located on its own individual platted lot. The plat shall indicate the zero lot lines and easements appurtenant thereto.

H. Openings on zero lot line side.

The wall of the dwelling located on the lot line shall have no windows, doors, air conditioning units or any other type of openings.

I. Corner lots.

Minimum side yards for corner lots shall not be less than ten feet from the lot line or the street right-of-way line, whichever is greater.

J. Atriums or courts.

Atriums or courts shall be permitted on the zero lot line side when the court or atrium is enclosed and a solid wall of at least eight feet in height is provided on the zero lot line. Said wall shall be constructed of the same material as exterior walls of the unit.

K. Maintenance and drainage easements.

A perpetual four-foot wall-maintenance easement shall be provided on the lot adjacent to the zero lot line property line, which, with the exception of walls and/or fences, shall be kept clear of structures. This easement shall be shown on the plat and shall be incorporated into each deed transferring title to the property. The wall shall be maintained in its original color and treatment unless otherwise agreed to in writing by the affected lot owners. Roof overhangs may penetrate the easement on the adjacent lot a maximum of 24 inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is limited to the easement area.

## CHAPTER 4 – DEVELOPMENT PLAN SUBMITTALS

### Site Plans (SP)

A site plan shall include, but not necessarily be limited to, the following requirements:

1. Site plan with grades, finished ground floor elevations, contours, number of dwelling units, square footage of site, building coverage, square footage of paved areas, and open area.
2. A scaled drawing of the sides, front, and rear of the building or structure, generalized floor plan uses and square footage of each proposed use of all buildings or structures.
3. Location and character of all outside facilities for waste disposal (including dumpsters), storage areas, display, septic tanks, or utilities.
4. All pedestrian walks, malls, yards and open spaces.
5. Location, size, character, height or orientation of all signs.
6. Location and general character of landscaped areas including the location of any protected or preserved trees.
7. Location and general character of all existing curb cuts, driveways, parking areas, within 100 feet of any proposed curb cuts, driveways or parking areas.
8. Location, height and general character of perimeter or ornamental walls, fences or other screening devices.
9. Stormwater Management Plan.
10. Location of existing easements and rights-of-way, including any required additional right-of-way.
11. Land survey with complete legal description prepared and certified by a registered surveyor.
12. All plans shall be drawn to a legible scale.
13. For all multifamily residential and all nonresidential development proposals, the trimline sheet size shall be at least 24 inches by 36 inches.
14. If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.
15. The front cover sheet of each site plan shall include:
  - A. A general vicinity or location map.

- B. A complete legal description of the property including the property acreage.
  - C. The name(s), address(es) and telephone number(s) of the owner(s) of the property.
  - D. The name, business address and telephone number of those individuals responsible for the preparation of the drawing(s).
  - E. The 100-year flood elevation boundaries, the CCCL, CHHA, and shoreline protection zone, where applicable.
- 16. Total area calculation with percentage of total site to be covered by impervious surface(s) and landscaping.
  - 17. Identification of all protected native habitats and environmentally sensitive lands governed by state, local, and/or federal regulations; state, local, and federal wetland jurisdictional boundaries including date of wetland delineation; all identified conservation areas which are to be retained and noted as a "conservation easement."
  - 18. Zoning districts and FLUM categories.
  - 19. For structures over 200 feet above ground level, an FAA airspace evaluation, pursuant to the filing of an FAA Form 7640-1.

### **Construction Plans (CP)**

Construction plans for proposed improvements shall include the following items:

- 1. Horizontal control of the subdivision with radii of curves, lengths of tangents, and central angles of streets.
- 2. A minimum of two benchmarks shall be shown on the plans, not more than 1,500 feet apart. Benchmarks shall not be required at closer intervals than 600 feet. Plans shall indicate the location, elevation and description of all benchmarks to include section, township, and range reference with departures and distances to location.
- 3. Plans and profiles of each proposed street, including private streets, at a horizontal scale of 50 feet or less to the inch, and vertical scale of five feet or less to the inch, with tentative grades indicated; including plans and profiles of proposed sanitary sewers, also stormwater sewers if required, or use of grassed swales with grades and sizes indicated.
- 4. A Stormwater Management Plan.
- 5. A plan showing the location and typical cross sections of street pavements including concrete curbing, sidewalks, bikeways, utility and drainage easements, rights-of-way, manholes, and catch basins; the location, size and invert elevations of existing and



proposed wastewater sewers and storm sewers and the location and size of existing and proposed water, gas, and other underground utilities or structures mains.

6. A Project Information Manual including Technical Specifications and other appropriate documents (geotechnical report, environmental assessments, etc.)
7. Design of proposed improvements shall comply with applicable Public Works Policies and Procedures Manual.

DRAFT

## Environmental Design Standards – Working. Last revised December 18, 2013.

Black – state/federal requirements

Blue – discussion

Green – presumed consensus

### Wetlands

1. Wetlands [(defined in subsection 373.019(25), F.S.) shall be protected from acts that will reduce or otherwise adversely impact their primary ecological functions and public benefits consistent with Section 62-330 Florida Administrative Code. An Environmental Resource Permit issued pursuant to Part IV of Chapter 373, F.S., and 62-346, F.A.C. shall demonstrate compliance with this requirement.
2. Upland buffers with a minimum width of 15-ft and an average width of 25-ft shall be provided abutting those wetlands under the regulatory jurisdiction of the State of Florida under 62-340, F.A.C. *Upland buffers shall not be required for development activities that completely avoid impacts to wetlands. NESD wants buffers, has language.*
3. *Clustering density to avoid impacts. The minimum lot width of the applicable zoning district may be reduced by 10 percent to allow more of the permitted residential density to be clustered on upland areas of a development parcel and avoid adverse impacts to wetlands if the development complies with the following conditions:*
  - a. **Maximum density.** The development does not exceed the maximum gross density for the applicable zoning of the parcel.
  - b. **Minimum preservation. At least 90 percent of the wetlands** remain undisturbed and preserved under a conservation easement, deed restrictions, covenants, or other method approved by the county and recorded in the public records of Escambia County. The easement may be executed in favor of Escambia County, the State of Florida, a federal agency, or other entity approved by the BCC. No area of a developable lot may be applied to the minimum 90 percent conservation area.
  - c. **Outside AIPDs.** No dwelling will be within an airfield influence planning district (AIPD) as defined in LDC.
  - d. **Conservation easement.** For a subdivision plat, the remainder of the property on which the development is not clustered is shown on the plat as a permanent open space tract reserved exclusively for conservation use by conservation easement(s) granted to the county. For phased and mixed use projects, the conservation easement(s) shall be shown on the master plan and must be recorded prior to approval of the final plat of each phase. Proposed changes to the conservation easement(s) are considered a substantial change to the master plan and require submission of a new master plan for review and approval.
  - e. **Rural districts.** Clustered development within the Agricultural, Rural Residential, and Rural Mixed Use zoning districts maintains a minimum of 30 percent of the parent parcel within a conservation easement.
  - f. **Contiguous and unified.** All land to be included in the cluster development is contiguous and under unified control of one individual, partnership, corporation, or a grouping thereof at the time of development review

### Threatened and endangered species habitat

Threatened or endangered species and their habitat shall be protected from acts that constitute a “take” as defined by the federal Endangered Species Act of 1973. The applicant may provide

authorization from either the US Fish and Wildlife Service or Florida Fish and Wildlife Conservation Commission, as appropriate, to satisfy this requirement.

1. **Barrier Island lighting.** Marine shorelines shall be protected from all artificial (manmade) light sources and the adverse impacts of such lighting on nesting sea turtles, their hatchlings, and other endangered coastal wildlife shall be minimized.
  - a. **Applicability**
    - i. **Perdido Key.** All of Perdido Key.
    - ii. **Pensacola Beach.** Within line of sight from the beach. For the purposes of these lighting regulations, “within line-of-sight from the beach” means directly visible from a height of two feet or less above the beach along the mean high water line.
  - b. **Exemptions.** The following lights are exempt from beachfront lighting regulations under the conditions noted:
    - i. **Navigation.** Lights mandated by federal regulations for illuminating obstructions in navigable airspace and lights required by the U.S. Coast Guard for boat navigation, provided they have been reviewed and approved in conformance with requirements of the federal Endangered Species Act.
    - ii. **U.S. flag.** Lighting fixtures that are directed upward onto the flag of the United States if the flag is not within line-of-sight from the beach.
    - iii. **Holidays.** Traditional holiday lights used outside the sea turtle nesting season which begins May 1 and continues through October 31 each year.
  - c. **New construction.** All non-exempt lighting for new coastal construction on Escambia County barrier islands, including redevelopment and substantial improvements, shall comply with the following standards:
    - i. **Wildlife lighting.** Any exterior lighting on Pensacola Beach within line-of-sight from a marine beach, and all exterior lighting on Perdido Key, shall be consistent with Florida Fish and Wildlife Conservation Commission (FWC) standards for wildlife lighting to minimize the potential for adverse affects on the nocturnal behaviors of nesting and hatchling sea turtles and other wildlife. Accordingly, each light source shall comply with all of the following.
    - ii. **Low mounting.** Be mounted as low to the ground or floor as practicable for the intended purpose, using such fixtures as low-mounted wall fixtures, low bollards, or ground-level fixtures.
    - iii. **Minimum illumination.** Emit the minimum illumination required for the intended purpose.
    - iv. **Shielded.** Be contained within a full cutoff fixture; that is, one having a flat, horizontally oriented lens and opaque sides that do not allow the emission of light above a horizontal plane at the bottom of the fixture. Alternatively, be contained within a fully shielded fixture that prevents any upward emission of light above a horizontal plane.
    - v. **Long wavelength.** Emit predominantly long wavelength light (>580 nm) in the yellow, orange or red light spectrum. Such sources include low pressure sodium vapor lamps; true red, orange, or amber light emitting diode (LED) bulbs; yellow “bug” bulbs; and other FWC approved lighting.
    - vi. **Beach illumination.** No point source of light shall be within line-of-sight from a marine beach and its light shall not directly, indirectly or cumulatively illuminate any portion of the beach or dune system seaward of the crest of the primary dune. Point sources of light include bulbs,

lamps and filaments within light fixtures and any reflective surfaces of the fixtures, as well as natural gas lights, torches, and fires.

- vii. **Up-lighting.** To reduce sky glow that can be disruptive to nesting and hatchling sea turtles, lighting fixtures that are directed upward are prohibited, including those directed onto signs, buildings and landscape.
- viii. **Courtyards.** Lighting that does not conform to the wildlife lighting standards (e.g., not fully shielded) may be used for interior open-air courtyards if the light fixture is positioned under an eave, overhang, or other type of structure that prevents the emission of light directly skyward; and if the fixture uses either an incandescent lamp 25 watts or less, a compact fluorescent lamp 11 watts or less, or a long wavelength (>580 nm) lamp.
- ix. **Pole-mounted lights.** Pole-mounted lights, including street and parking lot lighting, shall have fixtures and lamps properly shielded and mounted at heights no greater than 25 feet above the ground. For the purposes of this section, pole-mounted lights are light fixtures attached to bases or poles independent of other structures and that raise the light sources higher than four feet above the ground. Pole-mounted lights shall not be used for pathway or access area lighting. High-intensity street and parking lot lighting not within line-of-sight from the beach shall use either wildlife lighting or full cut-off high pressure sodium lights no more than 150 watts each. Utility company installed outdoor lighting, including "yard" or security lights, shall comply in all respects with these standards.
- x. **Dune walkovers.** Lighting of dune walkovers and elevated crossovers to the beach is prohibited seaward of the crest of the primary dune.
- xi. **Construction lighting.** Temporary lighting of construction sites shall be restricted to the minimum number of lights necessary to comply with state and federal safety regulations (e.g., OSHA).
- xii. **Tinted glass.** The glass in all exterior windows and glass doors shall be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nm wavelength) and is measured as the percentage of light that is transmitted through the glass.
- xiii. **Interior lights.** Interior stairwells, elevators and enclosed parking garages that allow light to pass through windows or other openings shall utilize wildlife lighting or tinted glass as described in this section.
- xiv. **Signs.** All illuminated signs shall be sited on the landward side of structures when possible. Such signs that must be placed on the seaward side of structures shall be mounted perpendicular to the beach and positioned, when possible, such that they are not in line-of-sight from the beach. All externally illuminated signs shall be lighted from above (downward) with full cut-off fixtures. If placement of any illuminated signs within line-of-sight from the beach is unavoidable, long wavelength (>580 nm) lighting is required.
- xv. **Gas lights.** Outdoor gas lights or other fixtures producing light directly by the combustion of fossil fuels are allowed if not within line-of-sight from the beach, not open torches, and not mantle based, and if each is top shielded and uses only a single gas jet.
- xvi. **Lighting plan.** Before granting any building permit, the county shall determine that all proposed construction complies in all respects with the lighting standards of this section. Detailed project lighting plans shall be

submitted to the county showing the location of all exterior light sources relative to line of sight from the marine beach. The plans shall identify the location, number and type of all lighting fixtures to be used. A letter from the FWC documenting approval of the lighting plan may be submitted to the county in lieu of the lighting plan if FWC approval is required by the state for site development.

**xvii. Conflicts with other requirements.** Should the light fixtures required by these beachfront lighting regulations fail to provide sufficient light to comply with the Florida Building Code or other applicable state or federal requirements, alternative lighting may be used if no variance to those requirements is available or the variance has been denied. Under such conditions, a combination of full-cutoff low pressure sodium fixtures supplemented by full-cutoff high pressure sodium fixtures, if needed, may be used with the most effective light management practices available (best available technology) to provide the required level of illumination and minimize light trespass.

**xviii. Inspection.** Prior to final site inspection approval for any new development within direct line-of-sight from the beach, the site inspection to confirm compliance with these beachfront lighting standards shall include a night survey with all beachfront lighting turned on. A written inspection report shall identify the date and time of inspection, extent of compliance with lighting standards, areas of observed noncompliance, and actions taken to remedy noncompliance.

**d. Nonconforming lighting.** All existing artificial light sources on Escambia County barrier islands, including utility owned outdoor lighting, shall comply with the standards for new construction by January 1, 2018, unless identified in this section as exempt.

**e. Pensacola Beach exemptions.**

**i. Signs.** Signs on Pensacola Beach not within line-of-sight from the marine beach may be internally illuminated if the light does not directly, indirectly, or cumulatively illuminate any portion of the beach or dune system seaward of the crest of the primary dune.

**ii. Up-lighting.** Long-wavelength (>580 nm) up-lighting may be utilized on Pensacola Beach from dusk until 12 midnight provided the point source of light or any reflective surface of the light fixture is not directly visible to an observer on the beach and the light does not directly, indirectly, or cumulatively illuminate any portion of the beach or dune system seaward of the crest of the primary dune.

### **Marine shoreline protection zone**

- 1. Applicability.** A marine shoreline protection zone is established along the shorelines of Santa Rosa Island and Perdido Key, extending from the mean high water line (MHWL) of the Gulf of Mexico landward to the 1975 Coastal Construction Control Line (CCCL) as recorded on the official records of Escambia County (Plat Book 9, Page 72 A-P).
- 2. Vegetation.** Except as otherwise allowed by these marine shoreline provisions, the removal or destruction of native vegetation within the shoreline protection zone is prohibited.
- 3. Development setbacks.** No construction of major or minor structures as defined in this section is allowed along a marine shoreline within the established shoreline protection

zone except the following, and no variances are otherwise available to authorize the prohibited construction:

- a. **Dune walkovers.** Elevated pile-supported dune and beach walkover structures may be permitted within the shoreline protection zone provided the existing dune system is enhanced or re-vegetated if adversely impacted during construction.
- b. **Beach and dune preservation and enhancement.** Sand fencing and other beach restoration and dune protection methods approved by the county may be permitted within the shoreline protection zone in accordance with accepted engineering and environmental practice. Beach restoration and dune protection methods shall not be interpreted to allow armoring of the marine shoreline.
- c. **Repairs.** Decks and non-habitable major structures may be rebuilt or repaired within the shoreline protection zone provided the structure has been determined by the county to comply with all applicable provisions of the LDC concerning the repair or rebuilding of nonconforming uses and structures, and the associated habitable major structure has also not been substantially damaged.
- d. **Santa Rosa Island.**
  - i. **Reconstruction and redevelopment.** Only to prevent a taking, a variance to allow construction of a similar replacement structure with the same or less gross floor area may be requested from the SRIA for Pensacola Beach Gulf-front properties that have an insufficient building area to rebuild or redevelop, provided that intrusion into the shoreline protection zone is reduced to the maximum extent practical.
  - ii. **Sundecks, patios, walkways.** Sundecks, patios, walkways, etc. may be constructed within the shoreline protection zone on Santa Rosa Island on a case by case basis consistent with the SRIA board policy manual.

### Coastal High Hazard Areas

- 1. All development that proposes 50 or more dwelling and/or lodging units (on a one-time or cumulative basis) within the CHHA shall be evaluated for impacts to roadway evacuation times to shelter. The county shall not approve a use or activity if it 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
- 2. No new public facilities shall be placed within the CHHA unless all of the following criteria are met:
  - a. **Purpose.** The facility is necessary to protect human lives or preserve important natural resources.
  - b. **Alternatives.** The service provided by the facility cannot be provided at another location outside the CHHA.
  - c. **Capacity.** 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.
- 3. **Prohibited uses.** Group homes, nursing homes, or other uses that have special evacuation requirements; manufactured (mobile) home developments; and schools are all prohibited as new uses within the CHHA.

## Barrier island sand

1. **Approved.** Approved materials are those constructions and landscaping materials whose mineralogical composition is white fine to medium grained quartz sand. However, oyster shell, limestone or white dolomite may be used for road bed or foundation construction if reasonably the same color as approved sand after exposure to the sun and not containing clay or other discoloring, staining or darkening material. For the purposes of this section, white fine to medium grained quartz sand shall have the following characteristics:
  - a. **Color.** A Munsell Color Chart value of 9.25 or whiter and a chroma of 0.5 or less on the 2.5, 5, 7.5 or 10YR scale when checked in an air dry condition.
  - b. **Grain size.** A grain size of 75 percent of the sample by weight between 0.43 millimeters (mm) and 0.08 mm, with the remaining 25 percent being coarser than 0.43mm but not larger than 1.0 mm as described under the Unified Soil Classification System. This corresponds to the number 40-200 sieve sizes for gradation curve analysis.
2. **Prohibited.** Prohibited materials are any darkening, discoloring or staining materials having the ability to permanently (greater than six months) change the color or darken the natural white sands of Santa Rosa Island or Perdido Key, or any approved materials, whenever coming into contact with them. Prohibited materials include any with the following characteristics:
  - a. **Color.** A color darker than the color required for approved materials.
  - b. **Grain size.** A grain size with over ten percent by weight of the sample outside the range required for approved materials.
  - c. **Composition or character.** Any material which, in whole or in part, is composed of or contains clay or any other substance that would darken, stain or discolor the natural barrier island sands or approved material

## Wellhead Protection

1. **Regulated substances.** Substances regulated for the purposes of wellhead protection include the following:
  - a. **Generally.** Deleterious substances and contaminants, including degradation and interaction products which, because of quality, concentration, or physical, chemical (including ignitability, corrosivity, reactivity and toxicity), or infectious characteristics, radioactivity, mutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence (nondegradability) in nature, or any other characteristic, may cause significant harm to human health and the environment (including surface water and groundwater, plants, and animals).
  - b. **Listed substances.** Those substances identified in *Protection of Environment*, 40 C.F.R., including but not limited to Part 261, Subpart D, *Lists of Hazardous Wastes*, and Appendix VIII, *Hazardous Constituents*, and Part 302 *Designation, Reportable Quantities and Notification Requirements*.
  - c. **Underground petroleum storage.** All underground petroleum storage facilities not regulated by § 376.317, Florida Statutes
  - d. **Substance quantities.** The wellhead protection regulations of this section only apply when the aggregate sum of all quantities of any one listed substance exceeds five gallons where the substance is a liquid, or 25 pounds where the substance is a solid; or if no single substance exceeds the above-referenced limits, but the aggregate sum of all regulated substances present at one



facility/building at any one time exceeds 100 gallons if the substances are liquids, or 500 pounds if the substances are solids.

**2. Wellhead protection areas**

- a. **Time of travel contours.** For each existing or designated public potable water well, the wellhead protection area (WHPA) includes all land within the 7-year travel time contours as defined for the composite vertical and horizontal travel time analysis of the well. For the purposes of this section, a travel time contour is a continuous line of points from which water takes an equal amount of time to reach a given destination, such as a well or other point of withdrawal, and that forms the boundary of a travel time zone.
- b. **Radius.** Any wells north of Barrineau Park Road (County Road 196) where a 7-year time of travel contour has not been modeled and provided to the County shall have a 500-foot radius zone in lieu of the 7-year travel time contour.

**3. Restrictions on development.**

- a. **500-foot radius.** Within 500 feet of any well, the only activities allowed are those associated with the well or single-family residential uses, open spaces and recreation facilities, but not including impervious surfaces.
- b. **Seven-year travel time area.** The following land uses are prohibited within the established 7-year travel time contour, or within the 500-foot radius of any well north of County Road 196.
  - i. Sanitary landfills or construction and debris pits.
  - ii. Facilities for the bulk storage, handling or processing of materials regulated under Chapter 62-730, F.A.C.
  - iii. Activities that require the outside storage, use, production or bulk transportation of regulated substances: agricultural chemicals, petroleum products, hazardous/toxic wastes, industrial chemicals, medical wastes, etc.
  - iv. Feedlots or other concentrated animal facilities.
  - v. Wastewater treatment plants, and related percolation ponds; septic tank or other on-site treatment facilities for commercial and industrial uses.
  - vi. Mines, borrow pits and other mineral resource extraction.
  - vii. Excavation of waterways or drainage facilities which intersect the water table.
  - viii. Drainage wells or other facilities which provide for the disposal of stormwater directly into the aquifer absent normal percolation.
  - ix. Discharges to ground water of industrial wastewater.
  - x. Phosphogypsum stacks and lateral expansions of phosphogypsum stack systems.
  - xi. Class I and Class III underground injection control wells.
  - xii. Class V underground injection control wells.
  - xiii. Aboveground and underground tank storage of hazardous wastes.

**4. Development standards.**

- a. **New on-site wells.** All applications for development approval must specify whether new protected wellheads will be required to service the development. When such new protected wellheads are required, the applicant shall demonstrate that:
  - i. There will be no significant adverse impact on minimum groundwater levels at the protected wellhead; and
  - ii. There will be no significant adverse impact from saltwater intrusion at the protected wellhead.



- iii. The applicant shall provide notice to all landowners within 500 feet or within a proposed 7-year time of travel protection area as to potential limitations regarding the use of their property due to the new potable well prior to the County approval process.
- b. **Abandoned wells.** Where wells have been abandoned or no longer function, they shall be sealed and plugged in compliance with the requirements of the Northwest Florida Water Management District (NFWFMD) and Florida Administrative Code (Ch. 17.28).
- c. **Area of water resources concern.** Whenever adverse groundwater withdrawal impacts have been identified through water quality monitoring activities, all development approvals that may contribute to increasing the use of impaired groundwater wells shall be coordinated with the NFWFMD and the ECUA and other public supply systems. Among other things, lower permit thresholds, maximum and minimum withdrawal levels, other stipulated conditions regarding water use, and any provisions of the Florida Administrative Code including relevant portions of § 40A-2.801 et seq. may be employed to regulate, control or restrict water resource withdrawal activities.

## Landscaping

### 1. Exemptions.

- a. **General landscaping.** The following uses are exempt from the general landscaping provisions of this article, but in no case do the exemptions apply to any required vegetative control of erosion and sediment, required tree replacement, or landscaping required by any special condition of county approval:
  - i. **Residential lots.** The improvements in a single-family residential subdivision and any lot of a single-family or two-family dwelling. Developers of residential subdivisions, in coordination with homebuilders, are nonetheless encouraged to provide shade trees along streets and elsewhere within subdivisions consistent with the plant selection and installation standards of this article for the benefit of residents.
  - ii. **Agriculture and silviculture.** Bona fide agricultural or silvicultural operations on land classified by the Escambia County Property Appraiser as “agricultural” for ad valorem tax purposes.
  - iii. **State or federal conflicts.** Any use for which county landscaping requirements conflict with the requirements of state or federal authorizations, except that the exemption shall only be for those modifications of county requirements necessary to eliminate the conflict.
  - iv. **Temporary uses.** Any temporary use as defined in Chapter 4.
  - v. **Playing fields.** Areas authorized through county approval for public or private parks, playgrounds, playing fields, or golf courses that will be retained in pervious ground cover. The sites of parking lots, community centers, clubhouses and other structures or uses accessory to such parks, grounds, fields, or courses remain subject to applicable landscape requirements.
- b. **Tree protection and preservation.** The following specific trees and activities are exempt from the tree protection and preservation provisions of this article:
  - i. **Invasive trees.** Any tree species on the most recent Florida Exotic Pest Plant Council list of invasive species

- ii. **Selected trees.** Any species of pine (*Pinus sp*), Cherry laurel (*Prunus laurocerasus* and *P. caroliniana*), or Turkey oak (*Quercus laevis*) tree. This exemption does not apply to trees planted or preserved to meet requirements of the LDC.
- iii. **Hazard trees.** Any tree determined by a qualified county official to be an immediate hazard or in a dangerous condition so as to constitute an imminent threat to public safety or health.
- iv. **Emergencies.** Damaged or destroyed trees requiring expedited removal in the interest of public safety, health or welfare during or following periods of emergency as the BCC may declare by resolution for such disasters as hurricanes, tornados, floods, and fires.
- v. **Residential lots.** Any non-heritage tree, as defined by this article, on the lot of a single-family or two-family dwelling. However, tree removal prior to construction of the dwelling shall only be allowed after county issuance of a building permit for the dwelling or a separate tree removal permit. This exemption does not apply on the lot of a discontinued residential use. Such discontinuation may be evidenced by removal of the dwelling or its conversion to a non-residential use, or a different land use classification by the Escambia County Property Appraiser for ad valorem tax purposes. Regardless of this residential lot exemption, the loss of trees resulting from development of such home sites shall be mitigated by a tree restoration fee collected at the time of issuance of any building permit for the construction or replacement of a single-family or two-family dwelling, including a manufactured (mobile) home. The fee shall be an amount established by the BCC and deposited in the county Tree Restoration Fund in the same manner and for the same purposes prescribed in this article for unplanted mitigation.
- vi. **Subdivisions.** Any non-heritage tree removed within proposed rights-of-way, easements, or parcels dedicated for utility, drainage, or access according to county approved subdivision infrastructure construction plans.
- vii. **Agriculture and silviculture.** Tree removal according to best management practices for bona fide agricultural or silvicultural operations on land classified by the Escambia County Property Appraiser as “agricultural” for ad valorem tax purposes.
- viii. **Habitat management.** Tree removal necessary for native habitat management and environmental restoration activities conducted by, or at the direction of, a governmental agency.
- ix. **Utility work.** Work performed by utilities regulated by the Florida Public Service Commission and necessary in the maintenance and construction of utility lines. Such utilities shall nevertheless provide the county with the advance notice required by Florida Statutes prior to conducting scheduled routine vegetation maintenance and tree pruning or trimming activities within an established right-of-way.

## 2. **Landscape areas and quantities.**

- a. **Parcel total.** No parcel shall provide less than 15 percent landscape area, regardless of the minimum pervious lot coverage required by the applicable zoning district. On-site permeable retention/detention ponds and permeable swales qualify as landscape area if their maximum depths are no more than three feet and their side slopes are no steeper than 2:1 (horizontal to vertical).
- b. **Vehicular use areas.** No area of vehicular use may be considered landscape

area, but parking lots, travel lanes, access ways, loading/unloading areas and other vehicular use areas outside of rights-of-way shall include landscape area according to the following standards:

- c. **General design.** Interior portions of vehicular use areas not specifically designed for vehicle parking or maneuvering shall not be paved, but maintained as landscape area.
- d. **Boundary separation.** Vehicular use areas shall be separated from the parcel boundary by a landscape strips no less than five feet wide. Driveways or sidewalks may cross such strips to provide approved site access.
- e. **Parking row terminations.** Except as allowed for large-scale parking, rows of parking stalls shall be terminated at each end with a landscape area having the full length of the adjoining parking stall and containing at least one planted or preserved canopy tree. The remaining dimensions of the landscape area shall be sized to provide no less than the minimum canopy tree planting area for a new tree or minimum root zone for a preserved tree required by this article, whichever is applicable. Where a double row of interior parking stalls ends, the terminating landscape areas shall be combined as one continuous area to maximize rooting space except when a dividing pedestrian and/or handicap accessibility route may be appropriate and approved by the county.
- f. **Continuous parking stalls.** Each row of parking shall contain no more than 15 continuous stalls without interruption by a landscape area, and each landscape area shall have the same minimum dimensions and plantings prescribed above for parking row termination landscape areas. However, if any of the following conditions exist, no more than 12 continuous stalls may be provided:
  - i. The total number of on-site parking spaces exceeds 50.
  - ii. The total number of on-site parking spaces exceeds the number required by the applicable parking ratios established in Article 6 by more than 10 percent.
  - iii. The dimensions of drive aisles and/or parking stalls exceed the standards established in Article 6.
- g. **Large-scale parking.** If the total number of on-site parking spaces is 600 or more, a continuous landscape strip no less than 12 feet wide shall be provided along the center of alternate interior double rows of parking stalls. All interior rows of parking may have unlimited continuous spaces and be terminated with a landscape area having the full length of the adjoining parking stall and a minimum width of four feet. Each strip shall be planted with a quantity of canopy trees no less than one tree per 30 feet of strip length, excluding any minimum root zones of preserved trees within the strip. Trees shall be planted within the strip such that no tree is more than 10 feet from either end of the strip, no more 60 feet from another tree, and consistent with the standards of this article for minimum spacing, tree planting area. and tree preservation. Sidewalks complying with these standards may be placed within landscape strips to provide on-site pedestrian circulation.
- h. **Seasonal peak demands.** Seasonal peak parking demands (e.g., holiday retail sales) are encouraged to be accommodated within areas of stable grass as overflow from paved parking to reduce the year-round impact of the short-term parking need, especially for portions of large scale parking. If such parking is provided its access and arrangement shall be consistent with the standard dimensions and geometry of paved parking.
- i. **Tree exceptions.** The following vehicle parking uses need not provide trees, but the exceptions do not apply to areas for customer and employee parking and are

not exceptions to the preservation of existing trees.

- i. **Automobile sales.** Vehicular use areas designed for the display of new or used automobiles for sale or rent. Such areas need only provide landscape areas sufficient to terminate parking rows, having the full length of adjoining parking stalls and a minimum width of four feet.
    - ii. **Fleet parking.** Parking areas for fleet delivery or service trucks and other non-passenger vehicles.
    - iii. **Loading.** Truck wells, loading docks, and other areas designated exclusively for the loading and unloading of vehicles.
  - j. **Encroachments and overhang.** Vehicular use areas shall provide raised curbs, wheelstops, bollards or other effective means to permanently protect landscape areas and irrigation systems from damage by vehicle encroachment. Vehicles may not overhang into landscape areas more than two feet beyond the designed boundaries of vehicular use areas.
  - k. **Accommodating tree preservation.** The arrangement and dimensions of interior landscape areas specified in this section for vehicular use areas shall be modified as necessary to accommodate the preservation of protected trees.  
More specifically:
    - i. Vehicular use areas shall be eliminated and/or landscape area increased sufficiently to provide no less than the minimum root zone required by this article for tree preservation.
    - ii. Trees need not be planted within the required root zones of any preserved trees; but if so, the planting shall provide the minimum separations required by this article.
3. **Buffers.** Based on broad land use categories, where a proposed new use or expanding existing use is likely to adversely impact an adjoining use, a landscape buffer is required to minimize or eliminate those impacts. The buffer shall protect the lower intensity use from the higher intensity use and provide an aesthetically attractive barrier between the uses. It shall function to reduce or eliminate incompatibility between uses such that the long-term continuation of either use is not threatened by impacts from the other. Buffers shall be provided according to the following standards:
- a. **Required by use.** The character of adjoining land uses primarily determines the type of buffering required.
    - i. **Residential and non-residential.** All residential uses shall be buffered from all non-residential uses, other than passive recreation, conservation, or agricultural uses, according to the buffer types established in this section and following non-residential categories:
      - 1. **Heavy commercial and industrial.** Heavy commercial and industrial uses consistent with the Heavy Commercial and Light Industrial (HC/LI) and Industrial (Ind) zoning districts shall provide a Type-C buffer supplemented with an opaque fence or wall.
      - 2. **General commercial.** General commercial uses consistent with the Commercial (Com) zoning district shall provide a Type-B buffer supplemented with an opaque fence or wall.
      - 3. **Other non-residential.** Neighborhood commercial uses consistent with the mixed use zoning districts (RMU, LDMU, HDMU), and other non-residential uses not otherwise required to provide more substantial buffering, shall provide a Type-A buffer supplemented with an opaque fence or wall.
    - ii. **Residential and residential.** All multi-family uses exceeding 10 dwelling units per acre (MDR district max. density) shall provide a Type-A buffer



supplemented with an opaque fence or wall for all adjoining single-family and two-family residential uses.

- iii. **Non-residential and non-residential.** Heavy commercial and industrial uses shall provide a Type-B buffer for all adjoining general commercial, neighborhood commercial and other non-residential uses less intensive than heavy commercial or industrial.
  - iv. **Condition of approval.** All uses whose conditions of approval include buffering shall provide the buffering according to those conditions.
  - v. **No existing use.** For the purposes of buffering, where no use exists on adjoining land and none is proposed by a valid development application to the county, the use of the adjoining land will be assumed to be the most intensive use allowed by the existing zoning.
- b. **Location.** Where a use is required to provide buffering for adjoining uses, the buffering shall be along all side and rear lot lines where the use abuts the other uses. No buffers are required along front property lines unless buffering is included in screening requirements for outdoor storage and other conditions as prescribed in Chapter 4.
- c. **Composition.**
- i. **Types.** Where buffering is required, the following buffer types define the minimum width and plants required per 100 linear feet of buffer:

Buffer type	Buffer width	Canopy trees	Understory trees	Shrubs
A	12 feet	2.0	1.0	10
B	16 feet	2.5	2.0	20
C	20 feet	3.0	3.0	30

- ii. **Plants.** The prescribed buffer plants may be existing natural vegetation, existing vegetation supplemented with additional plantings, or entirely new plantings. The suitability of existing vegetation to provide adequate buffering will be evaluated based on the minimum plants required. For effective buffering year-round, at least 50 percent of buffer trees shall be evergreen species. The selection and installation of buffer plants, and buffer maintenance, shall be according to the provisions of this article.
- iii. **Supplemental structures.**
  - 1. If an opaque fence or wall is required to supplement the plants within a buffer, it shall have a minimum six foot height and meet the requirements of Article 10. Where an existing fence or wall on abutting property meets these requirements, no additional structure is required within the buffer.
  - 2. If a supplemental fence or wall will be constructed, any support posts shall be on the side of the developing property so that the more finished appearance faces the abutting property.
  - 3. If it can be demonstrated to the Planning Official that existing natural vegetation, or existing vegetation supplemented with additional plantings, will accomplish the screening function of the prescribed buffer, the supplemental fence/wall may be eliminated.
- d. **Responsibility.** Where buffering is required between uses by this section, the landowner proposing the more intensive use shall be responsible for providing

and maintaining the buffer. The proposal of a less intensive use does not require the installation of a buffer by either use.

- e. **Exceptions.** In addition to the relief provided by the variance process prescribed in Chapter 2, full or partial exceptions to the buffering prescribed in this article are allowed according to the following conditions:
    - i. **Same owner.** Buffering need not be provided between uses within the same parcel, or uses on adjoining parcels having the same ownership.
    - ii. **Release.** Buffering for a less intensive use on an adjoining parcel need only be provided to the extent desired by the landowner of the adjoining parcel if a notarized affidavit signed by that landowner releases the developer of the more intensive use from some or all of the buffering requirements, and the release is provided to the county with the application for the more intensive use. The release may include authorization to relocate the buffer in whole or part to the property of the less intensive use.
  - f. **Uses within.** Buffer yards may be included within required building setbacks, but no active recreation, storage of materials or equipment, parking, or structures, except necessary utility enclosures, shall be located within minimum buffer yards.
4. **High water use zones.** Areas planted with vegetation that, in addition to natural rainfall, requires supplemental water on a regular basis after establishment should be minimized. The total landscape area in such irrigated high water use zones shall be limited to no more than 50 percent of total site landscape area. This high water use limit does not apply to landscaped areas requiring large amounts of turf for their primary function, such as golf courses, ball fields, playgrounds, etc. Additionally, plants appropriately placed in an area with a naturally high water table, such that irrigation is not required, are not considered high water use for the purpose of this regulation.

## Tree protection and preservation

1. **Approval required.** Unless exempt from protection as provided in this article, no person shall remove or otherwise willfully cause harm to any of the following trees on either public or private property, including rights-of-way, without first obtaining appropriate authorization from the county:
  - a. **12-inch diameter.** Any tree 12 inches or greater in diameter at breast height (DBH).
  - b. **Sand live oaks.** Any sand live oak (*Quercus geminata*) tree having five or more total stems (trunks), or having any three or more stems each three inches or greater in diameter (DBH); and located on Pensacola Beach or Perdido Key, or within any shoreline protection zone.
  - c. **Required trees.** Any tree planted or preserved to meet tree replacement or landscape requirements of the LDC, or other specific conditions of county approval.
  - d. **Heritage trees.** Any live oak (*Quercus virginiana*) tree 48 inches and greater in diameter (DBH). Such large mature trees providing proportionately more of the benefits associated with trees, and often defining the local landscape, shall have a greater protected status as prescribed in this article.
2. **Protection areas.** The following areas associated with protected trees are afforded additional protection:

- a. **Critical root zone.** The critical root zone (CRZ) is represented by a circle, centered on the tree trunk and having a radius of one foot for each 1.5 inch of trunk diameter (DBH).
  - b. **Structural root plate.** The structural root plate is represented by a circle, centered on the tree trunk and having a radius of one-half foot for each inch of trunk diameter (DBH), but no less than six feet and no more than ten feet.
- 3. **Preservation.** For the purposes of this section, a tree is not considered preserved if root zone and canopy impact limits are exceeded. Removal of such impacted trees is not required, but replacements shall be provided as prescribed in this article. Tree preservation shall comply with the following impact limits:
  - a. **Root zone.** The critical root zone is, and will remain, substantially undisturbed. Although an undisturbed circular area centered on the tree generally assures less critical root loss, modifications to CRZ perimeters resulting in non-concentric, irregular, and/or smaller areas are acceptable for tree preservation if either of the following conditions are met:
    - i. **Maximum disturbance.** The modified root zone includes at least 75 percent of the concentric CRZ, contains no less total contiguous area than the concentric CRZ, and includes no disturbance or encroachments by improvements within the structural root plate area.
    - ii. **Existing conditions.** The tree has demonstrated long-term viability within the same sub-standard root zone and that area will not be further reduced or adversely impacted. In some cases a certified arborist may be required to delineate the functioning root zone and confirm avoidance of further impacts.
  - b. **Canopy.** No more than 25 percent of the canopy has been or will be removed and the pruning is done according to ANSI standards (A300).
- 4. **Protective barriers.** Trees (and other vegetation) designated for preservation according to an approved site development plan shall be protected from all potentially harmful activity during development by the temporary installation of protective barriers.
  - a. **Construction.** Barriers shall be constructed of chain link fence, orange laminated plastic fencing, or wood posts and rails, consistent with professional arboricultural practices, and shall be installed along the perimeter of all required preserve areas prior to any land clearing, demolition, grading, or construction.
  - b. **Activity within.** No potentially harmful activity shall take place within the protective barrier unless specifically approved by the county.

## **Tree removal and replacement**

- 1. **Removal criteria.** No authorization to remove a protected tree shall be granted where there has been a failure to take reasonable measures to design and locate proposed improvements so that protected tree removal is minimized. Additionally, each proposed removal of a protected tree must be shown necessary by one or more of the following conditions:
  - a. **Reasonable use.** A permissible use of the site cannot reasonably be undertaken unless the tree is removed.
  - b. **Access.** The tree completely prevents access to a lot.
  - c. **Required fill.** Other regulations require fill to the extent that the tree cannot be saved and the required elevations are certified by the engineer of record.
  - d. **Proximity to structures.** The tree is located in such proximity to an existing or proposed structure that the safety, utility or structural integrity of the structure is materially impaired.

- e. **Proximity to roads and utilities.** The tree materially interferes with the installation, maintenance, or functioning of roads or utilities.
  - f. **Proximity to traffic.** The tree creates a substantial hazard to motor vehicle, bicycle, or pedestrian traffic by reason of proximity to a travel way and/or impairment of vision.
  - g. **Poor condition.** The tree is confirmed by a certified arborist or county staff to be diseased or substantially weakened by age, abuse, storm damage, or fire; or is otherwise determined to have major defects in structural or functional health beyond reasonable recovery or repair.
  - h. **Prevailing law.** Removal of the tree is required by a prevailing law or regulation.
2. **Additional heritage tree criteria.** Heritage trees shall be given greater protection and preservation incentives through the following additional criteria:
- a. **Pre-application meeting.** Prior to site development design or other proposal for tree removal, a meeting with county review staff is required to specifically evaluate alternatives to heritage tree removal.
  - b. **No mitigation limit.** Approved heritage tree removal requires full replacement according to the provisions of this section, regardless of any replacement limit applicable to other trees, except where tree condition warrants a reduction as allowed by the provisions of this section.
3. **Replacements for removal.** Where removal of protected trees is authorized by the county, replacement trees to mitigate lost benefits of the trees removed shall be provided according to the following provisions in addition to the trees prescribed for general landscaping:
- a. **Replacement ratio.** Within the applicable replacement limits of this section, no less than 50 percent of the total protected tree trunk diameter (DBH) inches removed shall be replaced in total caliper inches of new canopy trees planted. For example, if the diameters (DBH) of all protected trees removed totaled 39 inches, the minimum required replacement would be  $39 \times 0.50 = 19.5$  caliper inches. Three replacement possibilities for the example given are: eight 2.5-inch trees providing 20 caliper inches, three 2.5-inch and four 3-inch trees providing 19.5 caliper inches, or seven 3-inch trees providing 21 caliper inches.
  - b. **Replacement reduction.** If a standard arboricultural assessment of a tree documents damage, decay, poor structure or other substandard conditions, county officials may proportionally reduce the replacement required by its removal.
  - c. **Replacement limit.** Total tree replacement for non-heritage trees need not exceed 25 caliper inches per development site acre, regardless of the total protected tree trunk diameter (DBH) inches permitted for removal. The development site area for which a mitigation limit is calculated shall be the same as the tree inventory area within the development parcel. Additionally, the 25 caliper-inch replacement limit does not exempt any protected tree removal from compliance with the removal criteria.
  - d. **Replacement trees.** All trees planted as replacements for removed protected trees shall meet the requirements for tree selection prescribed in this article. Any of the tree species identified as pre-approved replacements may be planted. Other native trees with confirmed moderate to high drought tolerance and wind resistance may be proposed for county review and acceptance. Palms cannot be substituted for mitigation trees, even in greater quantities.
  - e. **Replacement fee.** If any required replacement trees cannot be accommodated on the site of the removed trees in conformance with the minimum spacing, root area, and other applicable provisions of this article, the unplanted mitigation shall



be fulfilled by a contribution to the county Tree Restoration Fund. The fee shall be collected at the time of issuance of any permit authorizing the tree removal.

- i. **Unit cost basis.** The restoration fund contribution for unplanted mitigation is based on the unit cost of a standard replacement tree. That cost shall be the sum of the typical purchase, planting, and establishment (e.g., initial watering) costs of a 2.5-inch caliper, Florida Grade No.1, Live oak (*Quercus virginiana*) tree as estimated by the county and adopted within the fee schedule of the BCC. The county shall periodically reevaluate the unit cost to assure that the amount accurately represents the complete costs of a replacement tree.
- ii. **Calculation.** The restoration fund contribution is determined by dividing the caliper inches of unplanted mitigation by 2.5 to determine the required number of standard replacement trees. The calculated number of trees is then multiplied by the unit cost of a standard replacement tree. For example, eleven caliper inches of mitigation not provided on site, divided by 2.5 inches per tree, equals 4.4 trees. An amount equal to 4.4 times the fee schedule cost of a replacement tree is the required Tree Restoration Fund contribution.
- iii. **Use of fees.** All tree replacement fees collected by the county will be deposited to the Tree Restoration Fund and credited to the primary watershed in which the permit address is located - either Pensacola Bay or Perdido Bay. The Tree Restoration Fund will be used by the county within the respective watersheds for costs associated with tree replacement and restoration of functional benefits provided by the urban forest.

#### Plant selection, installation and maintenance

1. **Selection.** The plant selection standards of this section are not eligible for variances, but any proposed plantings that are in addition to those required by the county are exempt from the minimum size requirements.
  - a. **Quality.** All plants required by this section shall conform to the standards for Florida Grade No.1, or better, as provided in the latest edition of *Grades and Standards for Nursery Plants*, Division of Plant Industry, Florida Department of Agriculture and Consumer Services.
  - b. **Species.** All landscaping shall utilize native plant species or those species listed in the Florida-Friendly Landscaping™ Guide to Plant Selection and Landscape Design.
  - c. **Trees.** Trees planted to fulfill the minimum landscape requirements of this article shall normally attain a mature height of at least 20 feet and have a minimum caliper of 2.5 inches at planting. The following additional criteria apply:
    - i. **Non-native species.** Non-native species are limited to 25 percent or less of the total required trees planted.
    - ii. **Diversity.** The diversity of any trees required to be planted on a site shall comply with the following limits to avoid uniform site tree decline from pests or disease:

Number of new trees planted on site	Maximum percentage of any one species planted
5 - 19	67%

20 - 49	40%
50 or more	30%

- iii. **Use of palms.** Palms do not comply with definition of tree for the purposes of these landscaping provisions. However, wind resistant species may be substituted at the ratio of two palms for one required tree for up to 50 percent of trees required for development on Santa Rosa Island or Perdido Key, excluding any trees required specifically for buffering or replacements for protected tree removal. Such palms include: Canary Island date (*Phoenix canariensis*), cabbage or sabal, (*Sabal palmetto*), and Manila (*Veitchia merrillii*).
  - d. Other landscape vegetation.
    - i. **Shrubs.** All shrubs shall be a minimum of 12 inches in height at planting.
    - ii. **Turf grass.** Consistent with Florida-friendly practices, development should consolidate and limit the use of most turf grasses to essential areas. When used, grass shall be species normally grown as permanent lawns in Escambia County. All sod shall be clean and reasonably free of weeds, noxious pests, and diseases. When grass areas are to be seeded, sprigged, or plugged, specifications must be submitted. Substantial coverage must be achieved within 180 days and nurse grass shall be sown for immediate effects and protection until coverage is otherwise achieved.
- 2. **Installation.** Whenever landscaping is required by this article or any condition of county approval it shall be installed in a sound manner according to established professional standards, and in compliance with this section and all other applicable provisions of the LDC.
  - a. **Plant placement.** The installation of plants in appropriate locations is essential to their long-term survival. Locations should match mature plant size to available soil volume and other conditions for growth. Appropriate separation from pavement and structures, including streets, driveways, curbs, sidewalks, signs, lights and utilities must be provided.
    - i. **Sight distances.** Landscaping within the sight distance areas prescribed in Article 5 for streets and site access shall be designed, installed and maintained to allow visibility between three feet and nine feet above grade. The trunks of mature trees trimmed of foliage to nine feet, and newly planted trees with immature crown development allowing visibility are generally acceptable within such areas.
    - ii. **Injurious plants.** Plants with physical characteristics which may be injurious to the public should not be planted in parking lots, along walkways, and in other areas where pedestrian traffic reasonably can be anticipated.
    - iii. **Minimum tree area.** Each new tree shall be planted at the center of a minimum permanent pervious rooting area clear of all obstructions to allow growth to maturity. The minimum radius of the rooting area shall be four feet for an understory tree and six feet for a canopy tree. This minimum circular area shall contain no sidewalks, curbs or pavement and no structures, including light or utility poles, signs, manholes, stormwater inlets, vaults, transformers, fire hydrants or backflow preventers.
    - iv. **Minimum tree spacing.** Each new canopy and understory tree shall be planted at least 12 feet from any other tree. Additionally, any trees to be planted within the critical root zones of preserved canopy trees are limited

to understory trees.

- v. **Overhead utilities.** Where overhead utilities exist, only plants that will not create persistent utility maintenance or interference problems may be installed. To prevent trees from becoming energized or disrupting electrical service, tree planting directly below power lines shall be avoided and only understory trees planted near power lines. Within an established electric utility right-of-way no vegetation shall be planted that will achieve a height greater than 14 feet or intrude from the side closer than 10 feet to power lines, or exceed clearances otherwise required by applicable ANSI standards. Any canopy trees planted shall be at least 25 feet from power lines, and large maturing species should be planted at least 50 feet away.
- b. **Accommodating tree roots.** In addition to the minimum areas required by this article for planted and preserved trees, curb, sidewalks, and other concrete around trees should be minimized and more flexible materials utilized to accommodate tree roots, including crushed stone, brick-in-sand, and porous pavers.
- c. **Ground stabilization.** Consistent with the stormwater management standards of this chapter, a planted permanent ground cover sufficient to prevent erosion shall be provided for those ground surfaces not otherwise permanently stabilized. For those areas stabilized with grass or other vegetation, a healthy growth of the vegetation shall be in evidence prior to final site inspection approval.
- d. **Supplemental materials.** Portions of sites planted or preserved as landscape may be supplemented with mulch, bark, decorative rock, timbers, stepping stones and similar customary and incidental non-living materials placed to define the landscape area, allow stormwater infiltration, and retain soil moisture.

## **Dock, Piers, and Marinas**

1. For any dock, boathouse structure, pier, or any part of extensions thereof, the minimum setback line from the side property lines and riparian lines shall be ten percent of the width of the lot where the side property lines intersect the mean high water line (MHWL) (see exception in section 6, below). However, the minimum setback shall not be less than five feet and a maximum of twenty five feet on each side. This setback requirement is not intended to define an upland property owner's riparian and/or littoral rights.
2. No pier, dock, marina or walkway shall terminate over submerged land that is vegetated with sea grasses except when a distance of 1.5 foot between the lowest point of the boat, including the motor, expected to use the facility and top of the submersed vegetation can be achieved.
3. The dock, pier, marina or walkway shall be aligned to minimize the size of the footprint over seagrasses.
4. Grated decking material or wooden planking with at least a one half inch space between boards, is required in all areas traversing seagrasses or any other submerged aquatic vegetation.
5. The decked surface of any dock, pier, marina, or walkway shall be elevated a minimum of 5-ft. above the mean high water line in all areas traversing seagrass or any other submerged aquatic vegetation.
6. Owners of contiguous residential lots or parcels, each of which meet the minimum lot size requirements for construction of single-family residential structures, may construct one common pier (dock) with boathouse structure within the setback requirement of subsection d., above, upon the following conditions:

- a. The structure would be for the joint use of the contiguous property owners;
  - b. The owners of the contiguous parcels, as well as their heirs, successors, assigns, representatives and agents, including those who acquire fractional interests in either or both contiguous parcels, would not be allowed to construct an additional pier (dock) or boathouse structure which may serve or appertain to either or both contiguous parcels unless and until the common pier is removed and all persons having ownership interests in the contiguous parcels rescind and vacate, in writing (which shall be recorded in the public records of Escambia County, Florida), their rights to the said common pier; and
  - c. The owners of the contiguous parcels shall execute an agreement in a form provided by the county, which expressly stipulates to the terms of this subsection (e) and the owners shall record the said agreement in the public records of Escambia County, Florida.
- 7. All dock, piers or mooring devices at Pensacola Beach shall first be approved by the Santa Rosa Island Authority in accordance with section 13.16.00 of this Code.
- 8. Permits for construction of docks and piers on right-of-way that has been dedicated to the public but not yet opened, maintained, or otherwise accepted by the county, shall be issued only upon authorization by the board of county commissioners. The board may authorize issuance of such permits after considering all relevant factors, including, but not limited to, the following:
  - a. Whether the applicant has adequately demonstrated that they hold all necessary interest in the dedicated area where the dock or pier will be constructed;
  - b. Whether construction of the dock or pier would have an adverse impact on adjacent properties
  - c. Whether the dedicated area is or will be needed for development of a public right-of-way or other infrastructure in the foreseeable future;
  - d. Whether the geography and configuration of the property is suited for construction of a dock or pier; and
  - e. Whether construction of a dock or pier would have an adverse environmental impact on the shoreline or adjacent water body.
  - f. However, neither authorization nor denial of a permit for construction of a dock or pier by the board shall be construed as a vacation of acceptance of the dedication. This provision may be applied retroactively to allow permitting of existing docks or piers that were never properly permitted.

LAND DEVELOPMENT CODE (LDC)						staff	TH
Article	**Required State/Federal	Reference	Justification	Brief Notes	Proposed LDC (Working version)	Design Standard Manual	DESIGN STD MANUAL
Planning	Planning	Planning	Planning	Planning			
Access/Concurrency	Traffic	Access	Access/Concurrency	Access/Concurrency			
Engineering	g	Engineering	Engineering	Engineering			
Environmental	tal	Environmental	Environmental	Environmental			
N/A	N/A	N/A	N/A	N/A			
** "Required State/Federal"- indicates the specific code section is either referenced to or a requirement of a state or federal regulation to be a part of LDC.							
<p>Per Chapter 163 Part II, the LDC is required to meet the requirements of the Comprehensive (Comp) Plan. Florida Statutes 163.3202 (2) states, "Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at a minimum:</p> <p>(a) Regulate the subdivision of land.</p> <p>(b) Regulate the use of land and water for those land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open space.</p> <p>(c) Provide for protection of potable water wellfields.</p> <p>(d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.</p> <p>(e) Ensure the protection of environmentally sensitive lands designated in the comprehensive plan.</p> <p>(f) Regulate signage.</p> <p>(g) Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177 and are available when needed for the development, or that development orders and permits are conditioned on the availability of these</p> <p>(h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.</p> <p>(i) Maintain the existing density of residential properties or recreational vehicle parks if the properties are intended for residential use and are located in a residential zone.</p> <p>Refer to FS 163.3194 (1)(b) LDC shall be consistent with Comp Plan and FS 163.3202 Minimum requirements of LDC, 163.3194, Comp Plan 20</p>							
Article 1 Legal	Yes	Chapter 163, Part II, Florida Statutes (FS)	Florida Legislature has enacted the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. ch. 163, pt. II) which mandates the preparation of comprehensive plans and unified land development codes for all units of local government. (Per LDC 1.01.00)			none	NO
Article 2 Administration	Yes	Chapter 163, Part II, Florida Statutes (FS), specifically 163.3202 (2)	This Article is a Process. Florida Statutes require local land development regulations necessary to implement the adopted comp plan.	<b>Administration</b> - In general includes application/permit requirements for development orders/permits, variances and conditional use permits, subdivision approval, building permits, or other official action of the County effecting the development of land.		none	NO
2.02.03	No	HB503	Article requires County to direct applicants to other agencies such as ACOE, FDEP, Utility Providers, FDOT, NWFWM, HRS, FAA, etc.	<b>Other agency approvals may be required.</b> HB503 does not allow County's to require other agency permits in order to obtain a permit from the County.	Section 1-1.13 (c ) & section 5-4.6 (I)	Dedicated improvements will require permit approvals prior to final plat/acceptance.	SMS-1.5

Article 3 "Deminimis development"	Yes	Chapter 62-330.020 (2)(c), and 62-330.051(13)	State impervious area threshold is 4000 vehicular sqft and 9000 total sqft, being less restrictive. Single Family Residences and Associated Residential Improvements are also stormwater exempt.	Stormwater definition of " <b>De minimis</b> " for Escambia County sets 1000 sqft of commercial impervious area as stormwater exempt. Residential structures and additions that do not exceed 1500 sqft are also stormwater exempt.	5-4.2 (b)(1)d, and Sec. 6-3	Will Reference	Ch. 1 (SMS)1.4
Per Part IV of Chapter 373 FS, the new Statewide Environmental Resource Permit rules under 62-330 became effective October 1, 2013 and							NO
4.01.00	NO	N/A	Process/Purpose	Intend of section needs restructured		none	NO
4.01.00	NO	N/A	General Process	S/D Regulations, <b>General</b>		none	NO
4.01.01	YES	F.S. Chs 125, 163, 177		Purpose and intent Subdivision regulations	2-5.1-6	none	NO
4.01.01	YES	F.S. Chs 125, 163, 178	General Process	S/D Regulations, <b>Purpose and Intent</b>	2-5.1-6	none	NO
4.01.01(D)	NO	N/A	Policy	Keep as good goal of access mgmt			NO
4.01.02	NO	N/A	General Process	S/D Regulations, <b>Permits and Prohibitions</b>	2-1.3(d)(e)	none	NO
4.01.02.A	NO	N/A	Process/Purpose	Permit required needs restructured		none	NO
4.01.02.B	NO	N/A	Process/Purpose	Land Use Certificate needs restructured		none	NO
4.01.02.C	NO	N/A	Process/Purpose	existing lots needs restructured	2-1.3.(d)	none	NO
4.01.02.D	NO	N/A	Process/Purpose	Creation of new lots needs restructured		none	NO
4.01.02.E	NO	N/A	Process/Purpose	Lots donated to family members		none	NO
4.01.02.F	yes	comp plan		dwelling unit caps	2-1.3.(e)	none	NO
4.01.02.G	yes	comp plan		Rural subdivision		none	NO
4.01.02.H	yes	comp plan		suburban subdivision monitoring		none	NO
4.01.03	NO	N/A	General Process- Issue Building Permit without a development order under certain exclusions	S/D Regulations, <b>Exceptions and Exclusions</b>	2-5.2(b)	none	NO
4.01.03	NO	N/A	Process	Exceptions and exclusions needs restructured	2-5.2(b)	none	NO
4.01.04	YES, in part	403.0885 FS	NPDES Stormwater Pollution Prevention Program (SWPPP) required for construction disturbing areas > 1 acre. County requires Land Disturbing Permits to protect public interest.	<b>Land Disturbing Permit</b> is required by County, with lower threshold than state, for disturbing land or changing topography; does not apply to maintenance, landscaping, or silvaculture.	2-3.1-9	none	NO
4.01.04	NO	N/A	Process	Land disturbing permit	2-3.1-9		NO
4.01.05	YES, in part	ERP Permit New Chapter 62-330	Process and Standards. ERP permitting is required if part of larger plan, but with different thresholds than LDC	<b>Unplatted Subdivisions</b>	N/A Unplatted S/D is eliminated	None	NO
4.01.05	Additional Comment:		Recommend amending this part of Code to better protect public interest.	<b>Unplatted Subdivisions</b>	N/A Unplatted S/D is eliminated; this is a debateable issue	None	NO



4.01.05	NO	CH 177	Process/Purpose	(delete Unplatted Subdivision) needs restructured 3 splits or more required	N/A Unplatted S/D is eliminated; this is a debateable issue	None	NO
4.01.05 First ( C )	No	N/A	Design Stds	What is wrong with developing public ROW in large parcel S/D?			NO
4.01.05 second (A)	NO	N/A	Design Stds	Remove waiver to pavement provisions for private roads.			NO
4.01.05 (F&G)	NO	N/A	Design Stds	Who will review/enforce?			NO
4.01.06	No	N/A	Process	<b>Reservations</b>	N/A	None	NO
4.02.00-4.02.05 (1-14)	Yes	163.3202(a)	Process- In general these Articles are required "to regulate the subdivision of land" by providing a Review/Approval Process	<b>General Process for Subdivisions</b>	2-5.2,3,4,5	None	NO
4.02.00	No	N/A	Process	<b>Subdivision regulations, procedures and submission requirements.</b>	2-5.1	None	NO
4.02.00	NO	N/A	Process/Purpose	Subdivision regulations procedures and submissions requirements.	Article 5	None	NO
4.02.01	No	N/A	Process	<b>Subdivision approval process</b>	Article 5	None	NO
4.02.01	NO	N/A	Process/Purpose	Subdivision approval process. needs restructured	Article 5	none	NO
4.02.02	No	N/A	Process	<b>Subdivision Preapplication conference</b>	2-1.4(b)(1) and 2-5.4(b)(1)	none	NO
4.02.02	YES	F.S. 163.3220, 163.3243		preapplication conference	2-1.4(b)(1) and 2-5.4(b)(1)	none	NO
4.02.03	No	N/A	NA	<b>Reserved</b>	N/A	None	NO
4.02.03				reserved	N/A	None	NO
4.02.04	No	N/A	Process	<b>Subdivision Master Plan</b>	2-1.4(b) and 2-5.3	none	NO
4.02.04.A	NO	Policy 8.A.1.12	Process/Purpose	Master planning in phases	2-1.4(b)	none	NO
4.02.04.B-D	NO	N/A	Process	Application procedure and requirements needs restructured	2-1.4(b)	none	NO
4.02.05	Partially	Sections below	Process	<b>Preliminary Plat and Construction Plans</b>	2-1.4(b) and 2-5.4	none	NO
4.02.05 A	No	N/A	Process	<b>Application Procedure</b>	2-1.4(b) and 2-5.4	none	NO
4.02.05.A-B.12	NO	N/A	Process and Design Standards	Preliminary Plat and construction Plans needs restructured.	2-1.4(b) and 2-5.4	parts need to be added	NO
4.02.05 B	No	N/A	Process and standards- subdivision submittal requirements	<b>Submission requirements</b>	2-5.4 (b)(1)	parts need to be added	NO
4.02.05.B.13	NO	N/A	Process/Purpose	Policy? Preliminary Plat and construction Plans needs restructured	2-5.4(b)(1)a.1,5	none	Ch. 1 (SMP)2.A
4.02.05(B).14a	NO	N/A	N/A	Delete	2-5.4(b)(1)a.4		Ch. 1 (SMP)2.B.(6)
4.02.05 B(5)	Code rewording needed		Need to amend to require a Boundary Survey	Type "survey" needs to be defined.	will be 5-5.4(b)(1)(a)(7)	none	NO

4.02.05 B (16) a	YES	Chapter 62-330	Design Standard -WMD exceeds County minimum treatment volume requirements for project meeting State thresholds.	Design Standards, Treatment Volume	2-5.4(b)(1)b.6 and	the level of service will be stated in the LDC, the specific details will be in the design manual	Ch.1(SMS)1
4.02.05 B (16) b	YES	Chapter 62-330	Design Standard -WMD requires varying storm event attenuation, while County requires up to and including a 25 year 24 hour event	Design Standards: <i>Post development runoff rates &lt; predevelopment discharge rates for 25-yr critical storm duration</i>	2-5.4(b)(1)b.6	the level of service will be stated in the LDC, the specific details will be in the design manual	Ch1(SMS)2
4.02.05 B (17, 18, 20, & 21)	NO	N/A	Process - General requirements	Document, Drawings Review Process Requirements	2-5.4(b)(1)b.8; 5.4(b)(1)c.7; 2-5.4(b)(1)c.10; 5-3.3(l)(3)	none	NO
4.02.05 B(19)	Yes	163.3194 (1)(b)	LDC to be consistent with Comp Plan	<i>Compliance with Comp Plan and other relevant code provisions</i>	5-4.1	none	NO
4.02.05 B(22)	Yes	FS 177.25-177.40	Coastal mapping requirements	Plats abutting state waters	5-4.5(b)(6)	none	NO
4.02.05.B.17-21	NO	N/A	Process/Purpose	Policy? Preliminary Plat and construction Plans needs restructured		none	NO
4.02.05.B.22	YES	F.S. Ch 177		Coastal Mapping		none	NO
4.02.05 C	No	N/A	Process	<b><i>Effective period of preliminary plat and construction plans approval</i></b>	2-5.4(b)(4)b.	none	NO
4.02.05.C	NO	N/A	Process/Purpose	Policy? Preliminary Plat and construction Plans needs restructured			NO
4.02.06	NO	N/A	General Requirements	<b><i>Construction Plans Requirements for Subdivisions</i></b>	2-5.4(b)(1)	include in manual	Ch4(CP)
4.02.06	NO	N/A	Design Standards	Construction Plans			Ch4(CP)
4.02.06 A-C	NO	N/A	Standards - Surveying	Construction Plan Surveying Issues	2-5.4(b)(1)b.4;5;7;c.4	include in manual	Ch4(CP)
4.02.06 D	NO	N/A	Standards -necessary for flood management	<i>complete grading and erosion control plan</i>	2-5.4(b)(1)b.6 and 5-4.2(b)(1)a	include in manual	Ch4(CP)
4.02.06 E	NO	N/A	Process	Show proposed items on plan	2-5.4(b)(1)b.5	include in manual	Ch4(CP)
4.02.06 F	NO	N/A	County Standards	<i>Technical Specifications</i>	2-5.4(b)(1)b.6 and 5-4.4(b)	include in manual	Ch4(CP)
4.02.06 F	Yes	163.3202(a) & 163.3194 (1)(b)	Statutes require level of service and consistency w/Comp Plan	<i>Drainage calculations and plans based on level of service Comp Plan consistent</i>	5-2.7(b) and 5-4.4(b)	include in manual	Ch1(SMS)
4.02.06 F	Yes	62-330, Volume II 3.4 (b) & (d), FDOT drainage handbook	County Standards meet minimum State ERP and FDOT rules	Drainage for major channels under arterial of collector roads predicated upon a 100-year storm event	5-2.7(b)(4)	Technical Specification and minimal requirements should be referenced in LDC as being in manual	Ch1(SMS)4.E
4.02.06 F	NO	HB 503	HB503 does not allow County to require other agency permits to obtain a County permit.	Compliance with other regulatory agency rules and regulations	2-1.3(b)(1) and (2) and 5-4.4(b)	Rewrite language for manual	Ch1(SMS)6



4.02.06 G	Yes, in part	62-330	State requires design by a certified professional	County requires design signed and sealed by the engineer of record	2-5.4(b)(1)c.3 and 5-4.4(b)	both LDC and manual	Ch1(SMP)
<b>4.02.07</b>	<b>YES</b>	<b>F.S. Ch 177</b>		<b>Final Plat-approval process</b>			<b>NO</b>
4.02.07	NO	N/A	General Process	<b>Final plat-approval process</b>	2-5.5(b)	none	NO
4.02.07 A	No	N/A	Process	<b>Generally</b> - Final Plat	2-5.5(b)(4)b	none	NO
4.02.07 B	No	N/A	Process	<b>Application procedure and requirements</b> - Final Plat	2-5.5(b)	none	NO
4.02.07 B (1-4)	yes in part B2	FS 177.091	Process	Final Plat application procedure and requirements	2-5.5(b)(1)d	none	NO
4.02.07 B.5. (a-h)	Yes	FS 177.091	State Plat Law and County Process	Final Plat requirements	2-5.5(b)(1)a.2;3;4;5	none	NO
4.02.07 B.5. (i-j)	No	N/A	Process	Final Plat Setbacks and Restrictions	2-5.5(b)(1)a.2;3;4;5	none	NO
4.02.07 B.5.(k-q)	Yes	FS 177.011-151	State Plat Law and County Process	Final Plat application procedure and requirements - State Plat Law	2-5.5(b)(1)a.4; 5	none	NO
4.02.07 B5(m)	Yes; need code rewording	FS 177.011-151	Process - (m) needs re-wording to state "re-plat" not "resubdivision" to be consistent with state law	Final Plat application procedure and requirements - State Plat Law	2-5.5(b)(1)a.6	none	NO
4.02.07 B5(q)	Yes; need code rewording	FS 177.011-151	Process - (q) needs re-wording to require title opinion that reflects ownership, any encumbrances or easements that affect the parcel being platted.	Final Plat application procedure and requirements - State Plat Law	2-5.5(b)(1)a.11	none	NO
4.02.07 B5(r)	Yes	FEMA	Standards -Flood Management	Flood hazard areas	2-5.4(b)a.1	none	NO
4.02.07 B5 (add v)	Code Consideration: Addition needed refer to previous technical memo dated		Final Plat General Process code change needed for GIS and tax appraiser mapping	State Plane Coordinate Notation Table needs to be added to code	2-5.5(b)(1)a.15.	none	NO
4.02.07 B5(s-u)	No	N/A	Necessary Process	Restrictive Covenants, Engineer Certification, and Attorney Certification.	2-5.5(b)(1)a.9;10;14 and 5-3.3(l)(3)	none	NO
4.02.07 B 6	No	N/A	Process - provides MSBU for pond maintenance costs	Stormwater Pond dedicated to County per <i>Ordinance No. 2006-51</i>	2-5.5(b)(1)f	none	NO
4.02.07C(1-6)	Yes in part C2	FS177.07	Necessary Process to protect public interest	<b>Standards for approval of final plats</b>	2-5.5(b)(1)d	none	NO
4.02.07 D,E	Yes	FS177.071(1-2)	State Plat Law and Process	<b>D. Submission and review, and E. Signing of final plat</b>	2-5.5(b)(4)c	none	NO
<b>4.02.08</b>	<b>YES</b>	<b>F.S. Ch 177</b>		<b>Final Plat recording and filing process</b>			<b>NO</b>
4.02.08	No	Article Title	Process	<b>Final plat recording and filing process</b>	2-5.5(b)(4)c	none	NO
4.02.08 A	Yes	FS177.071(1-2)	Process	Clerk of Court will record and file final plat in accordance with FS177	2-5.5(b)(4)c	none	NO
4.02.08 B	No	N/A	Process	Plat distribution	2-5.5(b)(4)c	none	NO
<b>4.02.09</b>	<b>NO</b>	<b>N/A</b>	<b>Policy</b>	<b>Fees</b>	2-1.4(b)(3)	None	NO
4.02.09	No	N/A	Process	<b>Fees</b> for recording	2-1.4(b)(3)	none	NO
<b>4.02.10</b>	<b>NO</b>	<b>N/A</b>	<b>process/Policy</b>	Modifications, references 4.02.04 and 4.02.05	5-3.2(b) and 2-1.4(e)(5)	none	NO
4.02.10	No	N/A	Process	<b>Modifications</b>	5-3.2(b) and 2-1.4(e)(5)	none	NO
<b>4.02.11</b>	<b>YES</b>	<b>F.S. 177.101</b>		reversion of subdivided land to acreage	2-5.6	none	NO

4.02.11 A-C	Yes	FS 177.101	State Law	<b>Reversion of subdivided land to acreage</b> - Plat vacation.	2-5.6	none	NO
4.03.00	NO	N/A	Process	<b>Assurances for completion, inspection, maintenance and warranty of subdivision improvements</b>	2-5.5(b)(1)	none	NO
4.03.01	NO	N/A	Necessary Process requiring completion of improvements and final plat prior to building permit, except for 4.01.03	<b>Completion of public improvements and lot improvements.</b>	2-5.5(b)(3)b and 5-3.2(d)(5)	none	NO
4.03.01 A	NO	N/A	Necessary Process requiring completion of improvements prior to recording a final plat	<b>Construction of Improvements</b>	2-5.5(b)(3)b	none	NO
4.03.02	No	N/A	Process - requires inspection, as-built certification, final inspection, and warranty inspection.	<b>Inspection of improvements</b>	2-5.5(b)(3)b.1	none	NO
4.03.02 A	No	N/A	Process - provides fees for the inspection of improvements	<b>General procedure and fees</b>	2-5.5(b)(3)b.3	none	NO
4.03.02 B	No	N/A	Process	<b>Inspection</b>	2-5.5(b)(3)b.3	none	NO
4.03.02C	YES (partially)	Chapter 62-330	Process- County/State requires as-built certification and final inspection.	<b>Final inspection</b> - Inspection of improvements vary between State and County.	2-5.5(b)(3)b.3	none	NO
4.03.02D	YES (partially)	Chapter 62-330	Process- County/State require follow-up inspections. However, permit agency requires O&M inspections, County requires 2-year warranty inspection.	<b>Warranty inspection</b> - Inspection of improvements vary between State and County.	2-5.5(b)(3)b	none	NO
4.03.03	No	N/A	Process -Necessary to protects public interest	<b>Maintenance, acceptance and warranty of subdivision improvements</b>	2-5.5(b)(1)	none	NO
4.03.03 A	No	N/A	Process -Requires maintenance until acceptance/dedication	<b>Maintenance</b>	2-5.5(b)(1)f	none	NO
4.03.03B	Code Change consideration as a result of HB503		Code needs to be revised to require all regulatory permits and operate/maintenance authorizations for public improvement prior to County acceptance	<b>Acceptances</b>	2-5.5(b)(4)	none	NO
4.03.03 B (2)	Yes; need code rewording	FS 177.041 (2)	Process- Title Opinion requirements need to be reworded in code	Title opinion as per FS177.041 (2)	2-5.5(b)(1)a.11	none	NO

4.03.03C	No	N/A	Process - Necessary to protect public interest	<b>Warranty</b> - 2-yr warranty of accepted improvements and surety for certain deficiencies	2-5.5(b)(1)g	Consider in LDC, home builder responsibility during warranty period and how to enforce damage repairs and sediment control problems	NO
4.03.04	No	N/A	Process - protects public interest Code needs to be revised to include requirements for home builder to control sediments and protect infrastructure from damage	<b>Acceptable forms of surety.</b>	2-5.5(b)(1)g	Revise in LDC to reference how to estimate surety; consider home builder responsibility during warranty period	NO
4.03.05	Yes	State Building Codes	Process	<b>Building permit required.</b>	2-1.3(i)	none	NO
4.03.06	Yes	State Building Codes	Process	<b>Issuance of building permits and certificates of occupancy</b>	2-1.3(i)	none	NO
4.03.05 and 4.03.06	Code Additions Needed		Process - needs clear residential (single and two family) permit requirements to address lot grading, driveway permits, sidewalks, erosion control, etc, not covered by Building Codes.	<b>Building permit required and Issuance of building permits and certificates of occupancy</b>	2-1.3(i), 5-4.3, and add section for home builder responsibility during construction	consider home builder responsibility and how to enforce damage repairs and sediment control problems	NO
4.04.00	No	N/A	Article Title	<b>Requirements for improvements, dedications and design.</b>	5-3.3	none	NO
4.04.01	No	N/A	Section Title	<b>General improvements</b>	5-3.3(b)	none	NO
4.04.01.A	yes in part 1-4	N/A	Process	Conformance to applicable rules and regulations		none	NO
4.04.01A	yes in part 1-4	N/A	Process	<b>Conformance to applicable rules and regulations</b>	5-3.3(a)	none	NO
4.04.01(A) 4	Nyes in part 1-4	F.A.C 14-96 & 14-97	FDOT Permit	County prohibited from conditioning D.O. prior to FDOT permit		none	NO
4.04.01.B	YES	F.S. 177		Monuments	5-3.3(g)	none	NO
4.04.01 B	Yes	FS177.011-151	State Law requires permanent reference markers	<b>Monuments</b>	5-3.3(g)	none	NO
4.04.01 C	Yes	FS177.011-151	State Law	<b>Subdivision name</b>	5-3.3(f)	none	NO
4.04.01 D	NO	N/A	Design Standards	<b>Innovations</b> to be removed from code	not in new code	remove from LDC add to manual to allow stormwater innovations with County Enigneer approval.	Ch1(SMP)1
4.04.02	No	N/A	Process	<b>Dedications</b>	5-3.3(k); 2-5.4(b)(1)c.6 and 2-5.5(b)(1)a.4	none	NO

4.04.02(A)	NO		Design Stds	Need to require donation for all road types. Remove language about separate road & storm dedication.			NO
4.04.02 A	No	N/A	Process	<b>Street and roads</b>	2-5.4(b)(1)c.6 and 2-5.5(b)(1)a.4	none	NO
4.04.02(B)	NO		Design Stds	Clarify language to include existing roadways brought up to county standards.			NO
4.04.02 B	No	N/A	Process	<b>Public access</b>	5-3.3( c )	none	NO
4.04.02.C	NO	N/A	No longer LOS	needs restructured			NO
4.04.02 C	No	N/A	Process - no longer LOS	<b>Parks and Recreation</b>	5-2.9(a) and (b)	none	NO
4.04.02 D	Yes	FS177.071 &.08	Process and State Law	<b>Acceptance of dedication offers are to be shown on the plat</b>	2-5.5(b)(1)a.4	none	NO
4.04.03 (A) 1	NO		Design Stds				Ch2(RD)6.A
4.04.03 (A) 2	NO		Design Stds				Ch2(RD)6.B
4.04.03 (A) 3	NO		Design Stds				Ch2(RD)6.C
4.04.03 (A) 4	NO			Delete			NO
4.04.03 (A) 5	NO		Design Stds				Ch2(RD)6.D
4.04.03 (A) 6	NO		Design Stds				Ch2(RD)6.E
4.04.03	No	N/A	Article Title - Standards	<b>The street and block layout.</b>	5-5.3	include in manual	Ch2(RD)6
4.04.03A	No	N/A	Standards	<b>Streets</b> section provides for design standards	5-5.3(a) and (b)1 and 5-5.4	include in manual	Ch2(RD)6
4.04.03A6	No	N/A	Standards - requiring developer utility coordination to prevent damage of new subdivision roadways	Promotes <i>common trenching</i> utility installations or use of utility conduits	5-3.3(j)(3) and (4)	include in manual	Ch2(RD)6
4.04.03 B	No	N/A	Standards	<b>Blocks</b>	5-3.3(e)	include in manual	Ch2(RD)6
4.04.03 C	No	N/A	Standards to prohibit creation of parcels not included in the subdivision	<b>Parcel not included in plat</b>	not found ??????	may not be necessary?	NO
4.04.04 (A-F)	NO		Design Stds				NO
4.04.04 A-H	No	N/A	Standards	<b>Minimum right-of-way widths of streets, alleys and easements for utilities and drainage</b>	5-5.3( c )	include in manual	Ch2(RD)1.A-H
4.04.05	NO		Design Stds				
4.04.05	No	N/A	Standards	<b>Minimum pavement widths</b>	5-5.3(d)	include in manual	Ch2(RD)2.A-D
4.04.06	NO		Design Stds	Delete paragraph 'D'			
4.04.06	No	N/A	Standards	<b>Intersections</b>	5-5.3(e)	include in manual	Ch2(RD)3.A-C
4.04.07	NO	N/A	Design Standards	references article 6 for lots			NO
4.04.07	No	N/A	Refers to Article 6	<b>Lots</b>	5-3.3(e)	none	NO
4.04.08	NO	N/A	Design Standards	needs restructured			NO
4.04.08	No	N/A	Standards	<b>Nonresidential subdivisions</b>	2-5.1	same for commercial and residential	NO

4.04.09	Yes	163.3202(2)(d)	Standards- required to "Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.	<b>Development in areas with high water tables</b>	5-3.3(i)	include in manual reference in LDC	Ch2(RD)5
4.04.10	NO	N/A	Process and Standards- needed to protect public interest	<b>Subdivision name markers and median islands</b>	5- 3.3(h)	include in manual reference in LDC	no
4.04.11	NO	N/A	Process- Title of Article	<b>Design standards</b>	5-3.3	include in manual reference in LDC	NO
4.04.11 A 1	NO	N/A	Process- requires professional engineer, and compliance with Technical Specifications.	<b>General</b> requirements for design an technical compliance	5-3.3(a)	leave in LDC	NO
4.04.11 A 2	YES (partially)	62-330	Process- Both County and State requires asbuilt certification. Need Reword from "FDEP" to reference other agency certifications	<b>General</b> process to require asbuilt record drawings	2-5.5(b)(3)b.2	leave in LDC and reword	NO
4.04.11 B	Yes	163.3202(2)(g)	Process - to "Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177"	<b>Water supply and sewage</b> that provides reference to section 5.05.00	5-3.3(j)(7)	leave in LDC and reword	NO
4.04.11 C	No	N/A	Standards for design speed	<b>Roadway design speed</b>	5-5.3(f)	include in manual reference in LDC	NO, traffic?
4.04.12 A, B	NO	N/A	Standards are similar to State and Federal but needs to be updated to current fire codes	<b>Fire Hydrants</b>	5-3.3(j)(8)	remove from LDC and handle with fire codes	no
4.04.12 C	Yes	Federal & State	National Fire Protection Association 24 and Florida Fire Prevention Code 633	<b>Fire Hydrants</b>	5-3.3(j)(8)	remove from LDC and handle with fire codes	no
4.04.13	NO	N/A	Process- Title of Article	<b>Drainage</b>	5-4.5	manual	Ch1(SMS) & (SMP)
4.04.13.A first part (1 & 2)	YES	Chapter 62-330	Design Standards - Similar State Rates/Volume Control, 25year/24hour with outfall and 100year/24hour w/o outfall	Requirements for detention and retention structures (ponds)	5-4.5( c )(3)b;c and f	manual and LDC	Ch1(SMS)2
4.04.13. A first part (3)	YES (partially)	Chapter 62-330	Standards- County geotechnical are minimal	<b>Requirements for geotechnical soil analyses report</b>	5-4.4( c )(1)f and g	manual and LDC	Ch1(SMP)2.A.(8)
4.04.13. A first part (4)	No	N/A	Standards- refer to section 7.13.03.N	<b>Detention and retention/detention area buffers</b>	5-4.5( c )(3)g		not req by state/fed
4.04.13. A first part (5)	No	N/A	Standards- requires other regulatory permits	<b>Requires a copy of permits prior to Final Inspection</b>	5-4.6(l)(1)	manual and LDC	Ch1(SMS)6

4.04.13 A 2nd part (1)	YES(partially )	Chapter 62-330	Design Standard - Similar State requires fencing ponds w/ side slopes steeper than 4:1	Standards for <i>BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.5( c )(3)f	manual and LDC	Ch1(SMS)3B
4.04.13 A 2nd part (2)	NO	N/A	Design Standard - Pond <i>side slopes no steeper than 3:1.</i>	Standards for <i>BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(2)a	manual and LDC	Ch1(SMS)3B
4.04.13 A 2nd part (3-4)	Yes (similar)	Chapter 62-330	Design Standard - Similar requirements for adequate access, for pond maintenance	Standards for <i>BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(2)c	manual and LDC	Ch1(SMS)3C
4.04.13 A 2nd part (5)	NO	N/A	Design Standard - access ramps for pond maintenance	Standards for <i>BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(2)c	manual and LDC	Ch1(SMS)3C
4.04.13 A 2nd part (6)	NO	N/A	Process- deed or plat required for pond acceptance by BCC.	Standards for <i>BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(3)	LDC process	No
4.04.13 B 2nd part (7)	NO	N/A	Process - provides MSBU for pond maintenance costs	Stormwater Pond dedicated to per County Ordinance No. 2006-51	5-4.6(l)(4)	LDC process	No
4.04.13 B	YES (similar)	163.3202(2)(d) and 62-330	Design Standards- Chapter 163 requires to " <i>Regulate areas subject to ...flooding and provide for drainage and stormwater management.</i> " ERP rules require similar plans.	<b>Drainage plans</b> are required to be submitted. County required minimum 18" pipe sizes, different from State	5-4.6(g)	manual and LDC	Ch1(SMS)4D3
4.04.13 C	No	N/A	Standard- requires road elevation > 4' above sea level	<b>Roadway elevation</b>	5-5.3(g)	manual and LDC	Ch2(RD)5
4.04.13.D	YES	163.3202(2)(d)	Standards- Chapter 163 requires to " <i>Regulate areas subject to ...flooding and provide for drainage and stormwater management.</i> "	<b>Canals and Lakes requirements</b>	????????	manual and LDC	Ch1(SMS)4C
4.04.13 D	YES (partially)	Chapter 62-330	Standards - State requirements are similar	<b>Canals and Lakes requirements</b>	????????	manual and LDC	Ch1(SMS)4C
4.04.13 E	YES	FS177.091(15)	Process	<b>Natural watercourse</b> to be shown on final plat	2-5.5(b)(1)a.13	none	NO
4.04.13.F	YES (Partially)	Chapter 62-330	Design Standards - similar requirements by State	<b>Open ditches or swales</b>	5-4.5( c )(4)	manual	Ch1(SMS)4B & C
4.04.13.G	YES	Chapter 62-330	Standards - references applicable state and federal regulations	<b>Erosion Control</b>	5-4.5(e)(1)	manual and LDC	Ch1(SMP)2.B.(5)(c )
4.04.13.H	No	N/A	Design Standards	<b>Minimum slopes</b>	5-4.5( c )(4)b and 5-4.6(j)	manual	Ch1(SMP)4.B.
4.04.13.I	No	N/A	Design Standards	<b>Subdrains, subsoil drains and trench drains.</b>	5-4.6(k)	remove from LDC	NO

4.04.14	No	N/A	Process	Utilities			NO
4.04.15	Yes			<b>Traffic Control</b>			Ch2(RD)7
4.05.00	NO	N/A	Design Standards	resubdivision of land			no
4.05.00	NO	N/A	Process- Article Title	<b>Resubdivision of Land</b>	2-5.2(d) and 2-5.5(b)(1)a.6.	none	NO
4.05.00	Need code rewording	FS 177.011-151	Re-wording to state "re-plat" not "resubdivision" to be consistent with state law	Resubdivision of Land- State Plat Law	2-5.2(d) and 2-5.5(b)(1)a.6.	none	NO
4.05.00 A	Yes	163.3202(a) and FS 177.011-151	Process -required "to regulate the subdivision of land"	<b>Procedure for resubdivision.</b>	2-5.2(d) and 2-5.5(b)(1)a.6.	none	NO
4.05.00 B	Yes	163.3202(a) and FS 177.011-151	Process -required "to regulate the subdivision of land"	<b>Resubdivision.</b>	2-5.2(d) and 2-5.5(b)(1)a.6.	none	NO
4.05.00 C	No	N/A	Process	<b>Division of lots within a subdivision.</b>	2-5.2 (b)(1) partially	none	NO
4.05.00 D	No	N/A	Process	<b>Conversion of a residential platted lot into a thoroughfare</b>	2-6.8	none	NO
4.05.00 (D) 1	NO		Design Stds or Policy?	Design Stds or Policy?			no
4.01.01	NO	N/A	Process/Purpose	Policy? Plat Vacation needs restructured		none	NO
4.05.01	Yes, need to reword in code	FS177.101	Process- State Law - Process differ from FS177.101	<b>Plat vacation</b>	2-5.6	none	NO
Article 4 Part 2	Yes, but without specific requirements	Chapter 163, Part II, Florida Statutes, specifically 163.3202 (2)	Article is required in part to regulate land use, drainage, flooding, onsite traffic flow/parking, level of service, etc. and be consistent with Comprehensive Plan.	<b>Site Plan Regulations</b> are required to be in a LDC	Chapter 2 Article 4	none	NO
4.06.00	NO	N/A	Process- Article Title	<b>Site plan review and approval</b>	2-3.1, 2-4.1	none	NO
4.06.01	NO	N/A	Process for Development Review Committee (DRC) site plan review	<b>Review and Approval Required</b>	2-4.4(b)(1), 2-5.2.a	none	NO
4.06.01	YES	Policy 8.A.1.12		Site Plan review and Approval		none	NO
4.06.02	NO	N/A	Design Standards	Exceptions to DRC needs restructured		none	NO
4.06.02	NO	N/A	Process	<b>Exceptions to DRC review and approval;</b> must satisfy all criteria A-F	2-4.1	none	NO
4.06.02 A	NO	N/A	Process	<b>Buildings and other structures</b> <500 sqft floor area do not require DRC review/approval	2-4.4 ?	none	NO
4.06.02 B	NO	N/A	Process	<b>Impervious surface</b> < 1000 sqft does not require DRC review/approval	2-4.4(b)(4)	none	NO
4.06.02 C	NO	N/A	Process	<b>Change of Use w/ &lt; 25% increase in parking</b> do not require DRC review/approval	2-4.4(b)(2)	none	NO
4.06.02 (D)	NO		Design Std or Policy?	Design Std or Policy?			no

4.06.02 D-F	NO	N/A	Process	<b>Driveways (existing), Construction trailers, and Reconstruction</b> do not require DRC review/approval	2-4.4(b)(3)	none	NO
4.06.03	NO	N/A	Process - Criteria for minor development to be revised by new code intention for front corner approval	Approval for minor DRC needs restructured			NO
4.06.03	NO	N/A	Process - Criteria for minor development to be revised by new code intention for front corner approval	<b>DRC review and approval for minor development</b> must satisfy all criteria A-E	2-4.4	none	NO
4.06.03 A-C	NO	N/A	Process - Criteria for minor development to be revised by new code intention for front corner approval	<b>Buildings and other structures, Impervious surface, or Change of Use</b> < 2000 sqft, qualify for minor development	2-1.4(b), 2-1.4(b)(2), 2-1.4(b)(3)	none	NO
4.06.03.D	Yes	FS 163.3202.2.C	Process - Criteria for minor development to be revised by new code intention for front corner approval	Developments > 500' from a <b>Protected wellheads</b> , qualify for minor development	2-2.2(b)(4), 4-4.8	none	NO
4.06.03.E	NO	N/A	Process	<b>Density transfer qualify</b> for minor development	2-4.4	none	NO
4.06.04	NO	N/A	Process/Purpose	DRC Submittal			NO
4.06.04 A-C	NO	N/A	Process	<b>Site plan submittal</b> through DRC	2-1.4(b), 2-1.4(b)(2), 2-1.4(b)(3)	none	NO
4.06.05	YES	comp plan	7.A.4.9	Conformance with code and comprehensive plan required	1-1.5 and 2-1.3(a)	none	NO
4.06.05	Yes	163.3194(1)(b)	Process - <i>LDC shall be consistent with Comp Plan</i> and FS 163.3202	<b>Conformance with code and comprehensive plan required</b>	1-1.5 and 2-1.3(a)	none	NO
4.06.06.A-B	NO	N/A	Design Standards	DRC Consideration site plan needs restructured			NO
4.06.06.A	No	N/A	Process - Article Title	<b>Considerations in reviewing site plans</b>		none	NO
4.06.06.A	No	N/A	Process	<b>Site location and character of use</b>		none	NO
4.06.06.A (3)	Yes	FAA	Federal FAA Process	<b>Building heights</b> must satisfy FAA approval for structures > 200'	4-3.3	none	NO
4.06.06.B	NO	N/A	Process	<b>Appearance of site</b>		none	NO
4.06.06 (C.1)	Yes partially	FS 163.3202.2.H	Design Standard required by the Comp Plan	<b>Access, internal circulation and off-street parking</b> and NFPA Fire truck access	5-5.4(a)	discuss with Traffic	NO
4.06.06 ( C ) 1	NO		Design Stds	Language needs revising			NO
4.06.06 ( C ) 2- 5	NO		Design Stds				Ch2(AM)
4.06.06 ( C ) 6	NO	HB 503	Delete	FDOT permit			no
4.06.06 ( C ) 7	NO		Design Stds				no
4.06.06.D	NO	N/A	Design Standards	open space and landscaping			
4.06.06.D	NO	N/A	Process	<b>Open Space and Landscaping</b>	5-7.2, 5-7.3	discuss with enviornmental	



4.06.06.E	Yes	FS 163.3202.2.D	Design Standard required by the Comp Plan	<b>Flood Prone Lands</b>	4-2.1	none	no
4.06.06.F	Yes	62-330 & FS 163.3202.2.G	Design Standard required by the Comp Plan and State ERP rules	<b>Provisions for adequate public services - (Stormwater)</b>	5-4.1, 5-4.4(a), 5-4.4(b), 5-4.5(a)(4), 5-4.5(c)(2)a, 5-4.5(c)(3)b	include in part in both manual and LDC	Ch1(SMS)
4.06.06.G	NO	N/A	Process	<b>Additional consideration - site plan review info</b>	n/a	geotech part in manual	Ch1(SMP)
<b>4.06.06 (H)</b>	NO		Design Stds			discuss with Traffic	no
4.06.06.H	NO	N/A	Process	<b>Arterial or collection street - reserving R/W</b>	Chapter 6	discuss with Traffic	no
4.06.06 (I)	NO	CH 177	Design Stds	Environmental			
4.06.06.I	Yes	Ch 177 Pt II FS	Design Standard	<b>Mean high water line</b>	2-4.3(b)(3)	both LDC and manual	
<b>4.06.07</b>	NO	N/A	Design Standards	needs restructured.			no
4.06.07	NO	N/A	Process- revise to growth mnagement to planning official	<b>Approval by the department of growth management</b>	n/a	none	no
<b>4.06.08</b>	NO	N/A	Design Standards	needs restructured			no
4.06.08	NO	N/A	Process	<b>Approval subject to conditions</b>	n/a	none	no
<b>4.06.09 (all)</b>	NO		Design Stds				Ch. 4 (SP)
<b>4.06.09.A-J</b>	NO	N/A	Design Standards	needs restructured			Ch. 4 (SP)
4.06.09.A-F	NO	N/A	Process	<b>Information included on a site plan</b>	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09.G	Yes	FS 163.3202.2.H	Design Standard required by the Comp Plan	Safe onsite traffic flow	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09.H	NO	N/A	Process	<i>perimeter fences</i>	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.06.I	YES (partially)	Chapter 62-330	Process- County requires registered engineer, State requires registered professional	<i>Surface water drainage facilities plan certified</i>	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09.J	NO	N/A	Process	<i>Location of existing easements and right-of-ways</i>	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09 K	Yes, need to reword	FS472.001-.037	Process Certified Survey (Boundary-Topographic)	<i>Land survey ... certified by a registered surveyor.</i>	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
<b>4.06.09.K</b>	YES	F.S. Ch 417 and 472		land survey	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09.L-T	NO	N/A	Process	Information included on a site plan	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
<b>4.06.09.L-V</b>	NO	N/A	Design Standards	needs restructured	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)

4.06.09.U	State	62-330, FS 163.3202.2.E	Design Standard required by the Comp Plan and State ERP rules	Protected wetlands	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09.V	NO	N/A	Process	Zoning designations	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
4.06.09.W	Yes	FAA Form 7640-1	FAA Process	FAA approval for structures > 200'	2-4.3 and 4-3.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
<b>4.06.09.W</b>	YES	FAA form 7640-1		FAA Airspace 200ft above	2-4.3	detailed in manual w/general reference in LDC	Ch. 4 (SP)
<b>4.06.10</b>	NO	N/A	Design Standards	Modifications of approved site plan		none	no
4.06.10	NO	N/A	Process	<b>Modification of an approved site plan</b>	2-1.3(f)	none	no
<b>4.06.11</b>	NO	N/A	Process/Purpose	termination extension and transfer		none	no
4.06.11	Yes	US Fish and Wildlife	Fish & Wildlife Permit	<b>Termination, extension, and transferability</b> - Beach mouse habitat	2-4.4( c)(4), 2-4.5(c)(4)(2), 4-4.4(e)	none	nO
<b>4.06.12</b>	NO	N/A	Process/Purpose	approval , disapproval and procedure		none	NO
4.06.12	NO	N/A	Process - Article Title	<b>Approval, disapproval and procedure</b>	2-4.4( c)(4), 2-4.5(c)(4)(2)	none	NO
4.06.12.A-B	NO	N/A	Process	<i>Time limit</i> for site plan review, allows for building permit after DRC approval	2-4.4( c)(4), 2-4.5(c)(4)(2)	none	NO
4.06.12.C	Yes (partially)	62-330	Process- State requires the same for project within permit threshold	<i>As-built drawings shall be submitted prior to final acceptance</i>	Need to add to new code for site plans refer to 2-5.5(b)(3)b. and reword	referenced LDC and provide specific in manual	no
<b>4.06.13</b>	NO	N/A	Process/Purpose	continuing obligation-Violations			NO
4.06.13	Yes	Chapter 163 Part II	Process necessary to provide for enforcement. Process Required by Comp Plan 10.C.1.5	<b>Continuing obligation - violations</b>	2-1.4(e)(1)	none	NO
<b>5.00.00</b>	YES	F.S. 163.3180		Only applies to Sanitary Sewer, Solid Waste, Drainage, Potable Water	Chapter 5 Article 2	none	NO
5.00.00	Yes	Chapter 163, Part II, Florida Statutes	Entire Article should be consistent with Comprehensive Plan and required by Florida Statutes	<b>Concurrency management systems</b> are required to be in the LDC, but the Statute does not spell out the specifics.	Chapter 5 Article 2	none	NO
5.10.02	Yes	Chapter 163, Part II	Comprehensive Plan Requirements for Concurrency	<b>Applicant requirements</b> to demonstrate concurrency	Chapter 5 Article 2	none	NO
5.10.02A	Yes	Chapter 163, Part II, Florida Statutes, specifically 163.3202 (2) (d)	LDC Drainage Level of Service Standard referenced in Comprehensive Plan INF 3.1.9 Level of Service (LOS) Standards	<b>Drainage</b> level of service standards need to be updated to match the existing Comprehensive Plan	5-2.7	include in LDC and reference in manual	Ch1(SMS)
5.10.02B	Yes	Chapter 163, Part II	Sanitary Sewer required by ECUA for central sewer or Health Dept for septic tanks	<b>Sanitary Sewer</b> Concurrency	5-2.5	include in LDC and reference in manual	no

5.10.02C	Yes	Chapter 163, Part II	Potable Water required for central water systems, or valid well permit by NWFWMMD	<b>Potable Water</b> Concurrency	5-2.8	include in LDC and reference in manual	no
5.12.00 (all)	NO		Design Standards	Replace with a Mobility Transportation System/??? under separate cover/ordinance promulgated in 2014			NO
				Monitoring of LOS is required for TRIP funding therefore this section will be re-evaluated			NO
				Will Proportionate Fair Share still be implemented?			NO
7.00.01.A	NO	N/A	Process/Purpose	Intend of section needs restructured			no
7.00.01.B	NO	N/A	Process/Purpose	Intend of section needs restructured			no
7.00.01.C	NO	N/A	Process/Purpose	Intend of section needs restructured			no
7.00.02	NO	N/A	Process	Waivers of section needs restructured			no
7.01.01	NO	N/A	Process/Purpose	Intend of section needs restructured			
7.01.01 Purpose (landscaping/tree protection)	No			Asthetic, cooling, stormwater reduction			
7.01.02 Applicability	No			Commercial/Heritage			
7.01.02.A	NO	N/A	Process/Purpose	Intend of section needs restructured			
7.01.02.B	NO	N/A	Process/Purpose	Clear cutting of trees			
7.01.03.A Procedures - Landscape Plan	No			Pre-impact Inventory/Post-Development Plan			
7.01.03.A	NO	N/A	Process	Landscape Plan			
7.01.03.B Procedures - Inspections	No						
7.01.03.B	NO	N/A	Design Standards	Inspections			
7.01.03.C Tree Protection	No			Reduce energy costs, reduce storm water, historical,			
7.01.03.C.1	NO	N/A	process	Tree protection			
7.01.03.C.2	NO	N/A	process	Protected and preserved tree inventory			
7.01.03.D	NO	N/A	Design Standards	Tree restoration fee			
7.01.04 Tree Protection Standards	No			Viable trees post construction, improve mitigation			
7.01.05 - Landscaping Standards	No			Flexability for Landscaping/no new canopy trees under wires			
7.01.05	NO	N/A	Design Standards	Landscape standards			
7.01.06 - Buffering	Development Services			Protect sensitive habitats, land uses			
7.01.06.A	NO	N/A	Process/Purpose	Buffering needs restructured			
7.01.06.B	NO	N/A	Process/Purpose	Buffering needs restructured			
7.01.06.C-H	NO	N/A	Design Standards	Buffering needs restructured to input Griffs work			
7.01.07 - Reserved							
7.01.07	NO	N/A	Design Standards	section is reserved			
7.01.08 - Visual Clearance...	Engineering - Traffic						
7.01.08	NO	N/A	Design Standards	visual clearance along right-of-ways			

<b>7.01.09 - Enforcement</b>				Shift to one enforcement section for all code			
7.01.09	NO	N/A	process	Inspections, enforcement and penalties			
<b>7.02.00 - Parking</b>	Engineering - Traffic						
7.02.00.A	NO	N/A	process	Intent of Parking			
7.02.00.B	NO	N/A	process	Pensacola Beach Parking requirements			
7.02.00.C	NO	N/A	Design Standards	Parking spaces needs restructured.			
7.02.00.D	NO	N/A	Design Standards	Computation of Parking spaces needs restructured.			
<b>7.03.00 - Exterior Lighting</b>	Yes - coastal areas	163.3177.D.2.e		Coastal species protection, neighborhood protection			
		163.3177.g.1-2					
		ACOE Permit					
7.04.00	NO	N/A	Design Standards	Fences			
<b>7.05.00. A - Marina siting - Zoning</b>	No						
7.05.00				Tim Day Marina Siting			
<b>7.05.00.B Reserved</b>	No						
7.05.00.C	No			Protection of Sea Grass meadows			
<b>7.06.00 Industrial Processing and Storage</b>	Engineering / Development Services	MS4		MS4 NPDES permit compliance			
7.06.00	YES	CompPlan	process	to ensure compatibility of adjacent uses as required by comp plan plicy 7.A.3.7			
<b>7.07.00 Standards Regulating Adverse Off Site Impacts</b>	Development Services			Neighborhood encroachment, sedimentation, water quality			
7.07.01 Noise	No						
7.07.01.A	NO	ordinances	Chapter 1-20.3	Noise			
7.07.01.B & C	NO	N/A	Design Standards	measurement of sound, maxium levels			
7.07.01.D	NO	N/A	Design Standards	Hours of operation Noise			
7.07.01.E	YES	F.S. 316.296	Process/Purpose	Noise exemptions			
<b>7.07.02 Vibrations</b>	No			Compromise structural integrity			
7.07.02	NO	N/A	Design Standards	Vibrations			
<b>7.07.03 Air Pollutants</b>	Yes	163.3177.?2.A					
7.07.03	YES	F.A.C ch. 17-2		Air pollutants			
<b>7.07.04 Fire and Explosive Hazards</b>	Development Services/Fire Safety						
7.07.04	YES	F.A.C ch. 4A		Fire and explosive hazards			
<b>7.07.05 Glare</b>	No						
7.07.05	NO	N/A	Design Standards	Glare			
<b>7.07.06 Nuisances</b>	No			Public Health, Safety, Welfare			
7.07.06	NO	N/A	Design Standards	Nuisances			

7.07.07 Borrow Pits	Solid Waste/Development Services			Reclamation issues, land use, fires, contamination			
7.07.07	YES	CompPlan		Borrow Pits			
7.08.00 MERS	No			Wetland Buffer will suffice if wetlands present.			
7.09.00	NO	N/A	Design Standards	mobile homes			
7.10.00	NO	N/A	Design Standards	zero lot line developments			
7.11.00 (all)	NO		Design Stds				
7.12.00 Wellhead Protection	Yes	163.3177.?.2.b		State protection only 500', EC current based on scientific modelling			
		163.3177.?.d					
7.12.01 Intent	No						
7.12.02 Definitions	No			Move to Definitions			
7.12.03.A Seven year time of travel	(500 foot state requirement)			Best available data			
7.12.03.B	No			No regulations			
7.12.04 Development Standards	No						
7.13.00 Wetlands and Environmentally Sensitive Lands	Yes	163.3177.2.e					
		163.3177.2.j-k					
7.13.01 Findings and Purpose	No						
7.13.02 Identification of Wetlands and ESL include T&E	Yes	163.3177.d.1.a-e					
		163.3177.e					
		163.3177..j-k					
7.13.03 Protection Standards	Yes			Verbage can be reduced			
7.13.03.A	yes	MS4					
7.13.03.B	Engineering - construction standards						
7.13.03.C	yes (definition of wetland)			Verbage can be reduced			
7.13.03.D	yes (UMAM required)			functional gain from mitigation = functional loss from impact			
7.13.03.E	No						
7.13.03.D.5 - PKBM fees	Yes	Interagency Agreement/Pending HCP					
7.13.03.F	No						
7.13.03.G	No						
7.13.03.H	No						
7.13.03.I	No						
7.13.03.J	No						
7.13.03.K	No			Language should be reduced and kept			

7.13.03.L	No						
7.13.03.M	No						
7.13.03.N	No?			Buffer is desired (25ft/15ft min)			
7.13.03.O	No						
7.13.03.P	No						
7.13.03.Q	No			Good for Clairification			
7.13.04 Clustering	No			Good tool for development			
7.13.05	No						
7.13.06 Penalties	No			Shift to one enforcement section			
7.14.00	NO	N/A	Process/Purpose	Intend of section needs restructured			
7.14.01	YES	F.S. 563.02, 561.422	F.S. 563.02, 561.422, 561.705	Alcoholic beverages zoning compliance			
7.15.00	Yes	Chapter 163, Part II, Florida Statutes, specifically 163.3202 (2) (d)	Article is required to "Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management." and be consistent with Comprehensive Plan	Article Title- <b>Stormwater management</b> - Regulations are required to be in a Land Development Code	Chapter 5 Article 4	both LDC and manual	Ch1(SMS)(SMP)
Per Part IV of Chapter 373 FS, the new Statewide Environmental Resource Permit rules under 62-330 became effective October 1, 2013 and governs the construction, alteration, operation, maintenance... of stormwater management systems, dams, impoundments, reservoirs,...wetlands or other surface waters...						reference 62-330 in manual	Ch1(SMS)1
7.15.01	NO	N/A	Process Preface	Stormwater Management <b>Purpose</b>	5-4.1	none	no
7.15.02	NO	N/A	Process Preface	Stormwater Management <b>Objectives</b>	5-4.1 (1) - (6)	none	no
7.15.03	NO	N/A	Process; land disturbing and stormwater management permits are similar permits	<b>Activities requiring a stormwater management permit</b>	5-4.2 (a) and 2-3.5 land disturbing	none	no
7.15.04	NO	N/A	Process	Stormwater Permit <b>Exemptions</b>	5-4.2 (b) (1) and (2)	none	Ch1(SMS)5
7.15.05	Yes	14-86, 62-25 (now 62-330) and 163.3202 (2) (d)	Design Standards	<b>General Requirements</b> for stormwater management	5-4.4	include in manual and LDC, but revise to be less wordy	Ch1(SMS)
7.15.05J	Yes, need to reword	62-25 (now 62-330)	Design Standards- reference less stringent State thresholds	Requires compliance with State water quality standards; reword to 62-330	5-4.5 (b)(5)	none	Ch1(SMS)
7.15.06	Yes	Chapter 163, Part II 163.3202 (2) (d)	Design Standards; Drainage concurrency is required by Comp. Plan	<b>Design and Performance Standards for Stormwater Management Plans</b>	5-4.5 ( c )	include in manual and LDC	Ch1(SMP)
7.15.06A	Yes	Chapter 62-330, and Chapter 163, Part II	State requires attenuation. Drainage concurrency is required by Comp. Plan	Requires drainage calculations showing Qpost<Qpre for 25-year critical duration	5-4.5 ( c ) (1) and (2)	include in manual and LDC	Ch1(SMS)2
7.15.07	Yes	62-25 (now 62-330) 403.0885FS	Standards required by NPDES municipal permit	<b>Sediment Control</b>	5-4.3	reference BMP's in LDC, add restricted use BMPs in manual	Ch1(SMP)2.B.(5)(c)
7.15.08	Yes	163.3202 (2) (d)	Design Standards required to have a plan by the Comp Plan	<b>Stormwater Management Plan</b>	5-4.4	include in manual and LDC	Ch1(SMP)
7.15.08.C.10	Yes, need to reword	62-25 (now 62-330)	Article refers to old state treatment volume, now 62-330	Requires compliance with State water quality standards; reword to 62-330	5-2.7 (b) (2)	include in manual and LDC	Ch1(SMS)1

7.15.09 A-F	NO	N/A	Process needs to be revised	<b>Stormwater <i>Permit application procedures</i></b>	Stormwater Mangement permit is replaced w/land disturbing or other types of permits requiring PE.	none	no
7.15.10	NO	N/A	Process -permit fee set by BCC	<b>Stormwater <i>Permit Fees</i></b>	2-1.4(b)(s)	none	no
7.15.11	NO	N/A	Process- requires adherence to approved plans; needed for enforcement.	<b><i>Plan Adherence</i></b>	5-4.4 (d)	none	no
7.15.12	Yes, similar	63-330	Process- County/State require follow-up inspections. ERP requires O&M inspections.	<b><i>Maintenance</i></b>	5-4.5 (d)	none	no
7.15.13	NO	N/A	Process- requires inspections	<b><i>Inspections</i></b>	5-4.5 (e)	none	no
7.15.13 C	Yes	62-330	Process- State requires final inspections	<b><i>Final inspection.</i></b>	5-4.5 (e) (3)	none	no
7.15.14	Yes	163.3161-3215	Process Required by Comp Plan 10.C.1.5	<b><i>Enforcement</i></b>	needs to be added	none	no
7.15.15	NO	N/A	Process	<b><i>Penalties</i></b>	needs to be added	none	no
7.15.16	NO	N/A	Process- legal language	<b><i>Higher Standards</i></b>		none	no
7.16.00	NO	N/A	Design Standards	Affordale Housing			Ch3(AH)
7.17.00	NO	N/A	Design Standards	Denisty Bonus			Ch3 (DB)
7.18.00	NO	N/A	Process/Purpose	needs restructuredCommercial communications towers			
7.19.00	NO	N/A	Process/Purpose	needs restructured Sewage collection and disposal			
7.20.00	YES	CompPlan	Process/Purpose	needs restructured Locational Criteria.			TH SAYS DELETE
<b>7.21.00 Artificial Lakes and Ponds</b>	No						
<b>7.21.00</b>	No	62-330	Regualtory permits are required when building a lake or pond depending upon size; this needs to be revisited in the Code and probalby deleted	<b><i>Artificial Lakes and Ponds</i></b>	reword in the LDC to comply with State	none	

LAND DEVELOPMENT CODE (LDC)					Proposed LDC (Working version)	Design Standard Manual	TH Section	KJ Section
Article	**Required State/Federal	Reference	Justification	Brief Notes	Proposed LDC (Working version)	Design Standard Manual		
Planning	Planning	Planning	Planning	Planning				
Access/Concurrency	Traffic	Access	Access/Concurrency	Access/Concurrency				
Engineering	Engineering	Engineering	Engineering	Engineering				
Environmental	Environmental	Environmental	Environmental	Environmental				
N/A	N/A	N/A	N/A	N/A				
** "Required State/Federal"- indicates the specific code section is either referenced to or a requirement of a state or federal regulation to be a part of LDC.								
<p>Per Chapter 163 Part II, the LDC is required to meet the requirements of the Comprehensive (Comp) Plan. Florida Statutes 163.3202 (2) states, "Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at a minimum:</p> <p>(a) Regulate the subdivision of land.</p> <p>(b) Regulate the use of land and water for those land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open space.</p> <p>(c) Provide for protection of potable water wellfields.</p> <p>(d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.</p> <p>(e) Ensure the protection of environmentally sensitive lands designated in the comprehensive plan.</p> <p>(f) Regulate signage.</p> <p>(g) Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177 and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities.</p> <p>(h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.</p> <p>(i) Maintain the existing density of residential properties or recreational vehicle parks if the properties are intended for residential use and are located</p> <p>Refer to FS 163.3194 (1)(b) LDC shall be consistent with Comp Plan and FS 163.3202 Minimum requirements of LDC, 163.3194, Comp Plan 2000,</p>								
Article 1 Legal	Yes	Chapter 163, Part II, Florida Statutes (FS)	Florida Legislature has enacted the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. ch. 163, pt. II) which mandates the preparation of comprehensive plans and unified land development codes for all units of local government. (Per LDC 1.01.00)			none		
Article 2 Administration	Yes	Chapter 163, Part II, Florida Statutes (FS), specifically 163.3202 (2)	This Article is a Process. Florida Statutes require local land development regulations necessary to implement the adopted comp plan.	<b>Administration</b> - In general includes application/permit requirements for development orders/permits, variances and conditional use permits, subdivision approval, building permits, or other official action of the County effecting the development of land.		none		
2.02.03	No	HB503	Article requires County to direct applicants to other agencies such as ACOE, FDEP, Utility Providers, FDOT, NFWFMD, HRS, FAA, etc.	<b>Other agency approvals may be required.</b> HB503 does not allow County's to require other agency permits in order to obtain a permit from the County.	Section 1-1.13 (c ) & section 5-4.6 (I)	Dedicated improvements will require permit approvals prior to final plat/acceptance.	SMS-1.5	



Article 3 "De minimis development"	Yes	Chapter 62-330.020 (2)(c), and 62-330.051(13)	State impervious area threshold is 4000 vehicular sqft and 9000 total sqft, being less restrictive. Single Family Residences and Associated Residential Improvements are also stormwater exempt.	Stormwater definition of "De minimis " for Escambia County sets 1000 sqft of commercial impervious area as stormwater exempt. Residential structures and additions that do not exceed 1500 sqft are also stormwater exempt.	5-4.2 (b)(1)d, and Sec. 6-3	Will Reference	SMS-1.4	
Per Part IV of Chapter 373 FS, the new Statewide Environmental Resource Permit rules under 62-330 became effective October 1, 2013 and governs								
4.01.00	NO	N/A	Process/Purpose	Intend of section needs restructured		none		
4.01.00	NO	N/A	General Process	S/D Regulations, <b>General</b>		none		
4.01.01	YES	F.S. Chs 125, 163, 177		Purpose and intent Subdivision regulations	2-5.1-6	none		
4.01.01	YES	F.S. Chs 125, 163, 178	General Process	S/D Regulations, <b>Purpose and Intent</b>	2-5.1-6	none		
4.01.01(D)	NO	N/A	Policy	Keep as good goal of access mgmt				
4.01.02	NO	N/A	General Process	S/D Regulations, <b>Permits and Prohibitions</b>	2-1.3(d)(e)	none		
4.01.02.A	NO	N/A	Process/Purpose	Permit required needs restructured		none		
4.01.02.B	NO	N/A	Process/Purpose	Land Use Certificate needs restructured		none		
4.01.02.C	NO	N/A	Process/Purpose	existing lots needs restructured	2-1.3.(d)	none		
4.01.02.D	NO	N/A	Process/Purpose	Creation of new lots needs restructured		none		
4.01.02.E	NO	N/A	Process/Purpose	Lots donated to family members		none		
4.01.02.F	yes	comp plan		dwelling unit caps	2-1.3.(e)	none		
4.01.02.G	yes	comp plan		Rural subdivision		none		
4.01.02.H	yes	comp plan		suburban subdivision monitoring		none		
4.01.03	NO	N/A	General Process- Issue Building Permit without a development order under certain exclusions	S/D Regulations, <b>Exceptions and Exclusions</b>	2-5.2(b)	none		
4.01.03	NO	N/A	Process	Exceptions and exclusions needs restructured	2-5.2(b)	none		
4.01.04	YES, in part	403.0885 FS	NPDES Stormwater Pollution Prevention Program (SWPPP) required for construction disturbing areas > 1 acre. County requires Land Disturbing Permits to protect public interest.	<b>Land Disturbing Permit</b> is required by County, with lower threshold than state, for disturbing land or changing topography; does not apply to maintenance, landscaping, or silvaculture.	2-3.1-9	none		
4.01.04	NO	N/A	Process	Land disturbing permit	2-3.1-9			
4.01.05	YES, in part	ERP Permit New Chapter 62-330	Process and Standards. ERP permitting is required if part of larger plan, but with different thresholds than LDC	<b>Unplatted Subdivisions</b>	N/A Unplatted S/D is eliminated	None		
4.01.05	Additional Comment:		Recommend amending this part of Code to better protect public interest.	<b>Unplatted Subdivisions</b>	N/A Unplatted S/D is eliminated; this is a debateable issue	None		
4.01.05	NO	CH 177	Process/Purpose	(delete Unplatted Subdivision) needs restructured 3 splits or more required	N/A Unplatted S/D is eliminated; this is a debateable issue	None		
4.01.05 First ( C )	No	N/A	Design Stds	What is wrong with developing public ROW in large parcel S/D?				

<b>4.01.05 second (A)</b>	NO	N/A	Design Stds	Remove waiver to pavement provisions for private roads.				
<b>4.01.05 (F&amp;G)</b>	NO	N/A	Design Stds	Who will review/enforce?				
<b>4.01.06</b>	No	N/A	Process	<b>Reservations</b>	N/A	None		
<b>4.02.00-4.02.05 (1-14)</b>	Yes	163.3202(a)	Process- In general these Articles are required "to regulate the subdivision of land" by providing a Review/Approval Process	<b>General Process for Subdivisions</b>	2-5.2,3,4,5	None		
<b>4.02.00</b>	No	N/A	Process	<b>Subdivision regulations, procedures and submission requirements.</b>	2-5.1	None		
<b>4.02.00</b>	NO	N/A	Process/Purpose	Subdivision regulations procedures and submissions requirements.	Article 5	None		
<b>4.02.01</b>	No	N/A	Process	<b>Subdivision approval process</b>	Article 5	None		
<b>4.02.01</b>	NO	N/A	Process/Purpose	Subdivision approval process. needs restructured	Article 5	none		
<b>4.02.02</b>	No	N/A	Process	<b>Subdivision Preapplication conference</b>	2-1.4(b)(1) and 2-5.4(b)(1)	none		
<b>4.02.02</b>	YES	F.S. 163.3220, 163.3243		preapplication conference	2-1.4(b)(1) and 2-5.4(b)(1)	none		
<b>4.02.03</b>	No	N/A	NA	<b>Reserved</b>	N/A	None		
<b>4.02.03</b>				reserved	N/A	None		
<b>4.02.04</b>	No	N/A	Process	<b>Subdivision Master Plan</b>	2-1.4(b) and 2-5.3	none		
<b>4.02.04.A</b>	NO	Policy 8.A.1.12	Process/Purpose	Master planning in phases	2-1.4(b)	none		
<b>4.02.04.B-D</b>	NO	N/A	Process	Application procedure and requirements needs restructured	2-1.4(b)	none		
<b>4.02.05</b>	Partially	Sections below	Process	<b>Preliminary Plat and Construction Plans</b>	2-1.4(b) and 2-5.4	none		
<b>4.02.05 A</b>	No	N/A	Process	<b>Application Procedure</b>	2-1.4(b) and 2-5.4	none		
<b>4.02.05.A-B.12</b>	NO	N/A	Process and Design Standards	Preliminary Plat and construction Plans needs restructured.	2-1.4(b) and 2-5.4	parts need to be added	NO	
<b>4.02.05 B</b>	No	N/A	Process and standards- subdivision submittal requirements	<b>Submission requirements</b>	2-5.4 (b)(1)	parts need to be added	NO	
<b>4.02.05.B.13</b>	NO	N/A	Process/Purpose	Policy? Preliminary Plat and construction Plans needs restructured	2-5.4(b)(1)a.1,5	none	SMP-2.A	
<b>4.02.05(B).14a</b>	NO	N/A	N/A	Delete	2-5.4(b)(1)a.4			
<b>4.02.05 B(5)</b>	Code rewording needed		Need to amend to require a Boundary Survey	Type "survey" needs to be defined.	will be 5-5.4(b)(1)(a)(7)	none		
<b>4.02.05 B (16) a</b>	YES	Chapter 62-330	Design Standard -WMD exceeds County minimum treatment volume requirements for project meeting State thresholds.	Design Standards, Treatment Volume	2-5.4(b)(1)b.6 and	the level of service will be stated in the LDC, the specific details will be in the design manual	SMS-1	
<b>4.02.05 B (16) b</b>	YES	Chapter 62-330	Design Standard -WMD requires varying storm event attenuation, while County requires up to and including a 25 year 24 hour event	Design Standards: <i>Post development runoff rates &lt; predevelopment discharge rates for 25-yr critical storm duration</i>	2-5.4(b)(1)b.6	the level of service will be stated in the LDC, the specific details will be in the design manual	SMS-2	

4.02.05 B (17, 18, 20, & 21)	NO	N/A	Process - General requirements	Document, Drawings Review Process Requirements	2-5.4(b)(1)b.8; 2-5.4(b)(1)c.7; 2-5.4(b)(1)c.10; 5-3.3(l)(3)	none		
4.02.05 B(19)	Yes	163.3194 (1)(b)	LDC to be consistent with Comp Plan	<i>Compliance with Comp Plan and other relevant code provisions</i>	5-4.1	none		
4.02.05 B(22)	Yes	FS 177.25-177.40	Coastal mapping requirements	Plats abutting state waters	5-4.5(b)(6)	none		
<b>4.02.05.B.17-21</b>	NO	N/A	Process/Purpose	Policy? Preliminary Plat and construction Plans needs restructured		none		
<b>4.02.05.B.22</b>	YES	F.S. Ch 177		Coastal Mapping		none		
4.02.05 C	No	N/A	Process	<b><i>Effective period of preliminary plat and construction plans approval</i></b>	2-5.4(b)(4)b.	none		
<b>4.02.05.C</b>	NO	N/A	Process/Purpose	Policy? Preliminary Plat and construction Plans needs restructured				
4.02.06	NO	N/A	General Requirements	<b><i>Construction Plans Requirements for Subdivisions</i></b>	2-5.4(b)(1)	include in manual	NO, but add to manual	
<b>4.02.06</b>	NO	N/A	Design Standards	Construction Plans				
4.02.06 A-C	NO	N/A	Standards - Surveying	Construction Plan Surveying Issues	2-5.4(b)(1)b.4;5;7;c.4	include in manual	NO, but add to manual	
4.02.06 D	NO	N/A	Standards -necessary for flood management	<i>complete grading and erosion control plan</i>	2-5.4(b)(1)b.6 and 5-4.2(b)(1)a	include in manual	NO, but add to manual	
4.02.06 E	NO	N/A	Process	Show proposed items on plan	2-5.4(b)(1)b.5	include in manual	NO, but add to manual	
4.02.06 F	NO	N/A	County Standards	<i>Technical Specifications</i>	2-5.4(b)(1)b.6 and 5-4.4(b)	include in manual	NO, but add to manual	
4.02.06 F	Yes	163.3202(a) & 163.3194 (1)(b)	Statutes require level of service and consistency w/Comp Plan	<i>Drainage calculations and plans based on level of service</i> Comp Plan consistent	5-2.7(b) and 5-4.4(b)	include in manual	SMS	
4.02.06 F	Yes	62-330, Volume II 3.4 (b) & (d), FDOT drainage handbook	County Standards meet minimum State ERP and FDOT rules	Drainage for major channels under arterial of collector roads predicated upon a 100-year storm event	5-2.7(b)(4)	Technical Specification and minimal requirements should be referenced in LDC as being in manual	SMS-3.D	
4.02.06 F	NO	HB 503	HB503 does not allow County to require other agency permits to obtain a County permit.	Compliance with other regulatory agency rules and regulations	2-1.3(b)(1) and (2) and 5-4.4(b)	Rewrite language for manual	SMS-6	
4.02.06 G	Yes, in part	62-330	State requires design by a certified professional	County requires design signed and sealed by the engineer of record	2-5.4(b)(1)c.3 and 5-4.4(b)	both LDC and manual	SMP	
<b>4.02.07</b>	YES	F.S. Ch 177		Final Plat-approval process				
4.02.07	NO	N/A	General Process	<b><i>Final plat-approval process</i></b>	2-5.5(b)	none		
4.02.07 A	No	N/A	Process	<b><i>Generally- Final Plat</i></b>	2-5.5(b)(4)b	none		
4.02.07 B	No	N/A	Process	<b><i>Application procedure and requirements- Final Plat</i></b>	2-5.5(b)	none		

4.02.07	B (1-4)	yes in part B2	FS 177.091	Process	Final Plat application procedure and requirements	2-5.5(b)(1)d	none		
4.02.07	B.5. (a-h)	Yes	FS 177.091	State Plat Law and County Process	Final Plat requirements	2-5.5(b)(1)a.2;3;4;5	none		
4.02.07	B.5. (i-j)	No	N/A	Process	Final Plat Setbacks and Restrictions	2-5.5(b)(1)a.2;3;4;5	none		
4.02.07	B.5.(k-q)	Yes	FS 177.011-151	State Plat Law and County Process	Final Plat application procedure and requirements - State Plat Law	2-5.5(b)(1)a.4; 5	none		
4.02.07 B5(m)		Yes; need code rewording	FS 177.011-151	Process - (m) needs re-wording to state "re-plat" not "resubdivision" to be consistent with state law	Final Plat application procedure and requirements - State Plat Law	2-5.5(b)(1)a.6	none		
4.02.07 B5(q)		Yes; need code rewording	FS 177.011-151	Process - (q) needs re-wording to require title opinion that reflects ownership, any encumbrances or easements that affect the parcel being platted.	Final Plat application procedure and requirements - State Plat Law	2-5.5(b)(1)a.11	none		
4.02.07 B5(r)		Yes	FEMA	Standards -Flood Management	Flood hazard areas	2-5.4(b)a.1	none		
4.02.07 B5 (add v)		Code Consideration: Addition needed refer to previous technical memo dated 4/20/2004		Final Plat General Process code change needed for GIS and tax appraiser mapping	State Plane Coordinate Notation Table needs to be added to code	2-5.5(b)(1)a.15.	none		
4.02.07 B5(s-u)		No	N/A	Necessary Process	Restrictive Covenants, Engineer Certification, and Attorney Certification.	2-5.5(b)(1)a.9;10;14 and 5-3.3(l)(3)	none		
4.02.07 B 6		No	N/A	Process - provides MSBU for pond maintenance costs	Stormwater Pond dedicated to County per <i>Ordinance No. 2006-51</i>	2-5.5(b)(1)f	none		
4.02.07C(1-6)		Yes in part C2	FS177.07	Necessary Process to protect public interest	<b>Standards for approval of final plats</b>	2-5.5(b)(1)d	none		
4.02.07 D,E		Yes	FS177.071(1-2)	State Plat Law and Process	<b>D. Submission and review, and E. Signing of final plat</b>	2-5.5(b)(4)c	none		
4.02.08		YES	F.S. Ch 177		Final Plat recording and filing process				
4.02.08		No	Article Title	Process	<b>Final plat recording and filing process</b>	2-5.5(b)(4)c	none		
4.02.08 A		Yes	FS177.071(1-2)	Process	Clerk of Court will record and file final plat in accordance with FS177	2-5.5(b)(4)c	none		
4.02.08 B		No	N/A	Process	Plat distribution	2-5.5(b)(4)c	none		
4.02.09		NO	N/A	Policy	<b>Fees</b>	2-1.4(b)(3)	None		
4.02.09		No	N/A	Process	<b>Fees for recording</b>	2-1.4(b)(3)	none		
4.02.10		NO	N/A	process/Policy	Modifications, references 4.02.04 and 4.02.05	5-3.2(b) and 2-1.4(e)(5)	none		
4.02.10		No	N/A	Process	<b>Modifications</b>	5-3.2(b) and 2-1.4(e)(5)	none		
4.02.11		YES	F.S. 177.101		reversion of subdivided land to acreage	2-5.6	none		
4.02.11 A-C		Yes	FS 177.101	State Law	<b>Reversion of subdivided land to acreage</b> - Plat vacation.	2-5.6	none		
4.03.00		NO	N/A	Process	<b>Assurances for completion, inspection, maintenance and warranty of subdivision improvements</b>	2-5.5(b)(1)	none		
4.03.01		NO	N/A	Necessary Process requiring completion of improvements and final plat prior to building permit, except for 4.01.03	<b>Completion of public improvements and lot improvements.</b>	2-5.5(b)(3)b and 5-3.2(d)(5)	none		

4.03.01 A	NO	N/A	Necessary Process requiring completion of improvements prior to recording a final plat	<b>Construction of Improvements</b>	2-5.5(b)(3)b	none		
4.03.02	No	N/A	Process - requires inspection, as-built certification, final inspection, and warranty inspection.	<b>Inspection of improvements</b>	2-5.5(b)(3)b.1	none		
4.03.02 A	No	N/A	Process - provides fees for the inspection of improvements	<b>General procedure and fees</b>	2-5.5(b)(3)b.3	none		
4.03.02 B	No	N/A	Process	<b>Inspection</b>	2-5.5(b)(3)b.3	none		
4.03.02C	YES (partially)	Chapter 62-330	Process- County/State requires as-built certification and final inspection.	<b>Final inspection</b> - Inspection of improvements vary between State and County.	2-5.5(b)(3)b.3	none		
4.03.02D	YES (partially)	Chapter 62-330	Process- County/State require follow-up inspections. However, permit agency requires O&M inspections, County requires 2-year warranty inspection.	<b>Warranty inspection</b> - Inspection of improvements vary between State and County.	2-5.5(b)(3)b	none		
4.03.03	No	N/A	Process -Necessary to protects public interest	<b>Maintenance, acceptance and warranty of subdivision improvements</b>	2-5.5(b)(1)	none		
4.03.03 A	No	N/A	Process -Requires maintenance until acceptance/dedication	<b>Maintenance</b>	2-5.5(b)(1)f	none		
4.03.03B	Code Change consideration as a result of HB503		Code needs to be revised to require all regulatory permits and operate/maintenance authorizations for public improvement prior to County acceptance	<b>Acceptances</b>	2-5.5(b)(4)	none		
4.03.03 B (2)	Yes; need code rewording	FS 177.041 (2)	Process- Title Opinion requirements need to be reworded in code	Title opinion as per FS177.041 (2)	2-5.5(b)(1)a.11	none		
4.03.03C	No	N/A	Process - Necessary to protect public interest	<b>Warranty</b> - 2-yr warranty of accepted improvements and surety for certain deficiencies	2-5.5(b)(1)g	Consider in LDC, home builder responsibility during warranty period and how to enforce damage repairs and sediment control problems	NO	
4.03.04	No	N/A	Process - protects public interest Code needs to be revised to includerequirements for home builder to control sediments and protect infrastrucuture from damage	<b>Acceptable forms of surety.</b>	2-5.5(b)(1)g	Revise in LDC to reference how to estimate surety; consider home builder responsibility during warranty period	NO	
4.03.05	Yes	State Building Codes	Process	<b>Building permit required.</b>	2-1.3(i)	none		

4.03.06	Yes	State Building Codes	Process	<b>Issuance of building permits and certificates of occupancy</b>	2-1.3(i)	none		
4.03.05 and 4.03.06		Code Additions Needed	Process - needs clear residential (single and two family) permit requirements to address lot grading, driveway permits, sidewalks, erosion control, etc, not covered by Building Codes.	<b>Building permit required and Issuance of building permits and certificates of occupancy</b>	2-1.3(i), 5-4.3, and add section for home builder responsibility during construction	consider home builder responsibility and how to enforce damage repairs and sediment control problems	NO	
4.04.00	No	N/A	Article Title	<b>Requirements for improvements, dedications and design.</b>	5-3.3	none		
4.04.01	No	N/A	Section Title	<b>General improvements</b>	5-3.3(b)	none		
4.04.01.A	yes in part 1-4	N/A	Process	Conformance to applicable rules and regulations		none		
4.04.01A	yes in part 1-4	N/A	Process	<b>Conformance to applicable rules and regulations</b>	5-3.3(a)	none		
4.04.01(A) 4	Nyes in part 1-4	F.A.C 14-96 & 14-97	FDOT Permit	County prohibited from conditioning D.O. prior to FDOT permit		none		
4.04.01.B	YES	F.S. 177		Monuments	5-3.3(g)	none		
4.04.01 B	Yes	FS177.011-151	State Law requires permanent reference markers	<b>Monuments</b>	5-3.3(g)	none		
4.04.01 C	Yes	FS177.011-151	State Law	<b>Subdivision name</b>	5-3.3(f)	none		
4.04.01 D	NO	N/A	Design Standards	<b>Innovations</b> to be removed from code	not in new code	remove from LDC add to manual to allow stormwater innovations with County Enigneer approval.	SMP-1	
4.04.02	No	N/A	Process	<b>Dedications</b>	5-3.3(k); 2-5.4(b)(1)c.6 and 2-5.5(b)(1)a.4	none		
4.04.02(A)	NO		Design Std	Need to require donation for all road types. Remove language about separate road & storm dedication.				
4.04.02 A	No	N/A	Process	<b>Street and roads</b>	2-5.4(b)(1)c.6 and 2-5.5(b)(1)a.4	none		
4.04.02(B)	NO		Design Std	Clarify language to include existing roadways brought up to county standards.				
4.04.02 B	No	N/A	Process	<b>Public access</b>	5-3.3( c )	none		
4.04.02.C	NO	N/A	No longer LOS	needs restructured				
4.04.02 C	No	N/A	Process - no longer LOS	<b>Parks and Recreation</b>	5-2.9(a) and (b)	none		
4.04.02 D	Yes	FS177.071 & .081	Process and State Law	<b>Acceptance of dedication offers are to be shown on the plat</b>	2-5.5(b)(1)a.4	none		
4.04.03 (A) 1	NO		Design Std					
4.04.03 (A) 2	NO		Design Std					
4.04.03 (A) 3	NO		Design Std					
4.04.03 (A) 4	NO			Delete				
4.04.03 (A) 5	NO		Design Std					
4.04.03 (A) 6	NO		Design Std					
4.04.03	No	N/A	Article Title - Standards	<b>The street and block layout.</b>	5-5.3	include in manual	RD6	

4.04.03A	No	N/A	Standards	<b>Streets</b> section provides for design standards	5-5.3(a) and (b)1 and 5-5.4	include in manual	RD6	
4.04.03A6	No	N/A	Standards - requiring developer utility coordination to prevent damage of new subdivision roadways	Promotes <i>common trenching</i> utility installations or use of utility conduits	5-3.3(j)(3) and (4)	include in manual	RD6	
4.04.03 B	No	N/A	Standards	<b>Blocks</b>	5-3.3(e)	include in manual	RD6	
4.04.03 C	No	N/A	Standards to prohibit creation of parcels not included in the subdivision	<b>Parcel not included in plat</b>	not found ??????	may not be necessary?	No	
4.04.04 (A-F)	NO		Design Stds					
4.04.04 A-H	No	N/A	Standards	<b>Minimum right-of-way widths of streets, alleys and easements for utilities and drainage</b>	5-5.3 ( c )	include in manual	RD-1.A-H	
4.04.05	NO		Design Stds					
4.04.05	No	N/A	Standards	<b>Minimum pavement widths</b>	5-5.3(d)	include in manual	RD-2.A-D	
4.04.06	NO		Design Stds	Delete paragraph 'D'				
4.04.06	No	N/A	Standards	<b>Intersections</b>	5-5.3(e)	include in manual	RD-3.A-D	
4.04.07	NO	N/A	Design Standards	references article 6 for lots				
4.04.07	No	N/A	Refers to Article 6	<b>Lots</b>	5-3.3(e)	none		
4.04.08	NO	N/A	Design Standards	needs restructured				
4.04.08	No	N/A	Standards	<b>Nonresidential subdivisions</b>	2-5.1	same for commercial and residential	NO	
4.04.09	Yes	163.3202(2)(d)	Standards- required to "Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.	<b>Development in areas with high water tables</b>	5-3.3(i)	include in manual reference in LDC	NO, but need to add	
4.04.10	NO	N/A	Process and Standards- needed to protect public interest	<b>Subdivision name markers and median islands</b>	5- 3.3(h)	include in manual reference in LDC	NO, but need to add	
4.04.11	NO	N/A	Process- Title of Article	<b>Design standards</b>	5-3.3	include in manual reference in LDC	NO	
4.04.11 A 1	NO	N/A	Process- requires professional engineer, and compliance with Technical Specifications.	<b>General</b> requirements for design an technical compliance	5-3.3(a)	leave in LDC	NO	
4.04.11 A 2	YES (partially)	62-330	Process- Both County and State requires asbuilt certification. Need Reword from "FDEP" to reference other agency certifications	<b>General</b> process to require asbuilt record drawings	2-5.5(b)(3)b.2	leave in LDC and reword	NO	
4.04.11 B	Yes	163.3202(2)(g)	Process - to "Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. 163.3177"	<b>Water supply and sewage</b> that provides reference to section 5.05.00	5-3.3(j)(7)	leave in LDC and reword	NO	
4.04.11 C	No	N/A	Standards for design speed	<b>Roadway design speed</b>	5-5.3(f)	include in manual reference in LDC	NO, traffic?	



4.04.12 A, B	NO	N/A	Standards are similar to State and Federal but needs to be updated to current fire codes	<b>Fire Hydrants</b>	5-3.3(j)(8)	remove from LDC and handle with fire codes		
4.04.12 C	Yes	Federal & State	National Fire Protection Association 24 and Florida Fire Prevention Code 633	<b>Fire Hydrants</b>	5-3.3(j)(8)	remove from LDC and handle with fire codes		
4.04.13	NO	N/A	Process- Title of Article	<b>Drainage</b>	5-4.5	manual	SMS/SMP	
4.04.13.A first part (1 & 2)	YES	Chapter 62-330	Design Standards - Similar State Rates/Volume Control, 25year/24hour with outfall and 100year/24hour w/o outfall	Requirements for detention and retention structures (ponds)	5-4.5( c )(3)b;c and f	manual and LDC	SMS-2	
4.04.13. A first part (3)	YES (partially)	Chapter 62-330	Standards- County geotechnical are minimal	<i>Requirements for geotechnical soil analyses report</i>	5-4.4( c )(1)f and g	manual and LDC	SMP-2.A.(8)	
4.04.13. A first part (4)	No	N/A	Standards- refer to section 7.13.03.N	<i>Detention and retention/detention area buffers</i>	5-4.5( c )(3)g		not req by state/fed	
4.04.13. A first part (5)	No	N/A	Standards- requires other regulatory permits	<i>Requires a copy of permits prior to Final Inspection</i>	5-4.6(l)(1)	manual and LDC	SMS6	
4.04.13 A 2nd part (1)	YES(partially)	Chapter 62-330	Design Standard - Similar State requires fencing ponds w/ side slopes steeper than 4:1	<i>Standards for BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.5( c )(3)f	manual and LDC	SMS 3B	
4.04.13 A 2nd part (2)	NO	N/A	Design Standard - Pond side slopes no steeper than 3:1.	<i>Standards for BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(2)a	manual and LDC	SMS 3B	
4.04.13 A 2nd part (3-4)	Yes (similar)	Chapter 62-330	Design Standard - Similar requirements for adequate access, for pond maintenance	<i>Standards for BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(2)c	manual and LDC	SMS 3C	
4.04.13 A 2nd part (5)	NO	N/A	Design Standard - access ramps for pond maintenance	<i>Standards for BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(2)c	manual and LDC	SMS 3C	
4.04.13 A 2nd part (6)	NO	N/A	Process- deed or plat required for pond acceptance by BCC.	<i>Standards for BCC to accept any detention and retention/detention structure for ownership and maintenance</i>	5-4.6(l)(3)	LDC process	No	
4.04.13 B 2nd part (7)	NO	N/A	Process - provides MSBU for pond maintenance costs	Stormwater Pond dedicated to per County Ordinance No. 2006-51	5-4.6(l)(4)	LDC process	No	
4.04.13 B	YES (similar)	163.3202(2)(d) and 62-330	Design Standards- Chapter 163 requires to "Regulate areas subject to ...flooding and provide for drainage and stormwater management." ERP rules require similar plans.	<b>Drainage plans</b> are required to be submitted. County required minimum 18" pipe sizes, different from State	5-4.6(g)	manual and LDC	SMS 4D3	
4.04.13 C	No	N/A	Standard- requires road elevation > 4' above sea level	<b>Roadway elevation</b>	5-5.3(g)	manual and LDC	RD5	

4.04.13.D	YES	163.3202(2)(d)	Standards- Chapter 163 requires to "Regulate areas subject to ...flooding and provide for drainage and stormwater management."	<b>Canals and Lakes requirements</b>	????????	manual and LDC	SMS 4C	
4.04.13 D	YES (partially)	Chapter 62-330	Standards - State requirements are similar	<b>Canals and Lakes requirements</b>	????????	manual and LDC	SMS 4C	
4.04.13 E	YES	FS177.091(15)	Process	<b>Natural watercourse</b> to be shown on final plat	2-5.5(b)(1)a.13	none		
4.04.13.F	YES (Partially)	Chapter 62-330	Design Standards - similar requirements by State	<b>Open ditches or swales</b>	5-4.5( c )(4)	manual	SMS 4B & C	
4.04.13.G	YES	Chapter 62-330	Standards - references applicable state and federal regulations	<b>Erosion Control</b>	5-4.5(e)(1)	manual and LDC	SMP- 2.B.(5)(c)	
4.04.13.H	No	N/A	Design Standards	<b>Minimum slopes</b>	5-4.5( c )(4)b and 5-4.6(j)	manual	SMP-4.B.	
4.04.13.I	No	N/A	Design Standards	<b>Subdrains, subsoil drains and trench drains.</b>	5-4.6(k)	remove from LDC		
4.04.14	No	N/A	Process	Utilities				
4.04.15	Yes			<b>Traffic Control</b>				
4.05.00	NO	N/A	Design Standards	resubdivision of land				
4.05.00	NO	N/A	Process- Article Title	<b>Resubdivision of Land</b>	2-5.2(d) and 2-5.5(b)(1)a.6.	none		
4.05.00	Need code rewording	FS 177.011-151	Re-wording to state "re-plat" not "resubdivision" to be consistent with state law	Resubdivision of Land- State Plat Law	2-5.2(d) and 2-5.5(b)(1)a.6.	none		
4.05.00 A	Yes	163.3202(a) and FS 177.011-151	Process -required "to regulate the subdivision of land"	<b>Procedure for resubdivision.</b>	2-5.2(d) and 2-5.5(b)(1)a.6.	none		
4.05.00 B	Yes	163.3202(a) and FS 177.011-151	Process -required "to regulate the subdivision of land"	<b>Resubdivision.</b>	2-5.2(d) and 2-5.5(b)(1)a.6.	none		
4.05.00 C	No	N/A	Process	<b>Division of lots within a subdivision.</b>	2-5.2 (b)(1) partially	none		
4.05.00 D	No	N/A	Process	<b>Conversion of a residential platted lot into a thoroughfare</b>	2-6.8	none		
4.05.00 (D) 1	NO		Design Std's or Policy?	Design Std's or Policy?				
4.01.01	NO	N/A	Process/Purpose	Policy? Plat Vacation needs restructured		none		
4.05.01	Yes, need to reword in code	FS177.101	Process- State Law - Process differ from FS177.101	<b>Plat vacation</b>	2-5.6	none		
Article 4 Part 2	Yes, but without specific requirements	Chapter 163, Part II, Florida Statutes, specifically 163.3202 (2)	Article is required in part to regulate land use, drainage, flooding, onsite traffic flow/parking, level of service, etc. and be consistent with Comprehensive Plan.	<b>Site Plan Regulations</b> are required to be in a LDC	Chapter 2 Article 4	none		
4.06.00	NO	N/A	Process- Article Title	<b>Site plan review and approval</b>	2-3.1, 2-4.1	none		
4.06.01	NO	N/A	Process for Development Review Committee (DRC) site plan review	<b>Review and Approval Required</b>	2-4.4(b)(1), 2-5.2.a	none		
4.06.01	YES	Policy 8.A.1.12		Site Plan review and Approval		none		

4.06.02	NO	N/A	Design Standards	Exceptions to DRC needs restructured		none		
4.06.02	NO	N/A	Process	<b>Exceptions to DRC review and approval</b> ; must satisfy all criteria A-F	2-4.1	none		
4.06.02 A	NO	N/A	Process	<b>Buildings and other structures</b> <500 sqft floor area do not require DRC review/approval	2-4.4 ?	none		
4.06.02 B	NO	N/A	Process	<b>Impervious surface</b> < 1000 sqft does not require DRC review/approval	2-4.4(b)(4)	none		
4.06.02 C	NO	N/A	Process	<b>Change of Use w/ &lt; 25% increase in parking</b> do not require DRC review/approval	2-4.4(b)(2)	none		
4.06.02 (D)	NO		Design Std or Policy?	Design Std or Policy?				
4.06.02 D-F	NO	N/A	Process	<b>Driveways (existing), Construction trailers, and Reconstruction</b> do not require DRC review/approval	2-4.4(b)(3)	none		
4.06.03	NO	N/A	Process - Criteria for minor development to be revised by new code intention for front corner approval	Approval for minor DRC needs restructured				
4.06.03	NO	N/A	Process - Criteria for minor development to be revised by new code intention for front corner approval	<b>DRC review and approval for minor development</b> must satisfy all criteria A-E	2-4.4	none		
4.06.03 A-C	NO	N/A	Process - Criteria for minor development to be revised by new code intention for front corner approval	<b>Buildings and other structures, Impervious surface, or Change of Use</b> < 2000 sqft, qualify for minor development	2-1.4(b), 2-1.4(b)(2), 2-1.4(b)(3)	none		
4.06.03.D	Yes	FS 163.3202.2.C	Process - Criteria for minor development to be revised by new code intention for front corner approval	Developments > 500' from a <b>Protected wellheads</b> , qualify for minor development	2-2.2(b)(4), 4-4.8	none		
4.06.03.E	NO	N/A	Process	<b>Density transfer qualify</b> for minor development	2-4.4	none		
4.06.04	NO	N/A	Process/Purpose	DRC Submittal				
4.06.04 A-C	NO	N/A	Process	<b>Site plan submittal</b> through DRC	2-1.4(b), 2-1.4(b)(2), 2-1.4(b)(3)	none		
4.06.05	YES	comp plan	7.A.4.9	Conformance with code and comprehensive plan required	1-1.5 and 2-1.3(a)	none		
4.06.05	Yes	163.3194(1)(b)	Process - <b>LDC shall be consistent with Comp Plan</b> and FS 163.3202	<b>Conformance with code and comprehensive plan required</b>	1-1.5 and 2-1.3(a)	none		
4.06.06.A-B	NO	N/A	Design Standards	DRC Consideration site plan needs restructured				
4.06.06.A	No	N/A	Process - Article Title	<b>Considerations in reviewing site plans</b>		none		
4.06.06.A	No	N/A	Process	<b>Site location and character of use</b>		none		
4.06.06.A (3)	Yes	FAA	Federal FAA Process	<b>Building heights</b> must satisfy FAA approval for structures > 200'	4-3.3	none		
4.06.06.B	NO	N/A	Process	<b>Appearance of site</b>		none		

4.06.06 (C.1)	Yes partially	FS 163.3202.2.H	Design Standard required by the Comp Plan	<b>Access, internal circulation and off-street parking</b> and NFPA Fire truck access	5-5.4(a)	discuss with Traffic		
4.06.06 ( C ) 1	NO		Design Std	Language needs revising				
4.06.06 ( C ) 2- 5	NO		Design Std					
4.06.06 ( C ) 6	NO	HB 503	Delete	FDOT permit				
4.06.06 ( C ) 7	NO		Design Std					
4.06.06.D	NO	N/A	Design Standards	open space and landscaping				
4.06.06.D	NO	N/A	Process	<b>Open Space and Landscaping</b>	5-7.2, 5-7.3	discuss with enviornmental		
4.06.06.E	Yes	FS 163.3202.2.D	Design Standard required by the Comp Plan	<b>Flood Prone Lands</b>	4-2.1	none		
4.06.06.F	Yes	62-330 & FS 163.3202.2.G	Design Standard required by the Comp Plan and State ERP rules	<b>Provisions for adequate public services</b> - (Stormwater)	5-4.1, 5-4.4(a), 5-4.4(b), 5-4.5(a)(4), 5-4.5(c)(2)a, 5-4.5(c)(3)b	include in part in both manual and LDC	SMS	
4.06.06.G	NO	N/A	Process	<b>Additional consideration</b> - site plan review info	n/a	geotech part in manual	SMP	
4.06.06 (H)	NO		Design Std			discuss with Traffic		
4.06.06.H	NO	N/A	Process	<b>Arterial or collection street</b> - reserving R/W	Chapter 6	discuss with Traffic		
4.06.06 (I)	NO	CH 177	Design Std	Environmental - MHWL Requirement				Placed in site plan checklist
4.06.06.I	Yes	Ch 177 Pt II FS	Design Standard	<b>Mean high water line</b>	2-4.3(b)(3)	both LDC and manual		
4.06.07	NO	N/A	Design Standards	needs restructured.				
4.06.07	NO	N/A	Process- revise to growth mnagement to planning official	<b>Approval by the department of growth management</b>	n/a	none		
4.06.08	NO	N/A	Design Standards	needs restructured				
4.06.08	NO	N/A	Process	<b>Approval subject to conditions</b>	n/a	none		
4.06.09 (all)	NO		Design Std					
4.06.09.A-J	NO	N/A	Design Standards	needs restructured				
4.06.09.A-F	NO	N/A	Process	<b>Information included on a site plan</b>	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.G	Yes	FS 163.3202.2.H	Design Standard required by the Comp Plan	Safe onsite traffic flow	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.H	NO	N/A	Process	<i>perimeter fences</i>	2-4.3	detailed in manual w/general reference in LDC		
4.06.06.I	YES (partially)	Chapter 62-330	Process- County requires registered engineer, State requires registered professional	<b>Surface water drainage facilities plan certified</b>	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.J	NO	N/A	Process	<b>Location of existing easements and right-of-ways</b>	2-4.3	detailed in manual w/general reference in LDC		
4.06.09 K	Yes, need to reword	FS472.001-.037	Process Certified Survey (Boundary-Topographic)	<b>Land survey ... certified by a registered surveyor.</b>	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.K	YES	F.S. Ch 417 and 472		land survey	2-4.3	detailed in manual w/general reference in LDC		

4.06.09.L-T	NO	N/A	Process	Information included on a site plan	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.L-V	NO	N/A	Design Standards	needs restructured	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.U	State	62-330, FS 163.3202.2.E	Design Standard required by the Comp Plan and State ERP rules	Protected wetlands	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.V	NO	N/A	Process	Zoning designations	2-4.3	detailed in manual w/general reference in LDC		
4.06.09.W	Yes	FAA Form 7640-1	FAA Process	FAA approval for structures > 200'	2-4.3 and 4-3.3	detailed in manual w/general reference in LDC		
4.06.09.W	YES	FAA form 7640-1		FAA Airspace 200ft above	2-4.3	detailed in manual w/general reference in LDC		
4.06.10	NO	N/A	Design Standards	Modifications of approved site plan		none		
4.06.10	NO	N/A	Process	<b>Modification of an approved site plan</b>	2-1.3(f)	none		
4.06.11	NO	N/A	Process/Purpose	termination extension and transfer		none		
4.06.11	Yes	US Fish and Wildlife	Fish & Wildlife Permit	<b>Termination, extension, and transferability</b> - Beach mouse habitat	2-4.4( c)(4), 2-4.5(c)(4)(2), 4-4.4(e)	none		
4.06.12	NO	N/A	Process/Purpose	approval , disapproval and procedure		none		
4.06.12	NO	N/A	Process - Article Title	<b>Approval, disapproval and procedure</b>	2-4.4( c)(4), 2-4.5(c)(4)(2)	none		
4.06.12.A-B	NO	N/A	Process	<i>Time limit</i> for site plan review, allows for building permit after DRC approval	2-4.4( c)(4), 2-4.5(c)(4)(2)	none		
4.06.12.C	Yes (partially)	62-330	Process- State requires the same for project within permit threshold	<i>As-built drawings shall be submitted prior to final acceptance</i>	Need to add to new code for site plans refer to 2-5.5(b)(3)b. and reword	referenced LDC and provide specific in manual		
4.06.13	NO	N/A	Process/Purpose	continuing obligation-Violations				
4.06.13	Yes	Chapter 163 Part II	Process necessary to provide for enforcement. Process Required by Comp Plan 10.C.1.5	<b>Continuing obligation - violations</b>	2-1.4(e)(1)	none		
5.00.00	YES	F.S. 163.3180		Only applies to Sanitary Sewer, Solid Waste, Drainage, Potable Water	Chapter 5 Article 2	none		
5.00.00	Yes	Chapter 163, Part II, Florida Statutes	Entire Article should be consistent with Comprehensive Plan and required by Florida Statutes	<b>Concurrency management systems</b> are required to be in the LDC, but the Statute does not spell out the specifics.	Chapter 5 Article 2	none		
5.10.02	Yes	Chapter 163, Part II	Comprehensive Plan Requirements for Concurrency	<b>Applicant requirements</b> to demonstrate concurrency	Chapter 5 Article 2	none		
5.10.02A	Yes	Chapter 163, Part II, Florida Statutes, specifically 163.3202 (2) (d)	LDC Drainage Level of Service Standard referenced in Comprehensive Plan INF 3.1.9 Level of Service (LOS) Standards	<b>Drainage</b> level of service standards need to be updated to match the existing Comprehensive Plan	5-2.7	include in LDC and reference in manual		

5.10.02B	Yes	Chapter 163, Part II	Sanitary Sewer required by ECUA for central sewer or Health Dept for septic tanks	<b>Sanitary Sewer</b> Concurrency	5-2.5	include in LDC and reference in manual		
5.10.02C	Yes	Chapter 163, Part II	Potable Water required for central water systems, or valid well permit by NWFWMMD	<b>Potable Water</b> Concurrency	5-2.8	include in LDC and reference in manual		
5.12.00 (all)	NO		Design Standards	Replace with a Mobility Transportation System/??? under separate cover/ordinance promulgated in 2014				
				Monitoring of LOS is required for TRIP funding therefore this section will be re-evaluated				
				Will Proportionate Fair Share still be implemented?				
7.00.01.A	NO	N/A	Process/Purpose	Intend of section needs restructured				
7.00.01.B	NO	N/A	Process/Purpose	Intend of section needs restructured				
7.00.01.C	NO	N/A	Process/Purpose	Intend of section needs restructured				
7.00.02	NO	N/A	Process	Waivers of section needs restructured				
7.01.01	NO	N/A	Process/Purpose	Intend of section needs restructured				
7.01.01 Purpose (landscaping/tree protection)	No			Aesthetic, cooling, stormwater reduction	Article 7			Removed Not Design Standard
7.01.02 Applicability	No			Commercial/Heritage	Article 7, Section 5-7-2			Landscaping #1
7.01.02.A	NO	N/A	Process/Purpose	Intend of section needs restructured				
7.01.02.B	NO	N/A	Process/Purpose	Clear cutting of trees				
7.01.03.A Procedures - Landscape Plan	No			Pre-impact Inventory/Post-Development Plan	Section 5-7.5			Site plan checklist req.
7.01.03.A	NO	N/A	Process	Landscape Plan				
7.01.03.B Procedures - Inspections	No				Removed?			Removed
7.01.03.B	NO	N/A	Design Standards	Inspections				
7.01.03.C Tree Protection	No			Reduce energy costs, reduce storm water, historical,	Section 5-7.4			Not required by State/Fed by kept as presumed consensus
7.01.03.C.1	NO	N/A	process	Tree protection				
7.01.03.C.2	NO	N/A	process	Protected and preserved tree inventory				
7.01.03.D	NO	N/A	Design Standards	Tree restoration fee				
7.01.04 Tree Protection Standards	No			Viable trees post construction, improve mitigation	Section 5-7.4			Not required by State/Fed by kept as presumed consensus
7.01.05 - Landscaping Standards	No			Flexability for Landscaping/no new canopy trees under wires	Section 5-7 & Sec 5-7.7			Not required by State/Fed by kept as presumed consensus
7.01.05	NO	N/A	Design Standards	Landscape standards				
7.01.06 - Buffering	Development Services			Protect sensitive habitats, land uses	Section 5-7.3			Not required by State/Fed by kept as presumed consensus
7.01.06.A	NO	N/A	Process/Purpose	Buffering needs restructured				
7.01.06.B	NO	N/A	Process/Purpose	Buffering needs restructured				
7.01.06.C-H	NO	N/A	Design Standards	Buffering needs restructured to input Griffs work				
7.01.07 - Reserved					Removed?			Removed

7.01.07	NO	N/A	Design Standards	section is reserved				
7.01.08 - Visual Clearance...	Engineering - Traffic				Section 5-7			Not required by State/Fed by kept as presumed consensus
7.01.08	NO	N/A	Design Standards	visual clearance along right-of-ways				
7.01.09 - Enforcement				Shift to one enforcement section for all code				
7.01.09	NO	N/A	process	Inspections, enforcement and penalties				
7.02.00 - Parking	Engineering - Traffic							This is not environment
7.02.00.A	NO	N/A	process	Intent of Parking				
7.02.00.B	NO	N/A	process	Pensacola Beach Parking requirements				
7.02.00.C	NO	N/A	Design Standards	Parking spaces needs restructured.				
7.02.00.D	NO	N/A	Design Standards	Computation of Parking spaces needs restructured.				
7.03.00 - Exterior Lighting	Yes - coastal areas	163.3177.D.2.e		Coastal species protection, neighborhood protection	Section 4-4.4			lighting ordinance for Pensacola Beach is required as a condition of our permit for beach nourishment and therefore should be black. The adopted language has been reviewed and approved by FWS/FWC. Perdido Key in association with the pending HCP
		163.3177.g.1-2						
		ACOE Permit						
7.04.00	NO	N/A	Design Standards	Fences				
7.05.00. A - Marina siting - Zoning	No				Not yet addressed			Modified old code as presumed consensus
7.05.00				Tim Day Marina Siting				
7.05.00.B Reserved	No							
7.05.00.C	No			Protection of Sea Grass meadows	Not yet addressed			Added language - Marina Dock
7.06.00 Industrial Processing and Storage	Engineering / Development Services	MS4		MS4 NPDES permit compliance	This is buffering addressed in Section 5-7.3			Kept as presumed consensus
7.06.00	YES	CompPlan	process	to ensure compatibility of adjacent uses as required by comp plan plicy 7.A.3.7				
7.07.00 Standards Regulating Adverse Off Site Impacts	Development Services			Neighborhood encroachment, sedimentation, water quality	Not addressed in env			
7.07.01 Noise	No				Not addressed in env			
7.07.01.A	NO	ordinances	Chapter 1-20.3	Noise				
7.07.01.B & C	NO	N/A	Design Standards	measurement of sound, maxium levels				
7.07.01.D	NO	N/A	Design Standards	Hours of operation Noise				
7.07.01.E	YES	F.S. 316.296	Process/Purpose	Noise exemptions				
7.07.02 Vibrations	No			Compromise structural integrity				
7.07.02	NO	N/A	Design Standards	Vibrations				
7.07.03 Air Pollutants	Yes	163.3177.?.2.A			Not addressed in env			



7.07.03	YES	F.A.C ch. 17-2		Air pollutants				
7.07.04 Fire and Explosive Hazards	Development Services/Fire Safety				Not addressed in env			
7.07.04	YES	F.A.C ch. 4A		Fire and explosive hazards				
7.07.05 Glare	No				Not addressed in env			
7.07.05	NO	N/A	Design Standards	Glare				
7.07.06 Nuisances	No			Public Health, Safety, Welfare	Not addressed in env			
7.07.06	NO	N/A	Design Standards	Nuisances				
7.07.07 Borrow Pits	Solid Waste/Development Services			Reclamation issues, land use, fires, contamination	Not addressed in env			
7.07.07	YES	CompPlan		Borrow Pits				
7.08.00 MERS	No			Wetland Buffer will suffice if wetlands present.	Section 4-4.5			Removed
7.09.00	NO	N/A	Design Standards	mobile homes				
7.10.00	NO	N/A	Design Standards	zero lot line developments				
7.11.00 (all)	NO		Design Stds					
7.12.00 Wellhead Protection	Yes	163.3177.?.2.b		State protection only 500', EC current based on scientific modelling	Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
		163.3177.?.d			Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
7.12.01 Intent	No				Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
7.12.02 Definitions	No			Move to Definitions	Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
7.12.03.A Seven year time of travel	(500 foot state requirement)			Best available data	Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
7.12.03.B	No			No regulations	Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
7.12.04 Development Standards	No				Section 4-4.8			Slightly modified. State has Wellhead Protection Rule.
7.13.00 Wetlands and Environmentally Sensitive Lands	Yes	163.3177.2.e			Section 4-4.3			Modified. Removed Buffer
		163.3177.2.j-k						
7.13.01 Findings and Purpose	No				Section 4-4.1			Removed
7.13.02 Identification of Wetlands and ESL include T&E	Yes	163.3177.d.1.a-e			Section 4-4.2			Removed
		163.3177.e						
		163.3177..j-k						
7.13.03 Protection Standards	Yes			Verbage can be reduced	Section 4-4.2			Removed
7.13.03.A	yes	MS4			Not in proposed			
7.13.03.B	Engineering - construction standards				Not in proposed			

7.13.03.C	yes (definition of wetland)			Verbage can be reduced	Section 4-4.2			Removed
7.13.03.D	yes (UMAM required)			functional gain from mitigation = functional loss from impact	Section 4-4.3			Removed
7.13.03.E	No				Removed			
7.13.03.D.5 - PKBM fees	Yes	Interagency Agreement/Pending HCP			Section 4-4.3			Removed - Pending HCP
7.13.03.F	No				Section 4-4.2			Removed
7.13.03.G	No				Not in proposed			
7.13.03.H	No				Not in proposed			
7.13.03.I	No				Not in proposed			
7.13.03.J	No				Not in proposed			
7.13.03.K	No			Language should be reduced and kept	Section 4-4.3?			Modified
7.13.03.L	No				Not in proposed			
7.13.03.M	No				not in environmental (stormwater)			
7.13.03.N	No?			Buffer is desired (25ft/15ft min)	Section 4-4.2			Removed
7.13.03.O	No				Section 4-4.3			Removed
7.13.03.P	No				Not in proposed			
7.13.03.Q	No			Good for Clairification	Section 4-4.3			Removed
7.13.04 Clustering	No			Good tool for development	Section 4-4.3			Kept
7.13.05	No				Not in proposed			
7.13.06 Penalties	No			Shift to one enforcement section	Not in proposed			
7.14.00	NO	N/A	Process/Purpose	Intend of section needs restructured				
7.14.01	YES	F.S. 563.02, 561.422	F.S. 563.02, 561.422, 561.705	Alcoholic beverages zoning compliance				
7.15.00	Yes	Chapter 163, Part II, Florida Statutes, specifically 163.3202 (2) (d)	Article is required to "Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management." and be consistent with Comprehensive Plan.	Article Title- <b>Stormwater management</b> - Regulations are required to be in a Land Development Code	Chapter 5 Article 4	both LDC and manual		
Per Part IV of Chapter 375 F.S., the new Statewide Environmental Resource Permit rules under 62-330 became effective October 1, 2013 and governs the construction, alteration, operation, maintenance... of stormwater management systems, dams, impoundments, reservoirs,...wetlands or other surface waters.						reference 62-330 in manual		
7.15.01	NO	N/A	Process Preface	Stormwater Management <b>Purpose</b>	5-4.1	none		
7.15.02	NO	N/A	Process Preface	Stormwater Management <b>Objectives</b>	5-4.1 (1) - (6)	none		
7.15.03	NO	N/A	Process; land disturbing and stormwater management permits are similar permits	<b>Activities requiring a stormwater management permit</b>	5-4.2 (a) and 2-3.5 land disturbing	none		
7.15.04	NO	N/A	Process	Stormwater Permit <b>Exemptions</b>	5-4.2 (b) (1) and (2)	none		
7.15.05	Yes	14-86, 62-25 (now 62-330) and 163.3202 (2) (d)	Design Standards	<b>General Requirements</b> for stormwater management	5-4.4	include in manual and LDC, but revise to be less wordy		
7.15.05J	Yes, need to reword	62-25 (now 62-330)	Design Standards- reference less stringent State thresholds	Requires compliance with State water quality standards; reword to 62-330	5-4.5 (b)(5)	none		
7.15.06	Yes	Chapter 163, Part II 163.3202 (2) (d)	Design Standards; Drainage concurrency is required by Comp. Plan	<b>Design and Performance Standards for Stormwater Management Plans</b>	5-4.5 (c)	include in manual and LDC		

7.15.06A	Yes	Chapter 62-330, and Chapter 163, Part II	State requires attenuation. Drainage concurrency is required by Comp. Plan	Requires drainage calculations showing Qpost<Qpre for 25-year critical duration	5-4.5 ( c ) (1) and (2)	include in manual and LDC		
7.15.07	Yes	62-25 (now 62-330) 403.0885FS	Standards required by NPDES municipal permit	<b>Sediment Control</b>	5-4.3	reference BMP's in LDC, add restricted use BMPs in manual		
7.15.08	Yes	163.3202 (2) (d)	Design Standards required to have a plan by the Comp Plan	<b>Stormwater Management Plan</b>	5-4.4	include in manual and LDC		
7.15.08.C.10	Yes, need to reword	62-25 (now 62-330)	Article refers to old state treatment volume, now 62-330	Requires compliance with State water quality standards; reword to 62-330	5-2.7 (b) (2)	include in manual and LDC		
7.15.09 A-F	NO	N/A	Process needs to be revised	<b>Stormwater Permit application procedures</b>	Stormwater Mangement permit is replaced w/land disturbing or other types of permits requireing PE.	none		
7.15.10	NO	N/A	Process -permit fee set by BCC	<b>Stormwater Permit Fees</b>	2-1.4(b)(s)	none		
7.15.11	NO	N/A	Process- requires adherence to approved plans; needed for enforcement.	<b>Plan Adherence</b>	5-4.4 (d)	none		
7.15.12	Yes, similar	63-330	Process- County/State require follow-up inspections. ERP requires O&M inspections.	<b>Maintenance</b>	5-4.5 (d)	none		
7.15.13	NO	N/A	Process- requires inspections	<b>Inspections</b>	5-4.5 (e)	none		
7.15.13 C	Yes	62-330	Process- State requires final inspections	<b>Final inspection.</b>	5-4.5 (e) (3)	none		
7.15.14	Yes	163.3161-3215	Process Required by Comp Plan 10.C.1.5	<b>Enforcement</b>	needs to be added	none		
7.15.15	NO	N/A	Process	<b>Penalties</b>	needs to be added	none		
7.15.16	NO	N/A	Process- legal language	<b>Higher Standards</b>		none		
7.16.00	NO	N/A	Design Standards	Affordale Housing				
7.17.00	NO	N/A	Design Standards	Denisty Bonus				
7.18.00	NO	N/A	Process/Purpose	needs restructuredCommercial communications towers				
7.19.00	NO	N/A	Process/Purpose	needs restructured Sewage collection and disposal				
7.20.00	YES	CompPlan	Process/Purpose	needs restructured Locational Criteria.			TH SAYS DELETE	
7.21.00 Artificial Lakes and Ponds	No				Not in proposed			
7.21.00	No	62-330	Regualtory permits are required when building a lake or pond depending upon size; this needs to be revisited in the Code and probalby deleted	<b>Artificial Lakes and Ponds</b>	reword in the LDC to comply with State	none		