

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
September 2, 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 August 5, 2014 Planning Board Meeting.

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

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

4. Public Hearings.

- A. LDC Ordinance - Articles 3, 6 and 7, Recycling Facilities

A Public Hearing Concerning the Review of an Ordinance Amending Articles 3, 6, and 7

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Articles 3, 6 and 7 addressing definitions, permitted and conditional land uses and performance standards related to recycling facilities and operations.

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

A. LDC Revision Workshop Tuesday, September 16, 2014, at 8:30 a.m.

B. The next Regular Planning Board meeting is scheduled for **Tuesday , September 30, 2014 at 8:35 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

10. Announcements/Communications.

11. Adjournment.



## BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

**Planning Board-Regular**  
**Meeting Date:** 09/02/2014

**3.**

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**Agenda Item:**

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 5, 2014 Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for September 2014.
- C. Planning Board 6-Month Outlook for October 2014.

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**Attachments**

Quasi-Judicial Resume  
Regular Meeting Resume  
Monthly Action Follow-Up  
6 Month Outlook

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# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING August 5, 2014

**CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:30 A.M. – 9:06 A.M.)**

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Rodger Lowery  
Dorothy Davis  
Alvin Wingate  
Patty Hightower, School Board (non-voting)  
Stephanie Oram, Navy (Non voting)

Absent: Robert V. Goodloe  
Karen Sindel

Staff Present: Ryan Ross, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Allyson Cain, Urban Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant

1. Call to Order at 8:30 a.m.
2. Invocation and Pledge of Allegiance was given by Mr. Wingate.
3. Oath of Office Administered to New Planning Board Member by Denise Halstead.
4. Acceptance of Planning Board Meeting Package.

Motion by Tim Tate, Seconded by Dorothy Davis

Motion was made to accept the Planning Board meeting package.

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)  
Karen Sindel (ABSENT)

5. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Dorothy Davis, Seconded by Alvin Wingate

Motion to accept proof of publication and waive the reading of the legal advertisement.

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)

Karen Sindel (ABSENT)

6. Quasi-judicial Process Explanation given by Chairman.

7. Public Hearings.

A. Z-2014-11

Applicant: Bryan and Sharon  
Nisewonger, Owners

Address: 3002 Stefani Road

From: VR-1, Villages Rural  
Residential Districts, Gross  
Density (one du/4 acres)

To: VR-2, Villages Rural  
Residential Districts, Gross  
Density (one du/.75 acres)

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 Tim Tate, Seconded by Dorothy Davis

Motion to accept staff findings of fact and recommend approval to the BCC.

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)

Karen Sindel (ABSENT)

B. Z-2014-12

Applicant: Briar Ridge, LLC., Owner

Address: 100 Isaacs Lane

From: VAG-2, Villages Agricultural  
Districts, Gross Density (one  
du/five acres)  
To: ID-2, General Industrial  
District (noncumulative)

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 Tim Tate

Motion was made to accept Gregory S. Allen as an Expert Witness.

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)  
Karen Sindel (ABSENT)

Motion by Dorothy Davis, Seconded by Alvin Wingate

Motion was made to accept drawings as exhibit A from traffic.

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)  
Karen Sindel (ABSENT)

Motion by Tim Tate, Seconded by Dorothy Davis

Motion to accept staff findings of fact and recommend approval to the BCC

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)  
Karen Sindel (ABSENT)

8. Adjournment at 9:06 a.m.

# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD Regular Meeting August 5, 2014

**CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(9:14 A.M. – 11:58 A.M.)**

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Rodger Lowery  
Dorothy Davis  
Alvin Wingate  
Patty Hightower, School Board (non-voting)  
Stephanie Oram, Navy (Non voting)

Absent: Robert V. Goodloe  
Karen Sindel

Staff Present: Ryan Ross, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Allyson Cain, Urban Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant

Attendees: Griffin Vickery

1. Call to Order at 9:14 a.m.
2. Proof of Publication was given by Board Clerk.
3. Approval of Minutes.

Motion by Dorothy Davis, Seconded by Tim Tate

Motion to approve the minutes from the July 1, 2014 Planning Board Meeting.

**Vote:** 5 - 0 Approved

Other: Robert V. Goodloe (ABSENT)  
Karen Sindel (ABSENT)

4. Action/Discussion/Info Items.

- A. Navy Interlocal Agreement Discussion.

Stephanie Oram would like to set up a meeting with Horace Jones & County Administrator to discuss adoption of AIPD.

- B. Removal of the DSAP.

Planning Board Members would like information in writing from Tallahassee before moving forward.

- C. Land Development Code Review Chapter 3 Completed.

- 5. Public Forum.

- 6. Director's Review.

- A. The County Administrator and Development Services senior staff will travel to Tallahassee on July 31, 2014 to meet with the Department of Economic Opportunity.

- 7. County Attorney's Report.

- 8. Scheduling of Future Meetings.

Planning Board Members requested we move the October 21, 2014 Planning Board Mtg to September 30, 2014.

Planning Board Members requested that we have a LDC workshop on October 21, 2014.

- A. LDC Revisions Workshop August 19, 2014.

Chapter 4 LDC Tim Tate & Stephanie Oram would like a hard copy.

- B. The next Regular Planning Board meeting is scheduled for **Tuesday , September 2, 2014 at 8:30 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

- 9. Announcements/Communications.

- 10. Adjournment at 11:58 a.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:** August 12, 2014  
**RE:** Monthly Action Follow-Up Report for August 2014

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

- **CPA 2014-02 (Density)**

- 6/3/14 PB asked for clarification from BCC. Will go to
    - 6/26/14 BCC Remanded Back PB

- **Map Amendments:**

- **LSA-2014-03 (9600 W Nine Mile Rd)**

- 6/3/14 PB recommended approval to BCC
    - 6/26/14 BCC Approved (Trans)

### **LAND DEVELOPMENT CODE ORDINANCES**

### **REZONING CASES**

1. **Rezoning Case Z-2014-09**

- 7/1/14 PB recommended approval to BCC
  - 8/21/14 BCC Meeting

2. **Rezoning Case Z-2014-10**

7/1/14 PB recommended approval to BCC  
8/21/14 BCC Meeting

**3. Rezoning Case Z-2014-11**

8/5/14 PB recommended approval to BCC  
9/4/14 BCC Meeting

**4. Rezoning Case Z-2014-12**

8/5/14 PB recommended approval to BCC  
9/4/14 BCC Meeting

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR August 2014

(Revised 08/20/14)

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, September 2, 2014	<ul style="list-style-type: none"> <li>Recycling Facilities</li> </ul>		<ul style="list-style-type: none"> <li>Z-2014-13</li> <li>Z-2014-14</li> <li>Z-2014-16</li> <li>Z-2014-18</li> </ul>	<ul style="list-style-type: none"> <li>LDC Revisions – Continued</li> </ul>
Tuesday, September 16, 2014				<ul style="list-style-type: none"> <li>LDC Revisions – Continued Workshop</li> </ul>
Tuesday, September 30, 2014				<ul style="list-style-type: none"> <li>LDC Revisions – Continued Workshop</li> </ul>
Tuesday, October 14, 2014				<ul style="list-style-type: none"> <li>LDC Revisions – Continued Workshop</li> </ul>
Tuesday, October 21, 2014	<ul style="list-style-type: none"> <li>LDC Revision</li> </ul>			
Tuesday, November 10, 2014				
Tuesday, December 2, 2014				
Tuesday, January 6, 2015				
Tuesday, February 3, 2015				

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:** 09/02/2014

**Issue:** LDC Ordinance - Articles 3, 6 and 7, Recycling Facilities

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

**Organization:** Development Services

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#### **RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Articles 3, 6, and 7

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Articles 3, 6 and 7 addressing definitions, permitted and conditional land uses and performance standards related to recycling facilities and operations.

#### **BACKGROUND:**

In May of 2013, the Board of County Commissioners directed staff to undertake a comprehensive review of the land use regulations and to formulate performance standards for the siting and operation of all recycling facilities and related operations.

#### **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 Solid Waste Department, Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

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## Attachments

Ordinance - Draft

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ORDINANCE NO. 2014-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS 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, TO DEFINE CERTAIN TYPES OF RECYCLING AND WASTE DIVERSION FACILITIES AND OPERATIONS; AMENDING ARTICLE 6, SECTION 6.05.00, BY AUTHORIZING CERTAIN TYPES OF RECYCLING AND WASTE DIVERSION FACILITIES AND OPERATIONS AS CONDITIONAL USES IN THE C-2, ID-CP, AND ID-1 ZONING DISTRICTS AND AS PERMITTED USES IN THE ID-2 AND P ZONING DISTRICTS; CREATING ARTICLE 7, SECTION 7.22.00, TO ESTABLISH PERFORMANCE STANDARDS RELATED TO THE CONTROL, COLLECTION, AND TREATMENT OF LEACHATE BY CERTAIN TYPES OF RECYCLING AND WASTE DIVERSION FACILITIES AND OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on July 25, 2013, the Escambia County Board of County Commissioners adopted a temporary moratorium on the issuance of permits or development orders for certain recycling and waste diversion facilities; and

**WHEREAS**, in adopting the temporary moratorium, the Board sought to provide its staff with the opportunity to study the issue of regulating these facilities and to propose standards relating to the location and performance of these facilities; and

**WHEREAS**, Escambia County staff has accordingly developed definitions, locational criteria, and performance standards to protect the public health, safety, and welfare and to promote the efficient and safe operation of these facilities.

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

**SECTION 1. DEFINITIONS.**

Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 3, Definitions, Section 3.02.00 is hereby amended as follows:

*Processing.* Any technique designed to change the physical, chemical, or biological character or composition of any solid waste so as to render it safe for transport; amenable to recovery, storage, or recycling; safe for disposal; or reduced in volume or concentration.

1  
2 Recovered materials. Metal, paper, glass, plastic, textile, or rubber materials that  
3 have known recycling potential, can be feasibly recycled, and have been diverted and  
4 source separated or have been removed from the solid waste stream for sale, use, or  
5 reuse as raw materials, whether or not the materials require subsequent processing or  
6 separation from each other, but the term does not include materials destined for any  
7 use that constitutes disposal. Recovered materials as described in this subsection are  
8 not solid waste.

9  
10 Recovered materials processing facility (RMPF). A facility engaged solely in the  
11 storage, processing, resale, or reuse of recovered materials.

12  
13 Recycling. Any process by which solid waste, or materials that would otherwise  
14 become solid waste, are collected, separated, or processed and reused or returned to  
15 use in the form of raw materials or products.

16  
17 Resource recovery. The process of recovering materials or energy from solid  
18 waste, excluding those materials or solid waste under the control of the Nuclear  
19 Regulatory Commission.

20  
21 Volume reduction plant. Incinerators, pulverizers, compactors, shredding and  
22 baling plants, composting plants, and other plants that accept and process solid waste  
23 for recycling or disposal.

## 24 25 **SECTION 2. ZONING AND USES.**

26  
27 Part III of the Escambia County Code of Ordinances, the Land Development  
28 Code of Escambia County, Article 6, Zoning Districts, Section 6.05.00, District  
29 Regulations, is hereby amended as follows:

30  
31 *6.05.16. C-2 General commercial and light manufacturing district (cumulative).*

32  
33 C. Conditional uses.

34  
35 6. 7. Recovered materials processing facilities, recycling facilities and  
36 operations, resource recovery facilities and operations, and volume reduction plants.

37  
38 *6.05.17. ID-CP commerce park, district (cumulative).*

39  
40 C. Conditional uses.

41  
42 3. Recovered materials processing facilities, recycling facilities and  
43 operations, resource recovery facilities and operations, and volume reduction plants.

1 6.05.18. ID-1 light industrial district (cumulative) (no residential uses allowed).

2  
3 C. Conditional uses.

4  
5 4. Recovered materials processing facilities, recycling facilities and  
6 operations, resource recovery facilities and operations, and volume reduction plants.

7  
8  
9 6.05.19. ID-2 general industrial district (noncumulative).

10  
11 B. Permitted uses.

12  
13 14. Recovered materials processing facilities, recycling facilities and operations,  
14 resource recovery facilities and operations, and volume reduction plants.

15  
16 14- 15. Other uses similar to those listed herein. Recommendations on other  
17 permitted uses shall be made by the planning board (LPA) and based on an application  
18 for such other use. Final determination shall be made by the BCC upon receipt of the  
19 planning board's (LPA's) recommendation.

20 15- 16. Cemeteries.

21 16- 17. Family cemeteries.

22 17- 18. Funeral establishments.

23 18- 19. Cinerators, cremation services, direct disposal establishments.

24  
25 6.05.32. P—Public district.

26  
27 A. Intent and purpose of district. Publicly owned parcels for educational and  
28 correctional facilities and purposes, other public institutional uses, borrow pits and  
29 associated reclamation activities, materials recovery facilities, collection and/or  
30 processing of solid waste, and sanitary landfills, recovered materials processing  
31 facilities, recycling facilities and operations, resource recovery facilities and operations,  
32 and volume reduction plants. Conversion of suitable public lands for business or  
33 industrial park development is allowed. Refer to article 11 for uses, heights and  
34 densities allowed in P, public districts located in the Airport/Airfield Environs.

35  
36 **SECTION 3. PERFORMANCE STANDARDS.**

37  
38 Part III of the Escambia County Code of Ordinances, the Land Development  
39 Code of Escambia County, Article 7, Performance Standards, Section 7.22.00, is  
40 hereby established as follows:

41  
42 **7.223.00. – Recycling and waste diversion facilities.**

43  
44 Recovered materials processing facilities, recycling facilities and operations,  
45 resource recovery facilities and operations, and volume reduction plants shall conform  
46 to all performance standards governing the containment, collection, and treatment of



leachate pursuant to Chapter 403, Florida Statutes, and any other applicable regulations promulgated by the Florida Department of Environmental Protection. The violation of any such statute or rule governing leachate under Chapter 403, Florida Statutes, shall also constitute a violation of this land development code enforceable by the Escambia County Office of Environmental Code Enforcement.

**SECTION 4.**            **SEVERABILITY.**

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

**SECTION 5.**            **INCLUSION IN CODE.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by 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.

**SECTION 6.**            **EFFECTIVE DATE.**

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

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

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

By: \_\_\_\_\_

**Lumon J. May, Chairman**

**ATTEST:    PAM CHILDERS  
                 Clerk of the Circuit Court**

By: \_\_\_\_\_

**Deputy Clerk**

**(SEAL)**

**ENACTED:**

**FILED WITH THE DEPARTMENT OF STATE:**

**EFFECTIVE DATE:**