

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
February 6, 2018–8:35 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.
3. Approval of Minutes.
  - A. **A. RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 9, 2018 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for January 2018.
  - C. Planning Board 6-Month Outlook for February 2018.
4. Acceptance of Planning Board Meeting Packet.
5. Public Hearings.
  - A. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6  
  
That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Land Development Code (LDC) Chapter 4, Location and Use of Regulations, Article 7, Supplemental Use Regulations, Section 4-7.6, to modify existing regulations, to include certain additional industrial operations such as concrete and asphalt recycling within the county, and to further address adverse off-site impacts caused by all such operations.
6. Action/Discussion/Info Items.
  - A. Signs Discussion.
  - B. Cargo Containers Discussion.

7. Public Forum.
8. Director's Review.
9. County Attorney's Report.
10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, March 6, 2018 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.
12. Adjournment.



## BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

**Planning Board-Regular**

**3. A.**

**Meeting Date:** 02/06/2018

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**Agenda Item:**

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 9, 2018 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for January 2018.

C. Planning Board 6-Month Outlook for February 2018.

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**Attachments**

Draft January 9, 2018 Planning Board Regular Meeting Minutes

Monthly Action Follow-Up

Six Month Outlook

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# DRAFT

## MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD January 9, 2018

### CENTRAL OFFICE COMPLEX 3363 WEST PARK PLACE, BOARD CHAMBERS PENSACOLA, FLORIDA (10:40 A.M. – 1:24 P.M.)

Present: Reid Rushing  
Jay Ingwell  
Wayne Briske, Chairman  
Timothy Pyle  
Alan Gray  
Patty Hightower  
Eric Fears  
William Clay  
Stephen Opalenik

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
Griffin Vickery, Urban Planner, Planning & Zoning  
Horace Jones, Director, Development Services  
John Fisher, Senior Urban Planner, Planning & Zoning  
Juan Lemos, Senior Planner, Planning & Zoning  
Kayla Meador, Sr Office Assistant  
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Reid Rushing, Seconded by Timothy Pyle

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.

**Vote:** 7 - 0 Approved

4. Approval of Minutes.
  - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the December 5, 2017 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for December 2017.
  - C. Planning Board 6-Month Outlook for January 2018.

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to approve the minutes from the December 5, 2017, Regular Planning Board Meeting.

**Vote:** 7 - 0 Approved

5. Acceptance of Planning Board Meeting Packet.

Motion by Alan Gray, Seconded by Eric Fears

Motion was made to accept the Regular Planning Board meeting packet from January 9, 2018.

**Vote:** 7 - 0 Approved

6. Public Hearings.

- A. A Public Hearing Concerning the Review of an Ordinance adopting the 2017-2021 update to the Five-Year Schedule of Capital Improvements

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to update the Five-Year Schedule of Capital Improvements for incorporation into Part II of the Escambia County Code of Ordinances.

Motion by Timothy Pyle, Seconded by Alan Gray

Motion was made to recommend approval, with the amended SR 173 taken off as long as it is covered by SIS.

**Vote:** 7 - 0 Approved

- B. A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 5, 6 and DSM, Chapters 1 and 2

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 5, General Development Standards and

Chapter 6, Definitions and the DSM, Chapters 1 and 2.

Motion by Alan Gray, Seconded by Timothy Pyle

Motion was made to recommend approval of the changes to the BCC.

**Vote:** 6 - 0 Approved

Other: Eric Fears (ABSENT)

C. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Section 4-5.5

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 4, Section 4-5.5, Marine Estuarine and Riverine Shorelines (MERS) to modify the construction requirements for armored shorelines.

Motion by Reid Rushing, Seconded by Eric Fears

Motion was made to recommend approval to the BCC.

**Vote:** 7 - 0 Approved

7. Action/Discussion/Info Items.

A. Signs Discussion.

Board Members and members of the public discussed this item.

B. Cargo Containers Discussion.

Board Members and members of the public discussed this item.

8. Public Forum.

Theresa Blackwell, Jacqueline Rogers, and Larry Downs, Jr. spoke at Public Forum.

9. Director's Review.

10. County Attorney's Report.

11. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, February 6, 2018 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

12. Announcements/Communications.

13. Adjournment.

# 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:** Kayla Meador, Board Clerk  
**DATE:** January 30, 2018  
**RE:** Monthly Action Follow-Up Report for January 2018

The 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:**

- **CIP**

- 01-09-18 PB recommended approve
- 02-01-18 BCC meeting

- **Map Amendments:**

### **LAND DEVELOPMENT CODE ORDINANCES**

#### **Residential Uses in Zoning Districts**

09-6-16 PB recommended more review by staff  
On hold – waiting for input from County Attorney's Office

#### **DSM PAC Changes**

01-09-18 PB recommended approval  
02-01-18 BCC meeting

#### **Armored Shoreline**

01-09-18 PB recommended approval  
02-01-18 BCC meeting

## **REZONING CASES**

1. Rezoning Case Z-2017-06
  - 08-01-17 PB recommended denial
  - 09-07-17 BCC remanded (waiting on applicant)
2. Rezoning Case Z-2017-17
  - 11-07-17 PB recommended placing case in abeyance until further actions are taken
  - 11-30-17 BCC meeting to drop
  - 01-09-18 PB recommended denial
  - 02-01-18 BCC meeting
3. Rezoning Case Z-2017-18
  - 01-09-18 PB voted to bring back to Feb PB
  - 02-06-18 PB meeting

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR FEBRUARY 2018

(Revised 1/30/18)

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   |
|----------------------------------|--|---|--|---|
| <b>Tuesday, February 6, 2018</b> | <ul style="list-style-type: none"> <li>Hours of Operation for Concrete Crushing</li> </ul> |   | <ul style="list-style-type: none"> <li>Z-2017-18</li> <li>Z-2017-19</li> </ul> | <ul style="list-style-type: none"> <li>Signs</li> <li>Cargo Containers</li> </ul> |
| <b>Tuesday, March 6, 2018</b>    | <ul style="list-style-type: none"> <li>Signs ?</li> <li>Cargo Containers ?</li> </ul>      | <ul style="list-style-type: none"> <li>SSA-2018-01</li> <li>SSA-2018-02</li> <li>CPA-2018-01</li> </ul> | <ul style="list-style-type: none"> <li>Z-2018-01</li> <li>Z-2018-02</li> </ul> |   |
| <b>Tuesday, April 3, 2018</b>    | <ul style="list-style-type: none"> <li>Annual Report</li> </ul>                            |   |  |   |
| <b>Tuesday, May 1, 2018</b>      |  |   |  |   |
| <b>Tuesday, June 5, 2018</b>     |  |   |  |   |
| <b>Tuesday, July 3, 2018</b>     |  |   |  |   |

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

\*\* Residential Uses Ordinance – waiting on input from the County Attorney's Office

\*\* Signs Ordinance – waiting on input from the BCC

\*\* CPA-2016-01 Extraction and Reclamation – on hold



## **BOARD OF COUNTY COMMISSIONERS**

### **Escambia County, Florida**

#### **Planning Board-Regular**

**5. A.**

**Meeting Date:** 02/06/2018

**Issue:** A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6

**From:** Horace Jones, Director

**Organization:** Development Services

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#### **RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 7, Section 4-7.6

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Land Development Code (LDC) Chapter 4, Location and Use of Regulations, Article 7, Supplemental Use Regulations, Section 4-7.6, to modify existing regulations, to include certain additional industrial operations such as concrete and asphalt recycling within the county, and to further address adverse off-site impacts caused by all such operations.

#### **BACKGROUND:**

Since 2015, Escambia County has adopted more stringent regulations on certain industrial operations as mentioned above for better protection of the public's health, safety and welfare of the citizens of Escambia County. From recent observations and concerns conveyed by neighbors and concerned citizens, there is yet a need to modify existing regulations on these type of operations and to further address adverse off-site impacts caused by such 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 Meredith D. Crawford, 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:**

This Ordinance, amending the LDC, will be filed with the Department of State following adoption by the board.

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

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**Attachments**

Draft Ordinance

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ORDINANCE NUMBER 2018 - \_\_\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 4, LOCATION AND USE REGULATIONS, ARTICLE 7, SUPPLEMENTAL USE REGULATIONS, SECTION 4-7.6 TO MODIFY EXISTING REGULATIONS, TO INCLUDE CERTAIN ADDITIONAL INDUSTRIAL OPERATIONS SUCH AS CONCRETE AND ASPHALT RECYCLING WITHIN THE COUNTY, AND TO FURTHER ADDRESS ADVERSE OFF-SITE IMPACTS CAUSED BY ALL SUCH OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 163, Florida Statutes, directed local governments to regulate land uses to provide the principles, guidelines, standards, and strategies for orderly and balanced future development within their jurisdictions, and that provides meaningful guidelines for the content of more detailed land development and use regulations; and

**WHEREAS**, Pursuant to Article VIII, Section 1(f) of the Florida Constitution, and F.S. § 125.01, the board has all powers of local self-government to perform county functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances; and

**WHEREAS**, impacts of hurricanes, increased development and construction, and an increased volume of public works projects within Escambia County have resulted in an ever-mounting increase in the operation of concrete and asphalt recycling, processing and disposal facilities within the County; and

**WHEREAS**, problems created by the operation of concrete and asphalt recycling, processing and disposal facilities become countywide in scope and necessitate local action to protect county citizens from the possible adverse effects of such debris; and

**WHEREAS**, supplemental regulation of the operation of concrete and asphalt recycling, processing and disposal facilities within the unincorporated areas of the county serves a public purpose and promotes the health, safety and welfare of the citizens of the county.

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

**Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 4, Location and Use Regulations, Article 7, Supplemental Use Regulations, Section 4-7.6, is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

Sec. 4-7.6 - Borrow pits and, reclamation, concrete and asphalt recycling.

- 1 (a) *Approvals.* The extraction, removal and transportation of material excavated from borrow  
2 pits, ~~and the filling or other reclamation of such pits after removal of usable materials, and~~  
3 the operation of concrete and asphalt recycling facilities requires site development approval  
4 coordinated with the borrow pit and reclamation, concrete and asphalt recycling provisions  
5 of chapters 42 and 82, Escambia County Code of Ordinances. Borrow pits, ~~and their~~  
6 reclamation, and concrete and asphalt recycling remain subject to the additional  
7 requirements of applicable federal, state, and regional regulatory authorities.
- 8 (1) *Application.* An application to consider any borrow pit, ~~or reclamation, or concrete and~~  
9 asphalt recycling activity shall be submitted to the clerk of the board at least 30  
10 business days prior to the scheduled board meeting. A pre-application meeting of the  
11 petitioner with county staff is recommended to discuss the process and review county  
12 and petitioner responsibilities.
- 13 (2) *Public participation.* Prior to any hearing to consider any borrow pit, ~~or reclamation, or~~  
14 concrete and asphalt recycling activity, the clerk of the board shall ensure public notice  
15 consistent with Florida Statutes, Code of Ordinances and the comprehensive plan.
- 16 a. *Publication.* At least ten days prior to the hearing, notice shall be published in a  
17 newspaper of general circulation in Escambia County.
- 18 b. *Site sign.* At least 15 days prior to the hearing, a sign no smaller than 24 inches by  
19 48 inches shall be prominently posted on, or as near as practicable to, the subject  
20 property and shall be clearly readable from the nearest public right-of-way.
- 21 c. *Notification.* At least 15 days prior to the hearing, notification shall be sent via U.S.  
22 mail to the address registered with the property appraiser for each owner of real  
23 property with any portion of the property located within 2,500 feet of the subject  
24 property. The cost of the mailing is to be borne by the applicant.
- 25 (b) *Standards regulating conditional uses.* In addition to the general provisions regulating  
26 conditional uses, a conditional use may be permitted by the BOA or BCC, as required,  
27 provided the proposed conditional use complies with the standards of this code and the  
28 following requirements:
- 29 (1) *Borrow pits and land clearing debris disposal sites.*
- 30 a. Sites shall require access from adequately wide paved roads where trucks hauling  
31 excavated materials or debris to/from the site do not require access on local  
32 residential roads.
- 33 b. The scale, intensity and operation of use shall not generate unreasonable noise,  
34 traffic, odors, dust, or other potential nuisances or hazards to contiguous  
35 residential properties.
- 36 c. The applicant shall submit a boundary survey and description of anticipated  
37 excavation phases for a borrow pit as well as a reclamation plan for affected lands.  
38 The same requirements shall apply to a development plan explaining:
- 39 1. Proposed practices to protect adjacent land and water resources, minimize  
40 erosion, and treat stormwater runoff.
- 41 2. Safety features of the development plan.

3. Landscaped areas, particularly treatment of property lines in the proximity of residential uses.
  4. The applicant's reclamation plan.
  5. Time schedule that meets the requirements of the permitting agency.
  6. Method, manner, and type of revegetation of affected areas.
- d. Minimum parcel size is 20 acres.
  - e. Conditional use approval pursuant to this subsection does not waive an applicant's duty to meet any other county, state, or federal permitting requirements or performance standards.
  - f. Notwithstanding the uses listed for any zoning district, the conditional use approval process shall be waived for any borrow pit or reclamation activity that is located 1,000 feet on all sides from any residential use or zoning district and is serviced by an adjacent arterial or collector road.

(2) Concrete and asphalt recycling facilities.

- a. Sites shall require access from adequately wide paved roads where trucks hauling materials or debris to/from the site do not require access on local residential roads.
- b. The scale, intensity and operation of use shall not generate unreasonable noise, traffic, odors, dust, or other potential nuisances or hazards to contiguous residential properties.
- c. The applicant shall submit a boundary survey and description of anticipated operation. The same requirements shall apply to a development plan explaining:
  1. Proposed practices to protect adjacent land and water resources, minimize erosion, minimize adverse off-site impacts such as dust, noise, and treatment of stormwater runoff.
  2. Safety features of the development plan.
  3. Landscaped areas, particularly treatment of property lines in the proximity of residential uses.
- d. Conditional use approval pursuant to this subsection does not waive an applicant's duty to meet any other county, state, or federal permitting requirements or performance standards.
- e. Notwithstanding the uses listed for any zoning district, the conditional use approval process shall be waived for any concrete and asphalt recycling activity that is located 1,000 feet on all sides from any residential use or zoning district and is serviced by an adjacent arterial or collector road.

(c) Standards regulating adverse off-site impacts.

(1) Noise.

- a. *Prohibitions.* It shall be unlawful, except as expressly permitted herein, to make, cause, or allow the making of any noise or sound which exceeds the limits set forth

in this article or in any county ordinance regulating noise. The Escambia County Code of Ordinances contains the principal noise regulations; the following provisions deal with development issues only.

- b. *Measurement of sound.* The measurement of sound or noise shall be made with a calibrated sound or noise level meter. A calibration check shall be made at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. A windscreen for the sound level meter microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured. All measurements shall be made at the property line of the subject property and such measurements shall be taken at least five feet above grade and for a period of not less than two minutes.
- c. *Maximum permissible sound levels.* No manufacturing or commercial use shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the limits set forth below at the time of land use certificate/site plan review, the applicant may be asked to certify the intent to meet the specified standard:

#### Sound Level Limits

| Use Occupancy   | Time   | Sound Level Limit dB |
|---|--|----------------------|
| Commercial/tourist  | 7:00 a.m.—10:00 p.m.<br>10:00 p.m.—7:00 a.m.   | 75<br>70             |
| Manufacturing<br><del>ID-P</del><br><u>HC/LI and IND</u>  | <del>At all times</del> <u>7:00 a.m. – 7:00 p.m</u>  | 60                   |
| <del>ID-1 or ID-2</del><br><u>Borrow Pit, Reclamation, and Recycling Activities</u><br><u>HC/LI and IND</u> | <del>6:00 a.m.—10:00 p.m.</del> <u>7:00 a.m. – 7:00 p.m</u><br><del>10:00 p.m.—6:00 a.m.</del> | 95<br>85             |

1 (2) *Hours of operation.*

2 a. Mining, borrow pit, resource extraction, reclamation activities, including land  
3 clearing debris and construction and demolition debris disposal that require trucks  
4 and heavy equipment to traverse through residential areas as their only access  
5 path to pit operations are limited to the hours between 6:00 a.m. and 6:00 p.m.  
6 Monday through Friday and between 8:00 a.m. and 2:00 p.m. on Saturday.  
7 Operations that occur entirely on-site and do not require traffic or access to  
8 roadways are permitted on Sunday during daylight hours.

9 b. Mining, borrow pit, resource extraction, and reclamation activities, including land  
10 clearing debris and construction and demolition debris disposal or that access their  
11 operations without traversing through residential areas are limited to the hours  
12 between 6:00 a.m. and 6:00 p.m. Monday through Saturday. Operations that occur  
13 entirely on-site and do not require traffic or access to roadways are permitted on  
14 Sunday during daylight hours.

15 c. Concrete and asphalt recycling facilities are limited to the hours between 6:00 a.m.  
16 and 6:00 p.m. Monday through Saturday

17 1. If the concrete and asphalt recycling facility is within 500 feet of a  
18 residential use or zoning category, the hours of operation are limited to the  
19 hours between 7:00 a.m. to 5:00 p.m. Monday – Friday and 8:00 a.m. – 2 p.m.  
20 on Saturday

21 (3) ~~{Exceptions to operating hours.}~~ Exceptions to the above noted operating hours may be  
22 authorized by federal, state, and/or county authorities in cases of emergency or when  
23 determined by such authorities to best serve the public interest. Any exceptions require  
24 written approval by the county administrator, or his/her appointed designee, specifying  
25 the reason and allowed timeframe(s) for the exception.

26 a. *Exemptions.* The following uses or activities are exempt from the noise level  
27 regulations as noted above and in chapter 1-20.3:

28 1. Construction operations for which building permits have been issued,  
29 provided that such operations are limited to the hours between 5:00 a.m. and  
30 one hour after sunset, except that on Pensacola Beach:

31 A. No outside construction may begin before 6:30 a.m., if within 200 feet of  
32 an occupied residence; and

33 B. Owner-occupied single-family detached houses are exempt from the  
34 above restriction.

35 2. Safety signals, warning devices, bells and chimes of churches;

36 3. Noise from emergency vehicles, or noises resulting from emergency works;

37 4. All noises coming from the normal operation of trains, aircraft (not including  
38 scale model aircraft), motor vehicles governed by F.S. § 316.293, or vessels  
39 operated upon the waters within or adjacent to Escambia County;

40 5. Activities at Five Flags Speedway and/or other legally constructed and  
41 operated tracks or courses for competitive motor vehicles.

(d) *Borrow pits (includes mining and resource extraction) and reclamation activities thereof:*

- (1) *Setbacks for excavation.* Borrow pit slope commencement (i.e., the outermost edge of excavation) shall be located a minimum of 25 feet from the adjoining owner's property boundary and/or adjacent right-of-way (ROW); however, minimum excavation setbacks shall be consistent with the setbacks to be applied in the applicant's reclamation plan. Setback provisions established herein include the required width for landscape screening and buffers subsequently noted herein. The following exceptions may apply:
  - a. *Back to back pits.* The setback for slope commencement excludes property boundary lines between active pits using the same excavation area.
  - b. *Site specific requirements.* Increased setbacks may be required per the terms of the mandatory county development order to protect wellheads, environmental areas, and/or adjacent properties from adverse impacts.



- (2) *Excavation slope requirements.* The angle of repose for borrow pit/mining slopes shall be no greater than 2:1 (i.e., two feet horizontal for each one foot vertical) unless a professional engineer (P.E.) or professional geologist (P.G.) certifies that an angle of repose exceeding this ratio will prohibit any potential erosion or slumping, factoring into account the type of soil (i.e., clay, sand, etc.) and pertinent environmental conditions of the area.
- (3) *Traffic requirements.* See section 7.11.09 [DSM section 2-2.6]. Pit access shall be limited to routes having the least impact on residential areas, and the use shall be subject to all traffic concurrency requirements.
- (4) *Permits.* See Escambia County Code of Ordinances, part I, chapter 42, article VIII, section 42-323. A county resource extraction permit is required for extraction, removal and transportation of material excavated from the site. Permits for filling and/or reclamation of pits after removal of usable materials are subject to additional federal, state and/or local regulations as governed by the applicable regulatory authority.
- (5) *Hours of operation.* Limited for pits and reclamation activities as indicated above.

- (6) *Fences and gates.* A security fence with appropriate gates for access, not less than six feet above grade, is required along the outer perimeter of the excavated area, with exception of the pit access point(s). Additional security features, such as barbed wire above the fence top, are permitted. Gates for access shall be locked at all times during non-operating hours. Fences and gates shall be maintained in a reasonable condition to remain an effective barrier.
- (7) *Screening.* Portions of the pit visible from the public right-of-way or nearest residential use shall be screened with dense landscaping to achieve at least 75 percent opacity. The landscape buffer shall be no less than ten feet in width at any given point and may be placed either inside or outside the required fence perimeter to achieve maximum dust and noise reduction and visible shielding. Earthen berms with a minimum height of three feet can be placed within this buffer area.
- (8) *Buffers.* In addition to the landscape screening noted above, a minimum ten-foot wide buffer is required parallel to, and inside, the required fence. Excavation, pit operations, parking, storage and disposal of debris are not permitted within the screening or buffer areas. The setback area may not be used for truck or equipment traffic, except as necessary to maintain the setback area and perimeter fence. Pit access point(s) shall be designed perpendicular to the buffer/screening width with the least disturbance to the buffer/screening zone that allows safe vehicle and equipment access to the operating site.
- (9) *Signs.* "No Trespassing" signs are required at each pit access point(s), every 250 linear feet on the boundary fence, and at each corner, in letters not less than two inches in height. "No Trespassing" signs shall be maintained in legible condition.
- (10) *Reclamation activities.* Active reclamation activities shall be governed by any performance standards applicable to the reclamation occurring on site, in accordance with all federal, state, and local regulations and as approved pursuant to the Escambia County Code of Ordinances. Reclamation involving land clearing debris disposal shall only be permitted to the minimum height above ground level that allows for environmental safety and stormwater runoff consistent with the surrounding environment and intended post-mining land use not to exceed six feet. Groundwater monitoring wells may be required for specific types of debris disposal per the applicable federal and state regulations and the terms of the required county-approved reclamation plan.
- (11) *Existing permitted and unpermitted activities.* Borrow pits, and resource extraction activities existing and in operation prior to August 22, 2014, or permitted prior to that date shall be grandfathering (or vested) in accordance with the following regulations:
- a. *Lawful nonconforming activities existing prior to June 2, 2005.* Ordinance 2005-18 was adopted on June 2, 2005. Borrow pits and resource extraction activities existing and in operation prior to June 2, 2005, became lawful nonconforming land uses on June 2, 2005. Such land use activities were and are subject to the provisions of chapter 1, article 2 of the Land Development Code. Local permits are required and to the extent these facilities and land use activities are not grandfathered and do not already comply with applicable regulations, they shall have 180 days from the date this ordinance is approved to comply. Extensions for

1           extenuating circumstances may be approved by the county administrator or the  
2           county administrator's designee on a case-by-case basis.

- 3           b. *Unpermitted existing activities.* Borrow pit and resource extraction activities  
4           created on or after June 2, 2005, that were otherwise in a zoning district that  
5           authorized the land use activity as either a permitted or conditional use, and which  
6           made application for either permitting or a development order prior to August 22,  
7           2014, shall obtain and will be considered for a local permit to operate consistent  
8           with their current and historical use of the property. The technical conditions of the  
9           permit shall be addressed on a case-by-case basis, which will include  
10          consideration of the nature and history of the activity to be permitted and the  
11          length of time the activity has been ongoing; however, the permit conditions will  
12          include compliance with this article to the extent feasible. Facilities qualifying to  
13          request treatment pursuant to either (11)a. or (11)b. may choose either.
- 14          c. *Permitted existing activities.* The grandfathered status and vested rights of  
15          operators and owners of borrow pits and resource extraction activities that held a  
16          current and active development order or other permit issued by the county prior to  
17          August 22, 2014, are to obtain local permits upon approval of this section and are  
18          to be addressed on a case-by-case basis that will include consideration of the  
19          specific wording of the previously approved development order, permit and any  
20          other land use approval issued by the county relating to the operation of the  
21          borrow pit or resource extraction activity. Previously permitted or approved  
22          performance standards remain in effect, except where the County determines the  
23          public health, safety and welfare dictates the current standard apply.
- 24          d. *Inordinate burden.* In no event shall the application of any revision to the land  
25          development code relating to an activity that falls within the coverage of (11) be so  
26          severe as to make the permitted activity either economically infeasible or to  
27          impose an inordinate burden on the land use activity, as such inordinate burden is  
28          defined in F.S. § 70.001.

29    (e) Concrete and asphalt recycling:

30          (1) Setbacks for operation. Concrete and asphalt recycling facilities shall be located a  
31          minimum of 50 feet from the adjoining owner's property. Setback provisions  
32          established herein include the required width for landscape screening and buffers  
33          subsequently noted herein. The following exceptions may apply:

34          a. Site specific requirements. Increased setbacks may be required per the terms of the  
35          mandatory county development order to protect wellheads, environmental areas,  
36          and/or adjacent properties from adverse impacts.

37          (2) Traffic requirements. Access shall be limited to routes having the least impact on  
38          residential areas, and the use shall be subject to all traffic concurrency requirements.

39          (3) Permits. See Escambia County Code of Ordinances, part I, chapter 42 and chapter 82.  
40          A county permit is required for the operation of concrete and asphalt recycling facilities  
41          within the County. Operations may be subject to additional federal, state and/or local  
42          regulations as governed by the applicable regulatory authority.

- 1       (4) Hours of operation. Limited for the operation of concrete and asphalt recycling facilities  
2       as indicated above.
- 3       (5) Fences and gates. A security fence with appropriate gates for access, not less than six  
4       feet above grade, is required along the outer perimeter of the operation with exception  
5       of the access point(s). Additional security features, such as barbed wire above the  
6       fence top, are permitted. Gates for access shall be locked at all times during non-  
7       operating hours. Fences and gates shall be maintained in a reasonable condition to  
8       remain an effective barrier.
- 9       (6) Screening. Portions of the operation visible from the public right-of-way or nearest  
10       residential use shall be screened with dense landscaping to achieve at least 75 percent  
11       opacity. The landscape buffer shall be no less than ten feet in width at any given point  
12       and may be placed either inside or outside the required fence perimeter to achieve  
13       maximum dust and noise reduction and visible shielding. Earthen berms with a  
14       minimum height of three feet can be placed within this buffer area.
- 15       (7) Buffers. In addition to the landscape screening noted above, a minimum ten-foot wide  
16       buffer is required parallel to, and inside, the required fence. Facility operations, parking,  
17       storage and disposal are not permitted within the screening or buffer areas. The  
18       setback area may not be used for truck or equipment traffic, except as necessary to  
19       maintain the setback area and perimeter fence. Access point(s) shall be designed  
20       perpendicular to the buffer/screening width with the least disturbance to the  
21       buffer/screening zone that allows safe vehicle and equipment access to the operating  
22       site.
- 23       (8) Fugitive Dust Plan. A best management plan must be submitted to and approved by the  
24       County for the control of fugitive dust and other particulate matter that may be released  
25       into the air as a result of the operation.
- 26       (9) Air Quality Standards. Respirable dust, which includes silica dust, emission levels  
27       shall not exceed the PM<sub>2.5</sub> fine particle standard of 35 µg/m<sup>3</sup> (micrograms per cubic  
28       meter of air) consistent with the protective human health standards established by the  
29       US Environmental Protection Agency, the Centers for Disease Control and Prevention,  
30       and the Florida Department of Health. If respirable dust emission levels exceed the  
31       PM<sub>2.5</sub> standard of 35 µg/m<sup>3</sup> based upon an hourly average of sixty (60) samples taken  
32       at a rate of one sample per minute, such determination shall result in the immediate  
33       ceasing of crushing operations and the operational permit may be revoked by the  
34       County Administrator after notice of unsatisfactory performance and failure to make  
35       necessary corrections within a reasonable time as determined by the County  
36       Administrator or his designee.
- 37       (10) Signs. "No Trespassing" signs are required at each access point(s), every 250 linear  
38       feet on the boundary fence, and at each corner, in letters not less than two inches in  
39       height. "No Trespassing" signs shall be maintained in legible condition.
- 40       (11) Concrete and asphalt recycling. Active concrete and asphalt recycling activities shall  
41       be governed by any performance standards applicable to the activities occurring on

1 site, in accordance with all federal, state, and local regulations and as approved  
2 pursuant to the Escambia County Code of Ordinances.

3 (12) Existing permitted and unpermitted activities. Local permits are required and to the  
4 extent these facilities do not already comply with applicable regulations, they shall have  
5 180 days from the effective date of this ordinance to comply. Extensions for  
6 extenuating circumstances may be approved by the county administrator or the county  
7 administrator's designee on a case-by-case basis.

8 **Section 2. Severability.**

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

12 **Section 3. Inclusion in Code.**

13 It is the intention of the Board of County Commissioners that the provisions of this Ordinance  
14 shall be codified as required by F.S. § 125.68 (2017); and that the sections, subsections and  
15 other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance"  
16 may be changed to "section," "chapter," or such other appropriate word or phrase in order to  
17 accomplish such intentions.

18 **Section 4. Effective Date.**

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

20 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

23  
24 **By:** \_\_\_\_\_

25 **Jeff Bergosh, Chairman**

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

28 **By:** \_\_\_\_\_

29 **Deputy Clerk**

30 **(SEAL)**

31 **ENACTED:**

32 **FILED WITH THE DEPARTMENT OF STATE:**

33 **EFFECTIVE DATE:**



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

**Planning Board-Regular**

**6. A.**

**Meeting Date: 02/06/2018**

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**Agenda Item:**

Signs Discussion.

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**Attachments**

Draft Ordinance

Exhibit A Outline

Exhibit A

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ORDINANCE NUMBER 2018-\_\_\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 3, ZONING REGULATIONS, ARTICLE 3, OVERLAY DISTRICTS, TO REMOVE INDIVIDUAL TENANT WALL SIGN AREA LIMITS; AMENDING CHAPTER 4, LOCATION AND USE REGULATIONS, ARTICLE 7, SUPPLEMENTAL USE REGULATIONS, TO REMOVE A CONTENT-BASED SIGN REFERENCE; REPEALING AND REPLACING CHAPTER 5, GENERAL DEVELOPMENT STANDARDS, ARTICLE 8, SIGNS, IN ITS ENTIRETY, ADOPTING A NEW ARTICLE 8, OUTDOOR SIGNS; AND AMENDING CHAPTER 6, DEFINITIONS, TO REPEAL AND MODIFY TERMS AND DEFINITIONS RELATED TO OUTDOOR SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Escambia County Board of County Commissioners recognizes the value of outdoor signs in promoting commerce, identifying places, and directing and informing the public when those signs are established in compliance with regulations that protect the public and enhance the county as a place to live and work; and

**WHEREAS**, the Escambia County Board of County Commissioners recognizes the need to establish a set of standards for the fabrication, erection, use, maintenance and alteration of outdoor signs within the County; and

**WHEREAS**, these standards are designed to protect and promote the health, safety, and welfare of persons within the County by providing regulations which allow creativity, effectiveness, and flexibility in the design and use of signs while promoting traffic safety and avoiding visual blight; and

**WHEREAS**, the provisions of a sign code that impose more stringent restrictions on signs conveying certain messages than on signs conveying other messages based on the message are content-based regulations of speech that cannot survive strict legal scrutiny; and

**WHEREAS**, it is not the purpose of this ordinance to regulate or control the message or the content of signs, or to afford greater protection to either commercial or noncommercial speech; and

1       **WHEREAS**, the current sign regulations of the Escambia County Land  
2 Development Code are out-of-date and contain numerous content-based distinctions  
3 among signs and other deficiencies;

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

6  
7 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land  
8 Development Code of Escambia County, Chapter 3, Zoning Regulations, Article 3,  
9 Overlay Districts, is hereby amended as follows (words underlined are additions and  
10 words ~~stricken~~ are deletions):

11 **Sec. 3-3.3 Barrancas Overlay (Barr-OL).**

12 **(f) Site and building requirements.** Site and building requirements vary by location  
13 within the Barr-OL district.

14 **(4) Within WMU area.** The following requirements apply within the waterfront  
15 mixed-use (WMU) area:

16       **a. Structure height.** A maximum structure height of 100 feet above highest  
17 adjacent grade.

18       **b. Structure setbacks.** For all principal structures, minimum setbacks of ten  
19 feet on each side, including any group of attached townhouses. For  
20 structures exceeding 35 feet above highest adjacent grade, an additional two  
21 feet for each additional 10 feet in height.

22       Front porches, stoops, and balconies that extend beyond the primary building  
23 plane may encroach to within five feet of the property line. Steps leading to a  
24 front porch or stoop may encroach further, but not beyond the property line or  
25 onto public sidewalks.

26       Front and side setback lines should be consistent with adjacent structures.

27       Where setback lines are not clearly established, buildings shall be built to  
28 within 10 feet of property lines.

29       **c. Building orientation.** Buildings shall be oriented so that the principal facade  
30 is parallel or nearly parallel to the streets they face. On corner sites, buildings  
31 shall occupy the corner.

32       **d. Entry.** Walkways separate from driveways shall lead to front doors where  
33 practical.

34       **e. Parking.** Parking and other non-habitable areas may comprise the first two  
35 floors of a mixed-use structure. Off-street parking areas shall be connected  
36 by walkways to the buildings they serve and comply with the following:

37       **1. Residential.** Parking for residential uses shall be located in the rear yard  
38 or within a garage. Any front facing attached garage shall be set back at

1 least 10 feet from the primary front facade and not exceed 25 percent of  
2 that façade if the lot width is greater than 40 feet.

3 **2. Parking structures.** Access to parking structures shall be limited to the  
4 side or rear of the structures and their street facades shall be concealed  
5 by liner buildings or be screened so as to provide the appearance of being  
6 an occupied use; i.e., with articulated building fronts, windows, etc.

7 **f. Screening.** All service and loading areas and outdoor storage shall be  
8 entirely screened from off-site view by opaque fencing consisting of chain link  
9 fence with slats or privacy fence of wood, PVC, or vinyl, or by concrete or  
10 stucco walls.

11 **g. Signs.** Site signage is limited to one freestanding monument sign per  
12 development parcel, scaled primarily for pedestrians, and not to exceed 100  
13 square feet in area and 12 feet in height, except for multi-tenant development  
14 where the sign may be up to 300 square feet. Sign colors, materials, and  
15 lighting shall avoid adverse visual impacts on surrounding properties. Wall  
16 signs shall not obstruct design details, windows, or cornices of the buildings  
17 to which they are attached. ~~For individual tenants in a multi-tenant~~  
18 ~~development, wall signs shall not exceed 20 square feet per sign.~~

19 **h. Resource protection.**

20 **1. Natural features.** Natural features shall be protected and integrated into  
21 site design and development where possible.

22 **2. Shorelines.** Natural vegetated shoreline erosion control solutions shall be  
23 implemented where there is a high likelihood of success and  
24 effectiveness. County evaluation of shoreline protection shall consider  
25 bathymetry, wave climate, sediment quality, and adjacent and surrounding  
26 shorelines.

27 **3. Septic tanks.** If septic tanks are permitted they shall be located at least  
28 100 feet from the mean high water line (MHWL) of the bayou.

29 **i. Dock materials.** All docks, bulkheads, and seawalls constructed of treated  
30 wood products should use products registered for marine use by the U.S.  
31 Environmental Protection Agency or the Florida Department of Agriculture  
32 and Consumer Services. Other recommended materials include concrete,  
33 coated steel, recycled plastic, PVC, vinyl, and fiberglass.

#### 34 **Sec. 3-3.4 Brownsville Overlay (Brn-OL).**

35 **(e) Site and building requirements.** The following site and building requirements  
36 apply only to non-residential uses within the Brn-OL district:

37 **(1) Structure height.** No structure height shall exceed 45 feet above highest  
38 adjacent grade. Any lower height required by use or underlying zoning district  
39 shall govern.

1 **(2) Materials and detailing.** New structures, additions, and renovations shall use  
2 materials and detailing that maintain the distinct character and harmony of the  
3 redevelopment district. Vinyl or metal siding is prohibited on the primary facades  
4 of buildings adjacent to public rights-of-way. Accessory structures shall use the  
5 same or similar materials, color, and style of the primary structure's façade if  
6 visible from a public way.

7 **(3) Setbacks.** New construction along Mobile Highway or Cervantes Street shall be  
8 set back a distance similar to that of adjacent buildings unless customer parking  
9 is provided adjacent to the street in support of CPTED principles. Exceptions  
10 may be granted if the setback is pedestrian oriented and contributes to the  
11 quality and character of the streetscape.

12 **(4) Facades.**

13 a. **Front facades.** Front building facades more than 80 feet in width shall be  
14 divided into increments by changes in materials, bay windows, wall offsets, or  
15 similar methods.

16 b. **Rear façade.** A minimum of 15 feet of a building's rear façade facing a public  
17 right of way, parking area, or open space shall consist of transparent  
18 materials, not including reflective glass.

19 **(5) Natural features.** Natural features shall be protected and integrated into site  
20 design and development where possible.

21 **(6) Signs.** Site signage is limited to one freestanding monument sign per  
22 development parcel, scaled primarily for pedestrians, and not to exceed 100  
23 square feet in area and 12 feet in height, except for multi-tenant development  
24 where the sign may be up to 300 square feet. Sign colors, materials, and lighting  
25 shall avoid adverse visual impacts on surrounding properties. Wall signs shall  
26 not obstruct design details, windows, or cornices of the buildings to which they  
27 are attached. ~~For individual tenants in a multi-tenant development, wall signs~~  
28 ~~shall not exceed 20 square feet per sign.~~

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

33 **(8) Parking.** Off-street parking shall be located in the rear. If the lot orientation  
34 cannot accommodate adequate rear parking, parking may be located on the side.

35 **(9) Buffers and screening of outdoor storage.** All outside storage shall be  
36 screened from public view. The screening shall use the same materials, color,  
37 and style as the primary building for architectural compatibility with the primary  
38 building. If the outside storage area is separate from the building it serves the  
39 following shall apply:

- 1        **a. Type.** Only fences constructed of legitimate fencing materials (may or may  
2        not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
3        Specifically, garage doors and sheets of roofing material do not qualify for  
4        fencing or wall materials.
- 5        **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
6        with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
7        concrete or stucco wall may also be used to screen outdoor storage.

### 8        **Sec. 3-3.5    Englewood Overlay (Eng-OL).**

9        **(e) Non-residential site and building requirements.** The following non-residential  
10       site and building requirements apply within the Eng-OL district.

11       **(1) Structure height.** New or redeveloped buildings, or building additions, shall  
12       complement the existing pattern of building heights. No structure shall exceed  
13       45 feet in height and any lower height required by the underlying zoning district  
14       shall govern.

15       **(2) Materials and detailing.** New structures, additions and renovations shall be  
16       constructed to be long-lasting and use materials and detailing that maintain the  
17       distinct character and harmony of the Englewood Community Redevelopment  
18       District. Vinyl or metal siding is prohibited on the primary facades of buildings  
19       adjacent to public rights-of-way. All accessory structures shall use the same  
20       materials, color, and/or style of the primary façade if visible from a public way.

21       **(3) Setbacks.** New construction shall be set back a distance similar to that of  
22       adjacent buildings unless customer parking is provided adjacent to the street in  
23       support of CPTED principles. Exceptions may be granted if the setback is  
24       pedestrian oriented and contributes to the quality and character of the  
25       streetscape.

#### 26       **(4) Facades.**

27       **a. Front facades.** A front building facade more than 80 feet in width shall be  
28       divided into increments by changes in materials, bay windows, wall offsets, or  
29       similar methods.

30       **b. Rear façades.** A minimum of 15 feet of a building's rear façade facing a  
31       public right of way, parking area, or open space shall consist of transparent  
32       materials, not including reflective glass.

33       **(5) Natural features.** Natural features shall be protected and integrated into site  
34       design and development where possible. The applicant shall demonstrate how  
35       the development protects and incorporates existing vegetation.

36       **(6) Landscaping.** Water conservation is encouraged through proper landscape  
37       plant selection, installation and maintenance practices. Native plant species are  
38       required. All non-residential development applications shall include a landscape  
39       plan as part of compliance review. The plan shall include the areas of natural

1 vegetation to be protected, location and species of all plants to be installed, and  
2 an irrigation plan

3 **(7) Signs.** Site signage is limited to one freestanding monument sign per  
4 development parcel, scaled primarily for pedestrians, and not to exceed 100  
5 square feet in area and 12 feet in height, except for multi-tenant development  
6 where the sign may be up to 300 square feet. Sign colors, materials, and lighting  
7 shall avoid adverse visual impacts on surrounding properties. Wall signs shall  
8 not obstruct design details, windows, or cornices of the buildings to which they  
9 are attached. ~~For individual tenants in a multi-tenant development, wall signs~~  
10 ~~shall not exceed 20 square feet per sign.~~

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

16 **(9) Parking.** Parking in the overlay district must adequately serve the users without  
17 detracting from the compact design that makes it a successful commercial  
18 center. Off-street parking must be located in the rear. If the lot orientation  
19 cannot accommodate adequate rear parking, parking on the side may be  
20 permitted.

21 **(10) Buffers and screening of outdoor storage.** All outside storage must be  
22 screened from public view. The screening must use the same materials, color,  
23 and/or style as the primary building for architectural compatibility with the primary  
24 building and the building it is adjacent to. If the outside storage area is separate  
25 from the building it serves the following shall apply:

26 **a. Type.** Only fences constructed of legitimate fencing materials (may or may  
27 not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
28 Specifically, garage doors and sheets of roofing material do not qualify for  
29 fencing or wall materials.

30 **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
31 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
32 concrete or stucco wall may also be used to screen outdoor storage.

### 33 **Sec. 3-3.6 Palafox Overlay (Pfox-OL).**

34 **(e) Non-residential site and building requirements.** The following non-residential  
35 site and building requirements apply within the Pfox-OL district

36 **(1) Structure height.** New or redeveloped buildings, or building additions, shall  
37 complement the existing pattern of building heights. No structure shall exceed  
38 45 feet in height and any lower height required by the underlying zoning district  
39 shall govern.

- 1     **(2) Materials and detailing.** New structures, additions and renovations shall be  
2     constructed to be long-lasting and use materials and detailing that maintain the  
3     distinct character and harmony of the Palafox Community Redevelopment  
4     District. Vinyl or metal siding is prohibited on the primary facades of buildings  
5     adjacent to public rights-of-way. All accessory structures shall use the same  
6     materials, color, and/or style of the primary façade if visible from a public way.
- 7     **(3) Setbacks.** New construction shall be set back a distance similar to that of  
8     adjacent buildings unless customer parking is provided adjacent to the street in  
9     support of CPTED principles. Exceptions may be granted if the setback is  
10    pedestrian oriented and contributes to the quality and character of the  
11    streetscape.
- 12    **(4) Facades.**
- 13       **a. Front facades.** A front building facade more than 80 feet in width shall be  
14       divided into increments by changes in materials, bay windows, wall offsets, or  
15       similar methods.
- 16       **b. Rear façade.** A minimum of 15 feet of a building's rear façade facing a public  
17       right of way, parking area, or open space shall consist of transparent  
18       materials, not including reflective glass.
- 19    **(5) Natural features.** Natural features shall be protected and integrated into site  
20    design and development where possible. The applicant shall demonstrate how  
21    the development protects and incorporates existing vegetation.
- 22    **(6) Landscaping.** Water conservation is encouraged through proper landscape  
23    plant selection, installation and maintenance practices. Native plant species are  
24    required. All non-residential development applications shall include a landscape  
25    plan as part of compliance review. The plan shall include the areas of natural  
26    vegetation to be protected, location and species of all plants to be installed, and  
27    an irrigation plan.
- 28    **(7) Signs.** Site signage is limited to one freestanding monument sign per  
29    development parcel, scaled primarily for pedestrians, and not to exceed 100  
30    square feet in area and 12 feet in height, except for multi-tenant development  
31    where the sign may be up to 300 square feet. Sign colors, materials, and lighting  
32    shall avoid adverse visual impacts on surrounding properties. Wall signs shall  
33    not obstruct design details, windows, or cornices of the buildings to which they  
34    are attached. ~~For individual tenants in a multi-tenant development, wall signs~~  
35    ~~shall not exceed 20 square feet per sign.~~
- 36    **(8) Lighting.** Lighting in the overlay district should serve to illuminate facades,  
37    entrances and signage to provide an adequate level of personal safety while  
38    enhancing the aesthetic appeal of the buildings. Building and signage lighting  
39    must be indirect, with the light source hidden from direct pedestrian and motorist  
40    view.

1     **(9) Parking.** Parking in the overlay district must adequately serve the users without  
2     detracting from the compact design that makes it a successful commercial  
3     center. Off-street parking must be located in the rear. If the lot orientation  
4     cannot accommodate adequate rear parking, parking on the side would then be  
5     permitted.

6     **(10) Buffers and screening of outdoor storage.** All outside storage must be  
7     screened from public view. The screening must use the same materials, color,  
8     and/or style as the primary building for architectural compatibility with the primary  
9     building and the building it is adjacent to. If the outside storage area is separate  
10    from the building it serves the following shall apply:

11    **a. Type.** Only fences constructed of legitimate fencing materials (may or may  
12    not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
13    Specifically, garage doors and sheets of roofing material do not qualify for  
14    fencing or wall materials.

15    **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
16    with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
17    concrete or stucco wall may also be used to screen outdoor storage.

### 18    **Sec. 3-3.8    Warrington Overlay (Warr-OL).**

19    **(e) Non-residential site and building requirements.** The site and building  
20    requirements of non-residential uses within the Warr-OL are modified as follows:

21    **(1) Structure height.** New buildings, additions and redeveloped buildings shall  
22    complement the existing pattern of building heights. No structure shall exceed  
23    45 feet in height and any lower height required by the underlying zoning district  
24    shall govern.

25    **(2) Setbacks.** New construction must maintain the existing alignment of facades  
26    along the street front. Exceptions may be granted if the setback is pedestrian  
27    oriented and contributes to the quality and character of the streetscape.

28    **(3) Materials and detailing.** New structures, additions and renovations shall be  
29    constructed to be long-lasting and use materials and detailing that maintain the  
30    distinct character and harmony of the Warrington Community Redevelopment  
31    District. Vinyl or metal siding is prohibited on the primary facades of buildings  
32    adjacent to public rights-of-way. All accessory structures shall use the same  
33    materials, color, and/or style of the primary façade if visible from a public way.

34    **(4) Facades.**

35    **a. Front façade.** A front building facade more than 80 feet in width shall be  
36    divided into increments by changes in materials, bay windows, wall offsets, or  
37    similar methods.

1       **b. Rear façades.** A minimum of 15 feet of a building's rear façade facing a  
2       public right of way, parking area, or open space shall consist of transparent  
3       materials, not including reflective glass.

4       **(5) Awnings.** Awnings are encouraged to enhance the character of Warrington while  
5       providing sun protection for display windows, shelter for pedestrians, and a sign  
6       panel for businesses.

7       **(6) Natural features.** Natural features shall be protected and integrated into site  
8       design/development where possible. The applicant shall demonstrate how the  
9       development protects and incorporates existing vegetation.

10      **(7) Landscaping.** Water conservation is encouraged through proper landscape  
11      plant selection, installation and maintenance practices. Native plant species are  
12      required. All non-residential development applications shall include a landscape  
13      plan as part of compliance review. The plan shall include the areas of natural  
14      vegetation to be protected, location and species of all plants to be installed, and  
15      an irrigation plan.

16      **(8) Buffers and screening of outdoor storage.** All outside storage must be  
17      screened from public view. The screening must use the same materials, color,  
18      and/or style as the primary building for architectural compatibility with the primary  
19      building and the building it is adjacent to. If the outside storage area is separate  
20      from the building it serves the following shall apply:

21      **1. Type.** Only fences constructed of legitimate fencing materials (may or may  
22      not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
23      Specifically, garage doors and sheets of roofing material do not qualify for  
24      fencing or wall materials.

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

28      **(9) Signs.** Site signage is limited to one freestanding monument sign per  
29      development parcel, scaled primarily for pedestrians, and not to exceed 100  
30      square feet in area and 12 feet in height, except for multi-tenant development  
31      where the sign may be up to 300 square feet. Sign colors, materials, and lighting  
32      shall avoid adverse visual impacts on surrounding properties. Wall signs shall  
33      not obstruct design details, windows, or cornices of the buildings to which they  
34      are attached. ~~For individual tenants in a multi-tenant development, wall signs~~  
35      ~~shall not exceed 20 square feet per sign.~~

36      **(10) Lighting.** Lighting in the overlay district should serve to illuminate facades  
37      entrances and signage to provide an adequate level of personal safety while  
38      enhancing the aesthetic appeal of the buildings. Building and signage lighting  
39      must be indirect, with the light source(s) hidden from direct pedestrian and  
40      motorist view.

1 **(11) Parking.** Parking in the overlay district must adequately serve the users without  
2 detracting from the compact design that makes it a successful commercial  
3 center. Off-street parking must be located in the rear. If the lot orientation cannot  
4 accommodate adequate rear parking, parking on the side will be permitted.

5 **(12) If within HC/LI zoning.** Development within the HC/LI zoning district is subject to  
6 the following design standards.

7 **a. Landscaping.** A minimum 10-foot wide landscaped strip is required on all  
8 roadway frontages. The strip shall contain one tree and 10 shrubs for every  
9 35 linear feet of frontage. Preservation of existing plants within the required  
10 landscaped areas can be used to satisfy this requirement. Buffers required  
11 adjacent to residential districts shall include a minimum of two trees and 15  
12 shrubs for every 35 linear feet of required buffer length.

13 **b. Vehicular use areas.** Areas other than public rights-of-way, designed to be  
14 used for parking, storage of vehicles for rent or sales, or movement of  
15 vehicular traffic, shall be separated by a minimum five-foot wide landscaped  
16 strip from any boundary of the property on which the vehicular use area is  
17 located. The strip shall contain shrubs or ground covers with a minimum  
18 mature height of 24 inches and a maximum height of 30 inches. Plant  
19 material shall be spaced 18 inches to 24 inches apart, depending on mature  
20 size.

21 **c. Parking lots.** Interior parking areas shall have one landscape island  
22 containing at least one tree and shrubs or ground covers as per the above  
23 specifications, for every eight contiguous spaces.

24 **d. Irrigation system.** An irrigation system shall be installed for all landscaped  
25 areas of the site. All systems shall include rain sensors and all system  
26 materials used shall be ASTM approved.

27 **e. Existing development.** Any change of use to a HC/LI use within the overlay  
28 district must meet the above standards.

29  
30 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land  
31 Development Code of Escambia County, Chapter 4, Location and Use Regulations,  
32 Article 7, Supplemental Use Regulations, is hereby amended as follows (words  
33 underlined are additions and words ~~stricken~~ are deletions):

34 **Article 7 Supplemental Use Regulations.**

35 **Sec. 4-7.3 Accessory uses and structures.**

36 **(b) Specific uses and structures.**

37 **(7) Home occupations and home-based businesses.** Home occupations and  
38 home-based businesses are limited to the residents of a dwelling unit other than  
39 a manufactured (mobile) home, and allowed only as ~~an~~ accessory uses to the

1 residential uses. A home occupation, or employment at home, is allowed  
2 wherever the host dwelling unit is allowed, but shall generally be unnoticeable to  
3 adjoining land uses. A home-based business, which is at a greater scale or  
4 intensity than a home occupation, is limited to the rural zoning districts (Agr, RR,  
5 RMU) and only allowed if impacts to adjoining land uses are minimal. Home  
6 occupations and home-based businesses shall comply with each of the following  
7 requirements:

- 8 **a. Licenses.** All required business, professional, or occupational licenses are  
9 obtained prior to commencement of the occupation or business and are  
10 maintained for the duration of the activity.
- 11 **b. Exterior evidence.** For home occupations, there is no evidence visible from  
12 outside of the dwelling or accessory building that any part of a building is  
13 utilized for an occupation. For home-based businesses, any evidence visible  
14 from outside of the dwelling or accessory building that any part of a building is  
15 utilized for a business is minimal. Such exterior evidence includes any  
16 storage, or display, or signage associated with the occupation or business.  
17 Signage is are limited for both uses according to as prescribed by the  
18 outdoor signage provisions in Article 8 of Chapter 5.
- 19 **c. Off-site impacts.** Occupations or business activities shall not create  
20 nuisances or adverse off-site impacts, including but not limited to noise,  
21 vibration, smoke, dust or other particulates, odors, heat, light or glare, or  
22 electromagnetic interference. In a residential neighborhood, no activities are  
23 allowed to alter the character of the neighborhood.
- 24 **d. Structural alterations.** No structural alterations are made that would be  
25 inconsistent with the use of the dwelling exclusively as a residence or that  
26 would not customarily be associated with dwellings or their accessory  
27 buildings.
- 28 **e. Employees.** Employment in a home occupation is limited to residents of the  
29 dwelling unit unless the applicable zoning district allows BOA conditional use  
30 approval of non-resident employees. Employment in a home-based business  
31 may include no more than two non-resident employees.
- 32 **f. Customers.** No customers shall visit the house and there shall not be any  
33 additional traffic or an increase in demand for parking due to trucks or other  
34 service vehicles coming to the house.
- 35 **g. Motor vehicles.** The manufacture or repair of motor vehicles or other  
36 transportation equipment is prohibited.

37  
38 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land  
39 Development Code of Escambia County, Chapter 5, General Development Standards,  
40 Article 8, Signs, is hereby repealed in its entirety and replaced as shown in the attached  
41 Exhibit A.

**Section 4.** Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 6, Definitions, is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

**Sec. 6-0.3 Terms defined.**

As used within the LDC, the following terms have the meanings established here:

**-A-**

~~*Abandoned sign.* Any sign face which advertises a business no longer conducted or product no longer sold. In making the determination that a sign advertises a business no longer being conducted, the enforcement official shall consider the existence or absence of a current occupational license, utility service deposit or account, use of the premises and relocation of the business. An abandoned sign is prohibited and shall be removed by the owner of the premises when there is a lack of maintenance or sign faces are missing, or as otherwise provided for in this article.~~

~~Any sign structure which has not been used for business purposes for over 90 days, and is nonconforming as to existing codes regarding height, setback or maintenance.~~

~~Any previously permitted portable or temporary sign for which the permit has expired.~~

~~*Awning, canopy or marquee sign.* A sign that is mounted or painted on, or attached to, an awning, canopy, or marquee that is otherwise permitted by county ordinance. The sign shall not project above, below or beyond the awning, canopy or marquee.~~

**-B-**

~~*Banner sign.* Any sign with characters, letters, illustrations or ornamentation applied to cloth, paper, flexible plastic or fabric of any kind that is not permanently attached to a solid backing of wood, plastic, metal, masonry, or similar rigid material. Maximum size allowed is 60 square feet.~~

~~*Billboard.* See "Off-premises sign."~~

~~*Bulletin board/directory sign.* A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization or the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.~~

**-C-**

~~*Changeable copy sign.* A sign that is designed so that characters, letters, or illustrations can be manually changed or rearranged without altering the face or surface of the sign.~~

~~*Community Redevelopment Area (CRA) Gateway Sign.* A sign located within the right-of-way providing the name, location, and direction of the CRA.~~

~~Construction sign.~~ A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

**-D-**

~~Directional sign.~~ See "Informational sign."

**-E-**

~~Electronic message center sign.~~ A sign that is a computerized, programmable electronic visual communications device capable of storing and displaying multiple messages in various formats at varying intervals for periods lasting at least five seconds.

**-F-**

~~Facade sign.~~ See "Wall sign."

~~Fence.~~ A physical structural barrier constructed as a boundary for separation, confinement, protection, screening, access control, or similar purposes, but not including hedges, shrubs, or other natural growth.

~~Flashing sign.~~ A sign exhibiting sudden or marked changes in lighting intensity lasting in duration for periods of less than five seconds.

~~Freestanding pole sign.~~ A freestanding sign that is mounted on a free standing pole or other similar support so that the bottom edge of the sign face is 9 1/2 feet or more above grade.

~~Freestanding sign.~~ Any nonmovable sign not affixed to a building. May be either a ground sign or a pole sign. Any sign that stands on its own, not attached to a building or a fence, including pole signs, monument signs, and portable signs.

**-G-**

~~Governmental sign.~~ A sign erected and maintained pursuant to and in discharge of any governmental function, or required by law, ordinance or other governmental regulation.

~~Ground sign.~~ Any freestanding sign, other than a pole sign, placed upon or supported by the ground independent of any other structure; a monument sign.

**-H-**

~~Historic sign.~~ Any sign officially designated historic by the appropriate federal, state or local historic entity or otherwise considered to be a local landmark by the board of adjustment.

~~Holiday decorations.~~ Temporary signs and decorations, clearly incidental to, and customarily and commonly associated with, any national, local or religious holiday.

**-I-**

1 ~~Identification sign.~~ A sign giving the name, and/or address of a building, business  
2 ~~development or establishment on the premises where it is located. Also known as name~~  
3 ~~plate sign.~~

4 ~~Illuminated sign.~~ A sign lighted by or exposed to artificial lighting either by lights on, or  
5 ~~in the sign, or directed towards the sign.~~

6 ~~Informational sign.~~ An on-premises sign commonly associated with, but not limited to,  
7 ~~information and directions necessary or convenient for visitors coming on the property,~~  
8 ~~including signs marking entrances and exits, parking areas, circulation direction, rest~~  
9 ~~rooms, and pickup and delivery areas. Also known as a directional sign.~~

10 **~~-M-~~**

11 ~~Moving or animated sign.~~ Any sign or part of a sign which changes physical position by  
12 ~~any movement or rotation.~~

13 ~~Multi-faced sign.~~ A sign composed of sections which rotate to display a series of  
14 ~~advertisements, each advertisement being displayed for at least five seconds~~  
15 ~~continuously without movement and the movement of the sections between displays~~  
16 ~~being not more than two seconds.~~

17 **~~-N-~~**

18 ~~Name plate sign.~~ See "Identification sign."

19 ~~Nonconforming sign.~~ A sign which is lawfully erected but which does not comply with  
20 ~~the land use, setback, size, spacing, and lighting provisions of this article or a sign~~  
21 ~~which was lawfully erected but which now fails to comply with this article due to~~  
22 ~~changed conditions.~~

23 **~~-O-~~**

24 ~~Off-premises sign or billboard.~~ A sign which directs attention to a business, commodity,  
25 ~~service or entertainment conducted, sold or offered at a location other than the~~  
26 ~~premises on which the sign is located.~~

27 ~~On-premises sign.~~ A sign that identifies only goods, services, facilities, events or  
28 ~~attractions available on the premises where the sign is located.~~

29 **~~-P-~~**

30 ~~Political sign.~~ A temporary sign announcing or supporting political candidates or issues  
31 ~~in connection with any national, state, or local election.~~

32 ~~Portable sign.~~ Any sign not permanently attached to the ground or other permanent  
33 ~~structure, or a sign designed to be transported, including, but not limited to, signs~~  
34 ~~designed to be transported by means of wheels; including such signs even though the~~  
35 ~~wheels may be removed and the remaining chassis or support structure converted to A-~~  
36 ~~frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas~~  
37 ~~used for advertising unless part of an outdoor restaurant; and signs attached to or~~  
38 ~~painted on vehicles parked and visible from the public right-of-way, unless said vehicle~~

1 is used in the normal day-to-day operations of business, the sign area is less than two  
2 square feet per side and there is no reasonable alternative storage space.

3 *Projecting sign.* A sign that is wholly or partly dependent upon a building for support  
4 and which projects more than 24 inches from such building.

5 **-Q & R-**

6 *Real estate sign.* A sign pertaining to the sale or lease of the premises, or a portion of  
7 the premises, in which the sign is located.

8 *Roof sign.* A sign that is mounted on the roof of a building or which is wholly dependent  
9 upon a building for support and which projects above the point of a building with a flat  
10 roof, the eave line of a building with a gambrel, gable or hip roof of the deck line of a  
11 building with a mansard roof.

12 **-S-**

13 *Sign.* Any object, device, display, or structure, or part thereof, which is positioned and  
14 used to advertise, identify, announce, direct or attract attention, or otherwise visually  
15 communicate a message outdoors using words, letters, numbers-numerals, emblems,  
16 figures, symbols, pictures, or other images message elements. Signs are more  
17 specifically defined by type and character form and use in the outdoor signage  
18 standards of Chapter 5.

19 *Sign area.* The surface area of a sign shall be computed as including the entire area  
20 within the smallest rectangle, triangle, circle or other regular geometric form, or  
21 aggregates thereof, encompassing all of the display area of the sign and including all of  
22 the elements of the matter displayed. Base, apron, supports and other structural  
23 members not bearing advertising matter shall not be included in computation of surface  
24 area. Border or trim shall be included in computation of surface area. One side only of a  
25 double-sided sign shall be used in computing sign area where they are placed back to  
26 back on a single sign structure and are at no point more than three feet apart.

27 *Sign face.* The area or display surface used for the message.

28 *Sign triangle.* See visual clearance section of landscaping provisions.

29 **-W-**

30 *Wall sign.* A sign fastened to or painted on the wall of a building or structure in such a  
31 manner that the wall becomes the supporting structure for, or forms the background  
32 surface of the sign and which does not project more than 24 inches from such building  
33 or structure. Also, a sign mounted on the fascia or sloped roof surface which does not  
34 extend above the elevation of the ridge or roof line nor project more than 48 inches from  
35 the roof or fascia surface. A sign that is attached to or painted on the exterior wall of a  
36 building in such a manner that the wall is the supporting structure for the sign or forms  
37 the background surface of the sign. For the allocation of sign area and other purposes  
38 of the LDC, wall signs include awning, canopy, fascia, marquee, roof, and window  
39 signs, but do not include fence signs.

1 ~~Wayfinding Signs.~~ A sign located within the right-of-way providing the name, location,  
2 and direction to a public or private place.

3 ~~Window sign.~~ A sign that is applied or attached to the exterior or interior of a window or  
4 located in such manner within a building that it can be seen from the exterior of the  
5 structure through a window.

6 -X, Y & Z-

7 ~~Zone lot.~~ A parcel of land in single ownership, or parcel of contiguous properties,  
8 existing as a unified or coordinated project, that is of sufficient size to meet minimum  
9 zoning requirements for area, coverage, and uses, and that can provide such yards and  
10 other open spaces as required by the land development code.

11  
12 **Section 5. Severability.**

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

16  
17 **Section 6. Inclusion in Code.** It is the intention of the Board of County  
18 Commissioners that the provisions of this Ordinance shall be codified as required by  
19 F.S. § 125.68 (2016); and that the sections, subsections and other provisions of this  
20 Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed  
21 to "section," "chapter," or such other appropriate word or phrase in order to accomplish  
22 such intentions.

23  
24  
25  
26  
27  
28 **INTENTIONALLY LEFT BLANK**

**Section 7. Effective Date.**

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

**DONE AND ENACTED** this\_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

**By: \_\_\_\_\_  
Jeff Bergosh, Chairman**

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

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

**(SEAL)**

**ENACTED:  
FILED WITH THE DEPARTMENT OF STATE:  
EFFECTIVE DATE:**

## **Outline of Replacement Article 8, Outdoor Signs, LDC Chapter 5**

### **Sec. 5-8.1 Purpose of article.**

### **Sec. 5-8.2 General provisions.**

- 1. Sign defined.**
- 2. Permits required.**
- 3. Nonconforming signs.**
- 4. Variances.**
- 5. Owner responsibility.**
- 6. Overlay districts.**
- 7. Enforcement.**

### **Sec. 5-8.3 Signs defined by type and character.**

- 1. Freestanding signs.**
- 2. Wall signs.**
- 3. Fence signs**
- 4. Changeable message signs.**
- 5. Temporary signs.**
- 6. Flags and other wind signs.**
- 7. On-premises and off-premises signs.**
- 8. Exempt and non-exempt signs.**

### **Sec. 5-8.4 Design, construction, and maintenance.**

- 1. Sign area.**
- 2. Sign height.**
- 3. Sign placement.**
- 4. Sign illumination.**
- 5. Electronic signs.**
- 6. Multi-tenant signage plans.**
- 7. General construction and maintenance.**

**Sec. 5-8.5 Prohibited signs.**

1. Motion, light, and sound.
2. Obscenity.
3. Obstruction and interference.
4. On Pensacola Beach.
5. Traffic hazards.
6. Unauthorized.

**Sec. 5-8.6 Signs exempt from permits.**

1. General exemption.
2. Sign-specific exemptions.
3. Parcel-specific exemptions.

**Sec. 5-8.7 Temporary signs by permit.**

1. Balloon and air-activated signs.
2. Banners.
3. Flags on Pensacola Beach.
4. Projected image signs.
5. Vehicle and trailer signs.

**Sec. 5-8.8 On-premises permanent signs.**

1. Generally.
2. Mainland residential, recreation, and conservation districts.
3. Mainland agricultural and mixed-use districts.
4. Mainland commercial, industrial, and public districts.
5. Perdido Key districts.
6. Pensacola Beach districts.

**Sec. 5-8.9 Off-premises permanent signs (billboards).**

1. Maximum number.
2. New billboards.
3. Removal along scenic highways.
4. Area and height.
5. Placement.

**Article 8 Outdoor Signs.**

**Sec. 5-8.1 Purpose of article.**

This article establishes land development standards for outdoor signs that provide reasonable nondiscriminatory sign regulation through time, place, and manner of use. It is the intent of these standards to protect and enhance the economic vitality and physical appearance of the county as a place to live, vacation, and conduct business. More specifically, this article is intended to:

- (1) Enable the proper scale, quantity, period, and placement of signs to effectively promote commerce, to identify places of residence and business, and to orient, direct, and inform the public.
- (2) Require that signs be adequately designed and constructed, and be removed when unauthorized or inadequately maintained, to protect the public from conditions of blight and the dangers of unsafe signs.
- (3) Lessen visual confusion and hazards caused by improper height, placement, illumination, or animation of signs, and assure that signs do not obstruct the view of vehicles and pedestrians traveling public streets or create nuisance conditions.
- (4) Preserve and protect the unique natural and scenic character of Pensacola Beach, Perdido Key, and other designated scenic areas of the county.
- (5) Protect the interests of sign owners in continuing to use lawfully established and maintained signs while providing the community with a gradual remedy for existing undesirable conditions resulting from nonconforming signs.
- (6) Identify the established processes for compliance review, approval and permitting of signs, the exemptions from that permitting, and the available processes to request variances to sign standards.

**Sec. 5-8.2 General provisions.**

**(a) Sign defined.** For the purposes of this article, a sign is any object, device, display, or structure, or part thereof, which is positioned and used to advertise, identify, announce, direct or attract attention, or otherwise visually communicate a message outdoors using words, letters, numbers, emblems, figures, symbols, pictures, or other message elements. Any surface which displays such elements is a sign face.

**(b) Permits required.**

- (1) General requirement.** Unless specifically authorized in this article by an exemption from permitting, no person shall place, post, display, construct, alter, or relocate any sign without having first obtained all necessary permits through county review and approval for compliance with the standards of this article and other applicable code provisions. The review and approval process shall be as prescribed in Chapter 2. Regardless of any exemption from county permitting, all signs remain subject to article standards of design, construction, placement, and maintenance.

1       **(2) Pensacola Beach requirements.** As prescribed within the established written  
2       procedures of the Santa Rosa Island Authority (SRIA), signs located on  
3       Pensacola Beach may require the authorization of SRIA staff, the Architectural  
4       and Environmental Committee (AEC) of the SRIA, or the SRIA board prior to  
5       county approval.

6       **(c) Nonconforming signs.** Lawfully established and maintained signs that no longer  
7       comply with one or more current requirements of the LDC may continue as  
8       nonconforming signs in use as prescribed in this section and Article 2 of Chapter 1,  
9       but the expansion of any nonconformance is prohibited.

10      **(1) Relocation.** If a nonconforming sign is relocated for any reason, the sign shall  
11      be brought fully into compliance with the standards of this article, regardless of  
12      any estimated cost to replace the sign at its former location.

13      **(2) Substantial expenses.** When the restoration of any removed, destroyed, or  
14      damaged nonconforming sign would constitute an expense of more than 50  
15      percent of the replacement cost of the sign, the restored sign shall fully comply  
16      with the standards of this article. Similarly, within a calendar year, when any  
17      alteration to or maintenance on a nonconforming sign would constitute an  
18      expense of more than 50 percent of the sign's replacement cost, the sign shall be  
19      brought fully into compliance with article standards.

20      **(3) Non-substantial expenses.** Any alteration, repair, or maintenance to a  
21      nonconforming sign within a calendar year that would constitute an expense of  
22      50 percent or less of the replacement cost of the sign shall comply with the  
23      following conditions for continuing sign nonconformance:

24      **a. Repairs and maintenance.** Repairs and maintenance shall be performed as  
25      necessary to maintain all nonconforming signs in good repair and safe  
26      condition, as they were originally authorized and without modifying their  
27      nonconformance. Any such work is exempt from sign permits, but may  
28      require building permits to ensure compliance with the *Florida Building Code*.

29      **b. Alterations.** No alterations shall be made to a nonconforming sign, including  
30      added or enlarged electronic message area, if any nonconformance of the  
31      sign or supporting structure would remain, except for the following:

32          **1. Sign face.** The face of a nonconforming sign may be replaced without a  
33          permit if no other alterations are made to the sign, including modifications  
34          to the size or configuration of supporting cabinets or frames.

35          **2. Sign area.** Alterations to sign area, including necessary modifications to  
36          supporting cabinets and frames, may be authorized by permit for a  
37          freestanding sign of nonconforming height if the quantity of freestanding  
38          signs on the same parcel is (or is made to be) conforming, if the resulting  
39          sign height is no greater, and if the new sign area is no greater than the  
40          old sign area or the current area standard, whichever is less.

41      **(d) Variances.** Variances to the strict application of the sign quantity, area, height, and  
42      sign-to-sign separation standards of this article are available, but only for signs that

require county permitting (non-exempt signs). Variances may be granted according to the applicable variance conditions and review processes prescribed in Article 6 of Chapter 2. All such modifications shall maintain the stated purposes of this article and demonstrate the following additional technical conditions:

**(1) Impairment.** The effectiveness of signage that complies with the standards of this article is materially impaired and cannot be sufficiently corrected with reasonable and complying changes in sign luminance (brightness), contrast, placement, or orientation.

**(2) Legibility.** The sign letter weight is adequate (height to stroke width ratio no more than 5:1) and the message is limited to a reasonable number of elements to comprehend; nevertheless, signage that complies with the standards of this article cannot provide its primary audience (e.g., passing vehicles) with 30 feet or less of viewing distance per inch of letter height (legibility index of 30 ft./in. or less).

**(e) Owner responsibility.** All property owners, and leaseholders of property on Pensacola Beach, are responsible for the proper permitting, placement, construction, and maintenance of any signs on their property. These responsibilities include compliance with all applicable provisions of the LDC and the *Florida Building Code*, any required Florida Department of Transportation permitting for signs along state maintained roads, and the timely elimination of temporary or inadequately maintained signs.

**(f) Overlay districts.** In addition to the provisions of this article, signs shall comply with any prohibitions, limitations, or other sign standards of applicable overlay zoning districts as established in Article 3 of Chapter 3.

**(g) Enforcement.** The standards of this article shall be enforced by county code enforcement officers as authorized in Chapter 30, *Code Enforcement*, Part I, Escambia County Code of Ordinances. Signs located on Pensacola Beach may also be subject to compliance inspection by the SRIA, which is authorized to summarily remove any unauthorized signs on lands under its jurisdiction. Any party or parties in violation of these standards shall be subject to notices of violation, citations, and civil penalties as prescribed in Chapter 30.

**(1) Signs on public lands.** Signs of any type placed on public lands, including public rights-of-way, in violation of the provisions of this article are subject to removal and disposal by code enforcement officers or other county-authorized personnel without notice or compensation. Such removal does not preclude citations or imposition of penalties for the violation.

**(2) Unsafe signs.** If the condition of any authorized sign becomes unsafe in the opinion of those authorized to enforce the provisions of this article, the owner shall remove the sign or secure it in a manner complying with this article and applicable building codes within 10 days after receiving written notice from the county. Where the danger is immediate, the condition shall be corrected without delay. If the unsafe condition is not corrected within 10 days, the county shall be

1 authorized to correct the condition at the owner's expense, including removal of  
2 the sign.

3 **Sec. 5-8.3 Signs defined by type and character.**

4 For the purposes of this article, signs are defined and identified as follows and may be  
5 further characterized within the standards of the article:

6 **(1) Freestanding signs.** A freestanding sign is any sign that stands on its own, not  
7 attached to a building or a fence, including pole signs, monument signs, and  
8 portable signs.

9 **a. Pole signs.** A pole or pylon sign is any freestanding sign that is elevated  
10 above the adjacent grade and mounted on one or more poles, pylons, or  
11 similar vertical supports from the ground.

12 **b. Monument signs.** A monument or ground sign is any freestanding sign with  
13 its entire base placed directly on the ground.

14 **c. Portable signs.** A portable sign is any freestanding sign that is not  
15 permanently attached to the ground or a permanent structure, or a sign that is  
16 designed to be transported.

17 **d. Vehicle and trailer signs.** A vehicle or trailer sign is any sign that is made  
18 portable by permanent or temporary attached to or placement in any manner  
19 on a motor vehicle or trailer.

20 **(2) Wall signs.** A wall sign is any sign that is attached to or painted on the exterior  
21 wall of a building in such a manner that the wall is the supporting structure for the  
22 sign or forms the background surface of the sign. For the allocation of sign area  
23 and other purposes of this article, wall signs include awning, canopy, fascia,  
24 marquee, roof, and window signs, but do not include fence signs.

25 **a. Awning, canopy, fascia, and marquee signs.** An awning, canopy, fascia,  
26 or marquee sign is any sign that is mounted or painted on, or attached to an  
27 awning, canopy, fascia, or marquee respectively, but not projecting above,  
28 below, or beyond the awning, canopy, fascia, or marquee.

29 **b. Roof signs.** A roof sign is any sign that is mounted on the roof of a building,  
30 or wholly dependent on a building for support, and extending above the top of  
31 the wall of a flat-roofed building, above the eave line of a building with a hip,  
32 gambrel, or gable roof, or the deck line of a building with a mansard roof.

33 **c. Window signs.** A window sign is any sign that is placed in or on a window or  
34 placed within a building in such a manner that it can be viewed through a  
35 window from the outside.

36 **d. Projecting signs.** A projecting sign is any sign supported by a building wall  
37 and extending outward from the wall with the sign display surface  
38 perpendicular to the wall.

39 **(3) Fence signs.** A fence sign is any sign that is attached to or painted on a fence  
40 in such a manner that the fence is the supporting structure for the sign. For the

allocation of sign area and other purposes of this article, fence signs are neither freestanding signs nor wall signs.

**(4) Changeable message signs.** A changeable message sign is any sign that is designed to allow frequent changes in its displayed message. Messages may be changed through any of the following means, but a change in message does not constitute a different sign:

**a. Manual.** A periodic manual change on the sign face, typically by rearrangement of letters along horizontal tracks, by replacement of printed substrates, or by redrawing, all without otherwise altering the sign.

**b. Mechanical.** Different messages automatically displayed intermittently on the same sign face by mechanical means, as on the slatted face of a “tri-vision” sign that allows three different messages to revolve and appear at recurring intervals.

**c. Electronic.** An electronic message display made up of internally illuminated components (e.g., LEDs) of the sign face controlled by a programmable electronic device allowing remote or automatic display of multiple messages in various formats and at varying intervals.

**d. Projection.** A message display created by the projection of an image onto a building wall or other display surface from a distant device.

**(5) Temporary signs.** A temporary sign is any sign that is authorized to be placed in view for a limited period of time and required to be removed from view upon expiration of the authorized time. Temporary signs include balloon, air-activated, and banner signs.

**a. Balloon signs.** A balloon sign is any temporary sign that is gas-inflated.

**b. Air-activated signs.** An air-activated sign is any temporary sign with one or more parts given form or animation by mechanically forced air.

**c. Banners.** A banner is any temporary sign that is made of lightweight, non-rigid, and typically non-durable material such as cloth, paper, or plastic, and that is designed to be secured to a structure along two or more sides or at all corners by cords or similar means, or to be supported by stakes in the ground. A banner is not a wind sign.

**(6) Flags and other wind signs.** A wind sign is any sign that is designed and fashioned to move when subjected to winds, including wind socks, wind spinners, whirligigs, and flags. A flag is any wind sign made of fabric or other flexible material, designed to be supported along one edge and typically flown from a pole or staff.

**(7) On-premises and off-premises signs.** An on-premises sign is any sign that is accessory to the authorized principal use or structure on the same parcel as the sign. On-premises signs are, therefore, subordinate in extent and purpose and customarily incidental to the principal use or structure as prescribed by the

supplemental use regulations in Article 7 of Chapter 4. Any sign that is not an on-premises sign is an off-premises sign.

**(8) Exempt and non-exempt signs.** An exempt sign is any sign that is relieved by the provisions of this article from the requirement to obtain a county sign permit. Any sign that is not an exempt sign is a non-exempt sign requiring authorization by permit, but exemption does not modify the availability of non-exempt signage.

#### **Sec. 5-8.4 Design, construction, and maintenance.**

Every sign, including those exempt from county permitting, shall be designed, constructed, placed, and maintained in compliance with the standards of this article and applicable provisions of the *Florida Building Code*. In addition to the provisions of this section, specific area, height, and quantity limits are prescribed in the subsequent sections of this article for both exempt and non-exempt, on-premises and off-premises signs.

**(1) Sign area.** For the purposes of this article, the area of a sign is the area of the smallest regular geometric shape (rectangle, triangle, circle, etc.), or simple combination of such shapes, that forms or approximates the perimeter of all sign message elements and comprises the sign face. When a background to the message elements is defined by a frame, outline, panel, or other border, the area of the background defined by that border is the sign area. In the calculation of sign area, the Planning Official may exclude minor appendages beyond the regular shape of the sign area perimeter.

**a. Freestanding sign area.** The area of a freestanding sign authorized by this article shall be the sum of the areas of the largest faces visible from any single direction, except as modified by the following:

- 1. Exclusions.** In the calculation of sign area, the base, apron, supports, and other structural members not displaying elements of a sign message are not included.
- 2. Special conditions.** For signs located on Pensacola Beach, and for any non-exempt off-premises signs (billboards), when two identical sign faces on the same sign structure are placed back-to-back or in a "V" configuration with an internal angle behind the faces of no more than 90 degrees, the sign area is calculated as the area of only one face.
- 3. Separate signs.** Sign faces having no shared support from the same structure constitute separate signs and are subject to area (and other) standards accordingly.

**b. Wall sign area.** Except as provided in this article for on-premises signs located on Pensacola Beach, non-exempt wall sign area shall be authorized in proportion to the length of the exterior building wall to which the signs are attached. Similarly, wall sign area for any individual tenant space within a multi-tenant building shall be in proportion to the exterior wall length of that space.

- 1           **1. Multiple signs.** Each building, or each tenant space of a multi-tenant  
2           building, may have multiple wall signs, but the total wall sign area on a  
3           building or tenant wall shall not exceed the allowance for that wall.  
4           Unused sign area on one building or tenant wall is not available to any  
5           other building or tenant wall.
- 6           **2. Sign background.** The architectural features of a wall do not by  
7           themselves define the background area that must be included in the  
8           calculation of wall sign area.
- 9           **3. Window signs.** The placement of window signs shall not obscure more  
10          than 30 percent of the area of the window in or on which they are placed  
11          or through which they are viewed. Additionally, window signs located on  
12          Pensacola Beach must be incorporated as part of a display of  
13          merchandise or services offered and may not be affixed to a window.
- 14       **(2) Sign height.** Unless otherwise noted, freestanding sign height shall be  
15       measured from the highest adjacent grade at the base of the sign.
- 16       **(3) Sign placement.** In addition to the following placement standards, signs shall  
17       maintain industry standard clearances and otherwise avoid interference with  
18       utility lines and equipment:
- 19           **a. Prior authorization.** No signs shall be placed on any property without prior  
20           authorization of the property owner. Signs shall not be placed on public  
21           property, including public rights-of-way, or placed on private property in any  
22           manner that projects or extends a sign over public property, without  
23           applicable public agency authorizations and permits.
- 24           **b. Spacing.** Where spacing or separation standards apply, the distance shall  
25           be measured in a straight line to the center of each sign unless otherwise  
26           noted.
- 27           **c. Conflicts.** No part of any sign, exempt or non-exempt, on-premises or off-  
28           premises, temporary or permanent, shall obstruct vision on private property  
29           along a street right-of-way between three feet and nine feet above grade  
30           within 10 feet of the right-of-way. Sign placement shall also comply with sight  
31           visibility standards for driveway and street intersections and avoid conflicts  
32           with protected trees, both existing and those planted to comply with county  
33           standards.
- 34           **d. Wall sign projection.** Wall signs shall not project more than 24 inches from  
35           the supporting wall, or if mounted on a sloped roof surface, shall not extend  
36           above the roof line or project more than 48 inches from the roof surface.
- 37       **(4) Sign illumination.** Where authorized, signs may be illuminated by internal or  
38       external artificial light sources that comply with the following standards:
- 39           **a. Luminance.** Sign luminance, the light emitted by a sign or reflected from its  
40           surface, shall not be greater than necessary to reasonably allow the sign to  
41           be viewed by its primary audience (e.g., passing vehicles). Additionally, from

dusk until dawn no sign may exceed a maximum luminance level of 500 candelas per square meter ( $\text{cd/m}^2$ ), regardless of the source of illumination.

**b. Source and direction.** External light sources shall be directed onto sign faces and effectively shielded to prevent the direct illumination of any adjacent buildings or street rights-of-way. All externally illuminated signs located on Pensacola Beach shall be either face-lighted by spotlights or similar fixtures directing light only downward onto the sign surface, or shadow-lighted by indirect concealed light sources behind opaque sign elements, and shall make no use of exposed neon.

**c. Glare.** Lighting shall not create excessive glare for pedestrians, motorists or adjacent uses, or obstruct the view of traffic control devices or signs.

**d. Marine shorelines.** Along any marine shoreline, illuminated signs shall not be located on the seaward or shore-perpendicular sides of any structures, and sign lighting shall not directly, indirectly, or cumulatively illuminate the beach. Lighting along any marine shoreline is additionally limited for natural habitats as prescribed in the natural resources regulations of Chapter 4.

**(5) Electronic signs.** Electronic display and projected image signs shall comply with the following additional standards:

**a. Movement.** Only as authorized within this article may displays and projected images include dynamic messages that appear or disappear through dissolve, fade, travel, or scroll modes, or similar transitions and frame effects; or have text, animated graphics, or images that appear to move or change in size, or are revealed sequentially. None shall flash or pulsate.

**b. Display times.** Each message shall be displayed or projected a minimum of six consecutive seconds.

**c. Controls.** Each sign shall include an automatic control regulating display or projection brightness in compliance with the luminance standards of this article. Additionally, ambient light monitors shall automatically adjust the brightness to ambient light conditions, and a default control shall turn off the sign or freeze the message in one position if a malfunction of normal operation occurs.

**(6) Multi-tenant signage plans.** Development plans for any shopping center, office park, or other multi-tenant non-residential development shall include a master plan for the development's freestanding signage. The signage plan shall establish an adequate distribution among tenants of the total non-exempt freestanding site sign area and locations available to the development, including any assignment of electronic message area.

**a. Plan authority.** Upon county approval of the signage plan, non-exempt freestanding signage for the entire development and its tenants shall be as prescribed by the plan, regardless of subsequent changes in property ownership or tenancy, unless a revised signage plan for the entire

development is resubmitted by the property owner(s) and approved by the county.

- b. Plan variances.** A variance to the total freestanding signage available for distribution by a signage master plan may be requested under the provisions of Chapter 2, but no variance is available individually to any tenant subject to an approved plan.

**(7) General construction and maintenance.** Outdoor signs and their supporting structures shall comply with the following construction and maintenance requirements:

- a. Weather resistance.** Signs shall be constructed of weather resistant materials.
- b. Use of wood.** Bare wood is prohibited as part of any sign face, and wood embedded in the soil as structural support for permanent signs shall be pressure treated for in-ground use.
- c. Painting.** All painted signs and metal parts prone to corrosion shall be kept neatly painted.
- d. Wind hazard.** Signs exempt from wind load requirements of the *Florida Building Code* shall, nevertheless, be sufficiently constructed and anchored to avoid the hazard of contributing to windborne debris during severe weather.
- e. Condition.** All signs and sign structures, together with their supports, anchors, and electrical components, shall be maintained in good repair and safe condition to ensure sign messages are clearly legible and to avoid the blight and hazards of deteriorated signs.

**Sec. 5-8.5 Prohibited signs.**

The following signs, sign locations, and sign characteristics are prohibited:

- (1) Motion, light, and sound.** Any sign that moves or changes, that contains mirrors or other reflective surfaces, that produces glare, flashes or exhibits other noticeable changes in lighting intensity, or that emits visible vapors, particulates, sounds, or odors, except as specifically authorized in this article for changeable message signs.
- (2) Obscenity.** Any sign displaying words, pictures, or messages that are obscene as defined by Chapter 847, Florida Statutes, and in application of contemporary community standards of the county.
- (3) Obstruction and interference.** Any sign constructed or maintained in any manner that endangers or obstructs any firefighting equipment or any fire escape, window, door, or other means of egress. Also, any sign that interferes with any opening required for ventilation, prevents free passage from one part of a roof to any other part, or blocks a public sidewalk or required pedestrian walkway.

1       **(4) On Pensacola Beach.** The following additional signs or characteristics of signs  
2       located on Pensacola Beach, unless specifically authorized by the SRIA:  
3       searchlights, balloons, air-activated signs, wind signs, and similar devices or  
4       ornamentation designed for the purposes of attracting attention, promotion, or  
5       advertising; bare bulb illumination around a sign perimeter; back-lighted or plastic  
6       signs; projected image signs; signs on benches; banners; murals or other signs  
7       painted directly on fences, walls, or any exterior parts of a building; and roof  
8       signs.

9       **(5) Traffic hazards.** Any sign that creates a traffic hazard or a detriment to  
10      pedestrian safety. Such hazards include any sign that projects into the line of  
11      sight of a traffic signal and disrupts the minimum required sight distance; any  
12      sign that obstructs vision between pedestrians and vehicles using public rights-  
13      of-way; and any sign that imitates, resembles or interferes with the effectiveness  
14      of an official traffic sign, signal, or other traffic control device.

15      **(6) Unauthorized.** Any sign not authorized by the provisions of this article, including  
16      handbills, posters, and notices attached to trees, utility poles, park benches, or  
17      other objects and structures not designed or authorized for the attachment of  
18      signs.

19      **Sec. 5-8.6   Signs exempt from permits.**

20      **(a) General exemption.** Signs not visible from a public right-of-way or other public land  
21      are exempt from the requirement to obtain county sign permits. This general  
22      exemption does not apply to signs that are simply illegible. However, as further  
23      established in this section, additional exemptions are authorized specific to sign  
24      type, parcel use, and zoning. The following conditions apply to all authorized  
25      exemptions:

26      **(1) Remaining standards.** Exempt signs shall be designed, constructed, placed,  
27      and maintained in compliance with the provisions of this article, other applicable  
28      provisions of the LDC, and the *Florida Building Code*.

29      **(2) Prevailing limits.** No sign exemption supersedes or cancels any prohibitions or  
30      restrictions on the display of signs established in this article, any restrictive  
31      covenants of a development, or any executed lease agreements, including those  
32      for Pensacola Beach properties requiring written authorization from the SRIA  
33      before displaying signs.

34      **(3) Relation to non-exempt signs.** Exempt signage does not modify or limit the  
35      availability of non-exempt signage authorized in this article.

36      **(4) Changeable message.** Only manually rewritable forms of changeable message  
37      signs are eligible for exemption.

38      **(b) Sign-specific exemptions.** In addition to the general and parcel-specific  
39      exemptions established in this section, the following specific signs are exempt from  
40      county sign permits with the conditions noted:

- 1       **(1) Accessory devices.** Signs manufactured as standard, permanent, and integral  
2       parts of mass-produced devices accessory to authorized non-residential uses,  
3       including vending machines, fuel pumps, automated tellers, and similar devices  
4       customarily used outdoors. However, outdoor vending machines on Pensacola  
5       Beach shall be effectively screened from view from public rights-of-way.
- 6       **(2) Bus stop signs.** Signs located on bus stop shelters and benches if complying  
7       with county traffic safety placement requirements and limited to locations and  
8       signs approved by the Escambia County Area Transit (ECAT) for bus stops along  
9       ECAT system routes.
- 10      **(3) Cemetery monuments.** Permanent monuments placed within cemeteries.
- 11      **(4) Drive-through signs.** Except on Pensacola Beach, drive-through service signs,  
12      one per development parcel, a maximum 40 square feet in area and eight feet in  
13      height. Such signs shall be single-sided, located on the parcel providing the  
14      service, and adjacent to and oriented for view from the drive-through lane.
- 15      **(5) Entry and exit signs.** For any parcel of an authorized multi-family or non-  
16      residential use, one freestanding on-premises sign immediately adjacent to each  
17      authorized paved vehicular access to a public street, each sign a maximum six  
18      square feet in area and three feet in height.
- 19      **(6) Fence signs.** Signs mounted for pedestrian view on authorized fences, each  
20      sign a maximum three square feet in area (e.g., 18 in. x 24 in.) and a minimum  
21      50 feet separating any two such signs on the same fence.
- 22      **(7) Government or public signs.** Signs placed or required to be placed by  
23      agencies of county, state, or federal government, including but not limited to:  
24      traffic control signs, street address numbers, building permits, flags, notices of  
25      any court or law enforcement officer, redevelopment area gateway signs, public  
26      monuments, hazard warnings, and public information signs. These signs may  
27      deviate from the type, quantity, duration, area, color, height, placement,  
28      illumination, or other standards of this article as necessary to comply with the  
29      law, rule, ordinance, or other governmental authorization by which the signs are  
30      placed.
- 31      **(8) Integral building signs.** Signs cut into masonry surfaces, inlaid, or otherwise  
32      constructed as integral and permanent parts of buildings, each sign a maximum  
33      six square feet in area.
- 34      **(9) Projecting and under-canopy signs.** Projecting and under-canopy signs, a  
35      maximum one sign per non-residential tenant per building frontage, each a  
36      maximum four square feet in area, oriented for pedestrian view from a walkway  
37      along the supporting wall or canopy, and a minimum eight feet above the  
38      walkway.
- 39      **(10) Recreational facility signs.** Signs accessory to and within outdoor  
40      recreational facilities, only if oriented for view from within the facilities. Such  
41      signs include scoreboards, sponsor signs attached to the field side of playing  
42      field fences, and concession stand signs.

1       **(11) Temporary decorations.** Temporary decorations accessory to the authorized  
2       land use and customarily associated with a holiday or with a special event as  
3       defined in the temporary use provisions in Article 7 of Chapter 4. Except on  
4       Pensacola Beach, such decorations may include balloon and air-activated signs  
5       a maximum 10 feet in height.

6       **(12) Vehicle and trailer signs.** Signs on any motor vehicles or trailers actively in  
7       transit along public streets, and any of the following signs attached to or placed  
8       on registered, operable, and lawfully parked motor vehicles or trailers, not  
9       including manufactured (mobile) homes:

10       **a. Parked.** Signs on a vehicle at the residence of the principal driver of the  
11       vehicle, or on a vehicle or trailer at the residence of the individual to whom the  
12       unit is registered, or signs on a vehicle or trailer parked a maximum 24 hours  
13       at any site.

14       **b. Maximum area.** Signs a maximum six square feet in total area per vehicle or  
15       trailer side.

16       **c. In service.** Signs on a vehicle or trailer in the service of a licensed or  
17       otherwise bonified enterprise, and on the authorized site of that enterprise or  
18       on any site where the enterprise is actively providing its goods or services.

19       **d. In storage.** Signs on vehicles or trailers stored within parcel areas authorized  
20       for such outdoor storage, including parcels authorized for the sale, lease, or  
21       rental of vehicles or trailers.

22       **(13) Wall signs.** Signs mounted for pedestrian view on the walls of authorized  
23       principal and accessory buildings, each sign a maximum three square feet in  
24       area (e.g., 18 in. x 24 in.).

25       **(14) Wind signs.**

26       **a. Flags.** Flags accessory to the authorized land use of the parcel, and not  
27       otherwise exempt as temporary decorations, allowed in any combination of  
28       the following types with applicable limits:

29               **1. String flagging.** Except on Pensacola Beach, string flagging accessory  
30               to an authorized multi-family or non-residential use. Each flag or pennant  
31               a maximum one square foot in area, suspended from one side along a  
32               stringer line, and in combination on the line with any number of other such  
33               flags or pennants.

34               **2. Blade or feather flags.** Except on Pensacola Beach, pole-supported  
35               “blade” or “feather” type flags accessory to an authorized multi-family or  
36               non-residential use. Each flag a maximum three feet in width and 12 feet  
37               in height. A maximum one flag per 50 feet of parcel street frontage and  
38               three flags per frontage with any flag spacing.

39               **3. Other flags.** Other typically pole-supported flags (e.g., U.S. flag)  
40               accessory to the authorized use and no more than two per parcel. If flown  
41               from a pole, each flag shall be proportional to its flagpole such that the

hoist side is no greater than 25 percent of the height of a supporting vertical pole, or 50 percent of the length of a supporting pole projecting from a building wall. Vertical flagpoles within residential zoning districts or for single-family dwellings are limited to 25 feet in height and one per lot.

- b. Other wind signs.** Wind signs, other than flags or exempt temporary decorations, accessory to any authorized single-family or two-family residence, including wind socks, wind spinners, and whirligigs.

**(c) Parcel-specific exemptions.** In addition to the general and sign-specific exemptions established in this section, a separate allocation of non-illuminated freestanding signage for each development parcel is exempt from county sign permits. This parcel-specific exemption is established primarily to accommodate temporary signs of varying periods of display.

**(1) One- and two-family parcels.** Each parcel whose authorized principal use or development is single-family or two-family residential, or whose zoning district is residential (RR, LDR, MDR, HDR, LDR-PK, MDR-PK, HDR-PK, LDR-PB, MDR-PB, or HDR-PB), is authorized to display freestanding signage without county sign permits, subject to the following:

- a. Quantity, area, and height.** A maximum of two signs for each parcel, each sign a maximum six square feet in area (e.g., 24 in. x 36 in.) and six feet in height.
- b. Additional quantity.** A third sign within the same area and height limits of the initial signs is authorized for each parcel within the Agricultural, RMU, LDMU, HDMU, Commercial, HC/LI, Industrial, or Public zoning district. Alternatively, except on Pensacola Beach, a third sign is authorized for placement along the secondary street frontage of any corner lot.
- c. Additional area.** Where the parcel is within a mainland zoning district and fronts on a street having a posted speed limit of 40 mph or greater, the maximum authorized area of each sign along that frontage is doubled to 12 square feet.
- d. Portability.** The sign may be portable only if accessory to an occupied residential structure on the parcel.

**(2) Multi-family and non-residential parcels.** Each parcel whose authorized principal use or development is not single-family or two-family residential, and whose zoning is not residential (not RR, LDR, MDR, HDR, LDR-PK, MDR-PK, HDR-PK, LDR-PB, MDR-PB, or HDR-PB), is authorized to display freestanding signage without county sign permits, subject to the following:

- a. Quantity, area, and height.** A maximum of one sign per parcel street frontage, each sign a maximum 32 square feet in area (e.g., 4 ft. x 8 ft.) and 10 feet in height, except on Pensacola Beach where the sign area may not exceed 12 square feet.

- 1       **b. Additional quantity.** Within the same area and height limits of the initial  
2       sign, a second sign is authorized for any individual street frontage greater  
3       than 200 feet, and a third sign for any frontage greater than 600 feet.
- 4       **c. Additional area.** Where the parcel is within the Agricultural, RMU, LDMU,  
5       HDMU, Commercial, HC/LI, Industrial, or Public zoning district, the maximum  
6       authorized area of a sign is increased to 50 square feet.
- 7       **d. Portability.** The sign may be portable only if accessory to an occupied  
8       principal structure on the parcel.
- 9       **e. Banners.** Except on Pensacola Beach, each authorized sign may be  
10      displayed as a banner of the same maximum area if accessory to an  
11      authorized use. However, no banner shall be attached to a fence, exceed  
12      four feet in height if ground-mounted, or be displayed above the roof line if  
13      attached to a building.

14   **Sec. 5-8.7   Temporary signs by permit.**

15   Temporary signs not otherwise prohibited or exempt from county permits as prescribed  
16   in the preceding sections of this article may be authorized by permits under the  
17   conditions of this section. Temporary sign permits shall specify the authorized period of  
18   use. All temporary signs remain subject to the design, construction and maintenance  
19   standards of this article. Temporary signage by permit does not modify or limit the  
20   availability of permanent signage authorized in this article unless specifically noted. The  
21   following temporary signs are subject to the permit conditions noted:

22       **(1) Balloon and air-activated signs.** Except on Pensacola Beach, balloon signs  
23       and air-activated signs not eligible as exempt temporary decorations may be  
24       temporarily authorized by county permit for a single display period of no more  
25       than 14 days when accessory to the authorized land use. Each sign is limited a  
26       setback of no less than the height of the sign from all rights-of-way, parcel lines,  
27       and overhead utility lines. All signs shall be adequately secured to the ground to  
28       prevent horizontal movement. Relocation for use on a different parcel shall  
29       require a new temporary permit, regardless of any remaining period of the prior  
30       authorization.

31       **(2) Banners.** Banners not eligible as multi-family or non-residential parcel-specific  
32       exemptions may be temporarily authorized by county permit for grand openings  
33       and other short-term events. However, no banner may be attached to a fence,  
34       no ground-mounted banner shall exceed four feet in height, and no banner  
35       attached to a building shall be displayed above the roof line. Permitted banners  
36       shall be conspicuously marked with the permit number and dates of permitted  
37       use. Temporary banners are further limited by the following:

- 38       **a. On Pensacola Beach.** Banners may be authorized on Pensacola Beach  
39       according to the established written policies of the SRIA only if application is  
40       made to SRIA staff a minimum of 10 business days prior to the date of use.  
41       Unless otherwise authorized by the AEC for a maximum 30 days, the display  
42       of a banner is limited to a maximum 14 days.

1       **b. On mainland and Perdido Key.** Banners may be permitted when accessory  
2       to authorized multi-family or non-residential uses within mainland or Perdido  
3       Key zoning districts, each banner a maximum 60 square feet in area. For the  
4       lot of any such use, a single permit may authorize only one banner for a  
5       maximum 30 days. Additionally, no more than two permits shall be issued for  
6       the same lot during any calendar year, but the times of authorization may  
7       coincide or differ in whole or part. A banner may also be authorized by permit  
8       to exceed the limits on area and period of use when used to temporarily cover  
9       the permanent sign of a previous tenant.

10       **(3) Flags on Pensacola Beach.** Temporary flags on Pensacola Beach may be  
11       authorized for special events under the same conditions as banners.

12       **(4) Projected image signs.** Except on Perdido Key and Pensacola Beach,  
13       projected image signs may be temporarily authorized for a period of up to 30  
14       days by county permit as on-premises signs accessory to an authorized non-  
15       residential land use. Projected images shall comply with all sign illumination  
16       standards of this article.

17       **(5) Vehicle and trailer signs.** Except on Pensacola Beach, the parking or  
18       placement of a non-exempt vehicle or trailer sign may be temporarily authorized  
19       by county permit on the parcel of an authorized non-residential use for a  
20       maximum 60 days. The sign is limited to a maximum 100 square feet in area  
21       and 10 feet in height, and shall be conspicuously marked with the permit number  
22       and dates of permitted use. Relocation for use on a different parcel shall require  
23       a new temporary permit, regardless of any remaining period of the prior  
24       authorization.

25       **Sec. 5-8.8    On-premises permanent signs.**

26       **(a) Generally.** Unless authorized in this article as temporary or exempt, on-premises  
27       signs shall comply with the provisions of this section as determined by the applicable  
28       zoning district and authorized land use.

29       **(b) Mainland residential, recreation, and conservation districts.** On-premises non-  
30       exempt signs within mainland residential, recreation, and conservation zoning  
31       districts (RR, LDR, MDR, HDR, Rec, Con) shall comply with the following additional  
32       standards:

33       **(1) Residential uses.** Residential subdivisions and multi-family developments are  
34       allowed up to two signs at each development entrance. Each sign is limited to a  
35       maximum 32 square feet in area and six feet in height. A multi-family  
36       development may substitute one development entrance sign for one wall sign  
37       limited to the same 32 square feet.

38       **(2) Non-residential uses.** The principal non-residential structure on a development  
39       parcel is allowed either one freestanding sign a maximum 32 square feet in area  
40       and six feet in height, or a maximum 2.00 square feet of wall sign area per lineal  
41       foot of building frontage at grade with a minimum of 20 square feet for any  
42       individual tenant frontage.

1       **(3) Changeable message.** Manual and mechanical changeable message signs are  
2       allowed for both residential and non-residential uses, but projected image signs  
3       are prohibited and electronic message signs are limited to static message display  
4       with instantaneous change of message. These allowed forms of changeable  
5       message may be utilized for any portion of authorized sign area.

6       **(c) Mainland agricultural and mixed-use districts.** On-premises non-exempt signs  
7       within mainland agricultural and mixed-use zoning districts (Agr, RMU, LDMU,  
8       HDMU) shall comply with the following additional standards:

9       **(1) Residential uses.** Residential uses are allowed the same signage as residential  
10      uses in the mainland residential districts.

11      **(2) Non-residential uses.** Commercial subdivisions are allowed the same  
12      development entrance signage as residential subdivisions. Other principal non-  
13      residential structures on a development parcel are allowed the following signage:

14      a. **General sign allowance.** Within the Agr, RMU, and LDMU districts, either  
15      one freestanding sign a maximum 32 square feet in area and six feet in  
16      height, or a maximum 2.00 square feet of wall sign area per lineal foot of  
17      building frontage at grade with a minimum of 20 square feet for any individual  
18      tenant frontage. Non-residential uses and structures within the HDMU district  
19      are allowed the same signage as those within the mainland commercial and  
20      industrial districts.

21      b. **Increased area and height.** For properties fronting a collector or arterial  
22      street, the maximum area and height of a freestanding sign is increased to 50  
23      square feet and 10 feet respectively if the sign is at least 100 feet from any  
24      single-family or two-family dwelling. Maximum wall sign area is increased to  
25      2.50 square feet per lineal foot of building frontage if the building is more than  
26      200 feet from the public right-of-way.

27      **(3) Changeable message.** Manual and mechanical changeable message signs are  
28      allowed for both residential and non-residential uses, but projected image signs  
29      are prohibited. For residential uses, electronic message signs are limited to  
30      static message display with instantaneous change of message. Non-residential  
31      use electronic signs are also limited to static message display, but the transition  
32      from one message to the next may occur by scroll, travel, fade, or dissolve  
33      effects completed within a maximum two seconds. These allowed forms of  
34      changeable message may be utilized for any portion of authorized sign area.

35      **(d) Mainland commercial, industrial, and public districts.** On-premises non-exempt  
36      signs within mainland commercial, industrial, and public zoning districts (Com,  
37      HC/LI, Ind, Public) shall comply with the following additional standards:

38      **(1) Residential uses.** Residential uses are allowed the same signage as residential  
39      uses in the mainland residential districts.

40      **(2) Non-residential uses.** Commercial subdivisions are allowed the same  
41      development entrance signage as residential subdivisions. Other principal non-  
42      residential structures on a development parcel are allowed the following signage:

a. **Freestanding signs.** Freestanding signs are limited by characteristics of the development parcel as follows:

1. **Quantity and spacing.** One freestanding sign structure is allowed per individual parcel street frontage and one additional structure for each full acre in development parcel size above two acres, but a maximum four sign structures are allowed regardless of frontage or acreage. The structures shall be placed no less than 200 feet from any other non-exempt sign structures on the same development parcel, excluding billboards.
2. **Area and height.** A maximum 1.00 square foot of freestanding sign area is allowed per lineal foot of parcel street frontage, and a minimum total of 50 square feet is allowed for any development parcel regardless of street frontage. If the on-premises freestanding signage for an entire parcel is limited to one sign structure, the total sign area from all parcel street frontage is available to that structure, subject to area limits applicable to its location. Regardless of street frontage or number of sign structures, the maximum sign area and height for all individual freestanding signs is additionally limited by the size of the parcel and the classification of the street to which the sign structure is closest according to the following:

| Sign Location<br>by street classification      | Maximum Sign Area<br>per individual support<br>structure and<br>development parcel area |                         | Maximum<br>Sign Height |
|--|---|-------------------------|------------------------|
|  | 8 acres or<br>less  | greater than<br>8 acres |                        |
| Interstate<br>(within 125 ft. of right-of-way) | 250 sq.ft.  | 375 sq.ft.              | 50 ft.                 |
| arterial or 4-lane street                      | 250 sq.ft.  | 300 sq.ft.              | 35 ft.                 |
| collector street not 4-lane                    | 150 sq.ft.  | 225 sq.ft.              | 25 ft.                 |
| local street                                   | 100 sq.ft.  | 150 sq.ft.              | 20 ft.                 |

b. **Wall signs.** A maximum 2.25 square feet of wall sign area is allowed per lineal foot of building frontage at grade. The maximum wall sign area is increased to 2.50 square feet per lineal foot for any building frontage facing an arterial or four-lane street, and is increased to 2.75 square feet per lineal foot for any building frontage more than 200 feet from the public street right-of-way. A minimum 20 square feet is allowed for any individual unit frontage of a multi-tenant building.

(3) **Changeable message.** Manual and mechanical changeable message signs are allowed for both residential and non-residential uses. For residential uses, projected image signs are prohibited and electronic message signs are limited to

1 static message display with instantaneous change of message. For non-  
2 residential uses, projected image signs are allowed and electronic message  
3 signs may employ all display features and functions except flashing, pulsating, or  
4 full motion video display. These allowed forms of changeable message may be  
5 utilized for any portion of authorized sign area, except that electronic message  
6 area is limited to 50 percent of the total sign area on a single structure and to one  
7 sign on that structure.

8 **(e) Perdido Key districts.** On-premises non-exempt signs within Perdido Key zoning  
9 districts shall comply with the following additional standards:

10 **(1) Residential districts.** Uses in the Perdido Key residential zoning districts (LDR-  
11 PK, MDR-PK, HDR-PK) are allowed the same signage as uses in the mainland  
12 residential districts.

13 **(2) Commercial districts.** Uses in the Perdido Key commercial zoning districts  
14 (Com-PK, CC-PK, CG-PK, PR-PK) are allowed the same wall signage allowed  
15 for mainland commercial zoning districts, but only 50 percent of the freestanding  
16 sign area. The maximum area of any individual freestanding sign is 100 square  
17 feet and the minimum spacing between all freestanding signs on the same  
18 development parcel is 300 feet measured center-to-center of the sign structures.

19 **(3) Changeable message.** Changeable message signs, excluding projected image  
20 signs, are authorized for both residential and non-residential uses, but each sign  
21 is limited to 32 square feet in area.

22 **(f) Pensacola Beach districts.** On-premises non-exempt signs for any establishment  
23 within Pensacola Beach zoning districts may be wall signs, freestanding signs, or  
24 both and shall comply with the following additional standards:

25 **(1) Sign construction.**

26 **a. Colors and logo.** The colors of the main lettering and background of all  
27 signs shall be limited to the color options adopted by the SRIA, except up to  
28 one-third of a sign's area may include an establishment's logo, which may  
29 include the name or special color scheme of that establishment. Any exterior  
30 portion of a structure that deviates in color from the main part of the structure  
31 and represents the establishment's color scheme or logo is considered to be  
32 signage.

33 **b. Attached lettering.** All permanent signs shall incorporate the use of  
34 attached lettering. The use of plywood with painted-on lettering is not  
35 permitted.

36 **(2) Single-family uses.** Residential subdivisions for single-family detached or  
37 attached (townhouse) dwellings are allowed up to two signs at each development  
38 entrance. Each sign is limited to a maximum 32 square feet in area and six feet  
39 in height.

40 **(3) Multi-family and non-residential uses.** Multi-family residential developments  
41 and non-residential establishments are allowed the following signage:

1       **a. Freestanding signs.**

- 2           **1. Quantity.** One freestanding sign is allowed per master lease agreement  
3           or multi-tenant development.
- 4           **2. Area and height.** Total freestanding sign area on a single structure shall  
5           not exceed 65 square feet. Signs are encouraged to be low and  
6           horizontal in character. The top and bottom of a freestanding sign shall  
7           not exceed 14 feet and six feet, respectively, above the crown of the  
8           nearest street. However, establishments whose principal structures are  
9           750 feet or more from the street right-of-way may have freestanding signs  
10          up to 18 feet high.
- 11          **3. Placement.** Freestanding signs shall be placed within or directly adjacent  
12          to a landscaped area which shall not be smaller than the face area of the  
13          sign itself.
- 14          **4. Portable signs.** Portable signs are limited to temporary A-frame or  
15          sandwich board signs, which shall be permitted subject to the established  
16          written policies of the SRIA.

17       **b. Wall signs.**

- 18           **1. Area and quantity.** The maximum area allocated to all wall signs on a  
19           building shall not exceed 10 percent of the building wall surface area  
20           facing the addressed street, except that buildings with more than one  
21           street front may have wall sign area up to 15 percent of the wall surface  
22           facing the addressed street. The wall surface area from which sign area is  
23           determined may include the roof surface when its slope is steeper than 45  
24           degrees. The available wall sign area may be allocated to one or more  
25           wall signs mounted on a vertical wall surface, but no individual wall sign  
26           shall exceed 200 square feet, and within any multi-tenant development,  
27           each tenant is limited to 16 square feet regardless of the building total.
- 28           **2. Lighted canopies.** Lighted canopies displaying the name of the  
29           establishment require a color rendering of the proposed canopy, including  
30           dimensions of the canopy and the building to which it will be attached, to  
31           be presented for approval according to the established written policies of  
32           the SRIA.
- 33           **3. Window signs.** Interior electric signs used as window signs are limited to  
34           a total of six square feet per establishment.

- 35       **c. Changeable message.** Changeable message signs, excluding projected  
36       image signs, are allowed if incorporated into the main sign and limited to no  
37       more than one-third of its area.

38       **Sec. 5-8.9 Off-premises permanent signs (billboards).**

39       Unless authorized in this article as temporary or exempt, an off-premises sign shall be  
40       regulated as a billboard and comply with the additional provisions of this section. The

placement of a billboard does not require a minimum lot area or the presence of a principal structure on the site, but shall be subject to the following limitations:

**(1) Maximum number.** The maximum number of permitted billboard structures within the county is limited to the number existing or having received county approval as of December 12, 2001, and those additional structures allowed for replacement of billboard structures removed along scenic highways as provided in this section.

**(2) New billboards.** A building permit for the construction of a new billboard structure may only be issued after the removal of an existing billboard structure is confirmed. Confirmation may be in the form of a photograph submitted by the applicant or a site inspection by county personnel. Upon removal confirmation a certificate shall be issued to the owner of the removed structure who may redeem the certificate for a building permit to construct a new billboard structure, hold it for future redemption, or convey it to a third party for redemption.

**(3) Removal along scenic highways.** Notwithstanding the maximum number of permitted billboards, the removal of an existing billboard structure along an officially designated scenic highway will entitle the owner of the removed billboard to purchase building permits for construction of two new billboard structures at other locations complying with the provisions of this article.

**(4) Area and height.** The maximum sign area and height for an individual billboard structure is limited by the classification of the street to which the sign structure is closest according to the following:

| Billboard Location<br>by street classification | Maximum Sign Area<br>per individual support<br>structure | Maximum<br>Sign Height |
|--|--|------------------------|
| Interstate<br>(within 125 ft. of right-of-way) | 378 sq.ft.   | 50 ft.                 |
| arterial or 4-lane street                      | 378 sq.ft.   | 35 ft.                 |
| all other streets                              | 100 sq.ft.   | 20 ft.                 |

**(5) Placement.**

**a. Zoning.** Billboards are prohibited within all residential, Perdido Key, and Pensacola Beach zoning districts, and within all areas zoned Gateway Business District (GBD), Gateway Mixed Use District (GMD), Gateway Industrial District (GID), or Industrial Commerce Park District (ID-CP) prior to adoption of any mainland Commercial (C), Heavy Commercial and Light Industrial (HC/LI), or Industrial (I) zoning.

**b. Proximity to residential.** In addition to the prohibition within residential zoning districts, no billboard shall be located within 100 feet of any residentially zoned (RR, LDR, MDR, HDR) property as measured along a right-of-way. The distance shall be measured from a point where a horizontal

1 line extending from the billboard is perpendicular to the right-of-way, to the  
2 point of intersection of the residential district boundary with the right-of-way.

3 **c. Right-of-way setback.** The minimum setback of a billboard from a public  
4 street right-of-way is 15 feet to the nearest edge of the sign.

5 **d. Spacing.** The distance between billboard structures on the same side of any  
6 street other than an interstate shall be no less than 1000 feet. The distance  
7 for billboards adjacent to and facing the same side of an interstate highway  
8 shall be no less than 2000 feet. Additionally, no billboard structure may be  
9 located adjacent to or within 500 feet of an interchange or rest area as  
10 measured along the interstate from the beginning or ending of pavement  
11 widening at the exit from or entrance to the main travel way.

12 **e. Scenic roadways.** No part of a billboard shall be visible from or located  
13 within 500 feet of the right-of-way of any scenic roadway designated in the  
14 Escambia County Comprehensive Plan, specifically including Scenic Highway  
15 (SR 10A), Perdido Key Drive (SR 292), and any scenic highway designated  
16 by the State of Florida.

17 **f. Conflicting locations.** Permits for billboards are generally issued on a  
18 first-come, first-served basis. Where the proximity of proposed billboards  
19 requiring state permitting would only allow one to be constructed, the location  
20 first granted state approval will be first eligible for county approval.

21 **g. New streets.** Permits for billboards along a new public street shall not be  
22 issued until the commencement of general traffic flow on the street.



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

**Planning Board-Regular**

**6. B.**

**Meeting Date: 02/06/2018**

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**Agenda Item:**

Cargo Containers Discussion.

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**Attachments**

**Draft Regulations**

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## Article 7 Supplemental Use Regulations

### Sec. 4-7.x Shipping containers.

(a) **General.** When in compliance with the provisions of this section, shipping containers may be placed and used for purposes other than the industrial intermodal shipping for which they were designed. The primary consideration is whether the placement will be temporary or permanent. Placement authorized for a limited time and discontinued upon expiration of that time is temporary; all other container placement is considered permanent.

(b) **Limitations.** No additional regulation of shipping containers is applicable to their placement for ongoing intermodal shipping within parcels authorized for heavy commercial or industrial uses. However, the following limits apply to all authorized alternative uses and locations of shipping containers:

(1) **Container type.** Authorizations within this section are for alternative uses of general purpose dry storage containers, standard (8.5 ft. high) or "high cube" (9.5 ft. high), including tunnel and open side configurations, but not for any use of tank, drum, flat rack, half height, refrigerated, or other special purpose containers.

(2) **Other units.** The authorizations for alternative uses of containers do not authorize the use of truck bodies, semi-trailers, recreational vehicles, manufactured homes, or other units for any alternative uses, and do not authorize any permanent placement of portable storage containers.

(3) **Habitation.** No container shall be used for human habitation unless converted to habitable space in compliance with all applicable regulations and as authorized by a building permit. For these purposes, habitable space is that space within a structure designated for living, sleeping, eating, or cooking, or as habitable space may otherwise be defined by the *Florida Building Code*.

(4) **Location.** No container shall be located within any right-of-way, jurisdictional wetland, floodway, drainage swale, buffer, or greenbelt, and no container shall be allowed to obstruct or reduce any fire lane, fire escape, window, door, or other means of structure or site egress. Additionally, no container shall be permanently placed in any manner that creates nonconformance with regard to parking, loading, landscaping, lot coverage, or other site development standards.

(5) **Appearance.** Any container displayed for sale or permanently placed outdoors shall be free of all graffiti and signage.

(6) **Stacking.** No container outdoors shall be stacked upon another container or otherwise raised more than eight inches above grade unless authorized by a building permit for the construction of a structure.

(7) **Conflicts.** As prescribed for other conflicts with LDC provisions, where this section imposes lesser restrictions than covenants or other private agreements, it is the responsibility of those parties in private agreement to enforce any greater restrictions.

- (c) **Temporary placement.** Except for intermodal shipping uses at authorized heavy commercial or industrial sites, the temporary outdoor placement of a shipping container may only be authorized for the following uses:
- (1) **Portable storage containers.** Portable storage container use in compliance with the temporary uses and structures provisions in Article 7 of Chapter 4.
  - (2) **Construction containers.** Storage of construction material and equipment incidental to ongoing construction activities within the parcel on which, and during the time within which, the construction has been authorized.
  - (3) **Seasonal storage.** Seasonal storage of merchandise within the side or rear yards of a parcel whose authorized principal use is the retail sales for which the merchandise is stored. For these purposes, seasonal use is limited to a maximum 120 days per calendar year and only within parcel areas authorized for outdoor storage.
- (d) **Permanent placement.** The permanent outdoor placement of a shipping container is considered a change of use for the container, from the original intermodal shipping to use as a structure. Such structures shall only be authorized in compliance with the *Florida Building Code* and all land development regulations applicable to the structure (e.g., zoning district site and building requirements).
- (1) **Principal structures.** One or more shipping containers may be converted to a residential or non-residential principal structure, or to components of such a structure.
  - (2) **Accessory structures.** The conversion of shipping containers to accessory structures (e.g., storage sheds) is prohibited for parcels on Perdido Key and Pensacola Beach. Elsewhere, conversion to accessory structures shall comply with limits applicable to the principal use and zoning.
    - a. **Residential parcels.** Shipping containers may be converted to accessory structures within the following limits for parcels whose authorized principal use or development (e.g., subdivision) is residential, or whose zoning district is residential (RR, LDR, MDR, or HDR):
      1. **Quantity and size.** A maximum of one 20-foot container on a parcel smaller than two acres, a maximum of two containers of any size on a parcel two acres to five acres, and no container quantity or size restrictions for a parcel larger than 5 acres.
      2. **Setback.** On any parcel smaller than two acres, the minimum side and rear setback for a container shall be 10 feet.
      3. **Screening.** In addition to required side or rear yard placement, containers shall be nominally screened from view from public rights-of-way by an opaque fence a minimum of six feet in height where they are not otherwise more completely screened by other permanent structures or established evergreen vegetation.

1       **b. Non-residential parcels.** Shipping containers may be converted to  
2       accessory structures within the following limits for parcels whose authorized  
3       principal use or development is not residential, and whose zoning district is  
4       not residential (not RR, LDR, MDR, or HDR):

5       1. **Quantity.** A maximum of one container of any size per parcel acre. The  
6       calculated number of containers may be rounded to the nearest whole  
7       unit.

8       2. **Buffering.** Placement of a container on any parcel with non-conforming  
9       buffering shall require the provision of buffering in compliance with the  
10       current landscaping standards.

11  
12       **Sec. 6-0.3   Terms defined.**

13       As used within the LDC, the following terms have the meanings established here:

14                               **- S -**

15       **Shipping container.** A standardized, reusable, and portable industrial container  
16       designed and manufactured to specifications of the International Organization for  
17       Standardization for the intermodal shipping of goods and commodities by ship, rail, and  
18       truck. A shipping container may also be known as a cargo container, ISO container,  
19       intermodal container, conex (container for export) box, or sea can.