

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
August 4, 2020–8:35 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
 - A. **A. RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 6, 2020, Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for July 2020.
 - C. Planning Board 6-Month Outlook for August 2020.
5. Acceptance of Planning Board Meeting Packet.
6. Public Hearings.
 - A. A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapter 4 Regarding Recreational Vehicles

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, to expand the use of recreational vehicles as living quarters, establish related use standards, and modify related provisions.
 - B. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Section 3.04 Definitions; OBJ FLU 1.3, FLU Map Designations and FLU 3.1 Rural Development

That the Board review and recommend to the Board of County

Commissioners (BCC) for adoption, an Ordinance amending the Comprehensive Plan: amending Chapter 3, Section 3.04, Definitions; amending OBJ FLU 1.3 Future Land Use Map designations; and amending OBJ FLU 3.1 Rural Development.

C. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Sections 3-1.3, 3-2.2, and 3-2.3

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 3, Section 3-1.3 "Zoning and Future Land Use," Subsection (G) "Future Land Use Designations," and Subsection (I) "Zoning Implementation of FLU," to add the Future Land Use Category of Agriculture Residential; amending Sections 3-2.2 "Agricultural District (AGR)," and 3-2.3 "Rural Residential district (RR)" to provide for AGR and RR Zoning districts in the AR Future Land Use category.

7. Action/Discussion/Info Items.

A. Tiny Homes Discussion.

8. 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, September 1, 2020, 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

Planning Board-Regular

4. A.

Meeting Date: 08/04/2020

Agenda Item:

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 6, 2020, Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for July 2020.

C. Planning Board 6-Month Outlook for August 2020.

Attachments

Draft July 6, 2020 Rezoning Planning Board Meeting Minutes

Draft July 6, 2020 Regular Planning Board Meeting Minutes

Monthly Action Follow-Up

Six Month Outlook

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING July 6, 2020

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:35 A.M. – 12:32 P.M.)

Present: Reid Rushing
Jay Ingwell
Wayne Briske, Chairman
Timothy Pyle
Gary Sammons

Absent: Patty Hightower
Eric Fears
Walker Wilson
Stephen Opalenik

Staff Present: Allyson Lindsay, Urban Planner II
Andrew Holmer, Division Manager, Planning & Zoning
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Kayla Meador, Administrative Supervisor
Stephen West, 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 Timothy Pyle, Seconded by Jay Ingwell

Motion was made to waive the reading of the legal advertisement.

Vote: 4 - 0 Approved

Other: Reid Rushing (ABSENT)
Eric Fears (ABSENT)
Walker Wilson (ABSENT)

4. Approval of Minutes.

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 1, 2020, Planning Board Rezoning Meeting.

Motion by Timothy Pyle, Seconded by Gary Sammons

Motion was made to approve the minutes from the June 1, 2020 Rezoning Planning Board meeting.

Vote: 4 - 0 Approved

Other: Reid Rushing (ABSENT)
Eric Fears (ABSENT)
Walker Wilson (ABSENT)

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Jay Ingwell, Seconded by Gary Sammons

Motion was made to accept the meeting package.

Vote: 4 - 0 Approved

Other: Reid Rushing (ABSENT)
Eric Fears (ABSENT)
Walker Wilson (ABSENT)

6. Quasi-judicial Process Explanation.

7. Public Hearings.

- A. Case #: Z-2020-05
Applicant: William Joseph, Agent for
Patrick Neville, Owner
Address: 8838 Fowler Avenue
Property
Size:
From: HDMU, High Density Mixed
Use district (25 du/acre)
To: HC/LI-NA, Heavy Commercial
Light Industrial district,
prohibiting the subsequent
establishment of any
microbreweries,
microdistilleries,
microbreweries, bars,
nightclubs, or adult
entertainment uses (25
du/acre)

No planning board member acknowledged visiting the site.

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

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

Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to accept Staff's Exhibit A.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

Motion by Jay Ingwell, Seconded by Timothy Pyle

Motion was made to accept Staff's Findings of Fact for Criteria B, C, and E, and recommend denial.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

- B. Case #: Z-2020-06
Applicant: Tom Hammond, Agent for
Anthony Baroco, Owner

Address: Halcyon Circle
Property Size: 9.99 (+/-) acres
From: MDR, Medium Density Residential district (ten du/acre)
To: Com, Commercial (25 du/acre)

No planning board member acknowledged visiting the site.

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

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

Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to accept Tom Hammon as expert witness.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

Motion by Gary Sammons, Seconded by Jay Ingwell

Motion was made to accept petition from speaker, as information only, not evidentiary.

Vote: 3 - 2 Approved

Voted No: Reid Rushing
Timothy Pyle
Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

Motion by Gary Sammons, Seconded by Jay Ingwell

Motion was made to accept Traffic Memo as Staff's Exhibit 1.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to recommend denial, based on criteria C.

Vote: 3 - 2 Approved

Voted No: Reid Rushing
Gary Sammons
Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

8. Adjournment.

DRAFT

MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD July 6, 2020

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(12:35 P.M. – 1:42 P.M.)

Present: Reid Rushing
Jay Ingwell
Wayne Briske, Chairman
Timothy Pyle
Gary Sammons

Absent: Patty Hightower
Eric Fears
Walker Wilson
Stephen Opalenik

Staff Present: Allyson Lindsay, Urban Planner II
Andrew Holmer, Division Manager, Planning & Zoning
Griffin Vickery, Urban Planner, Planning & Zoning
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Kayla Meador, Administrative Supervisor
Stephen West, Assistant County Attorney

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4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 1, 2020, Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for June 2020.
 - C. Planning Board 6-Month Outlook for July 2020.

Motion by Reid Rushing, Seconded by Timothy Pyle

Motion was made to approve the minutes from the June 1, 2020, Planning Board meeting.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

5. Acceptance of Planning Board Meeting Packet.

6. Public Hearings.

A. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2020-02

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2020-02

Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to recommend approval to the BCC.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

B. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map: SSA-2020-03

That the Board review and recommend to the Board of County Commissioners (BCC) for action, an ordinance amending the Future Land Use Map (FLUM) of the Comprehensive Plan by Small-Scale Amendment SSA-2020-03.

Motion by Timothy Pyle, Seconded by Jay Ingwell

Motion was made to recommend approval to the BCC.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Walker Wilson (ABSENT)

C. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 7, Policy FLU 1.1.1 and FLU 5.1 to Provide for an Amendment to the 2030 Future Land Use Map named LSA-2020-02

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to DEO, an Ordinance amending the Comprehensive Plan,

Chapter 7, 2030 FLU map, for the specific parcel 25-2S-31-1303-000-000, requesting to change the existing FLUM designation from Commercial (C) to Mixed-Use Urban (MU-U) of 88.24 (+/-) acres.

Motion by Timothy Pyle, Seconded by Jay Ingwell

Motion was made to recommend approval to the BCC.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)

Walker Wilson (ABSENT)

D. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 6. Definitions, Section 6-0.3 Terms Defined

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) amending the following section to change the effective date for a lot of record from February 8, 1996 to April 16, 2015: Chapter 6, Definitions, Section 6-0.3 Terms Defined.

Motion by Reid Rushing, Seconded by Gary Sammons

Motion was made to recommend approval to the BCC.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)

Walker Wilson (ABSENT)

7. Action/Discussion/Info Items.

A. Recommendation Concerning the Review of the Comprehensive Plan Annual Report 2018/2019

That the Board review and recommend approval to the Board of County Commissioners (BCC) the 2018/2019 Comprehensive Plan Annual Report.

Motion by Timothy Pyle, Seconded by Jay Ingwell

Motion was made to move to the BCC.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)

Walker Wilson (ABSENT)

B. RVs Allowed for Living in District 5 Where Mobile Homes are Allowed Discussion.

Item was discussed. Staff will bring back as a public hearing.

C. Tiny Homes Discussion.

Item was discussed. Staff will bring back as a public hearing.

8. 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, August 4, 2020 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: July 24, 2020
RE: Monthly Action Follow-Up Report for July 2020

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

PROJECTS, PLANS, & PROGRAMS

COMMITTEES & WORKING GROUP MEETINGS

COMPREHENSIVE PLAN AMENDMENTS

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

LSA-2019-05 FLU change from C to MU-U
12-03-19 PB recommended approval
01-07-20 BCC dropped case
04-02-20 BCC postponed
06-18-20 BCC meeting (pulled by applicant)
08-06-20 BCC meeting

SSA-2020-01 FLU change from C to MU-S
06-01-20 PB recommended approval
07-02-20 BCC approved

SSA-2020-02 FLU change from C to MU-S
07-06-20 PB recommended approval
08-06-20 BCC approved

SSA-2020-03 FLU change from C to MU-U

07-06-20 PB recommended approval

08-06-20 BCC approved

LSA-2020-02 FLU change from C to MU-U

07-06-20 PB recommended approval

08-06-20 BCC approved

LAND DEVELOPMENT CODE ORDINANCES

Change LOR Date

07-06-20 PB recommended approval

08-06-20 BCC meeting

REZONING CASES

1. Rezoning Case Z-2020-03
 - 06-01-20 PB recommended approval
 - 07-02-20 BCC continued case
 - 08-06-20 BCC meeting

2. Rezoning Case Z-2020-05
 - 07-06-20 PB recommended denial
 - 08-06-20 BCC meeting

3. Rezoning Case Z-2020-06
 - 07-06-20 PB recommended denial
 - 08-06-20 BCC meeting

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR AUGUST 2020

(Revised 7/24/20)

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

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

Meeting Date	LDC Changes and/or Public Hearings	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Tuesday, August 4, 2020	<ul style="list-style-type: none"> • RVs in D5 • Implementation of new AR FLU 	<ul style="list-style-type: none"> • New AR FLU 		<ul style="list-style-type: none"> • Tiny Homes
Tuesday, September 1, 2020				
Tuesday, October 6, 2020				
Tuesday, November 2, 2020				
Tuesday, December 1, 2020				
Tuesday, January 5, 2021				

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



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. A.

Meeting Date: 08/04/2020

Issue: A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapter 4 Regarding Recreational Vehicles

From: HORACE JONES, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapter 4 Regarding Recreational Vehicles

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, to expand the use of recreational vehicles as living quarters, establish related use standards, and modify related provisions.

BACKGROUND:

Although recreational vehicles are not dwelling units, they can provide useful temporary living quarters beyond their primary recreational, camping, and travel uses. However, any such use of recreational vehicles outside of duly licensed campgrounds, recreational vehicle parks, or mobile home parks requires land use standards to protect the public health, safety, and general welfare.

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 Kia M. Johnson, Assistant County Attorney. Any recommendations or legal sufficiency comments made in that review are also attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

Amendment of the LDC requires public hearing review and recommendation by the Board prior to action by the BCC. 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 staff and interested citizens.

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.

Attachments

Draft Ordinance

1 ORDINANCE NUMBER 2020-_____

2 AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING
3 PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE
4 LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS
5 AMENDED, AMENDING CHAPTER 4, SECTION 4-7.9 "OUTDOOR
6 STORAGE," TO REMOVE REQUIRED ON-PREMISES OWNER
7 RESIDENCE FOR A RECREATIONAL VEHICLE STORED ACCESSORY
8 TO A DWELLING; AND AMENDING SECTION 4-7.10 "RECREATIONAL
9 VEHICLES," TO EXPAND THE USE OF RECREATIONAL VEHICLES AS
10 LIVING QUARTERS AND ESTABLISH RELATED USE STANDARDS;
11 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN
12 THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

16 **WHEREAS**, recreational vehicles are not dwelling units but can, nonetheless,
17 provide useful temporary living quarters beyond their primary recreational, camping, and
18 travel uses; and,

19 **WHEREAS**, the use of recreational vehicles as living quarters outside of duly
20 licensed campgrounds, recreational vehicle parks, or mobile home parks requires land
21 use standards to protect the public health, safety, and general welfare;

22 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
23 of Escambia County that the following regulation is hereby adopted:

24 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development
25 Code of Escambia County, Chapter 4, Location and Use Regulations, Section 4-7.9,
26 Outdoor storage, is hereby amended as follows (words underlined are additions and
27 words ~~stricken~~ are deletions):

28 **Sec. 4-7.9 Outdoor storage.**

29 **General.** Where the LDC allows any outdoor storage of equipment, goods, junk,
30 material, or merchandise, the storage shall comply with the regulations of this section
31 unless specifically identified in the LDC as exempt from these regulations. The
32 regulations are intended to allow outdoor storage, including retail display, while assuring
33 it is not a hazard to public health and safety, does not have a depreciating effect on

1 adjacent property values, and does not create nuisance conditions. Unless specifically
2 identified as a principal use, outdoor storage in all zoning districts is limited to items
3 accessory (subordinate and incidental) to a permitted principal use on the same parcel,
4 and complying with the provisions of this section.

5 **(a) Exemptions.** The following storage is exempt from the regulations of this section:

6 **Construction and landscaping.** Construction and landscaping materials and
7 equipment incidental to ongoing construction or landscaping activities within the
8 parcel on which the materials and equipment are stored.

9 **(b) Residential uses.** Outdoor storage for all residential uses is limited to items
10 accessory to the use of a dwelling, on the lot occupied by the dwelling, and
11 complying with the following conditions:

12 **(1)** Rear or side yard storage of firewood for the purpose of consumption only by
13 those residing on the premises.

14 **(2)** Recreational vehicle storage if the vehicle is ~~the property of a person residing on~~
15 ~~the premises, is licensed and operable,~~ and is stored no closer than five feet from
16 a side or rear lot line. Additionally, such stored vehicles shall not encroach on a
17 public right-of-way or public sidewalk.

18 **(3)** Items not intended for outdoor use or storage shall not be stored outdoors
19 regardless of resistance to deterioration by the elements.

20 **(c) Retail display.** Outdoor retail display shall comply with the following standards:

21 **(1) Accessory.** The display shall be accessory to a permitted retail use on the
22 same parcel.

23 **(2) Access.** The display shall not be located where it will interfere with any required
24 vehicular or pedestrian access, including access to public rights-of-way, parking
25 stalls, loading zones, driveways, drive aisles, fire lanes, hydrants, alarms,
26 emergency exits, or sidewalks. Additionally, displays shall not interfere with any
27 sight visibility triangles prescribed in Chapter 5, or any utilities, services or
28 drainage systems.

29 **(3) Order.** Items displayed shall be maintained in a neat and orderly manner.

30 **(4) Height.** The height of items displayed shall not exceed the height of any
31 required screening.

32 **(5) Condition of approval.** The location of permissible display area shall be
33 established as a condition of any applicable county approval for a retail use.

34

- 1 To regulate outdoor storage and determine the proper screening requirements for such
 2 storage, the following storage categories and standards are established:

Class	Description for Outdoor Storage
Class 1	<ul style="list-style-type: none"> • Construction materials on active construction sites.
Class 2	<ul style="list-style-type: none"> • Live plants not displayed for sale. • Goods incidental to agriculture or the provision of agricultural services.
Class 3	<ul style="list-style-type: none"> • Vehicles, including recreational, trailers, construction, and watercraft, at dealerships or a mini-warehouse. • Retail funerary sales.
Class 4	<ul style="list-style-type: none"> • Items outdoors during business hours.
Class 5	<ul style="list-style-type: none"> • Vehicles including recreational, trailers, construction, and watercraft excluding vehicles located at residences. • Hazardous or toxic substances • The storage, sale, dismantling, or other processing of used or waste goods or materials that are not intended for reuse in their original forms. • Materials or equipment. • Storage of vehicles or equipment for maintenance, repair, or servicing. • Raw or finished materials incidental to manufacture, processing, fabrication, assembly, treatment, and packaging of products. • The storage incidental to offices or administrative, clerical, or public contact services, together with incidental storage and maintenance of necessary vehicles.

3

(A) Standard	(B) Class 1	(C) Class 2	(D) Class 3	(E) Class 4	(F) Class 5
Yard or driveway.					
Rear yard unless the area is screened in accordance with LDC Section 7.01.06.E.					
Standard A-2 buffer is required where abutting any residential district.					
Screened in accordance with LDC Section 7.01.06.E.					

4

1 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development
2 Code of Escambia County, Chapter 4, Location and Use Regulations, Section 4-7.10,
3 Recreational vehicles, is hereby amended as follows (words underlined are additions and
4 words ~~stricken~~ are deletions):

5 **Sec. 4-7.10 Recreational vehicles.**

6 ~~Recreational vehicles are designed primarily as temporary living quarters for~~
7 ~~recreational, camping, or travel use. Except under the disaster recovery temporary use~~
8 ~~provisions of this chapter, the use of a recreational vehicle as living quarters for more~~
9 ~~than 14 days in any calendar year is prohibited except in duly licensed campgrounds or~~
10 ~~mobile home parks. All recreational vehicles located in residential districts, except for~~
11 ~~those being stored and not occupied and located on the same lot with the principal~~
12 ~~structure, shall be removed within 60 days from notification.~~

13 Recreational vehicles (RVs), as defined in Chapter 6, are designed primarily as
14 temporary living quarters for recreational, camping, or travel use. The use and outdoor
15 storage of RVs is limited by the following:

16 (1) **Outdoor storage.** The outdoor storage of an unoccupied RV is allowed
17 accessory to a residential dwelling as authorized conditionally by the outdoor
18 storage section of this article. For all other land uses, outdoor RV storage is
19 limited to that specifically authorized by the applicable zoning district. No RV
20 storage is authorized to encroach on a public right-of-way or access easement.

21 (2) **Living Quarters.** The use of a RV as living quarters for more than 14 days in
22 any calendar year is prohibited outside of duly licensed campgrounds, RV parks,
23 or mobile home parks, except as specifically authorized herein. Use of a RV as
24 living quarters for any period requires authorization of the landowner and
25 compliance with the following as applicable:

26 a. **Short-term use.** In any zoning district, short-term use (no more than 14 days
27 in any calendar year) of a single RV as living quarters outside of a duly
28 licensed campground, RV park, or mobile home park may be authorized on a
29 parcel by a land use certificate, provided the RV complies with the use
30 standards of this section and remains fully licensed and ready for highway
31 use. Such readiness requires that the RV be on wheels or a jacking system,
32 be attached to the site only by quick-disconnect type utilities and security
33 devices, and have no permanent attachments such as additions, rooms,
34 stairs, decks or porches.

35 b. **Use within District 5.** For any parcel within the established limits of BCC
36 commissioner District 5, RV use as living quarters for more than 14 days in a
37 calendar year may be authorized on the parcel by a land use certificate,
38 provided the parcel and RV placement comply with the following conditions in
39 addition to the RV use standards of this section:

- 1 **1. Manufactured home permitted.** The zoning of the parcel specifically
2 includes individual manufactured (mobile) homes among the permitted
3 residential uses of the district.
- 4 **2. Not in platted subdivision.** The parcel is not a lot or other parcel of a
5 platted subdivision.
- 6 **3. A lot of record.** The parcel is a lot of record as defined in Chapter 6.
- 7 **4. Only RV on parcel.** The RV is the only RV occupied as living quarters on
8 the parcel.
- 9 **5. Only RV use of owner.** The RV is the only RV occupied as living
10 quarters on any contiguous parcels (those sharing any boundary point in
11 common) owned in whole or part by the same landowner of record.
- 12 **6. Not in hazard areas.** The RV is not placed within a FEMA designated
13 Special Flood Hazard Area, a state designated Coastal High-hazard Area,
14 or a county designated Evacuation Zone A, B, or C.
- 15 **c. Use during dwelling construction.** For any parcel where a building permit
16 has been issued for the construction of a single-family dwelling as the
17 principal structure on the parcel, the use of a single RV as temporary living
18 quarters may be authorized on the parcel by a land use certificate, but only
19 for use while the permit is valid and the dwelling is under construction. RV
20 placement shall comply with accessory structure setbacks to the extent
21 practical. After a certificate of occupancy is issued for the new dwelling or
22 other conclusion of the permit, the RV use is no longer authorized. Any
23 subsequent use or storage of the RV on the parcel is subject to the applicable
24 provisions of this section and may require reauthorization, relocation, or
25 disconnection of utility services.
- 26 **d. Use for disaster recovery.** If a natural or man-made disaster requires
27 temporary housing to facilitate repair or replacement of a damaged structure,
28 a RV may be allowed to provide the disaster recovery housing as authorized
29 conditionally by the temporary uses and structures section of this article.
- 30 **e. Standards for use.** Authorization of RV use as living quarters on a parcel
31 outside of a duly licensed campground, RV park, or mobile home park does
32 not authorize any structural additions to the RV or any accessory structures
33 on the parcel. Additionally, the RV use shall comply with the following
34 standards:
- 35 **1. Authorization.** Any individual authorization (e.g., land use certificate) of
36 RV use on the parcel is maintained on the parcel to be available on
37 request by county code enforcement officers.
- 38 **2. Setbacks.** The RV placement complies with the parcel boundary
39 setbacks applicable to a principal structure on the parcel, except as may
40 be authorized for disaster recovery or use during dwelling construction.

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- 3. **Utilities.** If the RV requires the installation of site utilities, they are obtained through applicable land use approval and building permits (e.g., electrical, plumbing).
- 4. **Site preparation.** If the RV site requires land clearing or driveway connection, applicable permits for the activities (e.g. land disturbance, tree removal, driveway construction) are obtained. For tree removal, RVs are not separately eligible for any protected tree exemptions available to single-family dwellings.
- 5. **Waste.** All sewage and other liquid waste from the RV are discharged directly into a sewage treatment and disposal system or other manner of collection and disposal specified and approved for such waste by the Florida Department of Health. All solid waste is contained and disposed of in compliance with county ordinances.

14

INTENTIONALLY LEFT BLANK

1 **Section 3. Severability.**

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

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

6 The Board of County Commissioners intends that the provisions of this ordinance
7 will be codified as required by Section 125.68, Florida Statutes (2018), and that the
8 sections of this ordinance may be renumbered or relettered and the word "ordinance" may
9 be changed to "section," "article," or such other appropriate word or phrase in order to
10 accomplish its intentions.

11 **Section 5. Effective date.**

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

13 DONE AND ENACTED this ____ day of _____, 2020.

14 BOARD OF COUNTY COMMISSIONERS
15 ESCAMBIA COUNTY, FLORIDA

16 By: _____
17 Steven Barry, Chairman

17 ATTEST: Pam Childers
18 Clerk of the Circuit Court

19
20 By: _____ Date Executed: _____
21 Deputy Clerk

22
23 (SEAL)

24 ENACTED:

25 FILED WITH THE DEPARTMENT OF STATE:

26
27 EFFECTIVE DATE:
28
29



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. B.

Meeting Date: 08/04/2020

Issue: A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Section 3.04 Definitions; OBJ FLU 1.3 and FLU 3.1

From: HORACE JONES, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Section 3.04 Definitions; OBJ FLU 1.3, FLU Map Designations and FLU 3.1 Rural Development

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Comprehensive Plan: amending Chapter 3, Section 3.04, Definitions; amending OBJ FLU 1.3 Future Land Use Map designations; and amending OBJ FLU 3.1 Rural Development.

BACKGROUND:

Escambia County Board of County Commissioners finds that the current Comprehensive Plan Section FLU 3.1.5 restricts the ability of a person or entity to obtain approval of a comprehensive plan amendment to the Rural Community (RC) future land use category; the Board has determined that FLU 3.1.5 unduly limits the Board's ability to manage growth and development within the County and should be amended.

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 Kia M. Johnson, 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 Comprehensive Plan , will be filed with the Department of State following adoption by the board.

Implementation of this Ordinance will consist of an amendment to the Comprehensive Plan 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.

Attachments

Draft Ordinance

1 **ORDINANCE NUMBER 2020-_____**
2

3 **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE**
4 **ESCAMBIA COUNTY 2030 COMPREHENSIVE PLAN, AS AMENDED;**
5 **AMENDING CHAPTER 3, SECTION 3.04 DEFINITIONS; AMENDING**
6 **OBJ FLU 1.3 FUTURE LAND USE MAP DESIGNATIONS; AMENDING**
7 **OBJ FLU 3.1 RURAL DEVELOPMENT; PROVIDING FOR**
8 **SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND**
9 **PROVIDING FOR AN EFFECTIVE DATE.**
10

11 **WHEREAS**, pursuant to Chapter 163, Part II, Florida Statutes, Escambia County
12 adopted its Comprehensive Plan on April 29, 2014; and
13

14 **WHEREAS**, Chapter 125, Florida Statutes, empowers the Board of County
15 Commissioners of Escambia County, Florida to prepare, amend and enforce
16 comprehensive plans for the development of the County; and
17

18 **WHEREAS**, Chapter 163.3177, Florida Statutes, establishes the required and
19 optional elements which are reflected in the Escambia County Comprehensive Plan
20 (2030); and
21

22 **WHEREAS**, a local government is entitled to consider data such as the Goals and
23 Policies of the Escambia County Comprehensive Plan, projected population growth,
24 among other things, and should react to the data in an appropriate way and to the extent
25 necessary to achieve the stated goals of the local government and its Comprehensive
26 Plan; and
27

28 **WHEREAS**, Chapter 163.3184, Florida Statutes, establishes the process by which
29 a local government may amend its Comprehensive Plan as may be necessary from time-
30 to-time; and
31

32 **WHEREAS**, the Escambia County Board of County Commissioners finds that the
33 current Comprehensive Plan Section FLU 3.1.5 restricts the ability of a person or entity to
34 obtain approval of a comprehensive plan amendment to the Rural Community (RC) future
35 land use category; and
36

37 **WHEREAS**, the Board of County Commissioners has determined that FLU 3.1.5
38 unduly limits the Board’s ability to manage growth and development within the County and
39 should be amended; and
40

41 **WHEREAS**, the Board of County Commissioners has determined that
42 amendments to OBJ FLU 1.3, “Future Land Use Map Designations,” and OBJ FLU 3.1,
43 “Rural Development,” are also necessary to achieve the stated goal; and

1 **WHEREAS**, the proposed amendments were transmitted to state agencies as
2 required by Sec. 163.3184, Florida Statutes, and no agency had any comment or objection
3 to the amendments; and
4

5 **WHEREAS**, amendment to Section 3.04 Definitions, adding a definition for
6 “Existing Rural Communities” will provide guidance for growth in the Rural area while
7 addressing compatibility with the surrounding development; and
8

9 **WHEREAS**, the Board of County Commissioners reviewed and considered all
10 reports and comments provided by the state land planning agency, citizens, and any other
11 persons, agencies or governments; and
12

13 **WHEREAS**, the Escambia County Board of County Commissioners finds that an
14 amendment to its Comprehensive Plan is necessary and appropriate based on the Goals
15 and Policies of the Escambia County Comprehensive Plan; and
16

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

19 **Section 1. Recitals**

20 The above recitals are true and correct and are incorporated herein by reference.

21 **Section 2. Purpose and Intent**

22 This Ordinance is enacted to carry out the purpose and intent of, and exercise the
23 authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215,
24 Florida Statutes.

25 **Section 3. Title of Comprehensive Plan Amendment**

26 This Comprehensive Plan Amendment shall be entitled “CPA 2020-01.”

27 **Section 4. Amendment to Chapter 3, Section 3.04 of the Escambia County**
28 **Comprehensive Plan**

29 Chapter 3, Section 3.04 Definitions is hereby amended as follows (deletions shown as
30 strike-thru; additions are underlined):

31 **Section 3.04 Definitions.**

32 **Airport:** Means any area of land or water designed and set aside for the landing and
33 taking off of aircraft and use or to be used in the interest of the public for such purpose.

34 **Airport hazard:** Means an obstruction to air navigation which affects the safe and efficient
35 use of navigable airspace or the operation of planned or existing air navigation and
36 communication facilities.

- 1 **Airport hazard area:** Means any area of land or water upon which an airport hazard
2 might be established.
- 3 **Airport obstruction:** Means any existing or proposed object, terrain, or structure
4 construction or alternation that exceeds the federal obstruction standards contained in
5 the 14 C.F.R. part 77, subpart C, as may be amended. This term includes: any object of
6 natural growth or terrain; permanent or temporary construction or alteration, including
7 equipment or materials used and any permanent or temporary apparatus; or alteration of
8 any permanent or temporary existing structure by a change in the structure's height,
9 including appurtenances, lateral dimensions, and equipment or materials used in the
10 structure.
- 11 **Airport Obstruction Notification Zone:** A zone established around any airport to
12 regulate airport hazard areas and airport obstructions.
- 13 **Avigation easement:** An easement that gives a clear property right to maintain flight
14 operations in the airspace above the property.
- 15 **Buffer:** A designated area with natural and/or manmade features functioning to minimize
16 or eliminate adverse impacts on adjoining land uses or wetlands, as defined by Florida
17 Statutes.
- 18 **Commercial use:** Any non-residential use that is typically carried out for the purpose of
19 monetary gain, including, but not limited to, any business use or activity at a scale greater
20 than a home occupation.
- 21 **Compact development:** A development pattern typically featuring narrow streets,
22 multifunction structures (such as residential over retail), multifamily housing, front
23 porches, small lots, wide sidewalks, neighborhood parks, community landscaping, easily
24 walkable distances from residences to local commercial uses, places of employment, and
25 schools.
- 26 **Concurrency:** The condition or circumstance that, at the time that new demands are
27 placed on public facilities, facility capacities will meet or exceed the adopted level of
28 service (LOS) standards established by the Comprehensive Plan.
- 29 **Conservation:** The act of preserving, guarding, or protecting; keeping in a safe or entire
30 state; preservation.
- 31 **Conservation subdivision:** A form of residential subdivision characterized by clustered
32 compact lots, common open space and natural features, used to protect agricultural
33 lands, open space or other natural or historical resources while allowing for the maximum
34 number of dwellings under applicable zoning and subdivision regulations.
- 35 **Deficiencies:** Inadequacies, insufficiencies, or the falling short of a prescribed norm.
- 36 **Density:** An objective measurement of the number of people or residential units allowed
37 per unit of land, such as residents or employees per acre.
- 38 **Development:** The carrying out of any building activity or mining operation, the making
39 of any material change in the use or appearance of any structure or land, or the dividing

1 of land into three or more parcels. Specific activities or uses involving or excluded from
2 development are defined in Florida Statutes.

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

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

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

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

25 **Existing rural communities:** Established rural residential or mixed-use areas within the
26 Agriculture, Agriculture Residential, and Rural Community future land use categories that
27 are developed land that contain homes and/or businesses including agricultural and
28 agricultural related operation, and/or other civic and community uses that are located
29 along Highways, Federal Roads, and Major County Roads as identified on the Future
30 Land Use Map.

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

33

34 **Section 5. Amendment to GOAL FLU 1 FUTURE DEVELOPMENT PATTERN, OBJ**
35 **FLU 1.3 Future Land Use Map Designations**

1 OBJ FLU 1.3 is hereby amended as follows (deletions shown as strike-thru; additions are
2 underlined):

3 **OBJ FLU 1.3 Future Land Use Map Designations**

4 Designate land uses on the FLUM to discourage urban sprawl, promote mixed use,
5 compact development in urban areas, and support development compatible with the
6 protection and preservation of rural areas.

7 **POLICIES**

8 **FLU 1.3.1 Future Land Use Categories.** General descriptions, range of allowable uses,
9 and residential densities and non-residential intensities for all future land use categories
10 in Escambia County are outlined below.

11 **FLUM Agriculture (AG)**

12 **General Description:** Intended for routine agricultural and silvicultural related activities
13 and very low density residential uses. Also allows for commercial activity limited to those
14 endeavors ancillary to agricultural and silvicultural pursuits or in support of agricultural
15 activities such as seed, feed and food outlets, farm equipment and repair and veterinary
16 services.

17 **Range of Allowable Uses:**

18 Agriculture, silviculture, residential, recreational, public and civic, limited ancillary or
19 supportive, commercial.

20 **Standards:**

21 **Residential** Maximum Density: 1 du/20 acres

22 **Non-Residential:** Minimum Intensity: None.

23 Maximum Intensity: 0.25 Floor Area Ratio (FAR).

25 **FLUM Agriculture Residential (AR)**

27 **General Description:** Intended for routine agricultural and silvicultural related activities
28 and low to medium density residential uses. Also allows for commercial activity limited to
29 those endeavors ancillary to agricultural and silvicultural pursuits or in support of
30 agricultural activities such as seed, feed and food outlets, farm equipment and repair and
31 veterinary services.

32 **Range of Allowable Uses:**

1 Agriculture, silviculture, residential, recreational, public and civic, limited ancillary or
2 supportive, commercial.

3 **Standards:**

4 **Residential** Maximum Density: 1 du/4 acres

5 **Non-Residential** Minimum Intensity: None

6 Maximum Intensity: 0.25 Floor Area Ratio (FAR)

7

8 **FLUM Rural Community (RC)**

9 **General Description:** Intended to recognize existing residential development and
10 neighborhood serving nonresidential activity while supporting new development through
11 a compact development pattern that serves the rural and agricultural areas of Escambia
12 County.

13 **Range of Allowable Uses:**

14 Agriculture, silviculture, residential, recreational facilities, public and civic, compact
15 traditional neighborhood supportive commercial.

16 **Standards:**

17 **Residential** Maximum Density: 2 du/acre

18 **Non-Residential** Minimum Intensity: None

19 Maximum Intensity: 0.25 Floor Area Ratio (FAR)

20

21 **Section 6. Amendment to GOAL FLU 3 RURAL STRATEGIES, OBJ FLU 3.1 Rural**
22 **Development**

23 OBJ FLU 3.1 is hereby amended as follows (deletions shown as ~~strike-thru~~; additions are
24 underlined):

25

26 **GOAL FLU 3 RURAL STRATEGIES**

27 Escambia County will promote rural strategies, including protecting agriculture,
28 silviculture, and related activities, protecting and preserving natural resources and guiding
29 new development toward existing rural communities.

30

31 **OBJ FLU 3.1 Rural Development**

32

33 **All new development within rural areas, including commercial development, that is**
34 **compatible with the protection and preservation of rural areas will be directed to**
35 **existing rural communities.**

36

37 **POLICIES**

1
2 **FLU 3.1.1 Infrastructure Expenditures.** Escambia County will limit the expenditure of
3 public funds for infrastructure improvements or extensions that would increase the
4 capacity of those facilities beyond that necessary to support the densities and intensities
5 of use established by this plan unless such expenditures are necessary to implement
6 other policies of this plan.

7
8 **FLU 3.1.2 Water Facility Extensions.** Escambia County will coordinate with potable
9 water providers on any extensions of potable water facilities in the rural area.

10
11 **FLU 3.1.3 FLUM Amendments.** During consideration of FLUM amendments, Escambia
12 County will consider the impacts of increased residential densities to the agriculture and
13 silviculture industries as well as public facility maintenance and operation expenditures
14 (i.e., roads, water, sewer, schools,) needed to serve the proposed development.

15
16 **FLU 3.1.4 Rezoning.** Escambia County will protect agriculture and the rural lifestyle of
17 northern Escambia County by permitting re-zonings to districts, allowing for higher
18 residential densities in the Rural Community (RC) future land use category.

19
20 **FLU 3.1.5 New Rural Communities.** To protect silviculture, agriculture, and agriculture-
21 related activities Escambia County ~~will not support~~ will guide the establishment of new
22 rural communities towards existing rural communities.

23 24 **Section 7. Severability**

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

28 **Section 8. Inclusion in the Code**

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

34
35 **THIS SPACE INTENTIONALLY BLANK**
36
37

1 **Section 9. Effective Date**

2 Pursuant to Section 163.3184(3)(c), Florida Statutes, this Ordinance shall not become
3 effective until 31 days after adoption. If challenged within 30 days after adoption, this
4 Ordinance shall not become effective until the State Planning Agency or the
5 Administration Commission enters a final order determining the Ordinance to be in
6 compliance.

7

8 **DONE AND ENACTED** this _____ day of _____, 2020.

9

10

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

11

12

13

**By: _____
Steven Barry, Chairman**

14

15

16

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

17

18

19

**By: _____
Deputy Clerk**

20

21

(SEAL)

22

23

ENACTED:

24

FILED WITH THE DEPARTMENT OF STATE:

25

EFFECTIVE DATE:

26



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. C.

Meeting Date: 08/04/2020

Issue: A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Sections 3-1.3, 3-2.2, and 3-2.3

From: HORACE JONES, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Sections 3-1.3, 3-2.2, and 3-2.3

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 3, Section 3-1.3 "Zoning and Future Land Use," Subsection (G) "Future Land Use Designations," and Subsection (I) "Zoning Implementation of FLU," to add the Future Land Use Category of Agriculture Residential; amending Sections 3-2.2 "Agricultural District (AGR)," and 3-2.3 "Rural Residential district (RR)" to provide for AGR and RR Zoning districts in the AR Future Land Use category.

BACKGROUND:

Escambia County Board of County Commissioners found that the current Comprehensive Plan Section FLU 3.1.5 restricted the ability of a person or entity to obtain approval of a comprehensive plan amendment to the Rural Community (RC) future land use category. the Board of County Commissioners determined that FLU 3.1.5 unduly limited the Board's ability to manage growth and development within the County; the Board found that an amendment to its Comprehensive Plan was necessary and appropriate based on the Goals and Policies of the Escambia County Comprehensive Plan.

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 Kia M. Johnson, 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.

Attachments

Draft Ordinance

1 ORDINANCE NUMBER 2020-____
2

3 AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING
4 PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE
5 LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS
6 AMENDED; AMENDING CHAPTER 3, SECTION 3-1.3 "ZONING AND
7 FUTURE LAND USE," SUBSECTION (G) "FUTURE LAND USE
8 DESIGNATIONS," AND SUBSECTION (I) "ZONING IMPLEMENTATION
9 OF FLU," TO ADD THE FUTURE LAND USE CATEGORY OF
10 AGRICULTURE RESIDENTIAL; AMENDING SECTIONS 3-2.2
11 "AGRICULTURAL DISTRICT (AGR)," AND 3-2.3 "RURAL
12 RESIDENTIAL DISTRICT (RR)" TO PROVIDE FOR AGR AND RR
13 ZONING DISTRICTS IN THE AR FUTURE LAND USE CATEGORY;
14 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN
15 THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

16
17 **WHEREAS**, through its Land Development Code (LDC), the Escambia County
18 Board of County Commissioners desires to preserve the county as a desirable community
19 in which to live, vacation, and do business; and
20

21 **WHEREAS**, the Board adopted an ordinance amending the Escambia County
22 Comprehensive Plan to amend the Future Land Use (FLU) map designations and
23 policies; and
24

25 **WHEREAS**, the Escambia County Board of County Commissioners found that the
26 current Comprehensive Plan Section FLU 3.1.5 restricted the ability of a person or entity
27 to obtain approval of a comprehensive plan amendment to the Rural Community (RC)
28 future land use category; and
29

30 **WHEREAS**, the Board of County Commissioners determined that FLU 3.1.5 unduly
31 limited the Board's ability to manage growth and development within the County; and
32

33 **WHEREAS**, the Board of County Commissioners determined that amendments to
34 OBJ FLU 1.3, "Future Land Use Map Designations," and OBJ FLU 3.1, "Rural
35 Development," were also necessary to achieve the stated goal; and
36

37 **WHEREAS**, the proposed amendments were transmitted to state agencies as
38 required by Sec. 163.3184, Florida Statutes, and no agency had any comment or objection
39 to the amendments; and
40

41 **WHEREAS**, the Board of County Commissioners reviewed and considered all
42 reports and comments provided by the state land planning agency, citizens, and any other
43 persons, agencies or governments; and
44

1 **WHEREAS**, the Escambia County Board of County Commissioners found that an
2 amendment to its Comprehensive Plan was necessary and appropriate based on the
3 Goals and Policies of the Escambia County Comprehensive Plan; and
4

5 **WHEREAS**, the Board now finds that amending the Land Development Code to
6 incorporate the new future land use category of Agriculture Residential (AR) is consistent
7 with the Escambia County Comprehensive Plan.

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

10
11 **Section 1. Recitals**

12 The above recitals are true and correct and are incorporated herein by reference.

13 **Section 2. Amendment to Chapter 3, Section 3-1.3 of the Escambia County Land**
14 **Development Code**

15
16 Part III of the Escambia County Code of Ordinances, the Land Development Code of
17 Escambia County, Chapter 3, Section 3-1.3 “Zoning and future land use,” subsection (g)
18 “Future land use designations,” and subsection (i) “Zoning implementation of FLU,” is
19 hereby amended as follows (words underlined are additions and words ~~stricken~~ are
20 deletions):

21 **Sec. 3-1.3 Zoning and future land use.**

22 **(g) Future land use designations.** The future land use categories established within the
23 comprehensive plan and referenced in the LDC are designated by the following
24 abbreviations and names:

25 AG Agriculture

26 AR Agriculture residential

27 RC Rural community

28 MU-S Mixed-use suburban

29 MU-U Mixed-use urban

30 C Commercial

31 I Industrial

32 P Public

33 REC Recreation

- 1 CON Conservation
- 2 MU-PK Mixed-use - Perdido Key
- 3 MU-PB Mixed-use - Pensacola Beach

4 **(i) Zoning implementation of FLU.** The zoning districts of this chapter are established to
 5 implement the future land use categories adopted in chapter 7 of the comprehensive plan.
 6 One or more districts may implement the range of allowed uses of each FLU, but only at
 7 densities and intensities of use consistent with the established purposes and standards of the
 8 category. The Perdido Key districts (article 4) implement the MU-PK category and areas of
 9 the conservation and recreation categories applicable to Perdido Key. The Pensacola Beach
 10 districts (article 5) implement the MU-PB category and areas of the conservation and
 11 recreation categories applicable to Santa Rosa Island. The mainland districts (article 2)
 12 implement only those FLU categories prescribed within the regulations of each district. In any
 13 conflict between the existing zoning of a parcel and its applicable FLU, the provisions of the
 14 future land use prevail, subject to any confirmation of vested rights. Such conflicts may be
 15 resolved through the zoning and FLU map amendment processes prescribed in article 7 of
 16 chapter 2. However, no future rezoning to a mainland district is authorized if not prescribed
 17 by the district for the applicable FLU as summarized in the following table:

18

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses									
	AG max 1du/20ac max 0.25 FAR	AR max 1du/4ac max 0.25 FAR	RC max 2du/ac max 0.25 FAR	MU-S max 25du/ac max 1.0 FAR	MU-U max 25du/ac max 2.0 FAR	C Limited res max 25du/ac max 1.0 FAR	I No res allowed max 1.0 FAR	P No res allowed	REC No res allowed max 0.5 FAR	CON No res allowed
Agr max 1du/20ac	Yes	<u>Yes</u>	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RR max 1du/4ac	No, max density	<u>Yes</u>	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RMU max 2du/ac	No, max density	<u>No, max density</u>	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDR max 4du/ac	No, max density	<u>No, max density</u>	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDMU max 7du/ac	No, max density	<u>No, max density</u>	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
MDR max 10du/ac	No, max density	<u>No, max density</u>	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDR max 18du/ac	No, max density	<u>No, max density</u>	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDMU max 25du/ac	No, max density	<u>No, max density</u>	No, max density	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
Com max 25du/ac	No, max density	<u>No, max density</u>	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses

HC/LI FLU-restricted max 25du/ac	No, uses	<u>No, uses</u>	No, uses	No, uses	Yes	Yes	Yes	No, uses	No, uses	No, uses
Ind No res allowed	No, uses	<u>No, uses</u>	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses
Rec No res allowed	Yes	<u>Yes</u>	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses
Con No res allowed	Yes	<u>Yes</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pub No res allowed	No, uses	<u>No, uses</u>	No, uses	No, uses	No, uses	No, uses	Yes	Yes	No, uses	No, uses

1 For every combination of mainland zoning district and FLU category represented by the table,
2 "Yes" indicates a zoning district that may be established to implement the FLU. "No" indicates
3 a zoning district that does not implement the FLU and may not be established within the FLU,
4 primarily for the inconsistency noted.

5 **Section 3. Amendment to Chapter 3, Section 3-2.2 of the Escambia County Land**
6 **Development Code**

7 Part III of the Escambia County Code of Ordinances, the Land Development Code of
8 Escambia County, Chapter 3, Section 3-2.2, "Agricultural district (Agr)," is hereby
9 amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

10 **Sec. 3-2.2 - Agricultural district (Agr).**

11 (a) **Purpose.** The agricultural (Agr) district establishes appropriate areas and land use
12 regulations for the routine agricultural production of plants and animals, and such
13 related uses as silviculture and aquaculture. The primary intent of the district is to
14 avoid the loss of prime farmland to other uses, its division into smaller parcels of
15 multiple owners, and other obstacles to maintaining or assembling sufficient
16 agricultural acreage for efficient large-scale farming. Other than agricultural
17 production, non-residential uses within the agricultural district are generally limited to
18 rural community uses that directly support agriculture, and to public facilities and
19 services necessary for the basic health, safety, and welfare of a rural population. The
20 absence of urban or suburban infrastructure is intentional. Residential uses within the
21 district are largely self-sustaining, consistent with rural land use and limited
22 infrastructure. Single-family dwellings are allowed at a very low density sufficient for
23 the needs of the district's farm-based population.

24 (b) **Permitted uses.** Permitted uses within the agricultural district are limited to the
25 following:

26 (1) **Residential.**

27 a. Manufactured (mobile) homes, excluding new or expanded manufactured
28 home parks or subdivisions.

- 1 b. Single-family dwellings (other than manufactured homes), detached only.
2 Maximum single-family lot area within any proposed subdivision of 100 acres
3 or more of prime farmland shall be one and one-half acres.

4 See also conditional uses in this district.

5 **(2) Retail sales.**

- 6 a. Medical marijuana dispensing facilities. Where ancillary to cultivation or
7 processing, dispensing of medical marijuana shall also be permitted in the
8 Agr Zoning district.

- 9 b. No other retail sales except as permitted agricultural and related uses in this
10 district.

11 **(3) Retail services.** No retail services except as permitted agricultural and related
12 uses or as conditional uses in this district.

13 **(4) Public and civic.**

- 14 a. Cemeteries, including family cemeteries.

- 15 b. Clubs, civic or fraternal.

- 16 c. Educational facilities, including preschools, K-12, colleges, and vocational
17 schools.

- 18 d. Emergency service facilities, including law enforcement, firefighting, and
19 medical assistance.

- 20 e. Funeral establishments.

- 21 f. Places of worship.

- 22 g. Public utility structures 150 feet or less in height, including
23 telecommunications towers.

24 See also conditional uses in this district.

25 **(5) Recreation and entertainment.**

- 26 a. Campgrounds and recreational vehicle parks on lots five acres or larger.

- 27 b. Golf courses, tennis centers, swimming pools, and similar active outdoor
28 recreational facilities, including associated country clubs.

- 29 c. Hunting clubs and preserves.

- 30 d. Marinas, private only.

- 31 e. Off-highway vehicle commercial recreation facilities on lots 20 acres or
32 larger.

- 33 f. Parks without permanent restrooms or outdoor event lighting.

- 34 g. Passive recreational uses, including hiking and bicycling.

- 35 h. Shooting ranges.

1 See also conditional uses in this district.

2 **(6) Industrial and related.** Borrow pit and reclamation activities 20 acres minimum
3 and subject to local permit and development review requirements per Escambia
4 County Code of Ordinances, part I, chapter 42, article VIII, and land use
5 regulations in part III, the land development code, chapter 4.

6 **(7) Agricultural and related.**

7 a. Agriculture, including raising livestock, storing harvested crops, and
8 cultivation of nursery plants. A minimum of two acres for keeping any farm
9 animal on site and a maximum of one horse or other domesticated equine
10 per acre.

11 b. Agricultural processing, minor only.

12 c. Agricultural research or training facilities.

13 d. Aquaculture, marine or freshwater.

14 e. Farm equipment and supply stores.

15 f. Kennels and animal shelters on lots two acres or larger.

16 g. Produce display and sales of fruit, vegetables and similar agricultural
17 products. All structures for such uses limited to nonresidential farm buildings.

18 h. Silviculture.

19 i. Stables, public or private, on lots two acres or larger.

20 j. Veterinary clinics. A minimum two acres for boarding animals.

21 **(8) Other uses.** Airports, private only, including crop dusting services.

22 **(c) Conditional uses.** Through the conditional use process prescribed in chapter 2,
23 the BOA may conditionally allow the following uses within the agricultural district:

24 **(1) Residential.** Group living, limited to nursing homes, assisted living facilities,
25 hospice facilities, and other uses providing similar services, assistance, or
26 supervision.

27 **(2) Retail services.**

28 a. Bed and breakfast inns.

29 b. Medical clinics, including those providing out-patient surgery, rehabilitation,
30 and emergency treatment.

31 **(3) Public and civic.**

32 a. Cinerators.

33 b. Community service facilities, including auditoriums, libraries, museums, and
34 neighborhood centers.

35 c. Hospitals.

36 d. Offices for government agencies or public utilities.

- e. Public utility structures greater than 150 feet in height, including telecommunications towers, but excluding any industrial uses.
- f. Warehousing or maintenance facilities for government agencies or public utilities.

(4) Recreation and entertainment.

- a. Canoe, kayak, and float rental facilities.
- b. Parks with permanent restrooms or outdoor event lighting.
- c. Zoos and animal parks.

(5) Industrial and related.

- a. Mineral extraction, including oil and gas wells, not among the permitted uses of the district.
- b. Power plants.
- c. Salvage yards, not including any solid waste facilities.
- d. Solid waste collection points and transfer facilities.
- e. Wastewater treatment plants.

(d) Site and building requirements. The following site and building requirements apply to uses within the agricultural district:

- (1) Density.** A maximum density of one dwelling unit per 20 acres.
- (2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.
- (3) Structure height.** No maximum structure height unless prescribed by use.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** A minimum lot width of 100 feet at the street right-of-way for all new lots.
- (6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. **Front and rear.** Forty feet in the front and rear.
 - b. **Sides.** On each side, five feet or ten percent of the lot width at the street right-of-way, whichever is greater, but not required to exceed 15 feet.
- (8) Other requirements.** Refer to chapters 4 and 5 for additional development regulations and standards.

(e) Location criteria. The following location criteria apply to uses within the agricultural district:

- (1) Prime farmland.** All new or expanded uses shall be located to avoid the loss of prime farmland. Where such loss cannot be avoided, it shall be limited to five acres or ten percent of the development parcel area, whichever is greater.

1 **(2) Nonresidential uses.** All nonresidential uses shall be located to avoid
2 nuisance, hazard, and other adverse impacts to surrounding residential uses.
3 Retail sales and services shall be located along collector or arterial streets.
4 Industrial uses shall be on parcels that comply with the location criteria of the
5 industrial (Ind) zoning district.

6 **(f) Rezoning to Agr.** Agricultural zoning may be established only within the agriculture
7 (AG), agriculture residential (AR), and rural community (RC) future land use
8 categories. The district is suitable for prime farmland, agriculturally used or assessed
9 areas, large tracts of open space, woodlands, or fields, but not for areas with central
10 sewer or highly developed street networks. The district is appropriate to provide
11 transitions between areas zoned or used for conservation or outdoor recreation and
12 areas zoned or used for more intense uses.

13 **Section 4. Amendment to Chapter 3, Section 3-2.3 of the Escambia County Land**
14 **Development Code**

15 Part III of the Escambia County Code of Ordinances, the Land Development Code of
16 Escambia County, Chapter 3, Section 3-2.3, "Rural residential district (RR)," is hereby
17 amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

18 **Sec. 3-2.3 - Rural residential district (RR).**

19 **(a) Purpose.** The rural residential (RR) district establishes appropriate areas and land
20 use regulations for low density residential uses and compatible non-residential uses
21 characteristic of rural land development. The primary intent of the district is to provide
22 for residential development at greater density than the agricultural district on soils
23 least valuable for agricultural production, but continue to support small-scale farming
24 on more productive district lands. The absence of urban and suburban infrastructure
25 is intentional. Residential uses within the RR district are largely self-sustaining and
26 generally limited to detached single-family dwellings on large lots, consistent with
27 rural land use and limited infrastructure. Clustering of smaller residential lots may
28 occur where needed to protect prime farmland from non-agricultural use. The district
29 allows public facilities and services necessary for the basic health, safety, and welfare
30 of a rural population, and other non-residential uses that are compatible with
31 agricultural community character.

32 **(b) Permitted uses.** Permitted uses within the RR district are limited to the following:

33 **(1) Residential.**

- 34 a. Manufactured (mobile) homes, excluding new or expanded manufactured
35 home parks or subdivisions.
- 36 b. Single-family dwellings (other than manufactured homes), detached only, on
37 lots four acres or larger, or on lots a minimum of one acre if clustered to avoid
38 prime farmland.

39 See also conditional uses in this district.

1 **(2) Retail sales.** No retail sales except as permitted agricultural and related uses
2 in this district.

3 **(3) Retail services.** Bed and breakfast inns. No other retail services except as
4 permitted agricultural and related uses or as conditional uses in this district.

5 **(4) Public and civic.**

- 6 a. Cemeteries, including family cemeteries.
- 7 b. Clubs, civic or fraternal.
- 8 c. Educational facilities, K-12, on lots one acre or larger.
- 9 d. Emergency service facilities, including law enforcement, firefighting, and
10 medical assistance.
- 11 e. Funeral establishments.
- 12 f. Places of worship on lots one acre or larger.
- 13 g. Public utility structures 150 feet or less in height, excluding
14 telecommunications towers.

15 See also conditional uses in this district.

16 **(5) Recreation and entertainment.**

- 17 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- 18 b. Golf courses, tennis centers, swimming pools and similar active outdoor
19 recreational facilities, including associated country clubs.
- 20 c. Marinas, private.
- 21 d. Parks without permanent restrooms or outdoor event lighting.
- 22 e. Passive recreational uses.

23 See also conditional uses in this district.

24 **(6) Industrial and related. [Reserved.]**

25 **(7) Agricultural and related.**

- 26 a. Agriculture, including raising livestock, storing harvested crops, and
27 cultivation of nursery plants. A minimum of two acres for keeping any farm
28 animal on site and a maximum of one horse or other domesticated equine
29 per acre.
- 30 b. Aquaculture, marine or freshwater.
- 31 c. Farm equipment and supply stores.
- 32 d. Kennels and animal shelters on lots two acres or larger.
- 33 e. Produce display and sales of fruit, vegetables and similar agricultural
34 products. All structures for such use limited to nonresidential farm buildings.
- 35 f. Silviculture.

- 1 g. Stables, public or private, on lots two acres or larger.
- 2 h. Veterinary clinics. A minimum of two acres for boarding animals.

3 **(8) Other uses. [Reserved.]**

4 **(c) Conditional uses.** Through the conditional use process prescribed in chapter 2,
5 the BOA may conditionally allow the following uses within the RR district:

6 **(1) Residential.**

- 7 a. Group living, limited to nursing homes, assisted living facilities, hospice
8 facilities, and other uses providing similar services, assistance, or
9 supervision.
- 10 b. Manufactured (mobile) home parks on land zoned VR-1 prior to adoption of
11 RR zoning.
- 12 c. Two-family dwellings (duplex) and multifamily dwellings up to four units per
13 dwelling (triplex and quadruplex) on land zoned VR-1 prior to adoption of RR
14 zoning.

15 **(2) Retail services.** Medical clinics, including those providing out-patient surgery,
16 rehabilitation, and emergency treatment.

17 **(3) Public and civic.**

- 18 a. Community service facilities, including auditoriums, libraries, museums, and
19 neighborhood centers.
- 20 b. Educational facilities not among the permitted uses of the district.
- 21 c. Hospitals.
- 22 d. Offices for government agencies or public utilities.
- 23 e. Public utility structures greater than 150 feet in height, and
24 telecommunications towers of any height, excluding any industrial uses.
- 25 f. Warehousing or maintenance facilities for government agencies or public
26 utilities.

27 **(4) Recreation and entertainment.**

- 28 a. Hunting clubs and preserves.
- 29 b. Off-highway vehicle commercial recreation facilities on lots 20 acres or
30 larger.
- 31 c. Parks with permanent restrooms or outdoor event lighting.
- 32 d. Shooting ranges.

33 **(5) Industrial and related.**

- 34 a. Borrow pit and reclamation activities 20 acres minimum and subject to local
35 permit and development review requirements per Escambia County Code of
36 Ordinances, part I, chapter 42, article VIII, and land use regulations in part
37 III, the land development code, chapter 4.

- 1 b. Mineral extraction, including oil and gas wells.
- 2 c. Power plants.
- 3 d. Salvage yards, not including any solid waste facilities.
- 4 e. Solid waste collection points and transfer facilities.
- 5 f. Wastewater treatment plants.

6 **(6) Other uses.** Airports, private only, including crop dusting facilities.

7 **(d) Site and building requirements.** The following site and building requirements
8 apply to uses within the RR district:

9 **(1) Density.** A maximum density of one dwelling unit per four acres.

10 **(2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.

11 **(3) Structure height.** No maximum structure height unless prescribed by use.

12 **(4) Lot area.** No minimum lot area unless prescribed by use.

13 **(5) Lot width.** For a new lot with a majority of its frontage along the outside of a
14 street right-of-way curve whose radius is 100 feet or less, the minimum lot width
15 at the right-of-way is 40 feet. The minimum width for all other new lots is 100 feet
16 at the right-of way.

17 **(6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent
18 maximum semi-impervious and impervious cover) for all uses.

19 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

20 a. **Front and rear.** Forty feet in the front and rear.

21 b. **Sides.** On each side, five feet or ten percent of the lot width at the street
22 right-of-way, whichever is greater, but not required to exceed 15 feet.

23 **(8) Other requirements.**

24 a. **Farm animal shelters.** Stables or other structures for sheltering farm
25 animals shall be at least 50 feet from any property line and at least 130 feet
26 from any dwelling on adjacent property.

27 b. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development
28 regulations and standards.

29 **(e) Location criteria.** The following location criteria apply to uses within the RR district:

30 **(1) Prime farmland.** All new or expanded uses shall be located to avoid the loss
31 of prime farmland. Where such loss cannot be avoided, it shall be limited to five
32 acres or ten percent of the development parcel area, whichever is greater.

33 **(2) Nonresidential uses.** All nonresidential uses shall be located to avoid
34 nuisance, hazard and other adverse impacts to surrounding residential uses.
35 Retail sales and services shall be located along collector or arterial streets.
36 Industrial uses shall be on parcels that comply with the location criteria of the
37 industrial (Ind) zoning district

1 (f) **Rezoning to RR.** Rural residential zoning may be established only within the
2 agriculture residential (AR), and rural community (RC) future land use category
3 categories. The district is suitable for rural areas not used to support large farming
4 operations due to economic viability, soil productivity, surrounding development, or
5 similar constraints. The district is appropriate to provide transitions between areas
6 zoned or used for agriculture, conservation, or outdoor recreation and areas zoned
7 or used for rural mixed-use or low density residential.

8
9 **Section 5. Severability**

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

13
14 **Section 6. Inclusion in Code**

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

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28 **THIS SPACE INTENTIONALLY BLANK**
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1 **Section 7. Effective Date**

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

3

4 **DONE AND ENACTED** this _____ day of _____, 2020.

5

6

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

7

8

9

**By: _____
Steven Barry, Chairman**

10

11

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

14

15 **By: _____**
16 **Deputy Clerk**

17 **(SEAL)**

18

19 **ENACTED:**
20 **FILED WITH THE DEPARTMENT OF STATE:**
21 **EFFECTIVE DATE:**

22