

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
October 6, 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. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the September 1, 2020, Planning Board Meeting.

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

C. Planning Board 6-Month Outlook for October 2020
5. Acceptance of Planning Board Meeting Packet.
6. Public Hearings.
 - A. Case #: OSP-2020-01
Applicant: Frank Westmark, Agent for First Baptist Church of Cottage Hill
Address: 1400 Highway 29 N
Property Size: 10.04 (+/-)
From: Conservation Neighborhood
To: MU-S
 - B. Case #: OSP-2020-02
Applicant: Buddy Page, Agent for Cleveland R. Campbell, Sr, Owner
Address: 1000 BLK Pine Top Lane
Property Size: 19.3

From: Conservation Neighborhood
To: MU-S

7. Action/Discussion/Info Items.
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, November 10, 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: 10/06/2020

Agenda Item:

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

Attachments

Draft September 1, 2020 Regular Planning Board Meeting Minutes
Monthly Action Follow Up
6 Month Outlook

DRAFT

MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD September 1, 2020

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:32 A.M. – 9:56 A.M.)

Present: Reid Rushing
Jay Ingwell
Chairman Wayne Briske
Timothy Pyle
Patty Hightower
Walker Wilson

Absent: Eric Fears
Gary Sammons
Stephen Opalenik

Staff Present: Andrew Holmer, Division Manager, Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Administrative Supervisor
Kia Johnson, Assistant County Attorney
Rachel Merlin, Administrative Assistant

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 Jay Ingwell, Seconded by Timothy Pyle

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

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Gary Sammons (ABSENT)

4. Approval of Minutes.

A.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 4, 2020 Planning Board Meeting.

B. Planning Board 6-Month Outlook for September 2020.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to approve the minutes from the August 4, 2020 Planning Board Meeting.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Gary Sammons (ABSENT)

5. Acceptance of Planning Board Meeting Packet.

Motion by Reid Rushing, Seconded by Walker Wilson

Motion was made to accept the meeting package.

Vote: 5 - 0 Approved

Other: Eric Fears (ABSENT)
Gary Sammons (ABSENT)

6. Public Hearings.

A. 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.

Motion by Jay Ingwell, Seconded by Reid Rushing

Motion was made to postpone both A and B for a minimum of 60 days to allow staff, interested citizens, and the consultant to sit down and discuss this and then actually conduct a minimum of one workshop prior to bringing it back to the Planning Board.

Vote: 4 - 1 Approved

Voted No: Timothy Pyle

B. 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.

Motion by Jay Ingwell, Seconded by Reid Rushing

Motion was made to postpone both A and B for a minimum of 60 days to allow staff, interested citizens, and the consultant to sit down and discuss this and then actually conduct a minimum of one workshop prior to bringing it back to the Planning Board.

Vote: 4 - 1 Approved

Voted No: Timothy Pyle

7. Action/Discussion/Info Items.

A. Tiny Homes Discussion

8. Public Forum.

9. Director's Review.

A. August 6, 2020 BCC Minutes

10. County Attorney's Report.

11. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, October 6, 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: Rachel Merlin, Board Clerk

DATE: September 25, 2020

RE: Monthly Action Follow-Up Report for September 2020

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

PROJECTS, PLANS, & PROGRAMS

COMMITTEES & WORKING GROUP MEETINGS

COMPREHENSIVE PLAN AMENDMENTS

- **Text Amendments:**
 - CPA-2020-01 AR FLU**
09-01-20 PB postponed to future date
- **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 transmitted to DEO
 - LSA-2020-02** FLU change from C to MU-U
 - 07-06-20 PB recommended approval
 - 08-06-20 BCC transmitted to DEO

LAND DEVELOPMENT CODE ORDINANCES

RV Ordinance

08-04-20 PB recommended approval with changes

09-03-20 BCC approved original ordinance

AR FLU LDC Ordinance

09-01-20 PB postponed to future date

REZONING CASES

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR October 2020

(Revised 9/25/20)

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, October 6, 2020		<ul style="list-style-type: none"> OSP-2020-01 OSP-2020-02 	<ul style="list-style-type: none"> Z-2020-07 	
Tuesday, November 10, 2020				
Tuesday, December 1, 2020				
Tuesday, January 5, 2021				
Tuesday, February 2, 2021				
Tuesday, March 2, 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.

Planning Board-Regular

6. A.

Meeting Date: 10/06/2020

CASE : OSP-2020-01

APPLICANT: Frank Westmark, Agent for First Baptist Church of Cottage Hill

ADDRESS: 1400 Highway 29 N

PROPERTY REF. NO.: 03-1N-31-1302-000-001

FUTURE LAND USE: Conservation Neighbourhood

ZONING DISTRICT: LDR, Low Density Residential district

DSAP LAND USE : Conservation Neighborhood

BCC MEETING DATE: 11/05/2020

SUBMISSION DATA:

REQUEST:

The applicant is requesting to remove a parcel from Mid-West Escambia County Sector Plan, Jacks Branch Detailed Specific Area Plan (DSAP), and also requesting assignment of Future Land Use category of Mixed-Use Suburban (MU-S).

RELEVANT AUTHORITY:

(1) Escambia County Comprehensive Plan

BACKGROUND

The property owner is requesting a parcel be removed from the Escambia County Mid-West Sector Plan (SP), in the Jacks Branch Detailed Specific Area Plan (DSAP). Within the DSAP, the existing land use for the parcel is Conservation Neighborhood with a maximum residential dwelling of 3 du/acre. The request is to assign a Future Land Use (FLU) designation of Mixed-Use Suburban (MU-S) to the parcel with no future development proposed at this time. According to the Escambia County Property Appraiser, the vacant parcel totals 10.04 +/- acres.

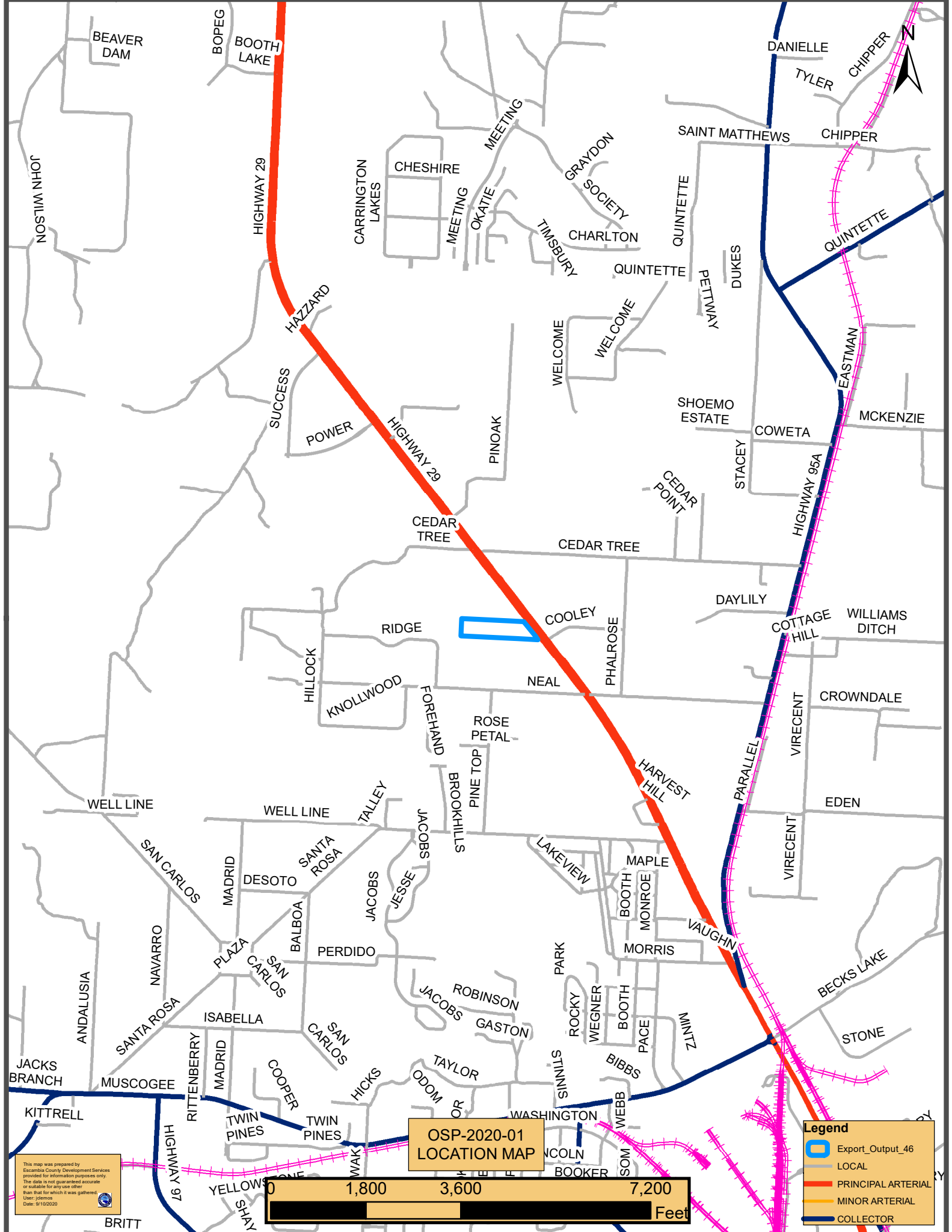
EVALUATION AND ANALYSIS

Attachments

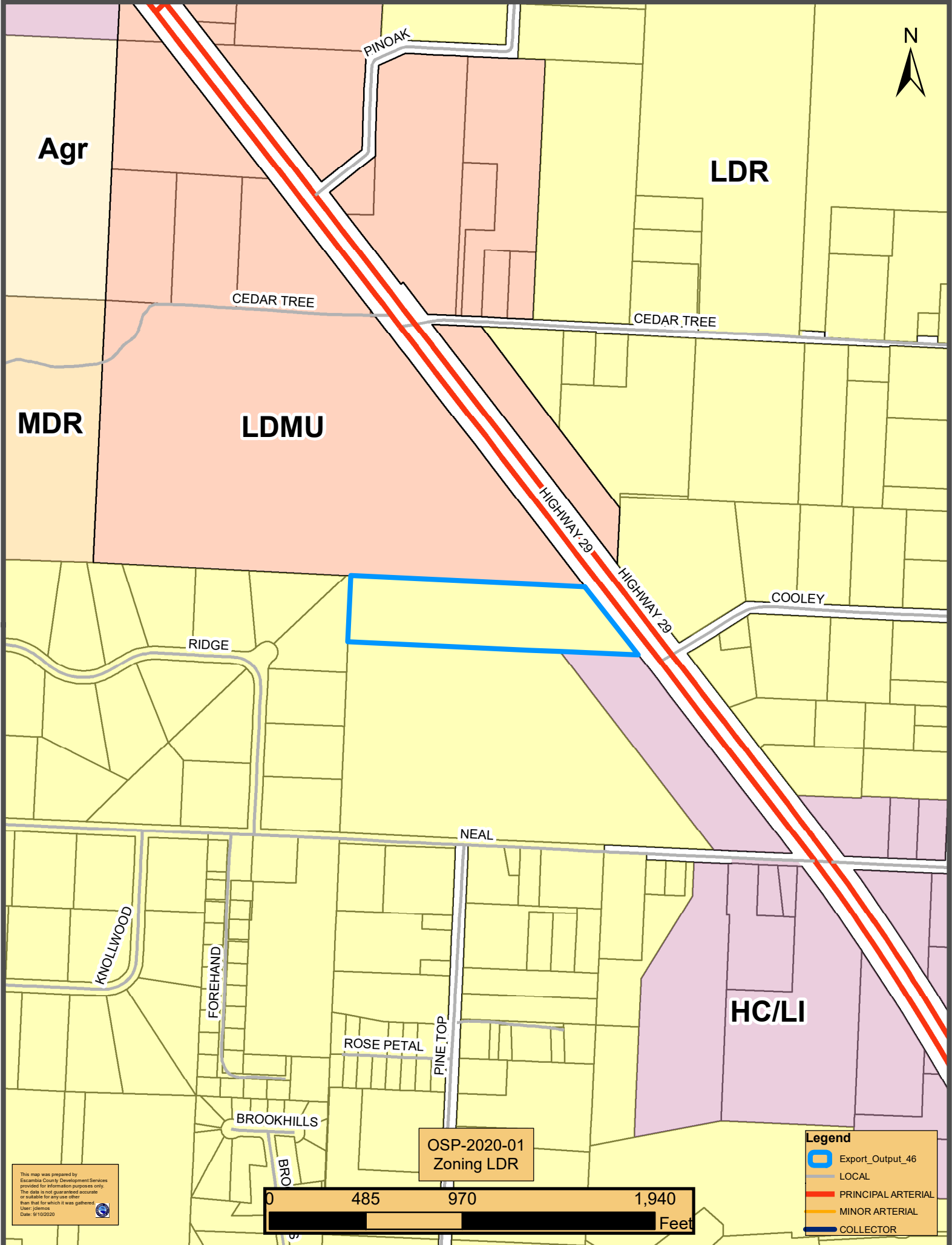
Working Case File

Draft Ordinance with Attachments

OSP-2020-01



This map was prepared by
Escambia County Development Services
provided for information purposes only.
The data is not guaranteed accurate
or suitable for any use other
than that for which it was gathered.
User: jdemora
Date: 9/10/2020



AA-15: ACTIVITY
AREA-COTTAGE
HILL\QUINTETTE

RR: RURAL
RESIDENTIAL



POWER
AA-15: ACTIVITY
AREA-COTTAGE
HILL\QUINTETTE

RR: RURAL
RESIDENTIAL

PINOAK

CEDAR
POINT

CEDAR TREE

CEDAR TREE

AA-15: ACTIVITY
AREA-COTTAGE
HILL\QUINTETTE

COOLEY

PHALROSE

RIDGE

HILLOCK

NEAL

KNOLLWOOD

FOREHAND

ROSE
PETAL

PINE TOP

BROOKHILLS

BROOKHILLS

TALLEY

JACOBS

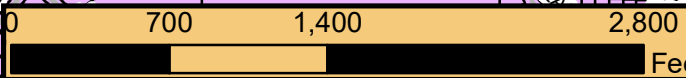
JACOBS

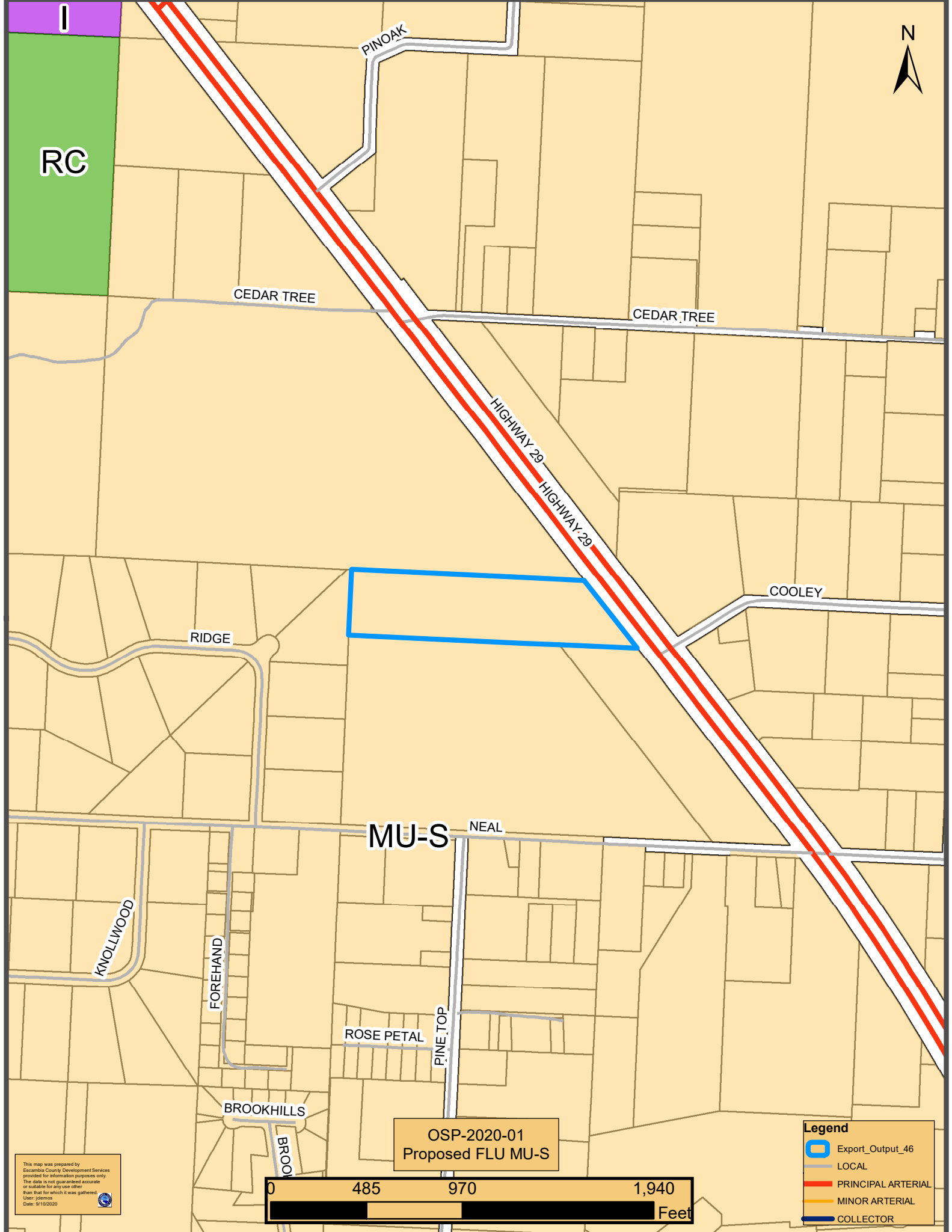
MU-6: VILLAGES
IZALEZ,
NMENT,
AND ARM HILL

OSP-2020-01
Previous FLU
AA-15 Cottage Hill -Quintette

Legend

- Export_Output_46
- LOCAL
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR

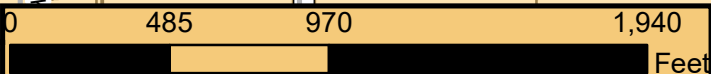




This map was prepared by
Escambia County Development Services
provided for information purposes only.
The data is not guaranteed accurate
or suitable for any use other
than that for which it was gathered.
User: jdemas
Date: 9/10/2020

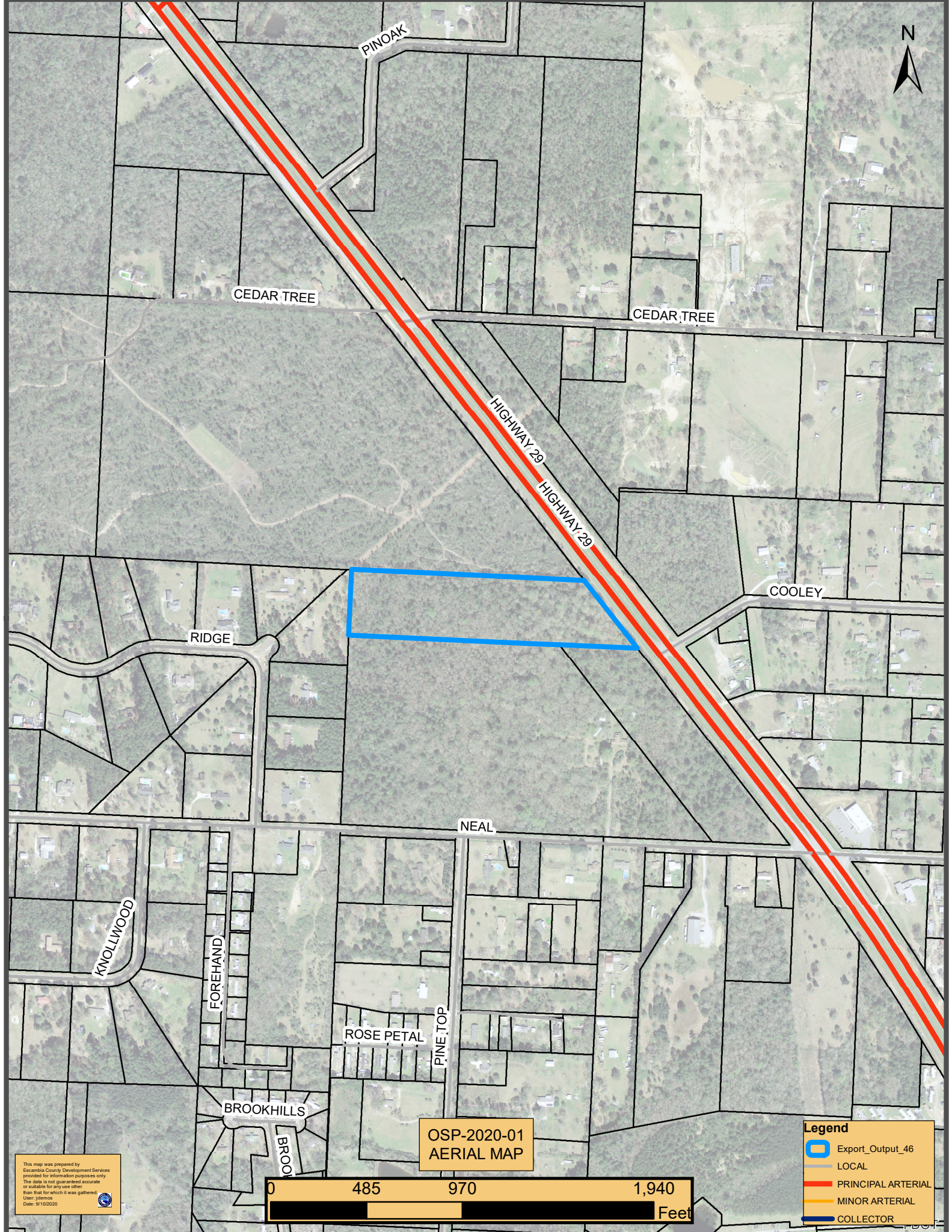


OSP-2020-01
Proposed FLU MU-S



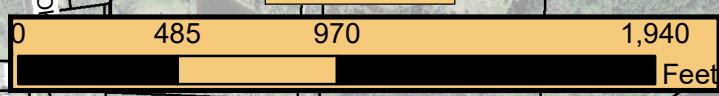
Legend

- Export_Output_46
- LOCAL
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR



This map was prepared by
Escambia County Development Services
provided for information purposes only.
The data is not guaranteed accurate
or suitable for any use other
than that for which it was gathered.
User: jdemas
Date: 9/10/2020

OSP-2020-01
AERIAL MAP



Legend

- Export_Output_46
- LOCAL
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR



**NOTICE OF
PUBLIC HEARING
FUTURE LAND USE CHANGE**

CASE NO.: **SECTOR PLAN OPT OUT
OSP-2020-01**

CON NEIGH
CURRENT FLU: **PROPOSED FLU: MU-S**

PLANNING BOARD

DATE: **10/06/20** TIME: **08:35 A.M.**

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: **11/05/20** TIME: **5:46 P.M.**

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES 595-2475

Public Hearing Sign

PROPERTY OF ESCAMBIA COUNTY



Looking north from subject
property along Hwy 29



Looking onto subject property



Looking east across Hwy
29 from subject property

WESTMARK

Frank E. Westmark
Elizabeth J. Westmark
(850) 937-1835
Mailing: P. O. Box 575

fewestmark@aol.com
ejwestmark@gmail.com

Physical: 2025 W. Kingsfield Cantonment, FL 32533

August 20, 2020

Hand Delivery

Members, Escambia County Planning Board
Mr. Horace L. Jones, Director
Development Services Department
Escambia County
3363 West Park Place
Pensacola, FL 32505

Re: The First Baptist Church of Cottage Hill, Florida, Inc.

Letter of Request to Opt-Out of the Escambia County Mid-West Sector Plan
Parcel Reference 03-1N-31-1302-000-001 1400 N. Hwy. 29

Dear Planning Board Members and Director Jones:

This letter includes an application from the First Baptist Church of Cottage Hill to “opt out” of the Escambia County Mid-West Sector Plan. If approved, the church’s effective zoning will be low density residential (LDR), which is its current underlying zoning with a future land use (FLU) of MU-S to be assigned by the county as required by law.

In 2006, the church purchased 10.0456 acres of land on the west side of U.S. Highway 29, approximately 1,000 feet north of Neal Road in Cantonment for the purpose of building a new church facility to accommodate its expectation of growth. The purchase price was \$175,000.

Due to circumstances beyond its control, the church needs to sell the subject property and recover its capital to make improvements to its existing facilities and purchase a small bus to transport its elderly members to worship services. The church has tried diligently to sell the property but has been unable to do so because severe Sector Plan Conservation Neighborhood regulations have substantially degraded the value of the property. In other words, the church cannot find a buyer willing to pay close to the \$175,000 cost more than a decade ago.

The problem is the unfair regulations in the Conservation Neighborhood land use district of the Sector Plan known as (1) the 50 percent “taking” rule and (2) the mandatory clustering and

Mr. Horace L. Jones and Planning Board
August 20, 2020
Page Two

open space rule. Both rules constitute de facto "taking" of private property for public use without compensation, which violates constitutionally and statutorily protected property rights. Both rules were imposed on the church and other private landowners without their knowledge, consent, or due process.

This unlawful intrusion on private property is the sole reason the church is forced to opt out of the Sector Plan, which is identical to the central issue in the four opt-outs previously approved by the planning board this year, 2020.

The Board of County Commissioners has approved three of the four opt-outs you recommended, with the fourth awaiting BCC approval subject to resolving a technical issue that did not affect the other three.

It is an indisputable fact that the church's property has been devalued by the two regulations referenced above, and will not be able to recover their capital or fair market value until the land is free of the Sector Plan overlay and back into regular county resident zoning (LDR).

In consideration of equity and fair treatment, and consistence with your previous actions concerning identical issues, the First Baptist Church of Cottage Hill respectfully requests your approval of its opt-out application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank E. Westmark', with a long horizontal flourish extending to the right.

Frank E. Westmark, Agent (pro bono)
The First Baptist Church of Cottage Hill, Inc.

**MID-WEST ESCAMBIA COUNTY SECTOR PLAN OPT-OUT APPLICATION AND FUTURE LAND
USE ASSIGNMENT
(Revised 6-30-2020)**

INSTRUCTIONS

Please contact our office at (595-3475) to make an appointment with a Planner to personally discuss your site and prospective plans for it, and to review the application form with you to answer any questions you may have.

It is important for the application packet to be complete and on time in order to process and schedule your request for the required public hearing(s). The Planning Board holds public hearings once a month. Application closing dates for these hearings are provided in the attached schedule (Attachment A). In order for your application to move through the process in a timely manner, it is important for all items on the application to be completed. Incorrect or missing information could delay the hearing of your request. **NOTE:** The applicant, or his/her agent, must be present at the Planning Board meeting. It is also highly recommended that he or she be present at the subsequent Board of County Commissioners meeting.

An application is not considered complete until all of the items listed on the Application Checklist (attached herein) are received.

The Opt-Out application request and Future Land Use assignment is a concurrent two-step process: approval of the Opt-Out request will be required first; **the applicant will also request assignment of a Future Land Use category** to be consistent with the underlying zoning district for approval. Chapter 16, FLU 16.6.1.V of the Escambia County Comprehensive Plan provides guidelines for removing properties from an approved DSAP.

Please note the completion and notarized certification(s) required herein. The owner and/or agent acting in his/her behalf, must sign the certification(s) where indicated on the application. Signatures must be properly notarized. If an agent is handling the request, the owner must sign the application and submit an Affidavit of Ownership & Limited Power of Attorney (attached herein) authorizing said agent to act in his/her behalf.

FEES: Application fees can be found on the Escambia County website: <https://myescambia.com/our-services/development-services/planning-zoning/rezoning/planning-board>

Please remember, the Planning Board meets only once a month. Applications received after the deadline for a particular meeting will not be heard until the following meeting.

NOTE: Whenever an applicant would like any County Staff member to appear and testify at a hearing other than the normal public hearings required to process your request, a minimum notification of 5-10 days to the individual staff member and the Development Services Department is required in advance of the hearing.

**MID-WEST ESCACAMBIA COUNTY SECTOR PLAN OPT-OUT APPLICATION AND FUTURE LAND
USE ASSIGNMENT**

APPLICATION

CHECKLIST

1. ☒ Owner(s) Name, Home Address and Telephone Number. An email address is optional (see form herein).
2. ☒ Letter of request, including desired future land use category
3. ☒ Notarized Affidavit of Ownership and Authorization (form herein)
4. ☒ Notarized Affidavit of Ownership and Limited Power of Attorney (form herein) if agent will act in owner's behalf
5. ☒ Concurrency Determination Acknowledgement (form herein)
6. ☒ Proof of Ownership (Copy of Warranty Deed or Tax Notice)
- Also need copy of Contract for Sale if the change of ownership has not yet been recorded.
7. ☒ Street Map depicting general property location
8. ☐ Legal Description of exact property area proposed for opt-out and a future land use map assignment request , including:
 - ☒ Street Address
 - ☒ Property Reference Number(s)
 - ☒ Boundary Survey
 - ☒ Total parcel acreage
9. ☐ Opt-Out application and Future Land Use Assignment fee

Staff must ensure that all of the information is complete and the required documents on the checklist are provided at the time of submittal. Do not accept incomplete or partial applications.

STAFF

**MID-WEST ESCAMBIA COUNTY SECTOR PLAN OPT-OUT APPLICATION AND
FUTURE LAND USE MAP ASSIGNMENT**

(THIS SECTION FOR OFFICE USE ONLY):

Current DSAP Land Use: Con N Requested FLU: MU-S Zoning: LDR
Previous FLU: _____
Taken by: A.L.
Planning Board Public Hearing, date(s): 10/6/20
BCC Public Hearing, proposed date(s): 11/5/20
Fees Paid NONE required ⁴¹⁰⁰ Receipt # _____ Date: 8/20/20

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

Name: The First Baptist Church of Cottage Hill, Florida, Inc.
Address: 230 Williams Ditch Rd.
City: Cantonment State: FL Zip Code: 32533
Telephone: (850) 876-2006
Email: brecutler@aol.com (Bobby Cutler, Treasurer)

DESCRIPTION OF PROPERTY:

Street address: 1400 Highway 29 North
Proposed development (If any):
No proposed development
Subdivision: _____
Property reference number(s) 03-1N-31-1302-000-001
Requested FLU designation MU-S
Size of Property (acres) 10.0453 Sewer ☒ Septic Tank ☐

**AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION FOR
OPT-OUT and FUTURE LAND USE ASSIGNMENT REQUEST**

By my signature, I hereby certify that:

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

Alan Harp, Pastor

Signature (Property Owner)

The First Baptist Church of
Cottage Hill, Inc.

Printed Name

Date

08-10-2020

Frank E. Westmark

Signature (Agent's Name)

Frank E. Westmark

Printed Name

Date

8/10/20

1400 Hwy 29, N.

Address:

City: Cantonment State: FL Zip: 32533

Telephone (850) 876-2006 Fax # () _____

Email: brentler@aol.com

STATE OF Florida

COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 10th day of August, year of 2020 by, Alan Harp who () did () did not take an oath. He/she is () personally known to me, () produced current Florida/Other driver's license, and/or () produced current Alan Harp's Driver's License as identification.

Taylor Barber 08/10/2020

Signature of Notary Public Date

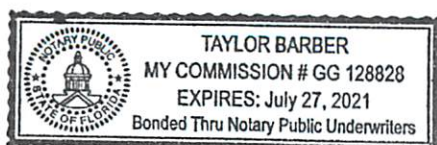
Taylor Barber

Printed Name of Notary

My Commission Expires 07/27/2021

Commission No. GG128828

(Notary seal must be affixed)



AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1400 Hwy 29 N., Cantonment
Pensacola, Florida, Property Reference Number(s) FL 32533
03-W-31-1302-000-001, I hereby designate Frank E. Westmark

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

This Limited Power of Attorney is granted on this 10th day of August, the year of 2020, and is effective until the Board of County Commissioners has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited

Power of Attorney at any time with a written, notarized notice to the Planning and Engineering

Department. Alan Harp, Pastor The First Baptist Church of
Cottage Hill, Inc.
Signature of Property Owner 08/10/2020 Printed Name of Property Owner
Frank E. Westmark
Signature of Agent 8/10/20 Printed Name of Agent

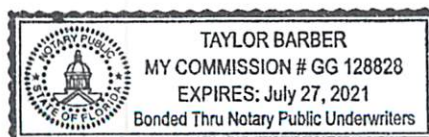
STATE OF Florida
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 10th day of August, year of 2020, by means of ☒ physical presence or ☐ online notarization, this 10th day of Aug, 2020, produced current Drivers License as identification.

Taylor Barber 08/10/2020 Taylor Barber
Signature of Notary Public Date Printed Name of Notary Public

Commission Number GG 12 8828 My Commission Expires 07/27/2021

(Notary seal must be affixed)



**MID-WEST ESCAMBIA COUNTY SECTOR PLAN OPT-OUT AND FUTURE LAND USE MAP
ASSIGNMENT APPLICATION
CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Project name: There is no project.

Property reference #: 03-1N-31-1302-000-001

Project Address: 1400 Highway 29 N.

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

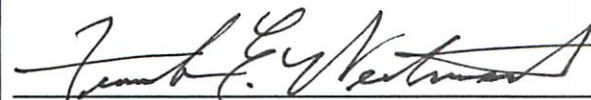
I/We also acknowledge and agree that no development permit or order (other than a rezoning/reclassification) will be issued at that time unless at least one of the concurrency management system standards is met as contained in the Escambia County Code of Ordinances, Part II, Section 6.04, namely:

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

**I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE
ABOVE STATEMENT ON THIS 8th DAY OF AUGUST, 2020**

Owner's signature

Owner's name (print)



Frank E. Westmark

Agent's signature

Agent's name (print)

DATA AND ANALYSIS REQUIREMENTS

As the approval of an Opt-Out request will trigger a Future Land Use assignment for the parcel, county staff will review the requested Future Land Use category by the applicant to ensure consistency with applicable regulations. The applicant's request for the Future Land Use category will be evaluated using the following criteria:

1. A comparative analysis of the impact of both the current and the proposed future land use categories. If a specific development is proposed, then **the applicant** must show that the infrastructure is available to support the most intense development allowed under the requested Future Land Use category
2. Proximity to and impact on the following:
 - A. Wellheads (indicate distance and location to nearest wellhead)
 - B. Historically significant sites available from the Florida Division of Historical Resources:
R. A. Gray Building, 500 S. Bronough Street, Room 425, Tallahassee, FL 32399-0250
sitefile@dos.myflorida.com Phone 850.245.6440
 - C. Natural Resources, including wetlands (a wetlands survey is highly recommended if wetlands are located on the property)
3. An analysis of consistency with the Escambia County Comprehensive Plan, with reference to applicable sections therein.

NOTE: Pages 111-162 of the adopted Escambia County Mid-West Sector Plan, Detailed Specific Area Plans (DSAP) contain a detailed analysis of public facilities produced using the DSAP land use plan and associated development program tables to calculate theoretical impacts. Included in this analysis were the full range of public facilities as defined by 163.3164, Florida Statutes, including transportation, potable water, sanitary sewer, solid waste, drainage, schools, and parks. Impacts were analyzed for both short-term (5-yr) and long-term (buildout) conditions

4. The parcel size in relation to the individual DSAP land use category and in relation to the overall Sector Plan, and the aggregate acreage of any granted opt-outs.
5. The existing transportation infrastructure and any effect the proposal may have on the capacity of that infrastructure.
6. The underlying existing zoning category and the compatibility with the surrounding DSAP land use designation.
7. The consistency of any requested FLU designation with underlying zoning.
8. The previous future land use designation.

During the processing of a Sector Plan opt-out request, to the extent possible, the staff analysis, the Planning Board and the Board shall consider whether the applicant lost development rights or was effectively down zoned as part of the Sector Plan adoption. The Board may take into consideration any other relevant factors in making its determination related to the request.

Recorded in Public Records 04/27/2006 at 10:43 AM OR Book 5892 Page 1183,
Instrument #2006042163, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$27.00 Deed Stamps \$1225.00

Prepared by:
John P. Daniel, Esq.
Destination Title Services, LLC
514 North Baylen Street
Pensacola, Florida 32501
File Number: 5965-45477

STATE OF FLORIDA
COUNTY OF ESCAMBIA

General Warranty Deed

THIS DEED IS made this 25th day of April, 2006, by David A. Zaukelles and Maggie L. Zaukelles, husband and wife, whose address is 810 Neal Road, Cantonment, Florida 32533 ("Grantor"), to The First Baptist Church of Cottage Hill, Florida, Inc., a Florida not-for-profit corporation, whose address is 230 Williams Ditch Road, Cantonment, Florida 32533 ("Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, and Grantee's heirs, successors and assigns, forever, all that certain land situate in Escambia County, Florida to-wit:

The Land is described as follows:
See Exhibit "A" attached

SAVE AND EXCEPT all oil, gas and mineral rights, which are hereby reserved by, to and for Grantor and Grantor's heirs, successors and assigns, but without right of entry upon the land hereby conveyed.

Subject to zoning restrictions and other requirements imposed by governmental authorities; recorded covenants, conditions and restrictions, if any; restrictions and other matters which appear on the recorded plat, if any, which includes the subject property; valid easements and mineral reservations of record affecting the subject property, which are not hereby reimposed; and ad valorem taxes for 2005 and thereafter.

This conveyance is further made subject to the following restrictions which are hereby imposed upon the land hereby conveyed:

- (1) No intoxicating beverages shall be sold on or from the land hereby conveyed.
- (2) No illegal activity shall be conducted on or from the land hereby conveyed.
- (3) No activity shall be permitted on the land hereby conveyed which would produce noxious fumes, toxic substances or activities (other than construction activities and conventional church activities and recreation) that produce sounds greater than ninety (90) decibels for periods in excess of five (5) minutes continuous duration more than thirty-five (35) feet beyond the boundaries of the land hereby conveyed.

The foregoing restrictions shall be for the benefit of the remaining land of Grantor which is adjacent to the land hereby conveyed and shall run with the land.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold the same in fee simple forever.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

And subject to the foregoing, Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as the context requires.

CD S. *M. Z.*

BK: 5892 PG: 1184

Prepared by:
John P. Daniel, Esq.
Destination Title Services, LLC
514 North Baylen Street
Pensacola, Florida 32501
File Number: 5965-45477

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

John P. Daniel
Witness Printed Name John P. Daniel

Colleen WRAGG
Witness Printed Name Colleen WRAGG

David A. Zaukelies (Seal)
David A. Zaukelies
Address: 810 Neal Road, Cantonment, Florida 32533

Maggie L. Zaukelies (Seal)
Maggie L. Zaukelies
Address:

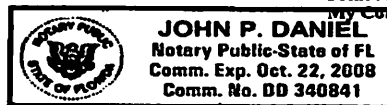
STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 25th day of April, 2006, by David A. Zaukelies and Maggie L. Zaukelies, who are personally known to me or who have produced a current Florida driver's license as identification.

John P. Daniel

Notary Public
Print Name: John P. Daniel
My Commission Expires: _____

Parcel ID Number:



Source: Escambia County Property Appraiser

[Restore Full Version](#)

General Information Reference: 031N311302000001 Account: 112526600 Owners: FIRST BAPTIST CHURCH OF COTTAGE HILL FLORIDA INC Mail: 230 WILLIAMS DITCH RD CANTONMENT, FL 32533 Situs: 1400 N HIGHWAY 29 32533 Use Code: NON-AG ACREAGE Taxing Authority: COUNTY MSTU Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector		Assessments <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2019</td> <td>\$62,059</td> <td>\$0</td> <td>\$62,059</td> <td>\$62,059</td> </tr> <tr> <td>2018</td> <td>\$62,059</td> <td>\$0</td> <td>\$62,059</td> <td>\$62,059</td> </tr> <tr> <td>2017</td> <td>\$62,059</td> <td>\$0</td> <td>\$62,059</td> <td>\$62,059</td> </tr> </tbody> </table> <p align="center">Disclaimer</p> <p align="center">Tax Estimator</p> <p align="center">> File for New Homestead Exemption Online</p>		Year	Land	Imprv	Total	Cap Val	2019	\$62,059	\$0	\$62,059	\$62,059	2018	\$62,059	\$0	\$62,059	\$62,059	2017	\$62,059	\$0	\$62,059	\$62,059
Year	Land	Imprv	Total	Cap Val																			
2019	\$62,059	\$0	\$62,059	\$62,059																			
2018	\$62,059	\$0	\$62,059	\$62,059																			
2017	\$62,059	\$0	\$62,059	\$62,059																			
Sales Data <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>04/2006</td> <td>5892</td> <td>1186</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>04/2006</td> <td>5892</td> <td>1183</td> <td>\$175,000</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller		Sale Date	Book	Page	Value	Type	Official Records (New Window)	04/2006	5892	1186	\$100	WD	View Instr	04/2006	5892	1183	\$175,000	WD	View Instr	2019 Certified Roll Exemptions RELIGIOUS Legal Description BEG AT NW COR OF SE1/4 OF NW1/4 OF SEC PT ALSO BEING NE COR OF KNOLLWOOD S/D PB 7 P 90 S 87 DEG 19 MIN 39 SEC E... Extra Features None			
Sale Date	Book	Page	Value	Type	Official Records (New Window)																		
04/2006	5892	1186	\$100	WD	View Instr																		
04/2006	5892	1183	\$175,000	WD	View Instr																		

Parcel Information
Section Map Id:
[03-1N-31](#)
Approx. Acreage:
 10.0453
Zoned:
 LDR
Evacuation & Flood Information
[Open Report](#)

[View Florida Department of Environmental Protection \(DEP\) Data](#)

[Launch Interactive Map](#)

BK: 5892 PG: 1185 Last Page

EXHIBIT "A"PROPERTY DESCRIPTION

PARCEL NO. 2

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3 TOWNSHIP 1 NORTH RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEAST CORNER OF KNOLLWOOD SUBDIVISION, AS RECORDED IN PLAT BOOK 7 AT PAGE 90 OF THE PUBLIC RECORDS OF SAID COUNTY. THENCE SOUTH 87 DEGREES 19 MINUTES 39 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER FOR 909.77 FEET; THENCE SOUTH 02 DEGREES 43 MINUTES 20 SECONDS WEST FOR 331.71 FEET; THENCE NORTH 87 DEGREES 19 MINUTES 39 SECONDS WEST FOR 909.77 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 02 DEGREES 43 MINUTES 20 SECONDS EAST ALONG SAID WEST LINE FOR 331.71 FEET TO THE POINT OF BEGINNING. CONTAINING 6.93 ACRES MORE OR LESS.

W.H.
M.Z.

Recorded in Public Records 04/27/2006 at 10:43 AM OR Book 5892 Page 1186,
Instrument #2006042164, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$27.00 Deed Stamps \$0.70

Prepared by:
John P. Daniel, Esq.
Destination Title Services, LLC
514 North Baylen Street
Pensacola, Florida 32501
File Number: 5965-45477

STATE OF FLORIDA
COUNTY OF ESCAMBIA

General Warranty Deed

THIS DEED IS made this 25th day of April, 2006, by David A. Zaukelles and Maggie L. Zaukelles, husband and wife, whose address is 810 Neal Road, Cantonment, Florida 32533 ("Grantor"), to The First Baptist Church of Cottage Hill, Florida, Inc., a Florida not-for-profit corporation, whose address is 230 Williams Ditch Road, Cantonment, Florida 32533 ("Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, and Grantee's heirs, successors and assigns, forever, all that certain land situate in Escambia County, Florida to-wit:

The Land is described as follows:
See Exhibit "A" attached

SAVE AND EXCEPT all oil, gas and mineral rights, which are hereby reserved by, to and for Grantor and Grantor's heirs, successors and assigns, but without right of entry upon the land hereby conveyed.

Subject to zoning restrictions and other requirements imposed by governmental authorities; recorded covenants, conditions and restrictions, if any; restrictions and other matters which appear on the recorded plat, if any, which includes the subject property; valid easements and mineral reservations of record affecting the subject property, which are not hereby reimposed; and ad valorem taxes for 2005 and thereafter.

This conveyance is further made subject to the following restrictions which are hereby imposed upon the land hereby conveyed:

- (1) No intoxicating beverages shall be sold on or from the land hereby conveyed.
- (2) No illegal activity shall be conducted on or from the land hereby conveyed.
- (3) No activity shall be permitted on the land hereby conveyed which would produce noxious fumes, toxic substances or activities (other than construction activities and conventional church activities and recreation) that produce sounds greater than ninety (90) decibels for periods in excess of five (5) minutes continuous duration more than thirty-five (35) feet beyond the boundaries of the land hereby conveyed.

The foregoing restrictions shall be for the benefit of the remaining land of Grantor which is adjacent to the land hereby conveyed and shall run with the land.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold the same in fee simple forever.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

And subject to the foregoing, Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as the context requires.

De 3.
M. Z.

BK: 5892 PG: 1187

Prepared by:
 John P. Daniel, Esq.
 Destination Title Services, LLC
 514 North Baylen Street
 Pensacola, Florida 32501
 File Number: 5965-45477

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Printed Name John P. Daniel

David A. Zaukelies (Seal)
 Address: 810 Neal Road, Cantonment, Florida 32533

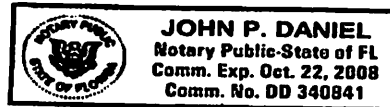
Witness Printed Name Colleen WRAGG

Maggie L. Zaukelies (Seal)
 Address:

STATE OF FLORIDA
 COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 25th day of April, 2006, by David A. Zaukelies and Maggie L. Zaukelies, who are personally known to me or who have produced a current Florida Drivers License ID as identification.

Parcel ID Number:



Notary Public
 Print Name: John P. Daniel
 My Commission Expires: _____

BK: 5892 PG: 1188 Last Page

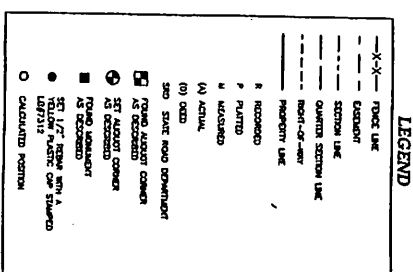
EXHIBIT "A"PROPERTY DESCRIPTION

PARCEL NO. 1

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3 TOWNSHIP 1 NORTH RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, SAID POINT ALSO BEING THE NORTHEAST CORNER OF KNOLLWOOD SUBDIVISION, AS RECORDED IN PLAT BOOK 7 AT PAGE 90 OF THE PUBLIC RECORDS OF SAID COUNTY. THENCE SOUTH 87 DEGREES 19 MINUTES 39 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER FOR 909.77 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE SOUTH 87 DEGREES 19 MINUTES 39 SECONDS EAST ALONG SAID NORTH LINE FOR 262.62 FEET TO THE WESTERLY RIGHT OF WAY LINE OF PENSACOLA BOULEVARD (STATE ROAD NO. 95-200'R/W); THENCE SOUTH 37 DEGREES 53 MINUTES 15 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE FOR 436.63 FEET; THENCE NORTH 87 DEGREES 19 MINUTES 39 SECONDS WEST FOR 546.82 FEET; THENCE NORTH 02 DEGREES 43 MINUTES 20 SECONDS EAST FOR 331.71 FEET TO THE POINT OF BEGINNING. CONTAINING 3.08 ACRES MORE OR LESS.

W. J.
M. Z.

A Portion Of Section 3, Township 1 North, Range 31 West,
County Of Escambia, State Of Florida



EMERALD COAST
ENGINEERING & SURVEYING, LLC

TEL: 906.462.1400
(850) 474-0313

4400 DAVIS BOULEVARD SUITE 100
PENSACOLA, FL 32504

PA. REG.
(PA. REG. #27-2361)

Escambia County, FL - Address Search

1400 N HIGHWAY 29



Warning: This is not a survey

This site was prepared by the Escambia County GIS Division and is provided for information purposes only. It is not to be used for development of construction plans or any type of engineering services based on the information depicted herein and is maintained for the function of this office only. It is not intended for conveyance, nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Administrative Report

Parcel Site Address:	1400 N HIGHWAY 29
Parcel Ref (link to Property Appraiser):	03-1N-31-1302-000-001
Tax Collector ID (link to Tax Collector):	112526600
Commission District:	5
Jurisdiction:	Unincorporated Escambia County
Subdivision:	None
Zip Code of Site Address:	32533 (Note: Must be verified with USPS)
Water Franchise:	COTTAGE HILL WATERWORKS, INC.
Elementary School Zone:	Jim Allen (Note: Must be verified with the ECSD)
Middle School Zone:	Ransom (Note: Must be verified with the ECSD)
High School Zone:	Tate (Note: Must be verified with the ECSD)
Voting Precinct:	36
Polling Place:	Quintette Community Center (Note: Must be verified with the ECSOE)
Mosquito Spray Area:	50

Emergency Management Report



Hurricane Evacuation Zone:	No
Special Flood Hazard Area:	X
DFIRM Panel:	12033C0240G
Base Flood Elevation:	Not Available
Wind Zone:	135
Fire District:	CANTONMENT - 4

Topographical Report

Wetlands Attribute (not an official wetland determination):	No
Soils Map Unit Name:	POARCH-TROUP-MUCKALEE COMPLEX, RAVINES, 1 TO 12 PERCENT SLOPES,BONIFAY LOAMY SAND, 0 TO 5 PERCENT SLOPES
Drainage Basin:	JACKS BRANCH
Drainage Basin Number:	XVI

Land Use Report

Zoning:	LDR
Future Land Use 2030:	MU-S
Pensacola Regional Airport Real Estate Disclosure Area (See Military Base Disclosure Info below):	No
Pensacola Regional Airport Noise Zone:	No
Pensacola Regional Airport Height Restriction Grid:	No
Pensacola Regional Airport Education Facility Zone:	No
Airfield Influence Planning District:	No
CRA District and Overlay District:	No
Accident Potential Zone Description:	No

Accident Potential Zone

No

Restriction:**AICUZ Noise Zone:**

No

AICUZ Special Area:

No

AICUZ Special Area Restrictions:

No

Scenic Highway Overlay District:

No

**Enhanced Neighborhood Protection
Zone:**

No

DSAP Overlay:

Conservation Neighborhood

**Well Head Protection Area - 7
Year:**

No

**Well Head Protection Area - 20
Year:**

No

**Perdido Key Beach Mouse Critical
Habitat:**

No

NFCU USA:

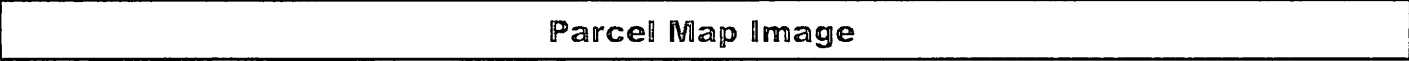
No

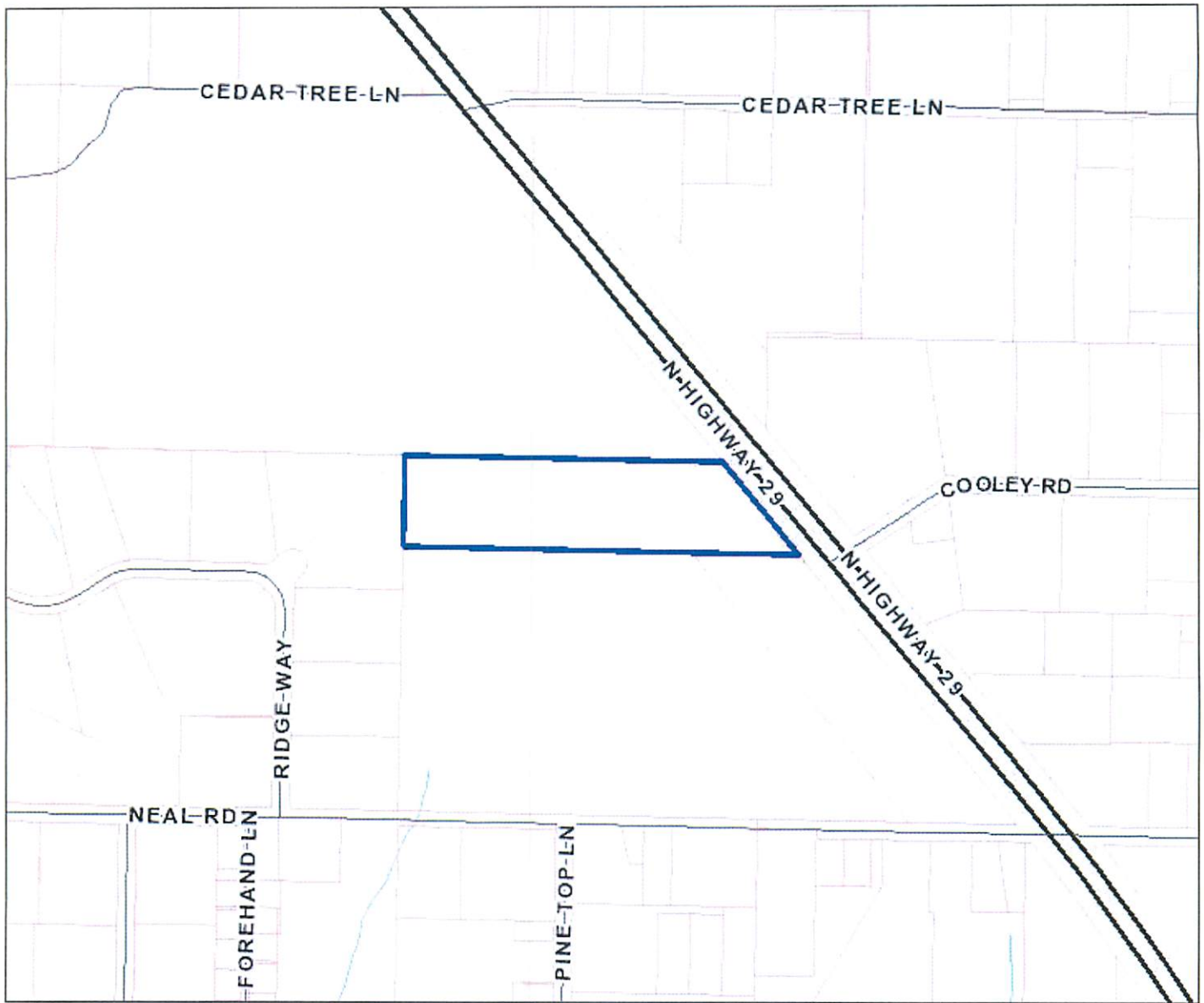
Enterprise Zone:

No

**Perdido Key Master Plan Town
Center Overlay:**

No

A rectangular box with a black border containing the text "Parcel Map Image".



Escambia County, FL

Parcel Report

Tuesday, August 11, 2020

Reference #

03-1N-31-1302-000-001

Owner Name

OF COTTAGE HILL FLORIDA INC

Owner Mailing Address230 WILLIAMS DITCH RD
CANTONMENT, FL 32533**General Information**

SITEADDR

1400 N HIGHWAY 29

Subdivision

Link

http://www.escpa.org/cama/Detail_a.aspx?s=031N311302000001Escambia County
Geographic Information Systems (GIS)
3363 West Park Place
Pensacola, FL 32505**WARNING: THIS IS NOT A SURVEY.**

This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and mapping company assume no legal responsibility for the information contained on this map.

1400 N. Hwy 29
#03-1N-31-1302-000-001

Ridge Way

Ridge Way

Coolley Rd

Neal Rd

Neal Rd

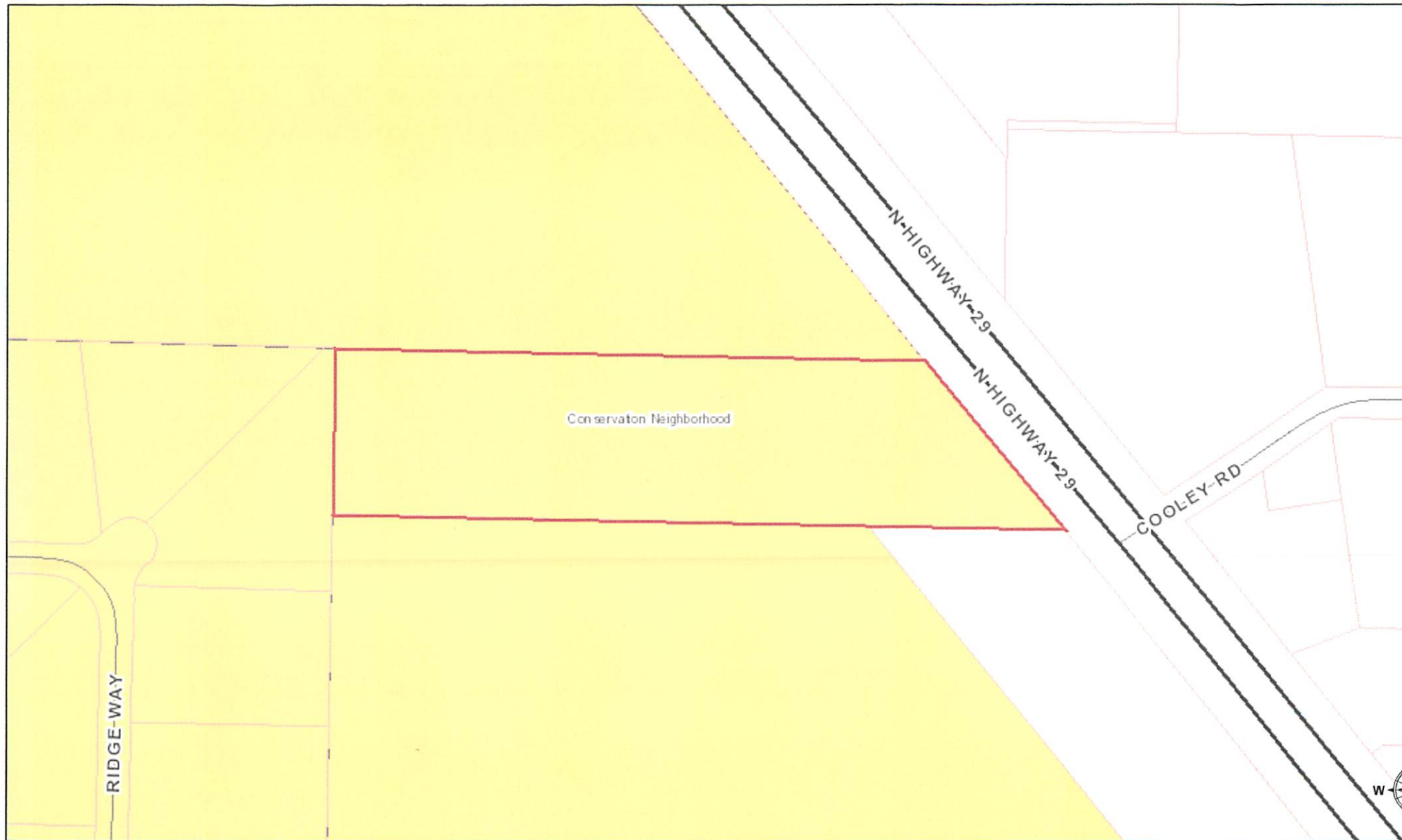
Neal Rd

Neal Rd

Neal Rd



1400 N. Hwy. 29 DSAP-CONSERVATION NEIGHBORHOOD



August 20, 2020

polygonLayer

Streets

Override 1

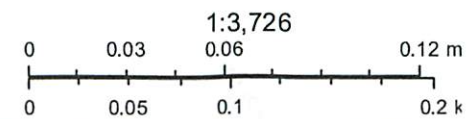
— PRINCIPAL ARTERIAL

— MINOR ARTERIAL

— COLLECTOR

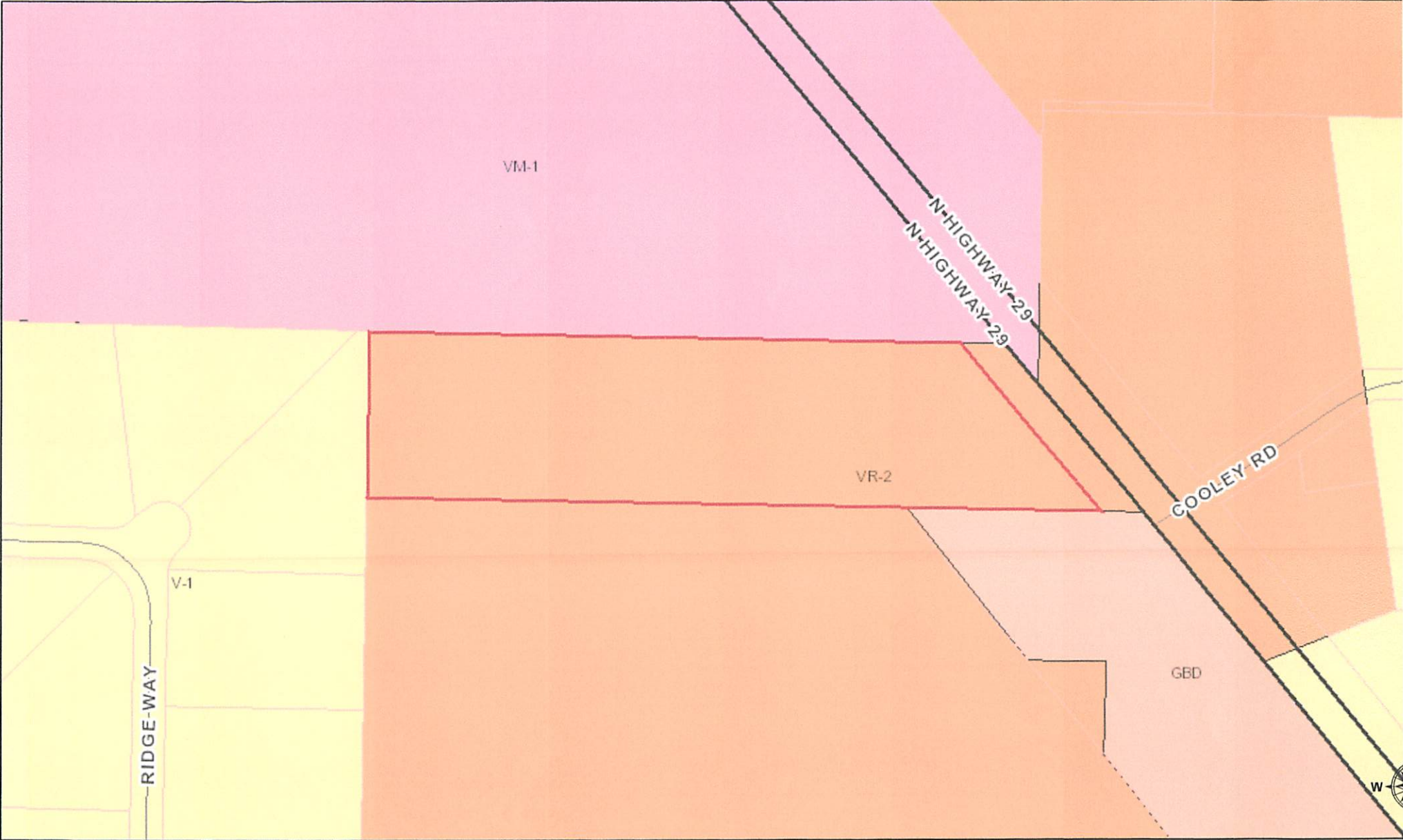
— LOCAL ROAD

□ Parcels



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), OpenStreetMap contributors, and the GIS User Community

1400 N. Hwy. 29 ZONING BEFORE 2015 LDC REVISION



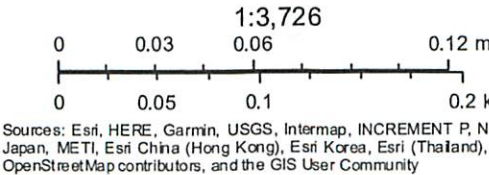
August 20, 2020

polygonLayer

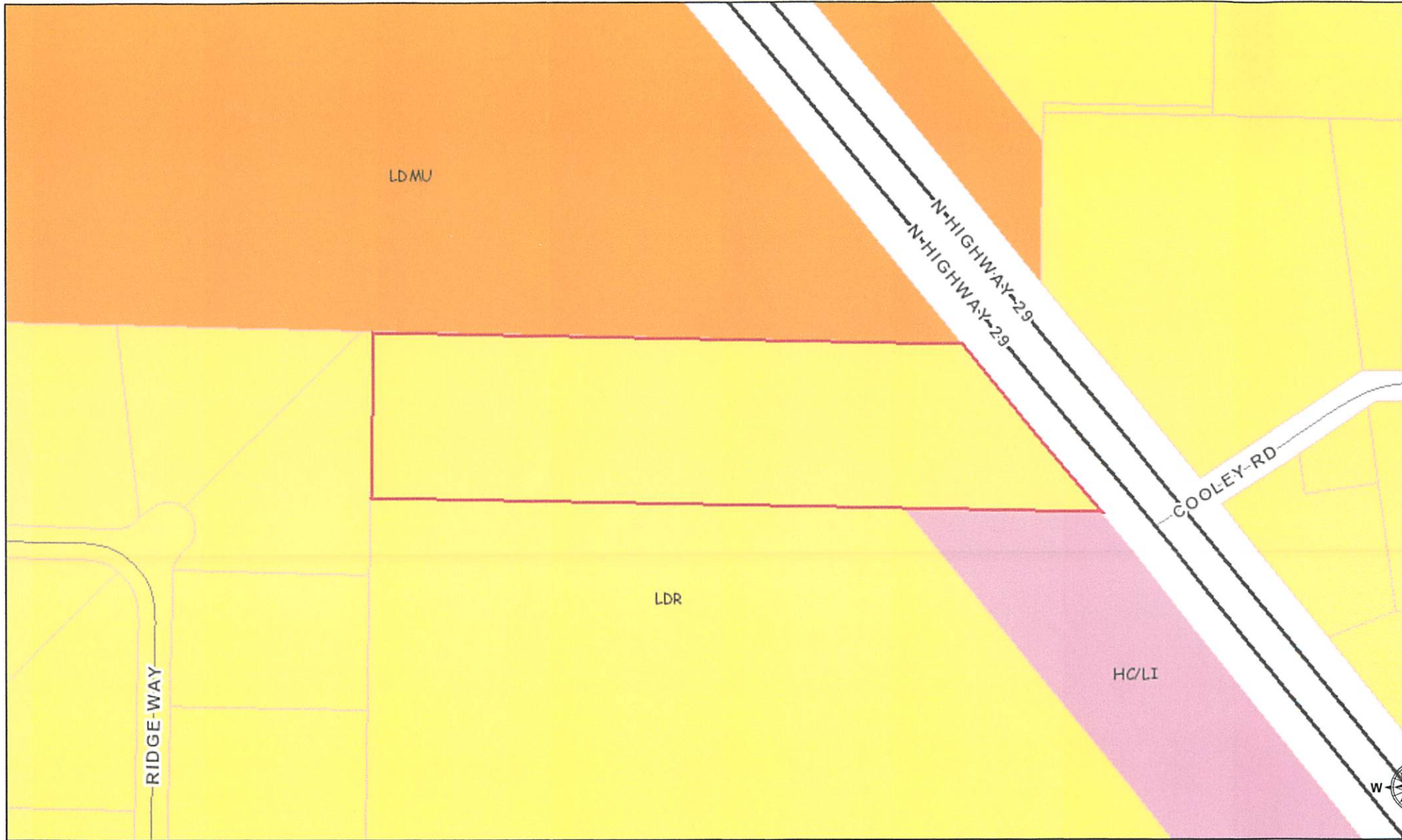
Streets

- COLLECTOR
- LOCAL ROAD
- Parcels

- Override 1
- PRINCIPAL ARTERIAL
 - MINOR ARTERIAL



1400 N. Hwy. 29 ZONING



August 20, 2020

polygonLayer

Streets

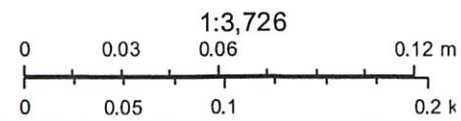
COLLECTOR

Override 1 — PRINCIPAL ARTERIAL

LOCAL ROAD

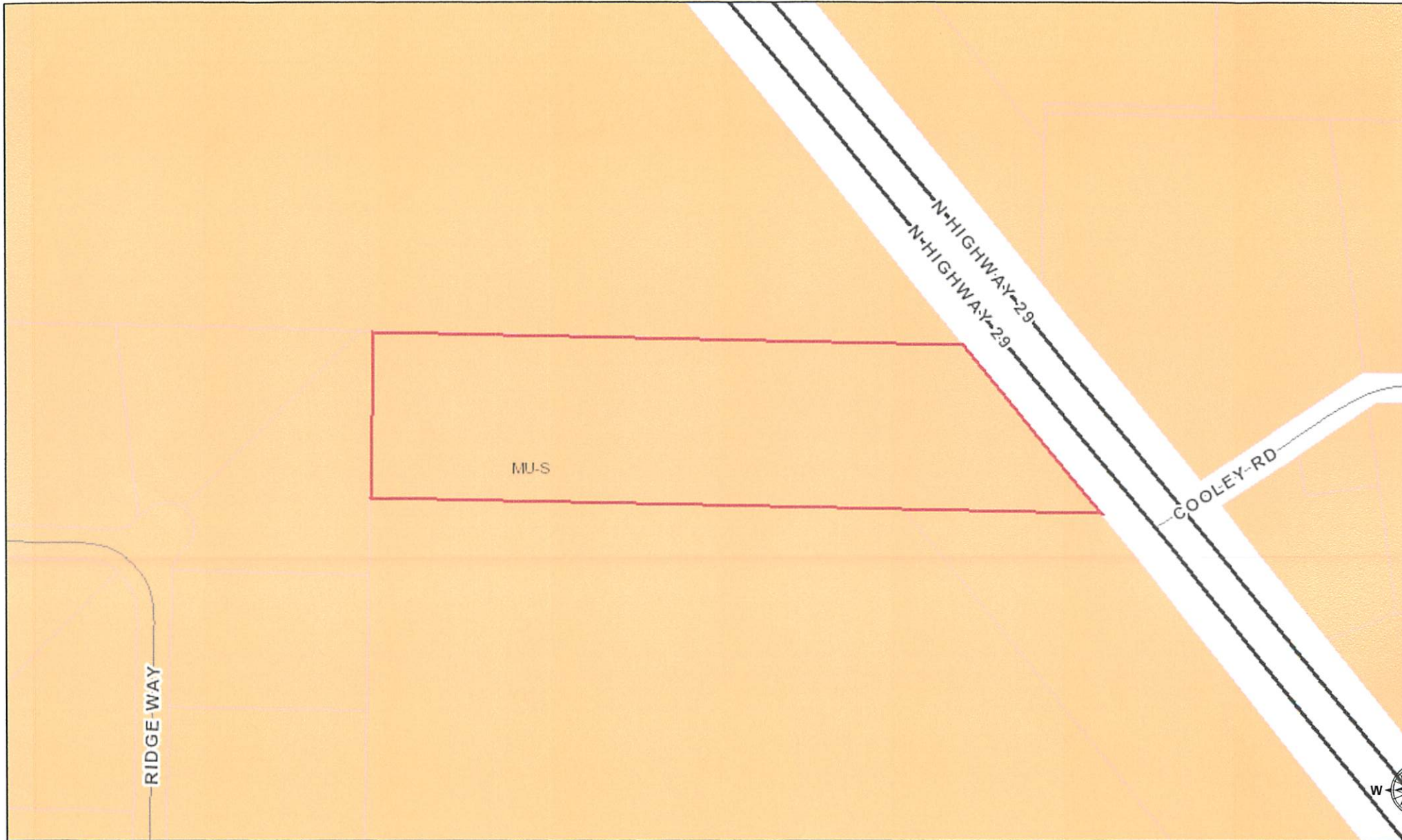
— MINOR ARTERIAL

Parcels



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), OpenStreetMap contributors, and the GIS User Community

1400 N. Hwy. 29 PREVIOUS FLU



August 20, 2020

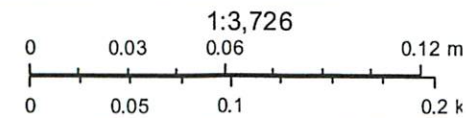
polygonLayer

Streets

Override 1

— PRINCIPAL ARTERIAL
— MINOR ARTERIAL

— COLLECTOR
— LOCAL ROAD
□ Parcels



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), OpenStreetMap contributors, and the GIS User Community

The First Baptist Church of Cottage Hill, Florida, Inc.
Address of property applying to withdraw from the Mid-West
Escambia County Sector Plan: 1400 N. Hwy. 29
Parcel Number: 03-1N-31-1302-000-001

Applicant's Data and Analysis

As the approval of an Opt-Out request will trigger a Future Land Use assignment for the parcel, county staff will review the requested Future Land Use category by the applicant to ensure consistency with applicable regulations. The applicant's request for the Future Land Use category will be evaluated using the following criteria:

Explanatory note from Applicant: For clarity and easier reading, the County's language from page 7 of the Opt-Out application dated 06-30-2020 is repeated here in black ink, italicized. Applicant's responses are in dark blue ink. We recognize this application is a work in progress and applaud the improvements that have been made thus far.

1. **A comparative analysis of the impact of both the current and the proposed future land use categories. If a specific development is proposed, then the applicant must show that the infrastructure is available to support the most intense development allowed under the requested Future Land Use category**

APPLICANT'S RESPONSE.

1. The current Future Land Use (FLU) is Conservation Neighborhood, in the Jack's Branch Detailed Specific Area Plan (DSAP). The proposed FLU of MU-S is the only one consistent with the applicant's existing low density residential (LDR). (See attached Exhibit A, DSAP Conservation Neighborhood Guidelines, and Exhibit B, Escambia County Comprehensive Plan 2030, Chapter 7 Future Land Use Element, FLUM Mixed-Use Suburban (MU-S).

2. There is no development project proposed.

3. The current FLU, which is the Sector Plan overlay on the applicant's approximately ten-acre parcel, is Conservation Neighborhood. It allows a maximum density of 3 DU/AC, or 30 dwelling units total. The proposed FLU

of MU-S, has a range of densities, from 3 DU/AC to a maximum of 25 DU/AC.

4. The underlying existing zoning on the church's parcel, LDR, would allow a maximum density of 4 DU/AC.

5. Other relevant criteria of the Conservation Neighborhood FLU included in Section 3.03(D)(F):

(a) The 50% "taking" rule: "At least fifty (50) percent of the gross land area of the proposed subdivision shall be designated as undivided, permanently protected open space, managed for either agriculture or conservation purpose, and on which the underlying development rights of the open space have been severed through a legal instrument that runs with the land." (De facto taking of private property for public use without compensation in violation of constitutional and statutory protection.)

(b) Mandatory clustering with required open space design: "Development shall be arranged in compact, neighborhood clusters. Sites may contain multiple neighborhood clusters provided they are separated by open space." (Another de facto taking, although non-specific and varying depending upon open space required by design.)

(c) Contiguous: "Open space should be contiguous to greenways, trails, public parks or other open spaces on adjoining parcels in order to promote the creation of larger, interconnected open space system." (Not possible to achieve with more than 1,500 individual parcels mostly developed before the Sector Plan was approved in 2011.)

(d) Landowners in the Sector Plan (either the Jack's Branch or the Muscogee DSAP) are **not** permitted to apply for rezoning of their property.

6. Other relevant criteria of Escambia County FLU MU-S:

(a) According to the county's Comprehensive Plan, MU-S is "intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses." The range of allowable uses includes: "residential, retail sales and services, professional office, recreational facilities, public and civic, limited agriculture."

(b) Current underlying zoning of the subject property is LDR. The maximum number of dwelling units allowed in LDR with MU-S is 4 DU/AC.

(c) Property owners with land outside the Sector Plan may apply for rezoning to a higher density within the MU-S FLU with a reasonable expectation of approval, subject to compatibility with surrounding properties and zonings.

7. Withdrawing from the Sector Plan will result in the applicant's underlying LDR becoming its *effective* zoning within MU-S FLU with a maximum density of 4 DU/AC.

2. **Proximity to and impact on the following:**

APPLICANT'S REPONSE:

A. Wellheads: Escambia County GIS map of nearest wellheads. The subject parcel is not located in a wellhead protection area. (See Exhibit C.)

B. Historically significant sites: Letter from Eman M. Vovsi, Ph.D., Sr. Data Base Analyst, Florida Master Site File. No cultural resources are recorded at the subject site. (See Exhibit D.)

C. Natural Resources: Escambia County GIS map layer showing no wetlands on the subject property. (See Exhibit E.)

Other map amendment criteria:

While not specifically requested in the application since there is no project proposed for the subject parcel, applicant notes there are additional standard map amendment criteria not otherwise addressed in the application. See LDC, Section 2-7.4(1). They are herein addressed:

(1) Stormwater Management: Escambia County's Land Development Code, Section 5-4, enumerates established development standards to properly manage stormwater runoff. Section 5-4.2(a), Stormwater Impact Review, requires review and approval for any land use or development activity that "may alter or disrupt existing stormwater runoff patterns and conditions." While there is no development proposed at this time, all applicable LDC regulations will apply at such time a plan is submitted. (See Exhibit H.)

(2) Recreation and Open Space: The ten-acre subject parcel at 1400 N. Highway 29, has a number of recreation opportunities nearby. It is located near the Cantonment Youth Athletic Park, the Quintette Community Center and Athletic Park, and the Carver Park Resource Center. (See Exhibit I.)

(3) Schools: The subject parcel address is served by Jim Allen Elementary School, Ransom Middle School, and Tate High School. The 30 DU/AC maximum allowed by the Sector Plan's Conservation Neighborhood district vs. the 40 DU/AC maximum allowed by regular county LDR is a difference of ten homes, the impact of which on school capacity would be minimal. Nonetheless, any future proposed project would be required to go through development services' normal evaluation processes. (See Exhibit J.)

3. **An analysis of consistency with the Escambia County Comprehensive Plan, with reference to applicable sections therein:**

APPLICANT'S RESPONSE:

Escambia County has an established opt-out procedure for withdrawing from its Sector Plan real property owned by aggrieved owners whose land was downzoned, improperly zoned, burdened by excessive regulations, or otherwise devalued.

The procedure was put in place as required by Florida Statutes 163.3245(8), which was passed into law after the Escambia County Comprehensive Plan was adopted in 2011. The statute requires that "an owner may withdraw his or her property from the Sector Plan master plan with the approval of local government (BCC) by plan amendment adopted and reviewed (at the state level) pursuant to Florida Statute 163.3184."

The county's opt-out procedure was properly incorporated into the land development code and is fully consistent with the provisions of the comprehensive plan.

NOTE: Pages 111-162 of the adopted Escambia County Mid-West Sector Plan, Detailed Specific Area Plans (DSAP) contain a detailed analysis of public facilities produced using the DSAP land use plan and associated development program tables to calculate theoretical impacts. Included in this analysis were the full range of public facilities as defined by 163.3164, Florida Statutes, including transportation, potable water, sanitary sewer, solid waste, drainage, schools, and parks. Impacts were analyzed for both short-term (5-yr) and long-term (buildout) conditions.

Note from Applicant: In consideration of the complexity and magnitude of the data and analysis referred to in this application, applicant includes by reference the entirety of the Sector Plan document and its DSAPs, including all data and analysis generated to support the above-stated documents, all of which were approved by the BCC and reviewed by the Florida Department of Economic Opportunity and other state agencies prior to adoption.

4. The parcel size in relation to the individual DSAP land use category and in relation to the overall Sector Plan, and the aggregate acreage of any granted opt-outs.

APPLICANT'S RESPONSE:

The parcel size is 10.0453 acres. The total number of acres in the Jack's Branch DSAP, Conservation Neighborhood land use, is 2,565.6. The parcel represents .0039% of that total. The total number of acres in the Sector Plan is 14,991.33 and the subject parcel represents .0007% of that total. The aggregate acreage of any granted opt-outs is 8.67 acres.

Note Three additional opt-outs have been approved by the Planning Board, and the Board of County Commissioners, with no objection from DEO. However, the county's ordinances relating to these opt-outs have been challenged by Jacqueline Rogers, Theresa Blackwell, and William Beech in Florida Division of Administrative Hearings (DOAH) Case Number 20-003015GM. A fourth opt-out approved by the Planning Board remains pending before the BCC subject to resolution of a technical issue.

5. The existing transportation infrastructure and any effect the proposal may have on the capacity of that infrastructure.

APPLICANT'S RESPONSE:

Applicant's parcel has 436.63 feet fronting U. S. Highway 29, which is maintained by the Florida Department of Transportation. See Exhibit F, section of U.S. Highway 29. A change from the currently allowed 3 DU/AC (Sector Plan DSAP-Conservation Neighborhood) to 4 DU/AC (underlying county LDR zoning) would not impact Highway 29.

6. The underlying existing zoning category and the compatibility with the surrounding DSAP land use designation.

APPLICANT'S RESPONSE:

The underlying zoning category for the subject parcel is Low Density Residential (LDR). Land to the west of this parcel is a low-density residential subdivision with large lots which was fully developed many years before the Sector Plan was adopted. That subdivision, while fully developed, is in the Conservation Neighborhood. Land to the north of the subject parcel has underlying county zoning of LDMU but is in the Conservation Neighborhood

district. To the east, across Highway 29, the zoning is LDR, and to the south, one parcel is county HCLI and another is Conservation Neighborhood with underlying LDR. Altogether, there is a mix of low density residential and HCLI surrounding the subject parcel. The underlying existing zoning of LDR is compatible with the existing neighborhood.

7. The consistency of any requested FLU designation with underlying zoning.

APPLICANT'S RESPONSE:

A FLU assignment of MU-S is consistent with LDR zoning. See Exhibit G, Escambia County Land Development Code, low density residential (LDR).

8. The previous future land use designation.

APPLICANT'S RESPONSE:

The previous future land use designation was MU-S.

9. During the processing of a Sector Plan opt-out request, to the extent possible, the staff analysis, the Planning Board and the Board shall consider whether the applicant lost development rights or was effectively down zoned as part of the Sector Plan adoption. The Board may take into consideration any other relevant factors in making its determination related to the request.

Development Rights vs. Value: Comparative Analysis

It is not clear whether the First Baptist Church property was downzoned or upzoned by the Sector Plan Conservation Neighborhood district overlay at the time it was approved in 2011.

The term "development rights" appears to be a staff synonym for "density." Assuming that is correct, development rights/density was increased. However, increased density in the Conservation Neighborhood district does not translate into increased value. Generally, the reverse is true.

The church's VR-2 zoning with MU-6 FLU on its 10.05 acres would have allowed 14 dwelling units. The Conservation Neighborhood allows 30 dwelling units. But the 50 percent rule in the Conservation Neighborhood takes away half the church's property. As a practical matter, 30 single family dwelling units (6du/ac) cannot be physically located on five acres. Twenty units (4du/ac) is the maximum achievable density, especially with the

mandatory clustering and required open space that could take away some of the remaining five acres without compensation. Hence, at least 10 dwelling units of the increased allowable density are worthless.

The question comes down to what is the most valuable in the current market: 14 half-acre- plus lots worth about \$60,000 each (\$840,000 total), or 20 smaller lots worth \$40,000 each (\$800,000 total). The fact is that given the high cost of land and development in today's market, neither of these hypothetical projects would be feasible.

Here is reality: (1) Prior to the adoption of the Sector Plan in 2011, the church had the right to apply for R1 or other residential zoning allowing four dwelling units per acre, or 40 total such as LDR with reasonable assurance of approval. The Sector Plan took away the church's right to even apply.

(2) If the Sector Plan had not been approved, the Land Development Code 2015 revision would have applied, and the church's zoning and future land use today would be LDR and MU-S, respectively, with a maximum of 40 subdivision lots allowed on the 10.05 acre tract (4 du/ac). The actual value of 40 dwelling units on the tract at \$40,000 each would change the equation to \$1,600,000.

In that scenario, a development company would pay the church an estimated current market value of approximately \$300,000 for its property. As things stand, however, the church has been unable to find a buyer in four years that would pay something close to its purchase price of \$175,000 in 2006 due to the Sector Plan encumbrances devaluing its property. Likely buyers of the church's property (development companies) will not pay full price for half value or less if they cannot develop it for a profit.

Therefore, private property owners like the church are forced to take up to a 50 percent loss or more on their land with no administrative right to relief except opting out of the Sector Plan. And that basic unfairness is real, not hypothetical.

Conservation Neighborhoods

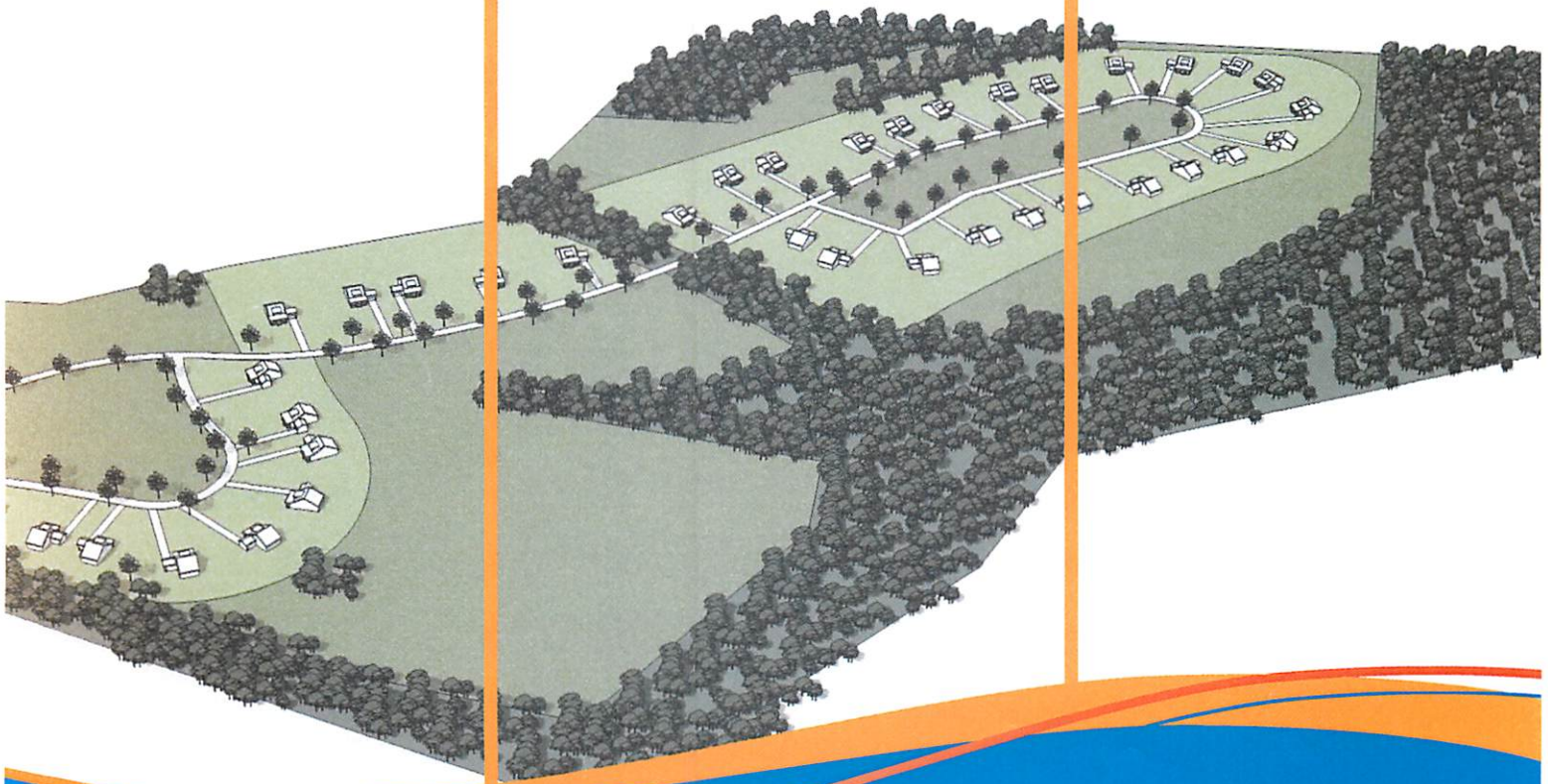
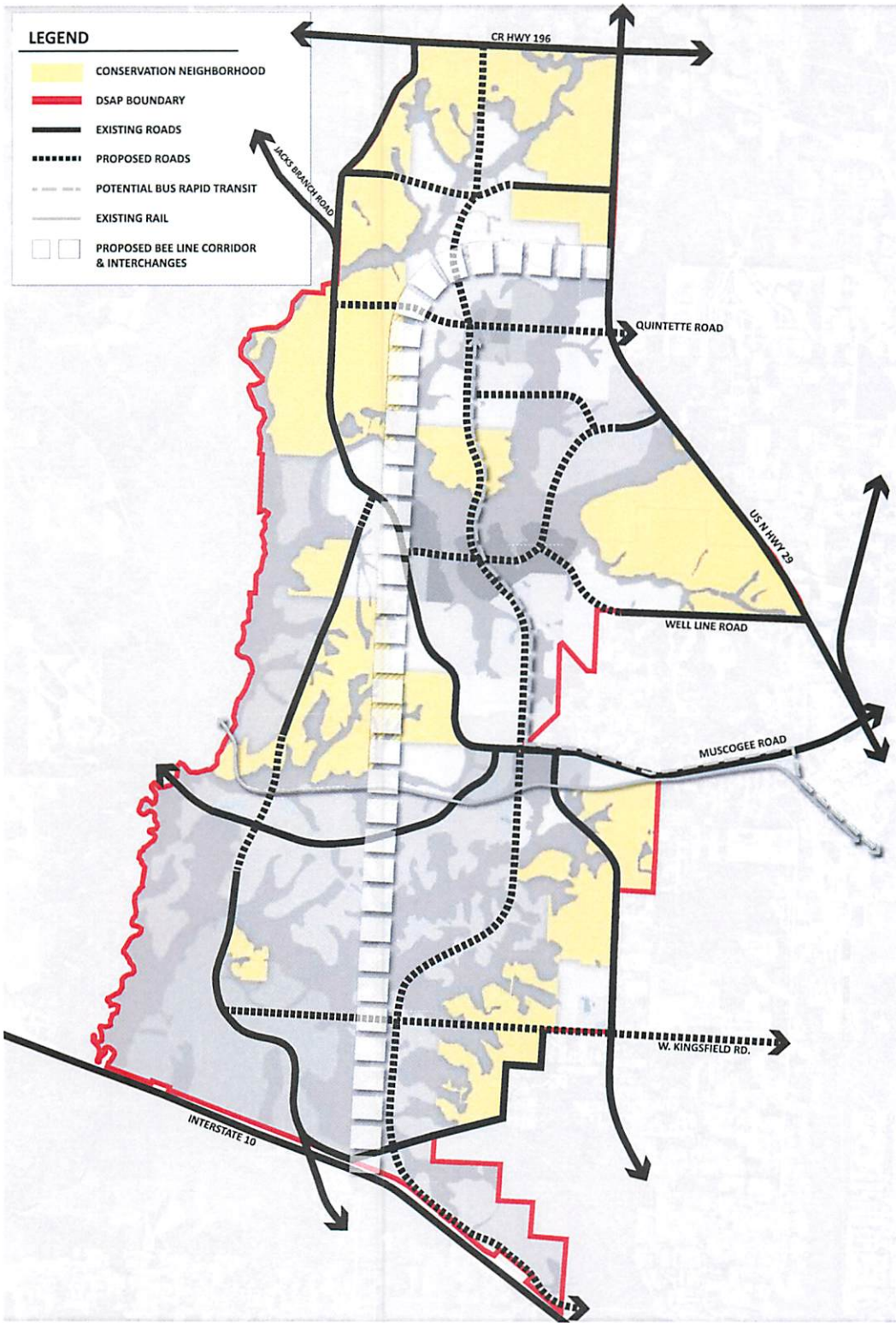


EXHIBIT A



Conservation Neighborhoods

Section 3.03 Conservation Neighborhood Guidelines

A. General Description

Conservation Neighborhoods are located greater than ½ mile from Town, Village and Neighborhood Centers and are typically located in more rural areas of the DSAP. They are subdivisions of clustered, single-family dwellings intended to:

- *Establish a more efficient use of land and infrastructure, thereby reducing costs to taxpayers, residents and developers.*
- *Offer landowners alternatives to conventional, large-lot development and incentivize the conservation of natural resources.*
- *Create usable and accessible open space for use by neighborhood residents.*
- *Contribute to an overall, interconnected open space system which links individual neighborhoods to parks and other publicly owned lands.*



B. Corresponding Escambia County Zoning District

- (1) VAG-1, VR-1, R-1, V-1, V-2, V-2A, V-5, SDD

C. Permitted Uses

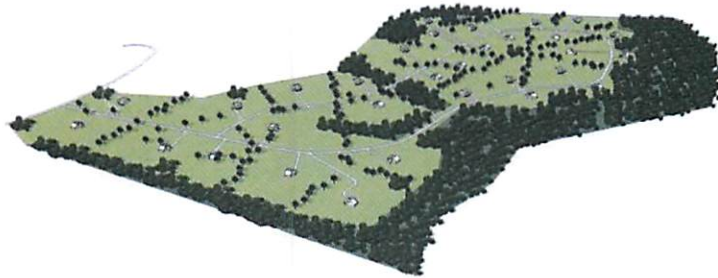
- (1) Detached housing as well as those uses listed in the specific zoning category, schools, civic use, open space and parks.

D. Density

- (1) Minimum Density: none
- (2) Maximum Density: 3 DU/ Net Acre

E. Development Pattern and Design

- (1) The developed area of the subject site shall not exceed fifty (50) percent of the gross land area of the site.
- (2) Development shall be arranged in compact, neighborhood clusters.
- (3) Sites may contain multiple neighborhood clusters provided they are separated by open space.



Conventional Development



Cluster Development

F. Open Space

- (1) At least fifty (50) percent of the gross land area of the proposed subdivision shall be designated as undivided, permanently protected open space, managed for either agriculture or conservation purposes, and on which the underlying development rights of the open space have been severed through a legal instrument that runs with the land.

- (2) Open space shall be arranged to preserve the function and integrity of on-site natural resources.
- (3) Open space shall consist of ~~Primary and Secondary Conservation Areas, Improved Common Open Space, and/or Active Agricultural Areas~~ one or more of the following:
 - (a) Primary Conservation Areas – wetlands, watercourses, waterbodies and associated buffers, and lands conserved for the protection of flora, fauna and habitat. Such lands shall be managed as natural open space and maintained in a natural or restored condition.
 - (b) Secondary Conservation Area – other selected areas which contain attractive spaces that are unique to the character of the site.
 - (c) Improved Common Open Space – open space set aside for ~~passive~~ recreational purposes. These areas may contain accessory buildings and improvements necessary and appropriate for recreational and/or public uses.
 - (d) Active Agricultural Areas – improved land used for bona fide agriculture uses subject to Best Management Practices of the Florida Department of Agriculture and Consumer Services including structures and facilities to support bona fide agricultural uses.
- (4) Up to ½ of the required open space area may include stormwater facilities provided such facilities are designed as a community amenity.
- (5) Open space should be contiguous to greenways, trails, public parks or other open spaces on adjoining parcels in order to promote the creation of larger, interconnected open space system.
- (6) Required open space should be encouraged to have access from the subject sites buildable area, except areas that contain bona fide agricultural activities.

G. Streets

- (1) Refer to Section 7 for typical cross sections for Conservation Neighborhoods.
- (2) Roadways should be designed according to best engineering practices and encouraged to follow existing contours to minimize the extent of cuts and fills.

ESCAMBIA COUNTY COMPREHENSIVE PLAN

2030



8/2019*

EXHIBIT B

FLUM Agriculture (AG)

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

Range of Allowable Uses:

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

Standards:

Residential Maximum Density: 1 du/20 acres

Non-Residential: Minimum Intensity: None.

Maximum Intensity: 0.25 Floor Area Ratio (FAR).

FLUM Rural Community (RC)

General Description: Intended to recognize existing residential development and neighborhood serving nonresidential activity through a compact development pattern that serves the rural and agricultural areas of Escambia County.

Range of Allowable Uses:

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

Standards:

Residential Maximum Density: 2 du/acre

Non-Residential Minimum Intensity: None

Maximum Intensity: 0.25 Floor Area Ratio (FAR)

FLUM Mixed-Use Suburban (MU-S)

General Description: Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.

Range of Allowable Uses: Residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: None

Maximum Intensity: 1.0 Floor Area Ratio (FAR)

Escambia County intends to achieve the following mix of land uses for new development within ¼ mile of arterial roadways or transit corridors by 2030:

- a) Residential 8% to 25%
- b) Public/Rec/Inst. 5% to 20%
- c) Non-Residential:
Retail Service-30% to 50%
Office-25% to 50%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

- a) Residential 70% to 85%
- b) Public/Rec/Inst. 10% to 25%
- c) Non-Residential 5% to 10%

FLUM Mixed-Use Urban (MU-U)

General Description: Intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses:

Residential, retail and services, professional office, light industrial, recreational facilities, public and civic, limited agriculture.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: 0.25 Floor Area Ratio (FAR)

Maximum Intensity: 2.0 Floor Area Ratio (FAR)

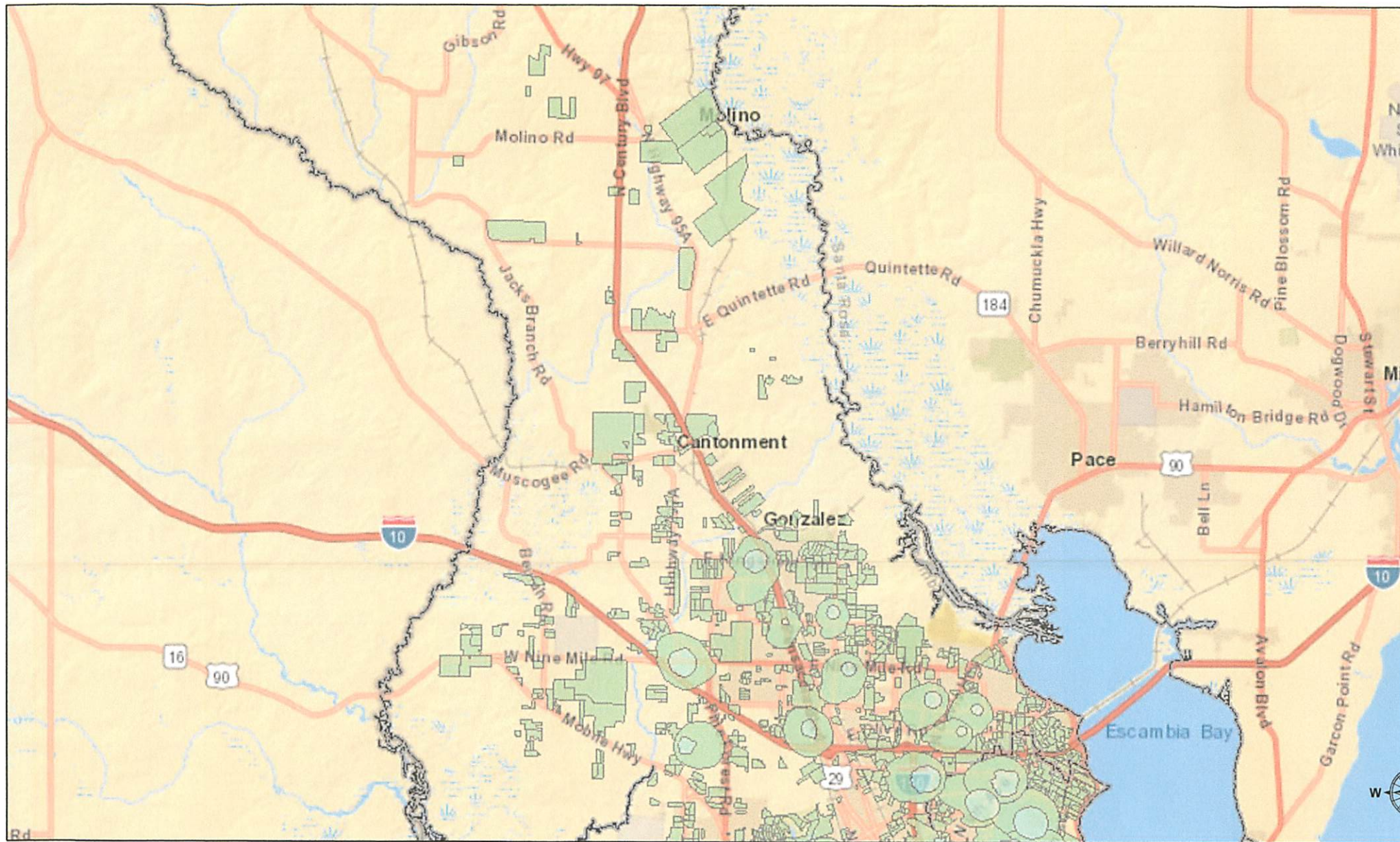
Escambia County intends to achieve the following mix of land uses for new development within a ¼ mile of arterial roadways or transit corridors by 2030:

- a) Residential 8% to 25%
- b) Public/Rec/Inst. 5% to 20%
- c) Non-Residential:
Retail/Service 30% to 50%
Office 25% to 50%
Light Industrial 5% to 10%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

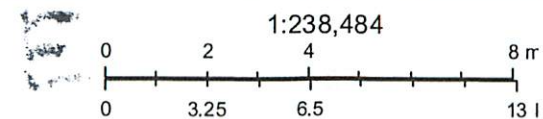
- a) Residential 70% to 85%
- b) Public/Rec/Inst. 10% to 25%
- c) Non-Residential 5% to 10%

1400 N. Hwy 29 - nearest wellheads



August 17, 2020

-  Well Head Protection Area - 7 Year
-  Subdivisions
-  Well Head Protection Area - 20 Year
-  County Outline



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), OpenStreetMap contributors, and the GIS User Community

EXHIBIT C



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com for project review information.

August 18, 2020



Elizabeth J. Westmark

E-mail: ejwestmark@gmail.com

In response to your request of August 18, 2020, the Florida Master Site File lists no cultural resources recorded at **1400 N. Hwy. 29**, Cantonment, FL 32533

When interpreting the results of this search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Kind Regards,

Eman M. Vovsi, Ph.D.

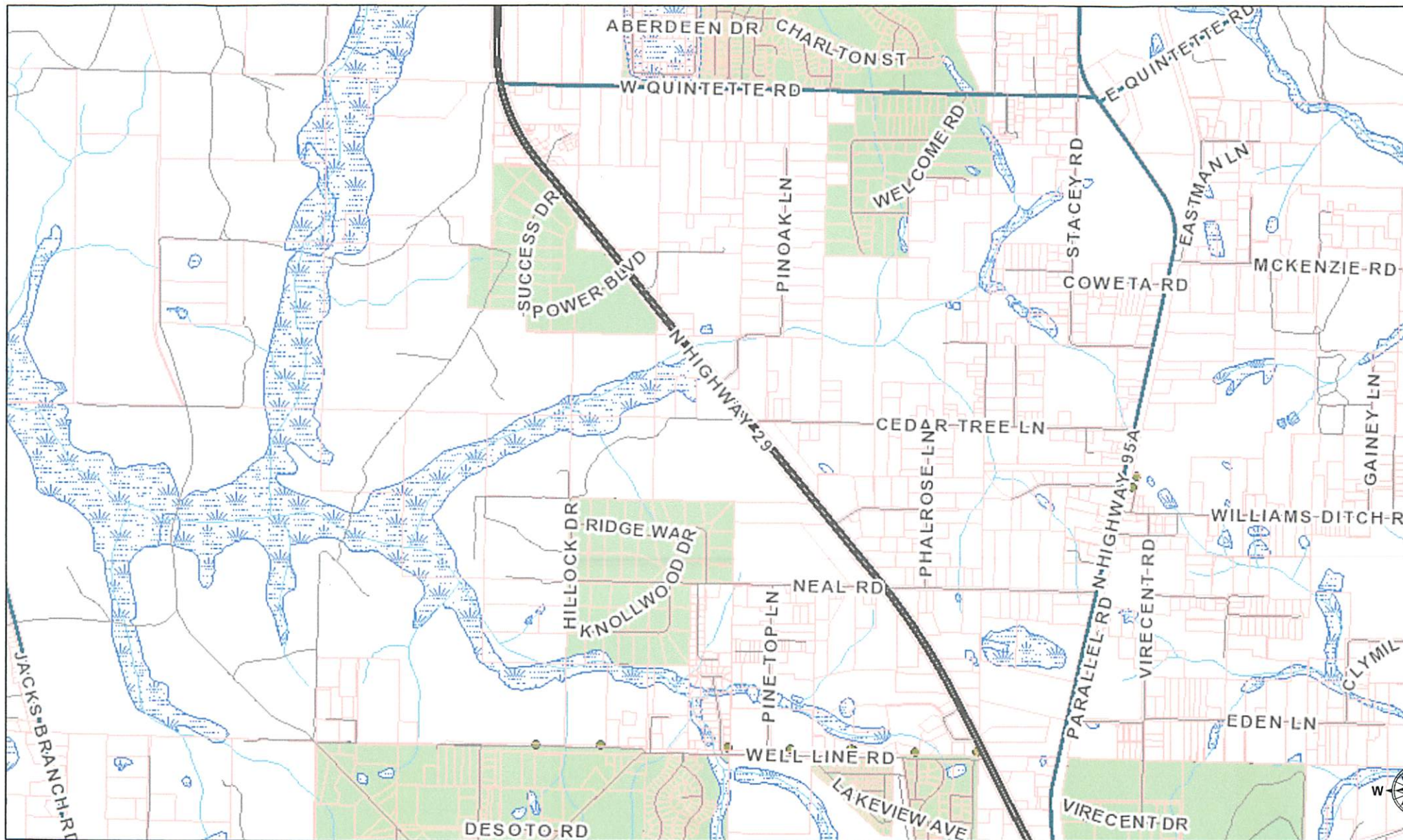
Sr. Data Base Analyst

Florida Master Site File

Eman.Vovsi@DOS.MyFlorida.com

EXHIBIT D

1400 N. Hwy 29 - no wetlands



August 17, 2020

Streets

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL

- COLLECTOR
- LOCAL ROAD
- PARCELS

- Rivers, Creeks, and Streams
- Well Head Protection Area Wells
- Well Head Protection Area - 7 Year

1:29,810
0 0.25 0.5 1 m
0 0.4 0.8 1.6 k
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), OpenStreetMap contributors, and the GIS User Community

EXHIBIT E



Daily Traffic Info:

Road Name: N HWY 29
From: BECKS LAKE RD
To: CR-196/HWY 196
AADT: 21000
Roadway: 48040000
Cosite: 480446
County: Escambia
Lat/Long: 30.63394, -87.33639
[Historical AADT Chart...](#)

Sec. 3-2.5 - Low density residential district (LDR).

(a) *Purpose.* The low density residential (LDR) district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the rural residential district. Residential uses within the LDR district are predominantly detached single-family dwellings. Clustering dwellings on smaller residential lots may occur where needed to protect prime farmland from non-agricultural use or to conserve and protect environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

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

(1) *Residential.*

- a. Manufactured (mobile) homes only within existing manufactured home parks or subdivisions, or on land zoned SDD prior to adoption of LDR zoning. No new or expanded manufactured home parks or subdivisions.
- b. Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots two acres or larger. Attached single-family dwellings and zero lot line subdivision only on land zoned V-5 or SDD prior to adoption of LDR zoning.
- c. Two-family dwellings and multifamily dwellings up to four units per dwelling (triplex and quadruplex) only on land zoned V-5 or SDD prior to adoption of LDR zoning.

See also conditional uses in this district.

(2) *Retail sales.* No retail sales.

(3) *Retail services.* No retail services.

(4) *Public and civic.*

- a. Cemeteries, family only.
- b. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

(5) *Recreation and entertainment.*

- a. Marinas, private only.
- b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

EXHIBIT G (includes all zoning categories in mu-50)

- (6) *Industrial and related.* No industrial or related uses.
- (7) *Agricultural and related.* On land not zoned SDD prior to adoption of LDR zoning, agricultural production and storage is limited to food primarily for personal consumption by the producer. The following additional agricultural uses are allowed on lands zoned SDD prior to LDR zoning:
 - a. Agriculture, but no farm animals except horses and other domesticated equines kept on site, and stables for such animals, accessory to a private residential use with a minimum lot area of two acres and a maximum of one animal per acre.
 - b. Aquaculture, marine or freshwater.
 - c. Produce display and sales of fruit, vegetables and similar agricultural products.
 - d. Silviculture.

See also conditional uses in this district.

- (8) *Other uses.* [Reserved.]
- (c) *Conditional uses.* Through the conditional use process prescribed in chapter 2, the BOA may conditionally allow the following uses within the LDR district:
 - (1) *Residential.*
 - a. Accessory dwellings on lots less than two acres.
 - b. Home occupations with non-resident employees.
 - (2) *Public and civic.*
 - a. Clubs, civic and fraternal.
 - b. Educational facilities, excluding preschools or kindergartens independent of other elementary grades.
 - c. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
 - d. Offices for government agencies or public utilities, small scale (gross floor area 6,000 square feet or less per lot).
 - e. Places of worship.
 - f. Public utility structures exceeding the district structure height limit, excluding telecommunications towers.
 - (3) *Recreation and entertainment.*
 - a. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
 - b. Parks with permanent restrooms or outdoor event lighting.
 - (4) *Agricultural and related.* Horses and other domesticated equines kept on site, and stables for such animals, as a private residential accessory not among the permitted

uses of the district, or for public riding on land zoned SDD prior to adoption of LDR zoning. A minimum lot area of two acres if accessory to a private residential use and a minimum ten acres if for public riding, with a maximum of one animal per acre for either use.

- (d) *Site and building requirements.* The following site and building requirements apply to uses within the LDR district:
- (1) *Density.* A maximum density of four dwelling units per acre.
 - (2) *Floor area ratio.* A maximum floor area ratio of 1.0 for all uses.
 - (3) *Structure height.* A maximum structure height of 45 feet. See height definition.
 - (4) *Lot area.* No minimum lot area unless prescribed by use.
 - (5) *Lot width.* For a new lot with a majority of its frontage along the outside of a street right-of-way curve whose radius is 100 feet or less, the minimum lot width at the right-of-way is 40 percent of the radius length, but not less than 20 feet. The minimum width for all other new lots is 60 feet at the right-of-way.
 - (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.* Twenty-five 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.*
 - a. *Horse shelters.* Stables or other structures for sheltering horses or other domesticated equines shall be at least 50 feet from any property line and at least 130 feet from any dwelling on the property of another landowner.
 - b. *Chapters 4 and 5.* Refer to chapters 4 and 5 for additional development regulations and standards.
- (e) *Location criteria.* All nonresidential uses within the LDR district shall be located to avoid nuisance, hazard and other adverse impacts to surrounding residential uses.
- (f) *Rezoning to LDR.* Low density residential zoning may be established only within the mixed-use suburban (MU-S) future land use category. The district is suitable for suburban areas with or without central water and sewer. The district is appropriate to provide transitions between areas zoned or used for rural residential or rural mixed-use and areas zoned or used for low density mixed-use or medium density residential.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-32, § 1, 8-20-2015; Ord. No. 2015-44, § 1, 10-8-2015; Ord. No. 2015-51, § 1, 11-5-2015; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2017-20, § 1, 4-6-2017; Ord. No. 2019-18, § 3, 4-4-2019)

Sec. 3-2.6 - Low density mixed-use district (LDMU).

(a) *Purpose.* The low density mixed-use (LDMU) district establishes appropriate areas and land use regulations for a complementary mix of low density residential uses and compatible nonresidential uses within mostly suburban areas. The primary intent of the district is to provide for a mix of neighborhood-scale retail sales, services and professional offices with greater dwelling unit density and diversity than the low density residential district. Additionally, the LDMU district is intended to rely on a pattern of well-connected streets and provide for the separation of suburban uses from more dense and intense urban uses. Residential uses within the district include most forms of single-family, two-family and multifamily dwellings.

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

(1) *Residential.*

- a. Manufactured (mobile) homes within manufactured home parks or subdivisions, including new or expanded manufactured home parks and subdivisions.
- b. Single-family dwellings (other than manufactured homes), attached or detached, including townhouses and zero lot line subdivisions.
- c. Two-family dwellings (duplex) and multifamily dwellings up to four units per building (triplex and quadruplex).

See also conditional uses in this district.

(2) *Retail sales.* Small-scale (gross floor area 6000 sq. ft. or less per lot) retail sales, or retail sales within a neighborhood retail center no greater than 35,000 square feet per lot and containing a mix of retail sales and services. Retail sales including, medical marijuana dispensing facilities, sales of beer and wine, but excluding sales of liquor or motor vehicles, and exclude permanent outdoor storage, display, or sales.

See also conditional uses in this district.

(3) *Retail services.* Small-scale (gross floor area 6,000 square feet or less per lot) retail services, or retail services within a neighborhood retail center no greater than 35,000 square feet per lot and containing a mix of retail sales and services. Retail services are limited to the following with no outdoor work or permanent outdoor storage:

- a. Bed and breakfast inns.
- b. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners, and tattoo parlors.
- c. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- d. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair.
- e. Restaurants, including on-premises consumption of alcohol, but excluding drive-in or drive-through service.

See also conditional uses in this district.

(4) *Public and civic.*

- a. Cemeteries, including family cemeteries.
- b. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- c. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
- d. Funeral establishments.
- e. Offices for government agencies or public utilities, small scale (gross floor area 6,000 square feet or less

per lot).

- f. Places of worship.
- g. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

(5) *Recreation and entertainment.*

- a. Marinas, private only.
- b. Parks without permanent restrooms or outdoor event lighting.

(6) *Industrial and related.* No industrial or related uses.

(7) *Agricultural and related.* Veterinary clinics, excluding outside kennels. Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

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

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

(1) *Residential.*

- a. Group living, including nursing homes, assisted living facilities, dormitories and residential facilities providing substance abuse treatment and post-incarceration reentry.
- b. Manufactured (mobile) homes outside manufactured home parks or subdivisions.

(2) *Retail sales.*

- a. Liquor sales.
- b. Medium-scale (gross floor area greater than 6,000 square feet per lot, but no greater than 35,000 square feet) retail sales, excluding sales of motor vehicles and excluding permanent outdoor storage, sales, or display.

(3) *Retail services.*

- a. Medium-scale (gross floor area greater than 6,000 square feet per lot, but no greater than 35,000 square feet) retail services, excluding outdoor work and permanent outdoor storage.
- b. Restaurants with drive-in or drive-through service.

(4) *Public and civic.*

- a. Clubs, civic and fraternal.
- b. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- c. Offices for government agencies or public utilities, with gross floor area greater than 6,000 square feet.
- d. Public utility structures exceeding the district structure height limit, and telecommunications towers of any height, excluding any industrial uses.
- e. Warehousing or maintenance facilities for government agencies or public utilities.

(5) *Recreation and entertainment.*

- a. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- b. Parks with permanent restrooms or outdoor event lighting.

(6) *Other uses.* Self-storage facilities with a maximum lot area of one acre and no vehicle rental or outdoor storage.

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

(1) *Density.* A maximum density of seven dwelling units per acre regardless of the future land use category.

- (2) *Floor area ratio.* A maximum floor area ratio of 1.0 within the MU-S future land use category and 2.0 within MU-U
- (3) *Structure height.* A maximum structure height of 45 feet. See height definition.
- (4) *Lot area.* No minimum lot area unless prescribed by use.
- (5) *Lot width.* For a new lot with a majority of its frontage along the outside of a street right-of-way curve whose radius is 100 feet or less, the minimum lot width at the right-of-way is 40 percent of the radius length, but not less than 20 feet. The minimum width for all other new lots is as follows:
 - a. *Single-family detached.* Forty feet at the street right-of-way for single-family detached dwellings.
 - b. *Two-family.* Eighty feet at the street right-of-way for two-family dwellings.
 - c. *Multi-family and other.* Eighty feet at the street right-of-way for multi-family dwellings and townhouse groups. No minimum lot width required by zoning for other uses.
- (6) *Lot coverage.* Minimum pervious lot coverage of 25 percent (75 percent maximum semi-impervious and impervious cover) for all uses.
- (7) *Structure setbacks.* For all principal structures, minimum setbacks are:
 - a. *Front and rear.* Twenty feet in the front and 15 feet in the rear.
 - b. *Sides.* Ten feet on each side of a group of attached townhouses. On each side of all other structures, 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.* All new nonresidential uses proposed within the LDMU district that are not part of a predominantly residential development or a planned unit development, or are not identified as exempt by district regulations, shall be on parcels that satisfy at least one of the following location criteria:
 - (1) *Proximity to intersection.* Along an arterial or collector street, and within 200 feet of an intersection with another arterial or collector.
 - (2) *Proximity to traffic generator.* Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, or shopping mall.
 - (3) *Infill development.* Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the LDMU district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (4) *Site design.* Along an arterial street and at the intersection with a local street that serves to connect the arterial street to another arterial, and all of the following site design conditions:
 - a. Any intrusion into a recorded residential subdivision is limited to a corner lot.
 - b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.
 - c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use (solid waste dumpsters, truck loading/unloading areas, drive-thru facilities, etc.) furthest from the residential uses.
 - (5) *Documented compatibility.* A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative location criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, that the following conditions exist:

- a. The parcel has not been rezoned by the landowner from mixed-use, commercial, or industrial zoning assign
 - b. If the parcel is within a county redevelopment area, the use will be consistent with the area's adopted redevelopment plan, as reviewed and recommended by the community redevelopment agency (CRA).
- (f) *Rezoning to LDMU.* Low density mixed-use zoning may be established only within the mixed-use suburban (MU-S) and mixed-use urban (MU-U) future land use categories. The district is suitable for suburban or urban areas with central water and sewer and developed street networks. The district is appropriate to provide transitions between areas zoned or used for low or medium density residential and areas zoned or used for high density mixed-use. Rezoning to LDMU is subject to the same location criteria as any new nonresidential use proposed within the LDMU district.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-44, § 2, 10-8-2015; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2017-5, § 2(Exh. B), 1-5-2017; Ord. No. 2019-2, § 2(Exh. B), 1-10-2019; Ord. No. 2019-18, § 3, 4-4-2019)

Sec. 3-2.7 - Medium density residential district (MDR).

- (a) *Purpose.* The medium density residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the low density residential district. Residential uses within the MDR district are limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.
- (b) *Permitted uses.* Permitted uses within the MDR district are limited to the following:
- (1) *Residential.*
 - a. Manufactured (mobile) homes only within manufactured home parks or subdivisions. No new or expanded manufactured home parks, and new or expanded manufactured home subdivisions only on land zoned V-4 prior to adoption of MDR zoning.
 - b. Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots one acre or larger. Attached single-family dwellings and zero lot line subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.
 - c. Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR zoning, and multi-family dwellings up to four units per dwelling (quadruplex) only on land zoned V-4 prior to MDR zoning.

See also conditional uses in this district.

- (2) *Retail sales.* No retail sales.
- (3) *Retail services.* No retail services. See conditional uses in this district.
- (4) *Public and civic.* Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

- (5) *Recreation and entertainment.*
 - a. Marinas, private.
 - b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

- (6) *Industrial and related.* No industrial or related uses.
- (7) *Agricultural and related.* Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals. See also conditional uses in this district.
- (8) *Other uses.* [Reserved.]

- (c) *Conditional uses.* Through the conditional use process prescribed in chapter 2, the BOA may conditionally allow the following uses within the MDR district:
- (1) *Residential.*
 - a. Accessory dwellings on lots less than one acre.
 - b. Group living, excluding residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
 - c. Home occupations with nonresident employees.
 - d. Townhouses not among the permitted uses of the district.
 - (2) *Retail services.* Boarding and rooming houses.
 - (3) *Public and civic.*
 - a. Clubs, civic and fraternal.
 - b. Educational facilities, excluding preschools or kindergartens independent of other elementary grades.
 - c. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
 - d. Offices for government agencies or public utilities, small scale (gross floor area 6,000 square feet or less per lot).
 - e. Places of worship.
 - f. Public utility structures exceeding the district structure height limit, excluding telecommunications towers.
 - (4) *Recreation and entertainment.*
 - a. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
 - b. Parks with permanent restrooms or outdoor event lighting.
 - (5) *Agricultural and related.* Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- (d) *Site and building requirements.* The following site and building requirements apply to uses within the MDR district:
- (1) *Density.* A maximum density of ten dwelling units per acre regardless of the future land use category.
 - (2) *Floor area ratio.* A maximum floor area ratio of 1.0 within the MU-S future land use category and 2.0 within MU-U.
 - (3) *Structure height.* A maximum structure height of 45 feet. See height definition.
 - (4) *Lot area.* No minimum lot area unless prescribed by use.
 - (5) *Lot width.* For a new lot with a majority of its frontage along the outside of a street right-of-way curve whose radius is 100 feet or less, the minimum lot width at the right-of-way is 40 percent of the radius length, but not less than 20 feet. The minimum width for all other new lots is as follows:
 - a. *Single-family detached.* Fifty feet at the street right-of-way for single-family detached dwellings.
 - b. *Two-family.* Eighty feet at the street right-of-way for two-family dwellings.
 - c. *Multi-family and other.* Eighty feet at the street right-of-way for townhouse groups and boarding or rooming houses. No minimum lot width required by zoning for other uses.
 - (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.* Twenty feet in the front and rear.

- b. *Sides.* Ten feet on each side of a group of attached townhouses. On each side of all other structures, five feet on each side of the lot width at the street right-of-way, whichever is greater, but not required to exceed 15 feet.

(8) *Other requirements.*

- a. *Stables.* Stables shall be at least 50 feet from any property line and at least 130 feet from any residential dwelling on the property of another landowner.
- b. *Chapters 4 and 5.* Refer to chapters 4 and 5 for additional development regulations and standards.
- (e) *Location criteria.* All nonresidential uses within the MDR district shall be located to avoid nuisance, hazard and other adverse impacts to surrounding residential uses.
- (f) *Rezoning to MDR.* Medium density residential zoning may be established only within the mixed-use suburban (MU-S) and mixed-use urban (MU-U) future land use categories. The district is suitable for suburban or urban areas with central water and sewer and developed street networks. The district is appropriate to provide transitions between areas zoned or used for low density residential and areas zoned or used for high density residential or mixed-use.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-44, § 3, 10-8-2015; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2019-18, § 3, 4-4-2019)

Sec. 3-2.8 - High density residential district (HDR).

- (a) *Purpose.* The high density residential (HDR) district establishes appropriate areas and land use regulations for residential uses at high densities within urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density and diversity than the medium density residential district. Residential uses within the HDR district include most forms of single-family, two-family and multifamily dwellings. Nonresidential uses within the district are limited to those that are compatible with urban residential neighborhoods.
- (b) *Permitted uses.* Permitted uses within the HDR district are limited to the following:
 - (1) *Residential.*
 - a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
 - b. Manufactured (mobile) homes only within existing manufactured home parks or subdivisions. No new or expanded manufactured home parks or subdivisions.
 - c. Single-family dwellings (other than manufactured homes), attached or detached, including townhouses and zero lot line subdivisions.
 - d. Two-family and multifamily dwellings. See also conditional uses in this district.
 - (2) *Retail sales.* No retail sales, except as conditional uses in this district.
 - (3) *Retail services.*
 - a. Boarding and rooming houses.
 - b. Child care facilities.

See also conditional uses in this district.
 - (4) *Public and civic.* Public utility structures, excluding telecommunications towers.
See also conditional uses in this district.
 - (5) *Recreation and entertainment.*
 - a. Marina, private.
 - b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

- (6) *Industrial and related.* No industrial or related uses.
 - (7) *Agricultural and related.* Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals. See also conditional uses in this district.
- (8) *Other uses.* [Reserved.]
- (c) *Conditional uses.* Through the conditional use process prescribed in chapter 2, the BOA may conditionally allow the following uses within the HDR district:
 - (1) *Residential.*
 - a. Dormitories.
 - b. Fraternity or sorority houses.
 - c. Home occupations with nonresident employees.
 - (2) *Retail sales.* Retail sales only within a predominantly residential multi-story building.
 - (3) *Retail services.* Retail services only within a predominantly residential multi-story building.
 - (4) *Public and civic.*
 - a. Clubs, civic and fraternal.
 - b. Educational facilities, excluding preschools or kindergartens independent of other elementary grades.
 - c. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
 - d. Hospitals.
 - e. Offices for government agencies or public utilities, small scale (gross floor area 6,000 square feet or less per lot).
 - f. Places of worship.
 - g. Public utility structures exceeding the district structure height limit, excluding telecommunications towers.
 - (5) *Recreation and entertainment.*
 - a. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
 - b. Parks with permanent restrooms or outdoor event lighting.
 - (6) *Agricultural and related.* Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- (d) *Site and building requirements.* The following site and building requirements apply to uses within the HDR district:
 - (1) *Density.* A maximum density of 18 dwelling units per acre.
 - (2) *Floor area ratio.* A maximum floor area ratio of 2.0 for all uses.
 - (3) *Structure height.* A maximum structure height of 120 feet above highest adjacent grade.
 - (4) *Lot area.* No minimum lot area unless prescribed by use.
 - (5) *Lot width.* For a new lot with a majority of its frontage along the outside of a street right-of-way curve whose radius is 100 feet or less, the minimum lot width at the right-of-way is 40 percent of the radius length, but not less than 20 feet. The minimum width for all other new lots is as follows:
 - a. *Single-family detached.* Forty feet at the street right-of-way for single-family detached dwellings.
 - b. *Two-family.* Eighty feet at the street right-of-way for two-family dwellings.
 - c. *Multi-family and other.* Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, and townhouse groups. No minimum lot width required by zoning for other uses.

- (6) *Lot coverage.* Minimum pervious lot coverage of 20 percent (80 percent maximum semi-impervious and impervious uses).
 - (7) *Structure setbacks.* For all principal structures, minimum setbacks are:
 - a. *Front and rear.* Twenty feet in the front and 15 feet in the rear.
 - b. *Sides.* Ten feet on each side of a group of attached townhouses. On each side of all other structures, ten feet or ten percent of the lot width at the street right-of-way, whichever is less, but at least five feet. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional ten feet in height, 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.* All nonresidential uses within the HDR district shall be located to avoid nuisance, hazard, and other adverse impacts to surrounding residential uses.
 - (f) *Rezoning to HDR.* High density residential zoning may be established only within the mixed-use suburban (MU-S) or mixed-use urban (MU-U) future land use categories. The district is suitable for urban areas with central water and sewer and developed street networks. The district is appropriate to provide transitions between areas zoned or used for medium density residential and areas zoned or used for high density mixed-use or commercial.
- (Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-56, § 2, 12-10-2015; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2019-18, § 3, 4-4-2019)

Sec. 3-2.9 - High density mixed-use district (HDMU).

- (a) *Purpose.* The high density mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible nonresidential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the low density mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multifamily dwellings.
 - (b) *Permitted uses.* Permitted uses within the HDMU district are limited to the following:
 - (1) *Residential.* The following residential uses are allowed throughout the district, but if within a commercial (C) future land use category they are permitted only if part of a predominantly commercial development.
 - a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
 - b. Manufactured (mobile) homes, including manufactured home subdivisions, but excluding new or expanded manufactured home parks.
 - c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
 - d. Two-family and multifamily dwellings.

See also conditional uses in this district.
 - (2) *Retail sales.* Small-scale (gross floor area 6000 sq. ft. or less per lot) retail sales including medical marijuana dispensing facilities, sales of beer and wine, but excluding sales of liquor, automotive fuels, or motor vehicles, and excluding permanent outdoor storage, display, or sales.
 - (3) *Retail services.* The following small-scale (gross floor area 6,000 square feet or less per lot) retail services,
- See also conditional uses in this district.

excluding outdoor work or permanent outdoor storage:

- a. Bed and breakfast inns.
- b. Boarding and rooming houses.
- c. Child care facilities.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners, and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair.
- g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, but excluding drive-in or drive-through service and brewpubs with distribution of alcoholic beverages for off-site sales.

See also conditional uses in this district.

(4) *Public and civic.*

- a. Preschools and kindergartens.
- b. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
- c. Foster care facilities.
- d. Places of worship.
- e. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

(5) *Recreation and entertainment.*

- a. Marinas, private only.
- b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) *Industrial and related.* No industrial or related uses.

(7) *Agricultural and related.* Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

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

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

(1) *Residential.*

- a. Dormitories.
- b. Fraternity and sorority houses.
- c. Manufactured (mobile) home parks.

(2) *Retail sales.* Medium-scale (gross floor area greater than 6,000 square feet per lot, but no greater than 35,000 square feet) retail sales, including sales of beer and wine and automotive fuels, but excluding sales of motor vehicles and liquor, and excluding permanent outdoor storage, display, or sales.

(3) *Retail services.*

- a. Medium-scale (gross floor area greater than 6,000 square feet per lot, but no greater than 35,000 square feet) retail services, excluding motor vehicle service and repair.
- b. Restaurants and brewpubs with drive-in or drive-through service and brewpubs with the distribution of

on-premises produced alcoholic beverages for off-site sales.

- c. Small-scale (gross floor area 6,000 square feet or less per lot) major motor vehicle service and repair, excluding painting or body work and outdoor work.

(4) *Public and civic.*

- a. Broadcast stations with satellite dishes and antennas, excluding towers.
- b. Cemeteries, including family cemeteries.
- c. Clubs, civic and fraternal.
- d. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- e. Cinerators.
- f. Educational facilities not among the permitted uses of the district.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Public utility structures exceeding the district structure height limit and telecommunications towers of any height, excluding any industrial uses.
- k. Warehousing or maintenance facilities for government agencies or public utilities.

(5) *Recreation and entertainment.*

- a. Amusement arcade centers and bingo facilities.
- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

(6) *Industrial and related.* Microbreweries, microdistilleries, and microwineries.

(7) *Agricultural and related.*

- a. Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- b. Veterinary clinics.

(8) *Other uses.*

- a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.
- b. Structures of permitted uses exceeding the district structure height limit, excluding telecommunications towers.

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

- (1) *Density.* A maximum density of 25 dwelling units per acre.
- (2) *Floor area ratio.* A maximum floor area ratio of 1.0 within the commercial (C) future land use category and 2.0 within mixed-use urban (MU-U).
- (3) *Structure height.* A maximum structure height of 150 feet above highest adjacent grade.
- (4) *Lot area.* No minimum lot area unless prescribed by use.
- (5) *Lot width.* For a new lot with a majority of its frontage along the outside of a street right-of-way curve whose radius is 100 feet or less, the minimum lot width at the right-of-way is 40 percent of the radius length, but not less than 20 feet. The minimum width for all other new lots is as follows:
 - a. *Single-family detached.* Forty feet at the street right-of-way for single-family detached dwellings.

- b. *Two-family*. Eighty feet at the street right-of-way for two-family dwellings.
 - c. *Multi-family and other*. Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses.
- (6) *Lot coverage*. Minimum pervious lot coverage of 20 percent (80 percent maximum semi-impervious and impervious cover) for all uses.
- (7) *Structure setbacks*. For all principal structures, minimum setbacks are:
 - a. *Front and rear*. Twenty feet in the front and 15 feet in the rear.
 - b. *Sides*. Ten feet on each side of a group of attached townhouses. On each side of all other structures, ten feet or ten percent of the lot width at the street right-of-way, whichever is less, but at least five feet. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional ten feet in height, 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*. All new nonresidential uses proposed within the HDMU district that are not part of a predominantly residential development or a planned unit development, or are not identified as exempt by district regulations, shall be on parcels that satisfy at least one of the following location criteria:
 - (1) *Proximity to intersection*. Along an arterial or collector street and within 200 feet of an intersection with another arterial or collector.
 - (2) *Proximity to traffic generator*. Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.
 - (3) *Infill development*. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the HDMU district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (4) *Site design*. Along an arterial street and at the intersection with a local street that serves to connect the arterial street to another arterial, and all of the following site design conditions:
 - a. Any intrusion into a recorded residential subdivision is limited to a corner lot.
 - b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.
 - c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
 - (5) *Documented compatibility*. A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:
 - a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
 - b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the community redevelopment agency (CRA).
- (f) *Rezoning to HDMU*. High density mixed-use zoning may be established only within the mixed-use suburban (MU-S), mixed-use urban (MU-U) or commercial (C) future land use categories. The district is suitable for areas where the

intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable. The district inappropriate to provide transitions between areas zoned or used for medium or high density residential and areas zoned or used for commercial. Rezoning to HDMU is subject to the same location criteria as any new nonresidential use proposed within the HDMU district.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-56, § 3, 12-10-2015; Ord. No. 2016-2, § 1, 1-7-2016; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2017-5, § 2(Exh. B), 1-5-2017; Ord. No. 2019-2, § 2(Exh. B), 1-10-2019; Ord. No. 2019-18, § 3, 4-4-2019)

Sec. 3-2.10 - Commercial district (Com).

- (a) *Purpose.* The commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the commercial (C) future land use category.
- (b) *Permitted uses.* Permitted uses within the commercial district are limited to the following:
 - (1) *Residential.* The following residential uses are allowed throughout the district, but if within the commercial (C) future land use category they are permitted only if part of a predominantly commercial development:
 - a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
 - b. Manufactured (mobile) homes, including new or expanded manufactured home parks or subdivisions.
 - c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
 - d. Two-family and multifamily dwellings.

See also conditional uses in this district.
 - (2) *Retail sales.* Retail sales, including medical marijuana dispensing facilities, sales of alcoholic beverages and automotive fuels, but excluding motor vehicle sales and permanent outdoor storage.

See also conditional uses in this district.

 - (3) *Retail services.* The following retail services, excluding permanent outdoor storage:
 - a. Car washes, automatic or manual, full service or self-serve.
 - b. Child care facilities.
 - c. Hotels, motels and all other public lodging, including boarding and rooming houses.
 - d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
 - e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
 - f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.
 - g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through

service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.

See also conditional uses in this district.

(4) *Public and civic.*

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, firefighting, and medical assistance.
- f. Foster care facilities.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding any industrial uses.
- l. Warehousing or maintenance facilities for government agencies or for public utilities.

See also conditional uses in this district.

(5) *Recreation and entertainment.*

- a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.
- c. Marinas, private and commercial.
- d. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) *Industrial and related.*

- a. Printing, binding, lithography and publishing.
- b. Wholesale warehousing with gross floor area 10,000 square feet or less per lot.

See also conditional uses in this district.

(7) *Agricultural and related.*

- a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics.

See also conditional uses in this district.

(8) *Other uses.*

- a. Billboard structures.
- b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.
- c. Parking garages and lots, commercial.

- d. Self-storage facilities, excluding vehicle rental.
- (c) *Conditional uses.* Through the conditional use process prescribed in chapter 2, the BOA may conditionally allow the following uses within the commercial district:
 - (1) *Residential.*
 - a. Group living not among the permitted uses of the district.
 - b. Home occupations with nonresident employees.
 - (2) *Retail sales.*
 - a. Boat sales, new and used.
 - b. Automobile sales, used autos only, excluding parcels fronting on any of the following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate 10 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than one acre and provided with a permanent fence, wall, or other structural barrier of sufficient height and mass along all road frontage to prevent encroachment into the right-of-way other than through approved site access.
 - c. Automobile rental limited to the same restrictions as used automobile sales.
 - d. Utility trailer, heavy truck (gross vehicle weight rating more than 8,500 lbs.), and recreational vehicle sales, rental, or service limited to the same restrictions as used automobile sales.
 - (3) *Retail services.*
 - a. Restaurants not among the permitted uses of the district.
 - b. Service and repair of motor vehicles, small scale (gross floor area 6,000 square feet or less per lot), excluding painting and body work and outdoor work and storage.
 - (4) *Public and civic.*
 - a. Cemeteries, including family cemeteries.
 - b. Clubs, civic and fraternal.
 - c. Cinerators.
 - d. Homeless shelters.
 - (5) *Recreation and entertainment.*
 - a. Bars and nightclubs.
 - b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
 - c. Parks with permanent restrooms or outdoor event lighting.
 - (6) *Industrial and related.*
 - a. Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and development review requirements per Escambia County Code of Ordinances, part I, chapter 42, article VIII, and land use and regulations in part III, the land development code, chapter 4.
 - * Borrow pits are prohibited on land zoned GMD prior to the adoption of the commercial (Com) zoning.
 - b. Microbreweries, microdistilleries, microwineries.
 - (7) *Agricultural and related.* Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
 - (8) *Other uses.*
 - a. Outdoor sales not among the permitted uses of the district.

- b. Outdoor storage not among the permitted uses of the district, including outdoor storage of trailered boats ; recreational vehicles, but no repair, overhaul, or salvage activities. All such storage shall be screened from r maintained to avoid nuisance conditions.
 - c. Self-storage facilities, including vehicle rental as an accessory use.
 - d. Structures of permitted uses exceeding the district structure height limit.
- (d) *Site and building requirements.* The following site and building requirements apply to uses within the commercial district:
- (1) *Density.* A maximum density of 25 dwelling units per acre throughout the district. Lodging unit density not limited by zoning.
 - (2) *Floor area ratio.* A maximum floor area ratio of 1.0 within the commercial (C) future land use category and 2.0 within mixed-use urban (MU-U).
 - (3) *Structure height.* A maximum structure height of 150 feet above adjacent grade.
 - (4) *Lot area.* No minimum lot area unless prescribed by use.
 - (5) *Lot width.* For a new lot with a majority of its frontage along the outside of a street right-of-way curve whose radius is 100 feet or less, the minimum lot width at the right-of-way is 40 percent of the radius length, but not less than 20 feet. The minimum width for all other new lots is as follows:
 - a. *Single-family detached.* Forty feet at the street right-of-way for single-family detached dwellings.
 - b. *Two-family.* Eighty feet at the street right-of-way for two-family dwellings.
 - c. *Multi-family and other.* Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses or lots.
 - (6) *Lot coverage.* Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses.
 - (7) *Structure setback.* For all principal structures, minimum setbacks are:
 - a. *Front and rear.* Fifteen feet in both front and rear.
 - b. *Sides.* On each side of a single-family detached dwelling, ten feet or ten percent of the lot width at the street right-of-way, whichever is less, but at least five feet. For all other structures, including any group of attached townhouses ten feet on each side. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional ten feet in height.
 - (8) *Other requirements.* Refer to chapters 4 and 5 for additional development regulations and standards.
- (e) *Location criteria.* All new nonresidential uses proposed within the commercial district that are not part of a planned unit development or not identified as exempt by the district shall be on parcels that satisfy at least one of the following location criteria:
- (1) *Proximity to intersection.* Along an arterial or collector street and within one-quarter mile of its intersection with an arterial street.
 - (2) *Proximity to traffic generator.* Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.
 - (3) *Infill development.* Along an arterial or collector street, in an area where already established nonresidential uses are otherwise consistent with the commercial district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (4) *Site design.* Along an arterial or collector street, no more than one-half mile from its intersection with an

arterial or collector street, not abutting a single-family residential zoning district (RR, LDR or MDR), and all of the following site design conditions:

- a. Any intrusion into a recorded subdivision is limited to a corner lot.
 - b. A system of service roads or shared access is provided to the maximum extent made feasible by lot area, shape, ownership patterns, and site and street characteristics.
 - c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
- (5) *Documented compatibility.* A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the potential uses of parcel that were not anticipated by the alternative criteria, and the proposed use, or rezoning as applicable, will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:
- a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
 - b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the community redevelopment agency (CRA).
- (f) *Rezoning to commercial.* Commercial zoning may be established only within the mixed-use suburban (MU-S) mixed-use urban (MU-U), or commercial (C) future land use categories. The district is appropriate to provide transitions between areas zoned or used as high density mixed-use and areas zoned or used as heavy commercial or industrial. Rezoning to commercial is subject to the same location criteria as any new nonresidential use proposed within the commercial district.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2015-56, § 4, 12-10-2015; Ord. No. 2016-02, § 2, 1-7-2016; Ord. No. 2016-31, § 1, 8-4-2016; Ord. No. 2016-42, § 1, 12-8-2016; Ord. No. 2017-5, § 2(Exh. B), 1-5-2017; Ord. No. 2018-16, § 1, 4-5-2018; Ord. No. 2019-2, § 2(Exh. B), 1-10-2019; Ord. No. 2019-18, § 3, 4-4-2019)

Sec. 5-4.1 - Purpose of article.

This article establishes land development standards for stormwater management that implement level-of-service and other comprehensive plan policies requiring development to properly manage any stormwater runoff it generates. It is the intent of these standards to allow landowners reasonable use of their property while protecting adjoining lands and resources from any detrimental impacts of stormwater produced by land uses and development activities. More specifically, this article is intended to:

- (a) Prevent untreated stormwater runoff from adversely impacting receiving water bodies.
- (b) Minimize the loss of valuable topsoil by erosion and prevent the sedimentation of streets and surface water bodies.
- (c) Facilitate groundwater recharge.
- (d) Protect and maintain the natural habitats of fish and wildlife and prevent damage to wetlands.
- (e) Reduce capital expenditures for flood-proofing and storm drainage systems where feasible by routing runoff through swales or other natural retention/detention systems to increase stormwater infiltration, settle suspended solids, and remove pollutants.
- (f) Require the approval and implementation of stormwater management plans for proposed development as necessary to achieve the purposes of this article.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015)

Sec. 5-4.2 - Stormwater impact review.

- (a) *Approval required.* No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:
 - (1) *Land disturbance.* Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.
 - (2) *Lot coverage.* Construction of a structure or the non-de minimis alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.
 - (3) *Alterations.* Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

EXHIBIT H

- (4) *Subdivision*. The subdivision of land, including the replatting of a recorded subdivision.
- (b) *Exemptions*.
- (1) *Stormwater management plan exempt*. A stormwater management plan need not be provided for the uses and activities listed in the DSM chapter 1, stormwater management systems, exemptions section. In areas with documented drainage problems, the county may request a reduction in the proposed impervious lot cover or other on-site stormwater impact-reduction measures:
- a. *New single-family dwellings*. Construction of a single-family dwelling on either a lot of record, a lot created in compliance with the family conveyance provisions of the LDC, or a lot verified as functionally conforming according to the provisions of chapter 2. The construction shall comply with a county-approved lot grading plan, which provides the same lot information required by this article for subdivision grading and erosion control plans. Additionally, lots relying on conformance verification for stormwater plan exemption shall comply with the individual lot limits prescribed in this part for subdivision along existing streets.
 - b. *Subdivision along existing streets*. See DSM chapter 1, stormwater management systems, exemptions section for details.
 - c. *Maintenance*. Maintenance of an existing stormwater structure, which will not change the discharge rate, volume, or treatment method of the structure or the stormwater runoff from the site on which the structure is located.
 - d. *De minimis additions*. See DSM chapter 1, stormwater management systems, exemptions section for details.
 - e. *Emergencies*. Emergencies requiring immediate action to prevent material harm or danger to persons when obtaining a permit is impractical and would cause undue hardship in protection of property from fire, violent storms, hurricanes, and other hazards. The emergency action shall be reported to the county as soon as practical, and any permanent changes from the action may require the subsequent development and approval of a stormwater management plan to document any impacts from the changes.
 - f. *Other exemptions*. Stormwater plan exemptions for other structures, uses, or activities as may be determined by the county engineer to be appropriate and consistent with accepted standards of engineering practice and the purposes of this article.
- (2) *Stormwater exempt activities*. The following activities are exempt from all stormwater management standards of this article:
- a. *Agriculture and silviculture*. Bona fide agricultural or silvicultural operations on land classified by the Escambia County Property Appraiser as "agricultural,"

according to Florida Statutes, for ad valorem tax purposes, it is recommended that the local offices of the natural resources conservation service and the Florida Forest Service be consulted regarding appropriate stormwater management for agricultural and silvicultural operations.

- b. *Mosquito drainage structures.* Maintenance work on existing mosquito and arthropod drainage structures for public health and welfare purposes.
- (c) *Modification of standards.* Variances to the strict application of the stormwater management standards of this article are not available from the planning official, BOA, or SRIA. Where the provisions of this article specifically allow, the county engineer has discretion within accepted standards of engineering practice to allow modifications that maintain the stated purposes of the article.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015)

Sec. 5-4.3 - Control of erosion and sediment.

Sediment shall be retained on the site of development. Erosion and sedimentation control measures shall be applied to stabilize barren areas and other unvegetated areas during and after construction. No clearing of land or other land-disturbing activity shall begin until the appropriate erosion and sedimentation control devices have been installed between the areas to be disturbed and adjacent lands, including waterbodies, watercourses, and wetlands. Such erosion and sediment control shall comply with the best management practices listed in the DSM chapter 1, stormwater management plans, content section.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015)

Sec. 5-4.4 - Stormwater management plans.

- (a) *General.* Where a stormwater management plan is required, it is the responsibility of the applicant to include sufficient information in the plan for the county to evaluate the physical characteristics of the affected areas as required in the DSM chapter 1, stormwater management plans section.
- (b) *Preparation.* The stormwater management plan shall be developed and/or reviewed as indicated in the DSM chapter 1. Chapter 1 of the DSM contains the provisions for the content of the plan. The DSM also contains information regarding the existing conditions, proposed changes, and supporting documentation.
- (c) *[Supporting information.]* Supporting information is regarded as other information that the applicant or the county believes is reasonably necessary for LDC compliance evaluation of the proposed stormwater management plan.
- (d) *Plan adherence.* The applicant shall adhere to the stormwater management plan as approved and permitted. Any changes or amendments to the plan must be approved by the

original approving authority. After completion of the subject development, the engineer of record shall certify that the completed development complies with the approved plan and its specifications.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015)

Sec. 5-4.5 - Stormwater management systems.

- (a) *General design and construction.* The installation of all stormwater management facilities made necessary by new development, according to the provisions of this article, is the responsibility of the developer, including all necessary ditches, canals, greenbelts, outfalls, bridges, retention or detention structures, flow attenuation devices, etc. The general design and construction of all stormwater management systems shall be as indicated in the DSM chapter 1, stormwater article and achieve the following objectives:
 - (1) Comply with regulations.
 - (2) Protect adjacent property.
 - (3) Incorporate upland runoff.
 - (4) Reduce pollution.
 - (5) Prevent hazards.
 - (6) Encourage regional stormwater management system.
- (b) *Resource protection.* All stormwater management systems shall be designed and constructed to protect natural resources as per state requirements.
- (c) *System maintenance.*
 - (1) *General.* All stormwater management facilities shall be designed for a minimum 50-year life (where standards are available) have low maintenance costs, and have easy legal access for periodic maintenance.
 - (2) *Maintenance entity.* Stormwater management systems shall be maintained by the owner, except where the county selects certain systems for county maintenance. All areas and/or structures to be maintained by the county must be dedicated to the county by plat or separate instrument and accepted by the BCC. Systems to be maintained by the owner shall have adequate easements to permit the county right-of-entry to inspect and, if necessary, take corrective action if the owner fails to maintain the system. In addition, the owner shall submit a copy of any outside agency inspections and/or reports for the county to evaluate in accordance with the county's MS4. If the owner fails to maintain his system, the county shall give the owner written notice of the nature of corrective action required. If the owner fails to take corrective action within 30 days from the date of the notice, the county may take the necessary corrective action, including placement of a lien on all property of the owner to recover the costs thereof.

- (d) *Inspections.* The owner shall initiate scheduling with the county for the following inspections:
- (1) *Erosion control.* An erosion and sediment control inspection prior to any construction or other land disturbance, as may be required by county development approval, to ensure effective controls are in place according to the provisions of this article.
 - (2) *Underground.* An inspection prior to the burial of any underground drainage structure to ensure appropriate materials and installation.
 - (3) *Final.* A final inspection after all work has been completed, including installation of all stormwater management system facilities, to ensure compliance with the county's approved plan. After inspecting the work, a county representative shall approve it or notify the applicant in writing of any failure to comply with requirements of the approved plan. Any portion of the work which does not comply shall be corrected by the applicant before final county authorization for use is issued. Failure to complete or correct the work as notified is subject to the penalty provisions of the LDC.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2016-30, § 1(Exh. A), 8-4-2016)

Sec. 5-4.6 - Additional requirements for subdivisions.

- (a) *General.* Stormwater management plans for subdivisions shall be developed in compliance with the additional subdivision requirements of this section and the DSM chapter 1, stormwater article.
- (b) *Outfall.* The developer shall prepare any necessary agreements or easements for disposition of stormwater beyond the limits of the subdivision and shall attempt to acquire necessary rights of easements. The county may assist in the acquisition of such easements when it is in the public interest and where governmental action is necessary for the proper disposition of water, and the developer advances all costs and expenses incurred by the county.
- (c) *Detention/retention without positive outfall.* See DSM chapter 1, stormwater quantity (attenuation) section.
- (d) *Subdrains, subsoil drains, and trench drains.* Subdrains, subsoil drains, and trench drains shall be required where soil and water conditions warrant.
- (e) *Public dedication.* Consistent with the provisions of article 3 of this chapter, a subdivision's stormwater management system cannot be dedicated for county ownership and maintenance without the concurrent public dedication of the subdivision streets. Additionally, a subdivision stormwater management system constructed for public ownership and maintenance shall comply with the following:
 - (1) *Completed permitting.* All required permitting of the system from applicable local, state, and federal agencies shall be complete and documented with the county, or proof of exemption shall be provided.
 - (2) *Detention/retention structures.* The system detention and retention/detention

structures shall provide side slopes, stabilization, and access as per the DSM.

Screening. Ponds shall be screened from view from the right-of-way with shrubs and/or other natural barriers within a minimum ten-foot-wide strip between the right-of-way and the pond. The county engineer may reduce the width if it is not feasible to provide in a sound engineering design. The screening may be eliminated if the pond is designed with specific amenity characteristics to be viewed.

- (3) . *Plat or deed.* The stormwater system lands shall be dedicated to the county, or the county shall be provided with a warranty deed to the parcels involved. The plat or deed shall be approved for recording by the BCC prior to the acceptance of the stormwater management system for county maintenance.
- (4) *Municipal services benefit unit.* An ordinance creating a municipal services benefit unit (MSBU) to fund future county maintenance and operational expenses for the stormwater pond and related improvements shall be enacted by the BCC according to the stormwater pond MSBU provisions of chapter 70, local public improvements, part I, Escambia County Code of Ordinances.
- (f) *Hold harmless agreement.* If the stormwater management system (and streets) will remain in private ownership and the site has no positive drainage outfall, the developer shall either execute, on his behalf and on behalf of any landowners within the subdivision who are ultimately to have ownership of the stormwater management system, a hold harmless agreement with each downstream, impacted property owner(s). The agreement holds the landowners harmless from the effects of any waters that may flow onto the downstream property(ies), or construct a drainage system in accordance with article 1-1.2 as related to areas with no positive drainage outfall, and such other provisions as the county may require. For public subdivisions that have drainage outfall to private property(ies), the county engineer or designee shall require a hold harmless agreement with each downstream impacted property owner(s), that will hold the county, its officers, and employees, harmless from any damages to persons or property that may result from the authorized stormwater management system.

(Ord. No. 2015-12, § 1(Exh. A), 4-16-2015; Ord. No. 2018-5, § 1, 2-1-2018)



Park and Community Center Details

[MyEscambia Home](#) / [Parks and Recreation](#) / [Parks and Community Centers](#) / [Park and Community Center Details](#)

[See All Parks and Community Centers](#)

Cantonment Youth Athletic Park

Zipcode: 32533

Managed By: Parks and Recreation

Acres: 30

District: 5

Community Center: No

Boat Ramp: No

L.O.S.T.: Yes

Team Sports: Yes

Security Lights: Yes

Youth Baseball: No

Dog Park: No

Tee Ball: No

Youth Football: No

Soccer: No

Basketball: No

Tennis: No

Volleyball: No

Skate Park: No

Pavillion: No

Picnic Tables: Yes

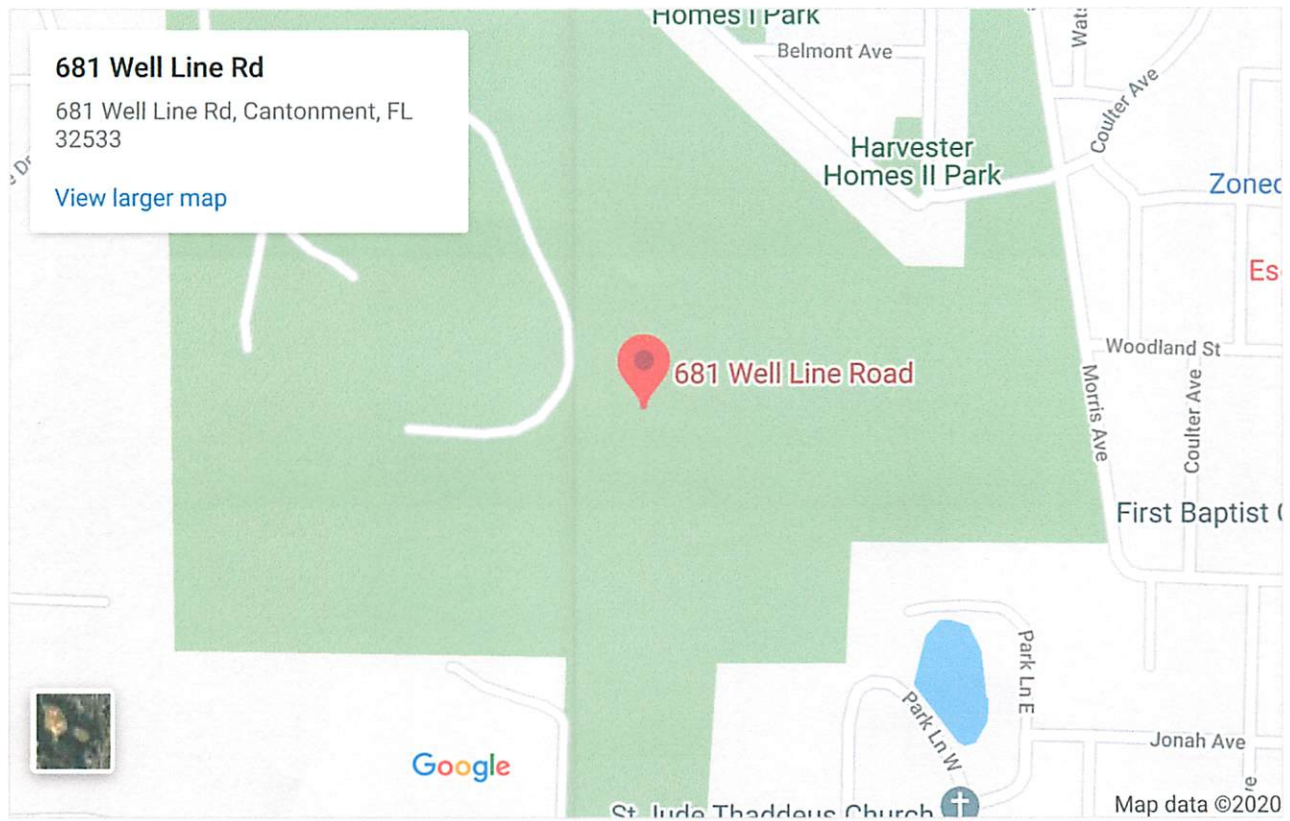
Waterfront: No

Playground: Yes

Walking Path: No

This 80-acre regional park has 12 baseball and softball fields, one football field, restrooms, concessions, a playground and security lights. A partnership with the Cantonment Baseball Club and Cantoment Football Club provides for various youth athletic programs at the park.

EXHIBIT I





Park and Community Center Details

[MyEscambia Home](#) / [Parks and Recreation](#) / [Parks and Community Centers](#) / [Park and Community Center Details](#)

[See All Parks and Community Centers](#)

Quintette Community Center and Athletic Park

Zipcode: 32533

Managed By: Parks and Recreation

Acres: 18

District: 5

Community Center: Yes

Boat Ramp: No

L.O.S.T.: Yes

Team Sports: Yes

Security Lights: No

Youth Baseball: No

Dog Park: No

Tee Ball: No

Youth Football: No

Soccer: No

Basketball: Yes

Tennis: No

Volleyball: No

Skate Park: No

Pavillion: Yes

Picnic Tables: Yes

Waterfront: No

Playground: Yes

Walking Path: No

This 18-acre site in the Quintette community has a community center, covered pavilion, playground, two softball fields, basketball court, restrooms, benches and picnic area.

- To reserve or rent the community center, please call (850) 324-0617 for scheduling information.
- To reserve or rent the park, please call Parks and Recreation at (850) 475-5220.
- For the community center main line, call (850) 679-4707.



Park and Community Center Details

[MyEscambia Home](#) / [Parks and Recreation](#) / [Parks and Community Centers](#) / [Park and Community Center Details](#)

[See All Parks and Community Centers](#)

Carver Park Resource Center

Zipcode: 32533

Managed By: Parks and Recreation

Acres: 2

District: 5

Community Center: No

Boat Ramp: No

L.O.S.T.: Yes

Team Sports: No

Security Lights: No

Youth Baseball: No

Dog Park: No

Tee Ball: No

Youth Football: No

Soccer: No

Basketball: Yes

Tennis: No

Volleyball: Yes

Skate Park: No

Pavillion: Yes

Picnic Tables: Yes

Waterfront: No

Playground: Yes

Walking Path: No

This 2-acre neighborhood park in Cantonment has a covered pavilion, playground, volleyball court, basketball courts, security lights, benches and picnic area. The park also has a small community building and some of the most historic oak trees in Escambia County. For reservation and rental information, please call at (850) 393-9870.

Non Funded Growth Management Project Schedules

Schedule indicating which projects, due to planned development, that CANNOT be funded from current revenues projected over the next five years.

Nothing reported for this section.

Tracking

Capacity Tracking

Location	2019 - 2020 Satis. Stu. Sta.	Actual 2019 - 2020 FISH Capacity	Actual 2018 - 2019 COFTE	# Class Rooms	Actual Average 2019 - 2020 Class Size	Actual 2019 - 2020 Utilization	New Stu. Capacity	New Rooms to be Added/Re moved	Projected 2023 - 2024 COFTE	Projected 2023 - 2024 Utilization	Projected 2023 - 2024 Class Size
HELLEN CARO ELEMENTARY	889	889	808	48	17	91.00 %	0	0	725	82.00 %	15
JIM ALLEN ELEMENTARY	762	762	635	39	16	83.00 %	0	0	560	73.00 %	14
BELLVIEW ELEMENTARY	884	884	628	46	14	71.00 %	0	0	720	81.00 %	16
BELLVIEW MIDDLE	1,551	1,395	991	64	15	71.00 %	0	0	970	70.00 %	15
BRATT ELEMENTARY	564	564	454	28	16	81.00 %	0	0	375	66.00 %	13
BRENTWOOD ELEMENTARY	567	567	472	31	15	83.00 %	0	0	527	93.00 %	17
SUCCESS ACADEMY	578	0	0	24	0	0.00 %	0	0	100	0.00 %	4
N B COOK ELEMENTARY	680	680	567	35	16	83.00 %	0	0	580	85.00 %	17
BLUE ANGELS ELEMENTARY	853	853	814	46	18	95.00 %	0	0	725	85.00 %	16
MOLINO PARK ELEMENTARY	756	756	458	36	13	61.00 %	0	0	418	55.00 %	12
GLOBAL LEARNING ACADEMY	836	836	580	45	13	69.00 %	0	0	730	87.00 %	16
BEULAH MIDDLE	1,618	0	825	71	12	0.00 %	0	0	1,110	0.00 %	16
KINGSFIELD ELEMENTARY	857	0	624	49	13	0.00 %	0	0	800	0.00 %	16
ESCAMBIA WESTGATE CENTER	381	381	195	37	5	51.00 %	0	0	210	55.00 %	6
BEULAH ELEMENTARY	1,023	1,023	920	53	17	90.00 %	0	0	725	71.00 %	14
WASHINGTON SENIOR HIGH	1,931	1,834	1,713	81	21	93.00 %	0	0	1,680	92.00 %	21
R C LIPSCOMB ELEMENTARY	952	952	844	50	17	89.00 %	0	0	750	79.00 %	15
JIM C BAILEY MIDDLE	1,486	1,337	1,392	66	21	104.00 %	0	0	1,190	89.00 %	18
NORTHVIEW SENIOR HIGH	662	529	468	28	17	88.00 %	0	0	480	91.00 %	17

EXHIBIT J

LINCOLN PARK ELEMENTARY	316	316	286	18	16	91.00 %	0	0	200	63.00 %	11
WEST FLORIDA HIGH SCHOOL OF ADVANCED TECHNOLOGY	1,707	1,621	0	67	0	0.00 %	0	0	851	52.00 %	13
GEORGE STONE TECHNICAL COLLEGE	1,146	2,020	1,272	56	23	63.00 %	0	0	751	37.00 %	13
PINE FOREST SENIOR HIGH	2,055	1,952	1,591	85	19	82.00 %	0	0	1,475	76.00 %	17
LONGLEAF ELEMENTARY	780	780	566	41	14	73.00 %	0	0	725	93.00 %	18
L D MCARTHUR ELEMENTARY	819	819	703	45	16	86.00 %	0	0	750	92.00 %	17
WEST PENSACOLA ELEMENTARY	685	685	526	36	15	77.00 %	0	0	425	62.00 %	12
J H WORKMAN MIDDLE	1,366	1,229	972	59	16	79.00 %	0	0	935	76.00 %	16
REINHARDT HOLM ELEMENTARY	669	669	449	36	12	67.00 %	0	0	446	67.00 %	12
JUDY ANDREWS SCHOOL	300	300	132	12	11	44.00 %	-300	-12	0	0.00 %	0
JOHN A GIBSON HEADSTART PROGRAM	218	0	0	11	0	0.00 %	0	0	0	0.00 %	0
MCMILLAN PRE-K CENTER	252	252	35	14	2	14.00 %	-252	-14	0	0.00 %	0
A K SUTER ELEMENTARY	645	645	565	34	17	88.00 %	0	0	505	78.00 %	15
J M TATE SENIOR HIGH	2,216	2,105	2,094	98	21	99.00 %	0	0	1,880	89.00 %	19
ERNEST WARD MIDDLE	706	635	486	30	16	77.00 %	0	0	425	67.00 %	14
WARRINGTON ELEMENTARY	624	624	320	33	10	51.00 %	0	0	400	64.00 %	12
WARRINGTON MIDDLE	1,268	1,141	808	53	15	71.00 %	0	0	658	58.00 %	12
C A WEIS ELEMENTARY	641	641	467	36	13	73.00 %	0	0	500	78.00 %	14
PENSACOLA SENIOR HIGH	1,975	1,876	1,380	82	17	74.00 %	0	0	1,430	76.00 %	17
PINE MEADOW ELEMENTARY	825	825	630	44	14	76.00 %	0	0	750	91.00 %	17
PLEASANT GROVE ELEMENTARY	632	632	595	34	18	94.00 %	0	0	550	87.00 %	16
SCENIC HEIGHTS ELEMENTARY	921	921	819	48	17	89.00 %	0	0	745	81.00 %	16
O J SEMMES ELEMENTARY	566	566	398	29	14	70.00 %	0	0	410	72.00 %	14
SHERWOOD ELEMENTARY	673	673	513	34	15	76.00 %	0	0	610	91.00 %	18
FERRY PASS ELEMENTARY	623	623	617	33	19	99.00 %	0	0	585	94.00 %	18
FERRY PASS MIDDLE	1,337	1,203	1,207	58	21	100.00 %	0	0	980	81.00 %	17
MONTCLAIR ELEMENTARY	526	526	366	27	14	70.00 %	0	0	310	59.00 %	11
MYRTLE GROVE ELEMENTARY	685	685	561	36	16	82.00 %	0	0	605	88.00 %	17
NAVY POINT ELEMENTARY	585	585	511	32	16	87.00 %	0	0	450	77.00 %	14
OAKCREST ELEMENTARY	525	525	519	28	19	99.00 %	0	0	500	95.00 %	18

BROWN BARGE MIDDLE	975	877	558	43	13	64.00 %	0	0	525	60.00 %	12
BYRNEVILLE ELEMENTARY-CHARTER SCHOOL	40	0	0	2	0	0.00 %	0	0	0	0.00 %	0
RANSOM MIDDLE	1,698	1,528	1,275	73	17	83.00 %	0	0	1,210	79.00 %	17
CORDOVA PARK ELEMENTARY	702	702	618	37	17	88.00 %	0	0	625	89.00 %	17
ENSLEY ELEMENTARY	463	463	380	25	15	82.00 %	0	0	423	91.00 %	17
ESCAMBIA SENIOR HIGH	2,160	2,052	1,697	88	19	83.00 %	0	0	1,575	77.00 %	18
	50,154	45,938	37,310	2,394	16	81.22 %	-552	-26	36,584	80.61 %	15

The COFTE Projected Total (36,584) for 2023 - 2024 must match the Official Forecasted COFTE Total (36,583) for 2023 - 2024 before this section can be completed. In the event that the COFTE Projected Total does not match the Official forecasted COFTE, then the Balanced Projected COFTE Table should be used to balance COFTE.

Projected COFTE for 2023 - 2024	
Elementary (PK-3)	12,216
Middle (4-8)	13,333
High (9-12)	11,035
	36,583

Grade Level Type	Balanced Projected COFTE for 2023 - 2024
Elementary (PK-3)	0
Middle (4-8)	0
High (9-12)	0
	36,584

Relocatable Replacement

Number of relocatable classrooms clearly identified and scheduled for replacement in the school board adopted financially feasible 5-year district work program.

Location	2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	Year 5 Total
OAKCREST ELEMENTARY	0	5	5	0	0	10
WARRINGTON MIDDLE	2	0	0	0	0	2
BEULAH ELEMENTARY	0	8	5	5	0	18
Total Relocatable Replacements:	2	13	10	5	0	30

Charter Schools Tracking

Information regarding the use of charter schools.

Location-Type	# Relocatable units or permanent classrooms	Owner	Year Started or Scheduled	Student Stations	Students Enrolled	Years in Contract	Total Charter Students projected for 2023 - 2024
Pensacola Beach Elementary	10	PRIVATE	2002	160	144	16	144
Beulah Academy of Science	14	PRIVATE	1998	300	290	8	300

**Comprehensive Plan
Removal of Parcel from the Optional Sector Plan (amending map)
and assignment of a new Future Land Use Category
Staff Analysis**

General Data

Project Name: OSP 2020-01
Location: 1400 Highway 29 North
Parcel #s: 03-1N-31-1302-000-001
Acreage: 10.04 (+/-) acres
Request: Opt-out of the Sector Plan and assign Future Land Use category
Current Zoning: Low Density Residential district (LDR)
Future Land Use Requested: Mixed Use Suburban (MU-S)
DSAP Land Use: Conservation Neighborhood (Jacks Branch DSAP)
Applicant: Frank Westmark, Agent for First Baptist Church of Cottage Hill,
Owner
Meeting Dates: Planning Board: October 6, 2020
BCC: November 5, 2020

Site Description and Summary of Proposed Amendment:

The property owner is requesting a parcel be removed from the Escambia County Mid-West Sector Plan (SP), in the Jacks Branch Detailed Specific Area Plan (DSAP). Within the DSAP, the existing land use for the parcels is Conservation Neighborhood with a maximum residential density of 3 du/acre.

The applicant's request is to assign a Future Land Use (FLU) designation of **Mixed-Use Suburban (MU-S)** to the parcel with no future development proposed at this time.

According to the Escambia County Property Appraiser, the parcel is vacant totaling 10.04 +/- acres.

Standard Map Amendment Criteria

1. Availability of Facilities and Services:

The availability of public facilities and services are necessary to accommodate existing and future development, to promote orderly growth within areas best suited to accommodate development, protect sensitive natural resource systems and rural and

agricultural areas. All level of service (LOS) standards are evaluated for compliance during the review processes stated in the Land Development Code (LDC) for proposed development.

A. Sanitary Sewer

Ensure the safe and efficient provision of wastewater services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, and protection of natural resources.

CP Policy INF 1.1.7 Level of Service (LOS) Standards. Average LOS standard for wastewater service is 210 gallons per residential connection per day, and the peak LOS will be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County will continue to work with the water providers to ensure that adequate capacity is available.

CP Policy INF 1.1.11 Required New Service Connection. All new structures intended for human occupancy will connect to the ECUA wastewater system unless ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA wastewater system will not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.

B. Solid Waste Disposal

Ensure the safe and efficient provision of solid waste services through coordination with service providers, maximized use of existing landfill facilities, maintenance of appropriate levels of service, promotion of recycling and reuse, and protection of natural resources.

CP Policy INF 2.1.2 Perdido Landfill Operation. Escambia County will provide and operate the Perdido Landfill so as to accommodate the municipal solid waste disposal needs of the entire County.

CP Policy INF 2.1.4 Level of Service (LOS) Standards. The LOS standard for solid waste disposal will be 6 pounds per capita per day.

C. Potable Water

Ensure the safe and efficient provision of potable water services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, water conservation, and protection of natural resources.

CP Policy INF 4.1.1 Service Agreements. Potable water service will be provided at

established levels of service within Escambia County consistent with the Interlocal Agreement between the County and ECUA, the Escambia County Utilities Authority Act, and franchise agreements between Escambia County and other water service providers that were in operation on August 1, 1981.

CP Policy INF 4.1.6 Developer Responsibility. The cost of water line extensions made necessary by new development will be the responsibility of the developer unless otherwise funded by the service provider.

CP Policy INF 4.1.7 Level of Service (LOS) Standards. The LOS standard for potable water service within Escambia County will be 250 gallons per residential connection per day. For non-residential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC) to be calculated by the service provider at the time of application. Escambia County will continue to work with the water providers to ensure that adequate capacity is available.

Analysis: As shown in the tables in Section 4.03, Potable Water, of the Mid West Sector Plan document, an analysis was done to determine the infrastructure needed to support development within the DSAP area. Potable water for this area in the DSAP is supplied by Cottage Hill Waterworks. The level of service (LOS) for potable water within Escambia County is 250 gallons per residential connection per day and the non-residential uses are based on equivalent residential connection to be calculated by the service provider at the time of application. Wastewater is supplied to the region by Emerald Coast Utilities Authority with the LOS standards within Escambia County being 210 gallons per residential connection per day, and the non-residential uses are calculated by the service provider at the time of application. Solid waste service LOS is 6 pounds per capita per day. Potable water was analyzed for both the five year and the buildout development programs. A conceptual potable water distribution system was developed based upon this analysis and is available in Figure 4.03A of the DSAP document. Funding for any expansion or improvements to the potable distribution and water treatment systems within a service area are typically generated by the respective Utility Authority.

At the time of submittal, the applicant's analysis documented that there is no development proposed at this time, however all the LOS standards for sanitary sewer, potable water, and waste disposal must be identified and reviewed for any proposed development.

D. Stormwater Management

Ensure the safe and efficient provision of stormwater management through maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, and protection of natural resources.

CP Policy INF 3.1.5 Concurrency Management. *Escambia County will ensure the provision of stormwater management facilities concurrent with the demand for such facilities as created by development or redevelopment through implementation of the Concurrency Management System.*

CP Policy INF 3.1.6 Developer Responsibilities. *Installation of stormwater management facilities made necessary by new development will be the responsibility of the developer.*

CP Policy CON 1.3.1 Stormwater Management. *Escambia County will protect surface water quality by implementing the stormwater management policies of the Infrastructure Element to improve existing stormwater management systems and ensure the provision of stormwater management facilities concurrent with the demand for such facilities.*

Analysis: Based on the DSAP's original analysis for stormwater in areas of the Sector Plan, stormwater systems should be developed as regional systems and encompass multiple areas of development. Attempts should be made to design stormwater treatment and attenuation systems and supporting conveyance pipes and swales as complete systems. All developments are required to meet or exceed the standards established by the Northwest Florida Water Management District (NFWFMD). The applicant stated that there is no proposed development at this time. Compliance with adopted stormwater management provisions will be reviewed and confirmed prior to any site development plan approval.

E. Traffic

Continue to provide a safe, convenient, efficient, and cost-effective multimodal transportation system and roadway network for present and future residents.

CP Policy MOB 1.1.1 Level of Service (LOS) Standards. Levels of Service (LOS) will be used to evaluate facility capacity. Escambia County will adopt LOS standards for all roadways as indicated in the LDC. The standards for Strategic Intermodal System (SIS) facilities may be revised based on changes to the federal classification of these roadways. These standards are not regulatory but provide a basis by which the County may monitor congestion and coordinate needed improvements with FDOT.

CP Policy MOB 1.1.2 On-site Facilities. All new private development will be required to provide safe and convenient on-site traffic flow as indicated in the LDC.

MOB 1.1.7 Access Management. Escambia County will promote access management by limiting the number of conflict points that a motorist experiences during travel, separating conflict points as much as possible when they cannot be eliminated, and controlling the turning movements to facilitate traffic flow on affected roadways.

Analysis: Based on Section 4.02 in the Public Facilities Plan under the Midwest Sector Plan, a transportation analysis was conducted on different roadways and segments evaluating the existing facilities and travel characteristics as well as the potential impacts and road capacity needs for the five year interim period and the buildout of the plan. A review of the area shows that various transportation improvements are planned

near the DSAP, including capacity expansions of US 29, Interstate 10, and Nine Mile Road. The County's Traffic and Transportation department has provided comments.

At the time of submittal, the applicant stated there is no proposed development for this parcel. Any development application will require submittal, review, and approval thru the Site Plan Review process, meeting all the requirements of the LDC and Comprehensive Plan.

F. Recreation and Open Space

The purpose of the Recreation and Open Space Element is to ensure adequate recreational opportunities for the citizens of Escambia County through the provision of a comprehensive system of public and private park facilities. These facilities may include, but are not limited to, natural reservations, parks and playgrounds, trails, beaches and public access to beaches, open spaces, and waterways.

Analysis: Conservation Neighborhoods are intended to provide a more efficient and environmentally protective development pattern. As per Mid-West Sector Plan, Section 3.03, Conservation Neighborhood Guidelines, Open Space, the intent is to be low density, clustered communities with an interconnected open space that will serve to protect and preserve areas of significant natural resources and wildlife habitat while offering passive recreational opportunities to residents. Parks and recreational facilities within a neighborhood will promote physical activity as well as adding to the overall value of the area.

The applicant stated that there is no proposed development for the parcel, however, any future development must go through the Development Review process and meet all standards for Recreation and Open Space in the Comprehensive Plan.

G. Public School Facilities

CP Policy ICE 1.1.2 Interlocal Agreements. Escambia County will implement adopted interlocal agreements with the Escambia County School Board, the City of Milton, the City of Pensacola, the City of Gulf Breeze, and Santa Rosa County so as to provide for coordination and evaluation of development proposals that affect the bays, bayous, sound, or gulf (including estuaries and estuarine systems).

Analysis: As per the Sector Plan, Section 4.08, for Schools, an analysis was completed for the purposes of estimating DSAP impacts for both the five year and buildout conditions. Based on the public records of Escambia County, the assigned schools that service the area are Jim Allen, Ransom and Tate. The school district staff is part of the Site Plan Review process having the ability to comment on all proposed projects in Escambia County. The applicant stated there are no plans to develop and although any increase in density may or may not have an influence on student population, the exact number of students cannot be calculated until a plan is submitted thru the Site Plan Review process.

2. Impact on Natural Resources

A. Wellheads

CP Policy CON 1.4.1 Wellhead Protection. Escambia County will provide comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions will establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.

Analysis: Based on the Geographical Information System (GIS) layer, the subject parcel is not located in a wellhead protection area.

B. Historically Significant Sites

CP Policy FLU 1.2.1 State Assistance. *Escambia County will utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County and will utilize guidance, direction, and technical assistance received from this agency.*

Analysis: The applicant provided documentation stating there are no previously recorded historical resources within the parcel. The Escambia County Comprehensive Plan has a section for historical preservation and at any time during development if artifacts are discovered, they are to cease construction under policy OBJ FLU 1.2 Historic Resources, in the Escambia County Comprehensive Plan.

C. Natural Environment

CP Policy CON 1.1.2 Wetland and Habitat Indicators. *Escambia County has adopted and will use the National Wetlands Inventory Map, the Escambia County Soils Survey, and the Florida Fish and Wildlife Conservation Commission's (FFWCC) LANDSAT imagery as indicators of the potential presence of wetlands or listed wildlife habitat in the review of applications for development approval.*

CP Policy CON 1.1.6 Habitat Protection. *Escambia County will coordinate with the FDEP, FFWCC, and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the County.*

CP Policy CON 1.3.6 Wetland Development Provisions. *Development in wetlands will not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development in wetlands will be restricted to allow residential density uses as indicated by the LDC.*

CP Policy CON 1.6.3 Tree Protection. *Escambia County will protect trees through LDC provisions.*

Analysis: As stated in the Sector Plan document, Section 5.01, Natural Resources, the DSAP contains significant wetland systems that are listed as a Regionally Significant Natural Resource by the Emerald Coast Regional Planning Council and the final design was to avoid and minimize wetland impacts to the greatest extent possible. The applicant stated that there is no development proposed on the subject parcel. Once a project is proposed, the application will be reviewed and must receive approval through the Site Plan Review process.

3. Comprehensive Plan requirements for changes to an existing DSAP.

OBJ FLU 16.6 Specific Area Plans

Changes to an Existing DSAP: Any addition or deletion of property or changes to the neighborhood, center or district boundaries in an approved DSAP shall follow the County's established processes. It shall include an evaluation and analysis of the impacts to the approved or planned land uses and the ability of the proposed amendment to meet the principles and guidelines outlined in this plan. Such additions or deletions shall not be designed to create remnant areas or fragmented DSAPs.

Evaluation and Analysis. In recognition of the benefits of long-range planning for specific areas, Escambia County adopted the Sector plan which is intended to promote long-term planning for development and conservation. The primary component of the Sector plan is two DSAP land use plans. The two DSAP land use plans, Muscogee DSAP and Jacks Branch, capture the consensus long-term vision for the area. Both DSAPs were assigned development types and associated densities based on the proportionate share of the overall sector plan.

The total developable land under the Muscogee DSAP, located in the southern section of the SP, is approximately 3,380 acres; under the Jacks Branch DSAP, located in the northern section of the SP, the total developable land is approximately 5,231.70 acres, as can be identified in Figure 2.01A, Attachment A.

The subject parcel is in the southeast area of the Jacks Branch DSAP with access from Highway 29. Analysis of the areas under the DSAP Land Use Plan designated the parcel as being Conservation Neighborhood. If approved, the requested removal of the parcel would not create a fragmented DSAP in Section JB-51 with 10 parcels.

4. Parcel size in relation to the individual DSAP land use category and in relation to the overall Sector Plan, and the aggregate acreage of any granted opt-outs.

The total developable acreage in the entire Sector Plan is 8,611.80 acres. Based on staff calculations, utilizing data from DSAP document Section 2.02, the applicant's parcel totaling 10.04 +/- acres, represent 0.11% of the existing developable acreage of the **Sector Plan**.

Under Section 2.02 Development Program calculation tables, (page 34 of the DSAP) the total residential developable acreage of the **Jacks Branch DSAP** under the

Conservation Neighborhood Land Use is 2,565.6 acres. Removal of the applicant's 10.04 +/- acres will result in a **0.39% decrease** in developable acres.

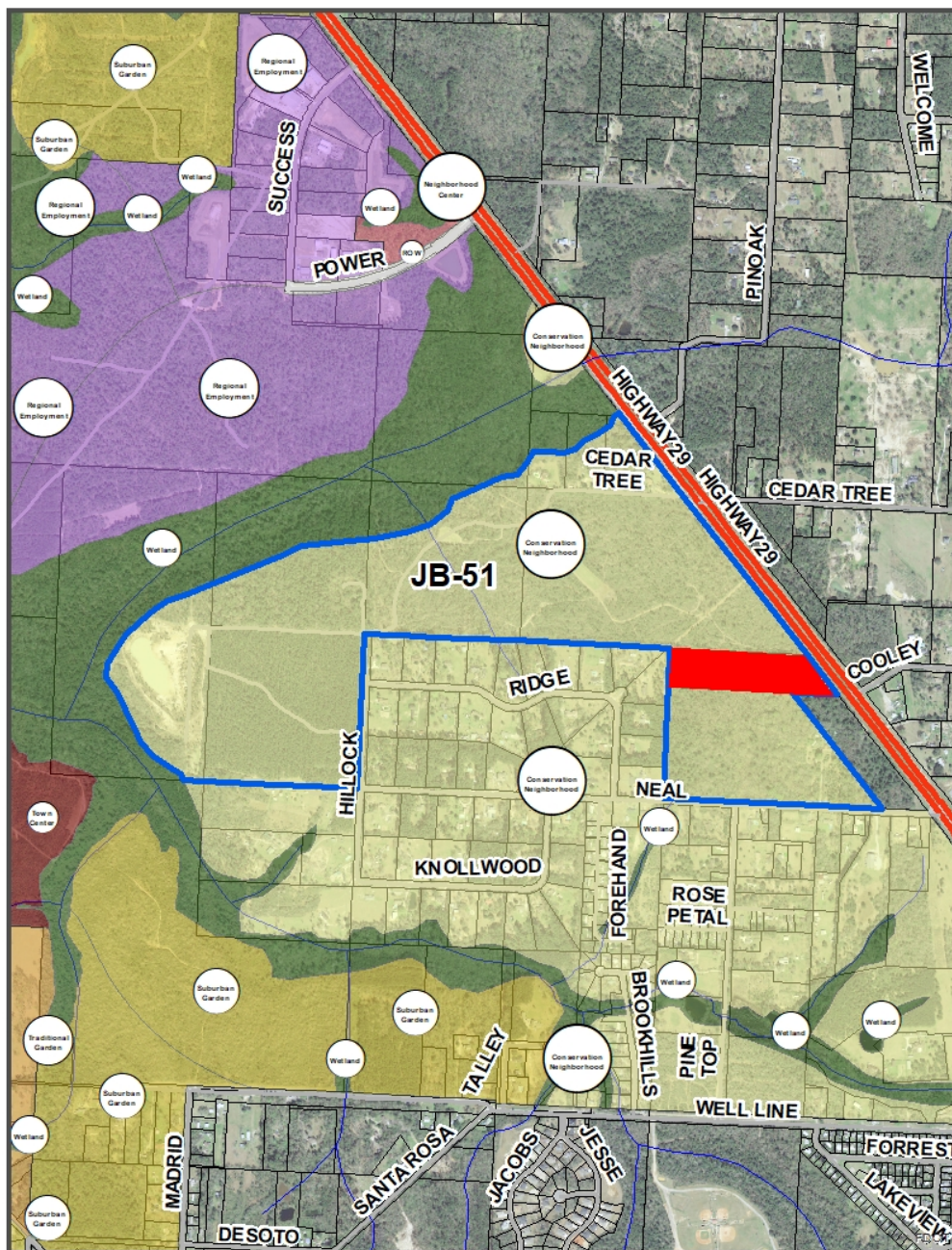


Figure A

The specific Jacks Branch DSAP Land Use for parcels in sections JB-51 (Figure A) is identified as **Conservation Neighborhood** with total dwelling unit development allowances assigned as follows:

JB-51 section total development acreage 238.9 acres
-low density x (0.1) yielding a total density of 23 dwelling units

- medium density x (1) yielding a total density of 238 dwelling units
- high density x (3) yielding a total density of 716 dwelling units

Derived from the analysis of the baseline data we can identify the following trends:

JB-51 section

- a. the applicant's parcel area represents 0.11% of the total developable area.
- b. removal of the applicant's 10.04 (+/-) acres from the total developable acreage for section JB-51, will result in a reduction of 30.12 total dwelling units under the high-density allocation.

This is the **sixth Opting-Out request** submitted to and processed by County staff. If approved, the total Sector Plan aggregate acreage will be **135.14.**

The original Sector Plan profile identified approximately 15,000 acres of land, the availability of infrastructure and public services and the protection of natural resources; the calculations used to complete the maximum development scenario for the Plan were specific and resulted in a **balanced jobs-to-housing ratio**. Changes to or variations of any of the original data used for the plan could hinder the balance and the viability of attaining the SP goals and objectives.

Assuming a maximum theoretical buildout under the mixture of uses, the DSAP area would produce approximately 27,145 jobs. When analyzed using the maximum residential build-out of 23,000 dwelling units, the result, is a jobs-to- employed residents' ratio of **1.19**. It should be noted that although there is no single perfect ratio, an area is generally considered to be "balanced" if it has a jobs-to-housing ratio of roughly **0.8 to 1.2**. If the proposed amendment is approved the resulting **job-to-housing ratio will be 1.20.**

5. The existing transportation infrastructure and any effect the proposal may have on the capacity of that infrastructure.

TTO Staff has reviewed the Sector Plan Opt-Out Case OSP-2020-01, 1400 Highway 29 (parcels 301N312203001001), agenda item for the Planning Board meeting scheduled for October 6, 2020. Please see the below comments.

The property in question is located on the west side of Highway 29 North. Highway 29 North is a 4-lane divided roadway with 12-foot lanes. The right-of-way is approximately 200 feet and the posted speed is 65 MPH.

FDOT has no project listed for this section of Highway 29 N. in their five-year work program, FY 2021-2025. Also, there are no on-going or programmed projects on Highway 29 N. showing in the County's Capital Improvement Program (CIP).

Per the TPO's Congestion Management Process Plan, this section of Highway 29 N. is classified as a rural arterial with a FDOT target daily vehicular capacity of 41,790 (LOS D). The daily volume was recorded as 21,000 for 2019.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any future TTO comments during the Development Review process.

6. The underlying zoning district and the compatibility with the surrounding DSAP Land Use designation.

The existing parcel is currently zoned Low-Density residential (LDR). If removed from the SP, the following range of permitted uses are allowed under the existing zoning district:

Sec. 3-2.5 Low Density Residential district (LDR).

(a) Purpose. The Low Density Residential (LDR) district has a density of four dwellings units per acre. The district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district. Residential uses within the LDR district are predominantly detached single-family dwellings. Clustering dwellings on smaller residential lots may occur where needed to protect prime farmland from non-agricultural use or to conserve and protect environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

(b) Permitted uses. Permitted uses within the LDR district are limited to the following:

(1) Residential.

- a.** Manufactured (mobile) homes only within existing manufactured home parks or subdivisions, or on land zoned SDD prior to adoption of LDR zoning. No new or expanded manufactured home parks or subdivisions.
 - b.** Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots two acres or larger. Attached single-family dwellings and zero lot line subdivision only on land zoned V-5 or SDD prior to adoption of LDR zoning.
 - c.** Two-family dwellings and multi-family dwellings up to four units per dwelling (triplex and quadruplex) only on land zoned V-5 or SDD prior to adoption of LDR zoning.
- See also conditional uses in this district.

(2) Retail sales. No retail sales.

(3) Retail services. No retail services.

(4) Public and civic.

- a.** Cemeteries, family only.
 - b.** Public utility structures, excluding telecommunications towers.
- See also conditional uses in this district.

(5) Recreation and entertainment.

- a.** Marinas, private only.
- b.** Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related. No industrial or related uses.

(7) Agricultural and related. On land not zoned SDD prior to adoption of LDR zoning, agricultural production and storage is limited to food primarily for personal consumption by the producer. The following additional agricultural uses are allowed on lands zoned SDD prior to LDR zoning:

- a. Agriculture, but no farm animals except horses and other domesticated *equines* kept on site, and stables for such animals, accessory to a private residential use with a minimum lot area of two acres and a maximum of one animal per acre.
- b. Aquaculture, marine or freshwater.
- c. Produce display and sales of fruit, vegetables and similar agricultural products.
- d. Silviculture

The Escambia County Land Development Code defines compatibility as a condition in which land uses, activities or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use, activity, or condition is unduly negatively impacted directly or indirectly by another use, activity, or condition. The character and intensity of the LDR zoning district **is compatible** with the low densities in the Conservation Neighborhood.

The DSAP Land Use for the surrounding parcels is strictly Conservation Neighborhood; based on the Residential Guidelines language, the Conservation Neighborhood Land Use is designed to allow clustered subdivisions of detached housing, with a maximum density of 3 dwellings units per net acre.

7. The consistency of any requested Future Land Use designation with the underlying zoning.

Should the Opt-Out be approved, and the MU-S Future Land Use category assigned, the most intense use will be dictated by the LDR zoning category, which allows for residential developments of 4 du/acre. The requested **MU-S** FLU category **will be consistent** with the underlying zoning uses densities and intensities allowed by LDR. From the Escambia County 2030 Comprehensive Plan:

FLUM Mixed-Use Suburban (MU-S)

General Description: Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.

Range of Allowable Uses: Residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: None

Maximum Intensity: 1.0 Floor Area Ratio (FAR)

Escambia County intends to achieve the following mix of land uses for new development within ¼ mile of arterial roadways or transit corridors by 2030:

a) Residential 8% to 25%

- b) Public/Rec/Inst. 5% to 20%
- c) Non-Residential:
 - Retail Service-30% to 50%
 - Office-25% to 50%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

- a) Residential 70% to 85%
- b) Public/Rec/Inst. 10% to 25%
- c) Non-Residential 5% to 10%

8. Previous FLU designation

Prior to adoption of the DSAP, the FLU designation for this parcel was The Cottage Hill/Quintette Area (Area #15) which stated approximately 70 percent of the lands within the node shall remain in agricultural uses, 25 percent may be developed in residential uses and five percent may be developed in commercial or light industrial uses. The intensity of the nonresidential uses shall be defined by limiting the maximum amount of impervious surface to 82 percent and a floor area ratio of 1.1.

9. Analysis to consider whether the applicant lost development rights or was effectively downzoned as part of the Sector Plan adoption.

The vacant 10.04 (+/-) acre parcel had a FLU designation of Activity Area 15 (AA15). Table, 7-1 under Chapter 7 of the 2020 Comprehensive Plan, Policy 7.A.4.8: Rural Densities, established the density of residential uses in the agriculture, rural and activity area (nodes). The residential density, lot sizes, clustering, and size of proposed new subdivisions would have been governed by the table based on the location of proposed development site and its relationship to an activity node. Any development at that time would have been required to meet the design standards in the LDC or submit a proposal for development, however, there is no record that the property owner submitted a plan or received an approved Development Order, therefore there is no evidence that development rights were lost.

Prior to the adoption of the Mid-West Escambia Sector Plan, the parcel was zoned Villages Rural Residential, VR-2. The Villages Rural Residential zoning districts were characterized by rural land development patterns, as stated in the previous zoning district of VR-2, in the prior LDC. The VR-2 densities reflected the need for more affordable lot sizes for single family and mobile home development allowing for 1 du/.75 acre. Based on the available data, **the residential density** for the parcel were in-fact **increased** by the adoption of the Sector Plan and the assignment of the Conservation Neighborhood Land Use under the DSAP, which provides a maximum allowance of 3 du/acre.

If approved, any future development associated with this parcel will be evaluated during the Site Plan Review process. The review will utilize the current zoning regulations

addressing and minimizing any potential impacts that the proposed development could have on the characteristics of the existing low to mid-density residential development listed under the SP's Land Uses.

If approved, the SP boundary map will be adjusted accordingly, to reflect the removal of the parcel from the Plan as shown in Attachment B.

If approved the parcels will be assigned the Future Land Use Category of MU-S as shown in Attachment C.

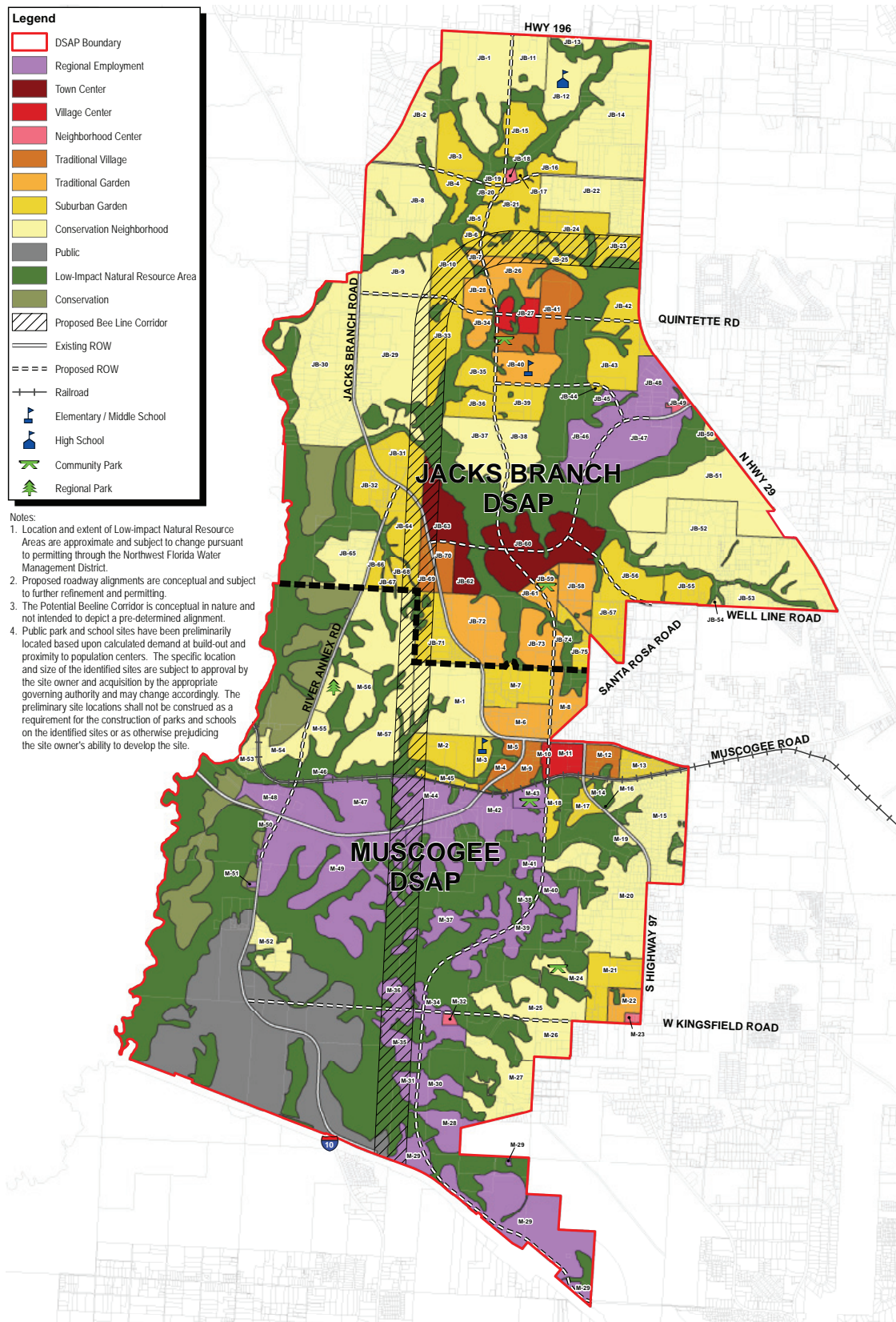


Figure 2.01.A Final Land Use Plan

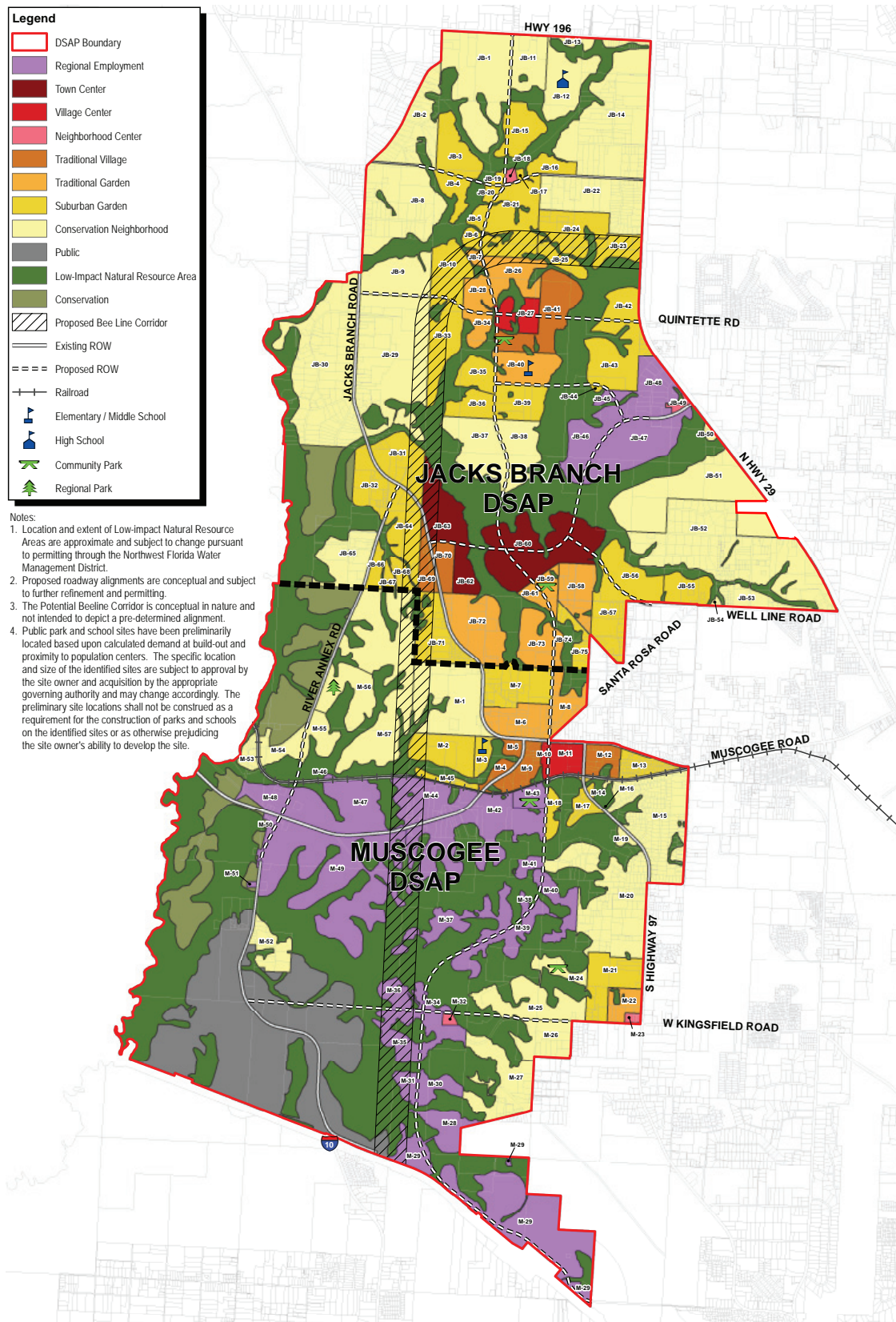
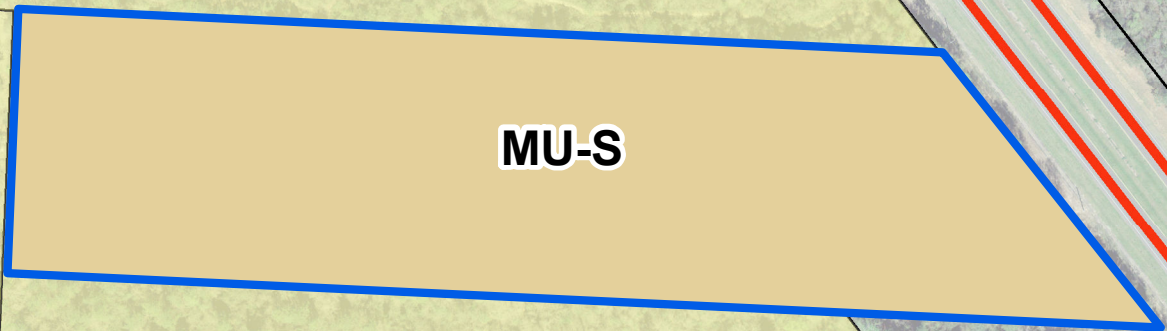


Figure 2.01.A Final Land Use Plan



MU-S

HIGHWAY 29
HIGHWAY 29

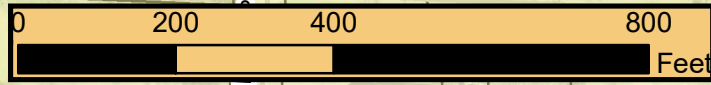
COOLEY

Conservation
Neighborhood

OSP-2020-01 Proposed FLU
MU-S

This map was prepared by
Escambia County Development Services
provided for information purposes only.
The data is not guaranteed accurate
or suitable for any use other
than that for which it was gathered.
User: jdemas
Date: 9/10/2020

Wetland



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

INTEROFFICE MEMORANDUM



**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

DATE: September 24, 2020

RE: Transportation & Traffic Operations (TTO) Comments – OSP-2020-01

TTO Staff has reviewed the Sector Plan Opt-Out Case OSP-2020-01 1400 Highway 29 North, agenda item for the Planning Board meeting scheduled for October 6, 2020. Please see the below comments.

The property in question is located on the west side of Highway 29 North. Highway 29 North is a 4-lane divided roadway with 12-foot lanes. The right-of-way is approximately 200 feet and the posted speed is 65 MPH.

FDOT has no project listed for this section of Highway 29 N. in their five-year work program, FY 2021-2025. Also, there are no on-going or programmed projects on Highway 29 N. showing in the County's Capital Improvement Program (CIP).

Per the TPO's Congestion Management Process Plan, this section of Highway 29 N. is classified as a rural arterial with a FDOT target daily vehicular capacity of 41,790 (LOS D). The daily volume was recorded as 21,000 for 2019.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any future TTO comments during the Development Review process.

**cc: Horace Jones, Development Services Department Director
Joy Jones, P.E., Engineering Department Director
Christine Fanchi, P.E., Transportation Engineer
John C. Fisher, Development Services Department**

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Title block OSP-2020-01

Date: 09/09/20

Date requested back by: 09/14/20

Requested by: A Lindsay

Phone Number: _____

|||||

(LEGAL USE ONLY)

Legal Review by Kia M. Johnson

Date Received: 9/10/2020

X Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

ORDINANCE NUMBER 2020-__

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY MID-WEST SECTOR PLAN, FINAL LAND USE PLAN, FIGURE 2.01.A, REMOVING A PARCEL WITHIN SECTION 03, TOWNSHIP 1N, RANGE 31W, PARCEL NUMBER 1302-000-001 TOTALING 10.05 (+/-) ACRES, LOCATED ON N. HIGHWAY 29, FROM THE ESCAMBIA COUNTY MID-WEST SECTOR PLAN; FURTHER AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," POLICY FLU 1.1.1, TO PROVIDE FOR AN AMENDMENT TO THE 2030 FUTURE LAND USE MAP, ASSIGNING A FUTURE LAND USE CATEGORY TO A PARCEL WITHIN SECTION 03, TOWNSHIP 1N, RANGE 31W, PARCEL NUMBER 1302-000-001 TOTALING 10.05 (+/-) ACRES, OF MIXED USE SUBURBAN (MU-S); PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Chapter 16, FLU 16.6.1.V of the Escambia County Comprehensive Plan provides guidelines for removing properties from an approved DSAP; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to consider changes (amendments) to the boundaries of the Escambia County Mid-West Sector Plan, Final Land Use Plan Map, Figure 2.01.A, Attachment "A;" and

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

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

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

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

3
4 **Section 1. Purpose and Intent**

5
6 This Ordinance is enacted to carry out the purpose and intent of, and exercise the
7 authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215,
8 Florida Statutes.
9

10 **Section 2. Title of Map Amendment**

11
12 This Final Land Use Plan Map amendment shall be entitled – "Opting-Out Escambia
13 County Mid-West Sector Plan OSP 2020-01."
14

15 **Section 3. Changes to the Final Land Use Plan**

16
17 The Final Land Use Plan (Figure 2.01.A) as adopted in the Escambia County Mid-West
18 Sector Plan, Land Use Plan and Development Program, and all notations, references and
19 information shown thereon, is further amended to remove the following parcel:
20

21 A parcel within Section 03, Township 1N, Range 31W, parcel number 1302-
22 000-001 and totaling 10.05 (+/-) acres, located on N. Highway 29.

23 The amended Final Land Use Plan Map boundary is reflected in Attachment "B."
24

25 **Section 4. Title of Comprehensive Plan Amendment**

26
27 This Comprehensive Plan amendment shall be entitled – "Opting-Out Escambia County
28 Mid-West Sector Plan OSP 2020-01."
29

30 **Section 5. Changes to the 2030 Future Land Use Map**

31
32 The 2030 Future Land Use Map, as adopted by reference and codified in Part II of the
33 Escambia County Code of Ordinances, the Escambia County Comprehensive Plan: 2030,
34 as amended; Chapter 7, "Future Land Use Element," Policy FLU 1.1.1; and all notations,
35 references and information shown thereon, is further amended to include the following
36 future land use changes:
37

38 A parcel within Section 03, Township 1N, Range 31W, parcel number 1321-
39 000-001 and totaling 10.05 (+/-) acres, located on N. Highway 29, included as
40 Attachment "C," **assigning a FLU of Mixed-Use Suburban (MU-S).**

1 **Section 6. Severability**

2
3 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
4 unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect
5 the validity of the remaining portions of this Ordinance.
6

7 **Section 7. Effective Date**

8
9 Pursuant to Section 163.3184(3)(c)(4), Florida Statutes, this Ordinance shall not become
10 effective until 31 days after the Department of Economic Opportunity notifies Escambia
11 County that the plan amendment package is complete. If timely challenged, this
12 Ordinance shall not become effective until the Department of Economic Opportunity or
13 the Administration Commission enters a final order determining the Ordinance to be in
14 compliance.
15

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

17
18 **BOARD OF COUNTY COMMISSIONERS**
19 **OF ESCAMBIA COUNTY, FLORIDA**
20

21
22 **By:** _____
23 **Steven Barry, Chairman**
24

25 **ATTEST: PAM CHILDERS**
26 **CLERK OF THE CIRCUIT COURT**

Approved as to form and legal sufficiency.

27 **By/Title:** Kia M. Johnson, ACA
28

29 **By:** _____
30 **Deputy Clerk**

Date: 09-14-2020

31 **(SEAL)**
32
33

34 **ENACTED:**
35 **FILED WITH THE DEPARTMENT OF STATE:**
36 **EFFECTIVE DATE:**

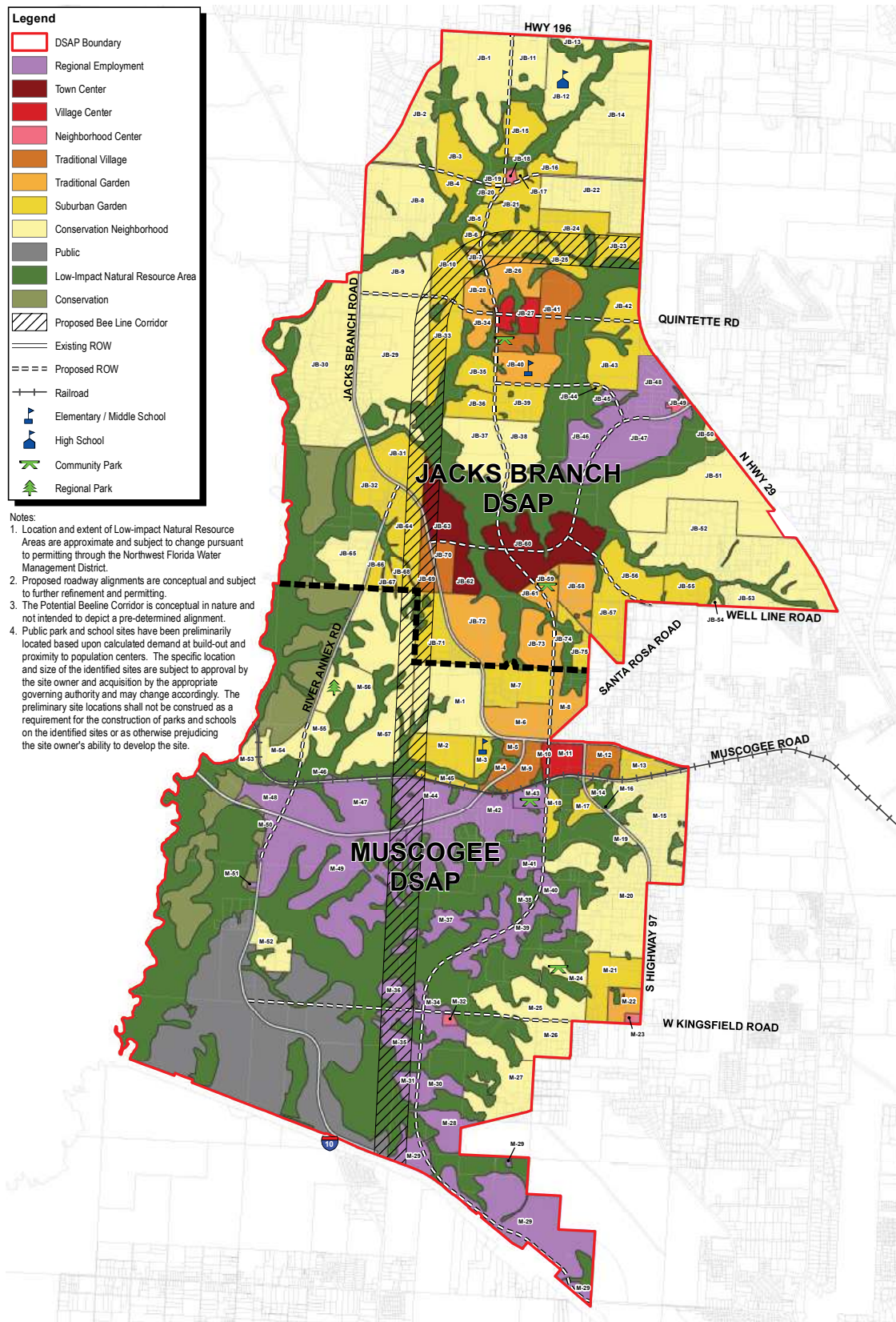


Figure 2.01.A Final Land Use Plan

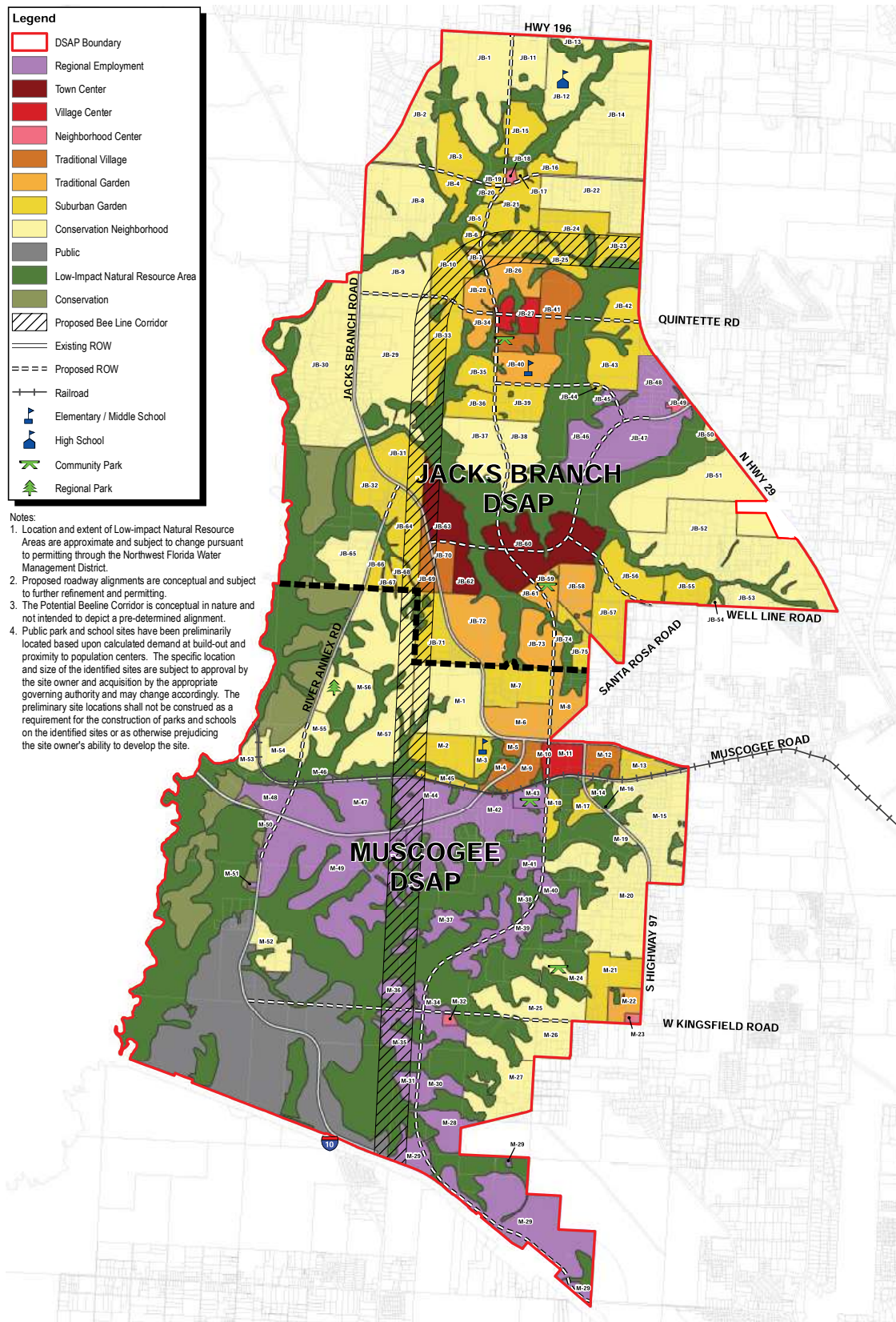
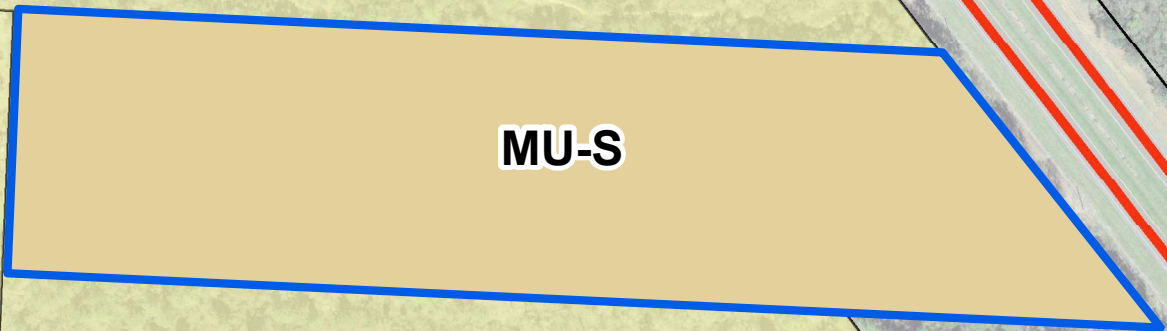


Figure 2.01.A Final Land Use Plan



MU-S

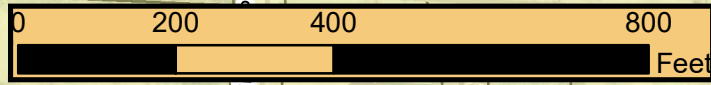
HIGHWAY 29
HIGHWAY 29

COOLEY



OSP-2020-01 Proposed FLU
MU-S

This map was prepared by
Escambia County Development Services
provided for information purposes only.
The data is not guaranteed accurate
or suitable for any use other
than that for which it was gathered.
User: jdemas
Date: 9/10/2020



Planning Board-Regular

6. B.

Meeting Date: 10/06/2020
CASE : OSP-2020-02
APPLICANT: Buddy Page, Agent for Cleveland R. Campbell, Sr, Owner
ADDRESS: 1000 BLK Pine Top Lane
PROPERTY REF. NO.: 03-1N-31-3401-000-000
FUTURE LAND USE: Conservation Neighborhood (Jacks Branch DSAP)
ZONING DISTRICT: Low Density Residential district (LDR)
DSAP LAND USE : Conservation Neighborhood (Jacks Branch DSAP)
BCC MEETING DATE: 11/05/2020

SUBMISSION DATA:

REQUEST:

The applicant is requesting to remove parcel from the Mid-West Escambia County Sector Plan, Jacks Branch Detailed Specific Area Plan (DSAP), and also requesting assignment of a Future Land Use category of Mixed-Use Suburban (MU-S).

RELEVANT AUTHORITY:

(1) Escambia County Comprehensive Plan: Chapter 16, FLU 16.6.1.V

BACKGROUND

The applicant is requesting to remove the parcel from the adopted Escambia County Mid-West Sector Plan (SP), Jacks Branch Detailed Specific Area Plan (DSAP). The subject parcel is located on the corner of Well Line Road and Pine Top Lane.

Based on the public records of Escambia County, the Escambia County Property Appraiser, there is NON-AG acreage on-site. The current underlying zoning for the parcel is LDR, with a maximum residential development allowance of 4 du/acre. The applicant is also requesting that the BOCC assign a Future Land Use (FLU) category of MU-S. The applicant stated that there is no immediate proposed development for the sites.

The existing Land Use derived from the adopted DSAP Final Land Use Plan, identifies the parcel under the Conservation Neighborhood designation, with a maximum residential development allowance of 3 du/acre.

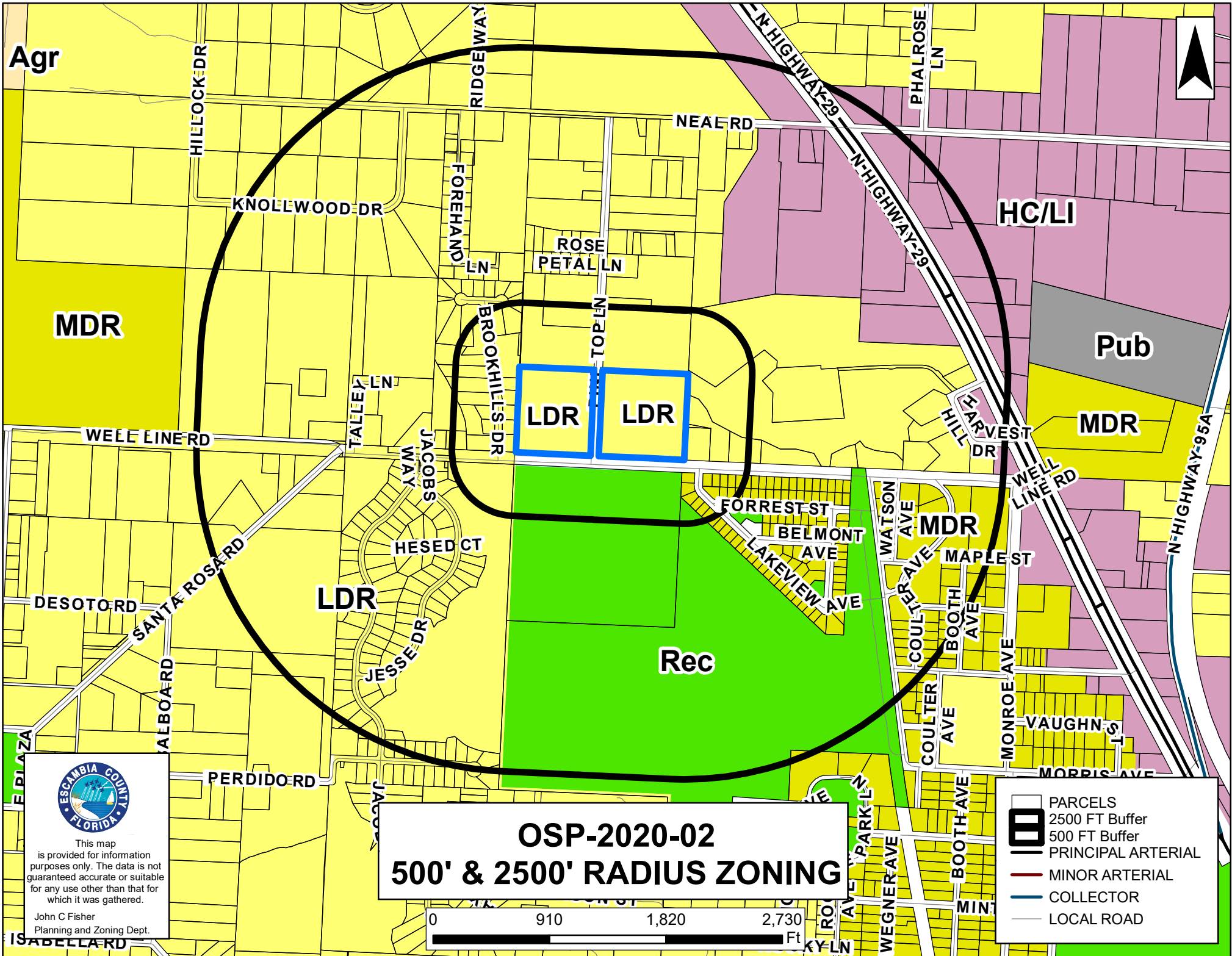
EVALUATION AND ANALYSIS

Attachments

Working Case File

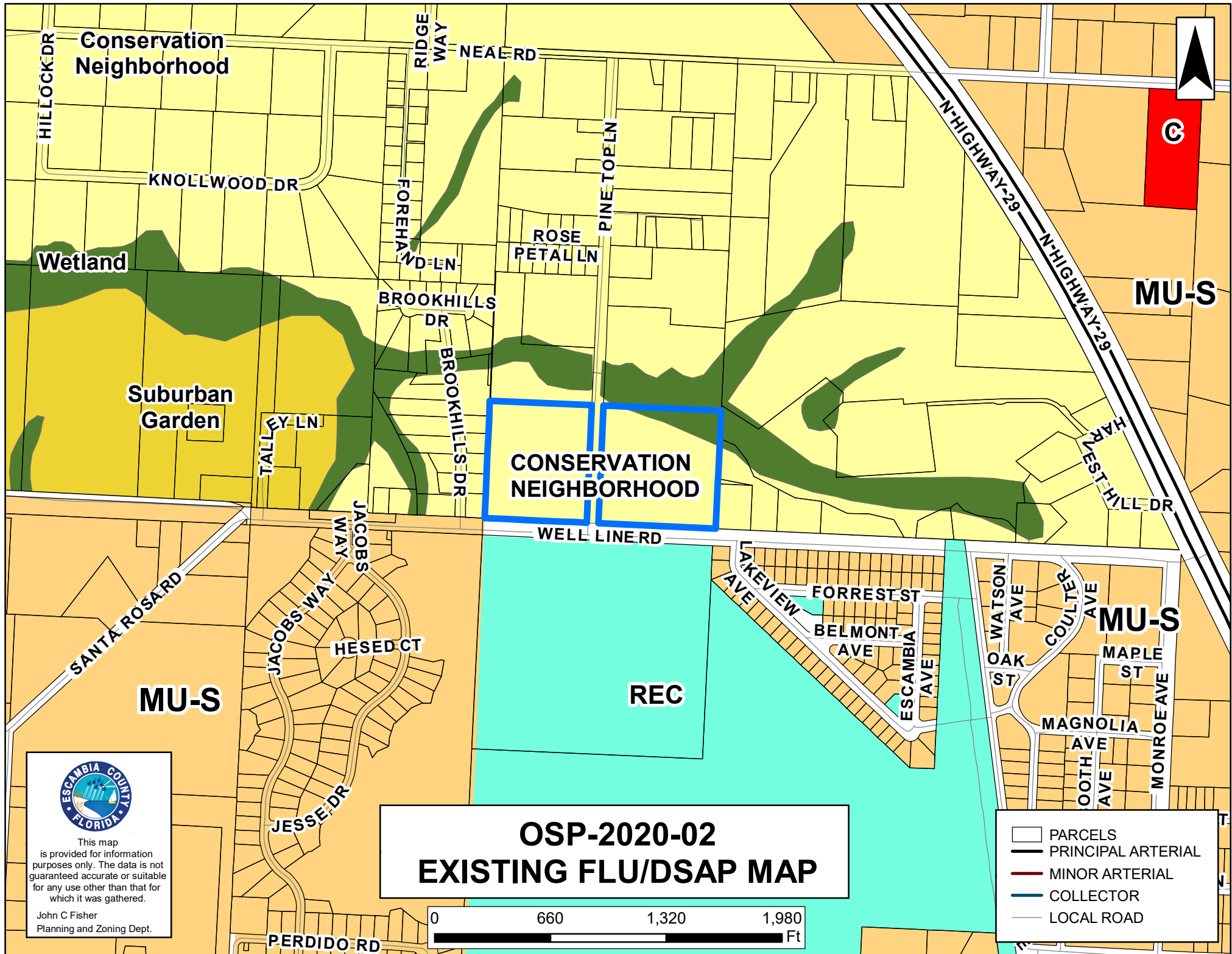
Draft Ordinance with Attachments

OSP-2020-02



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

John C Fisher
Planning and Zoning Dept.



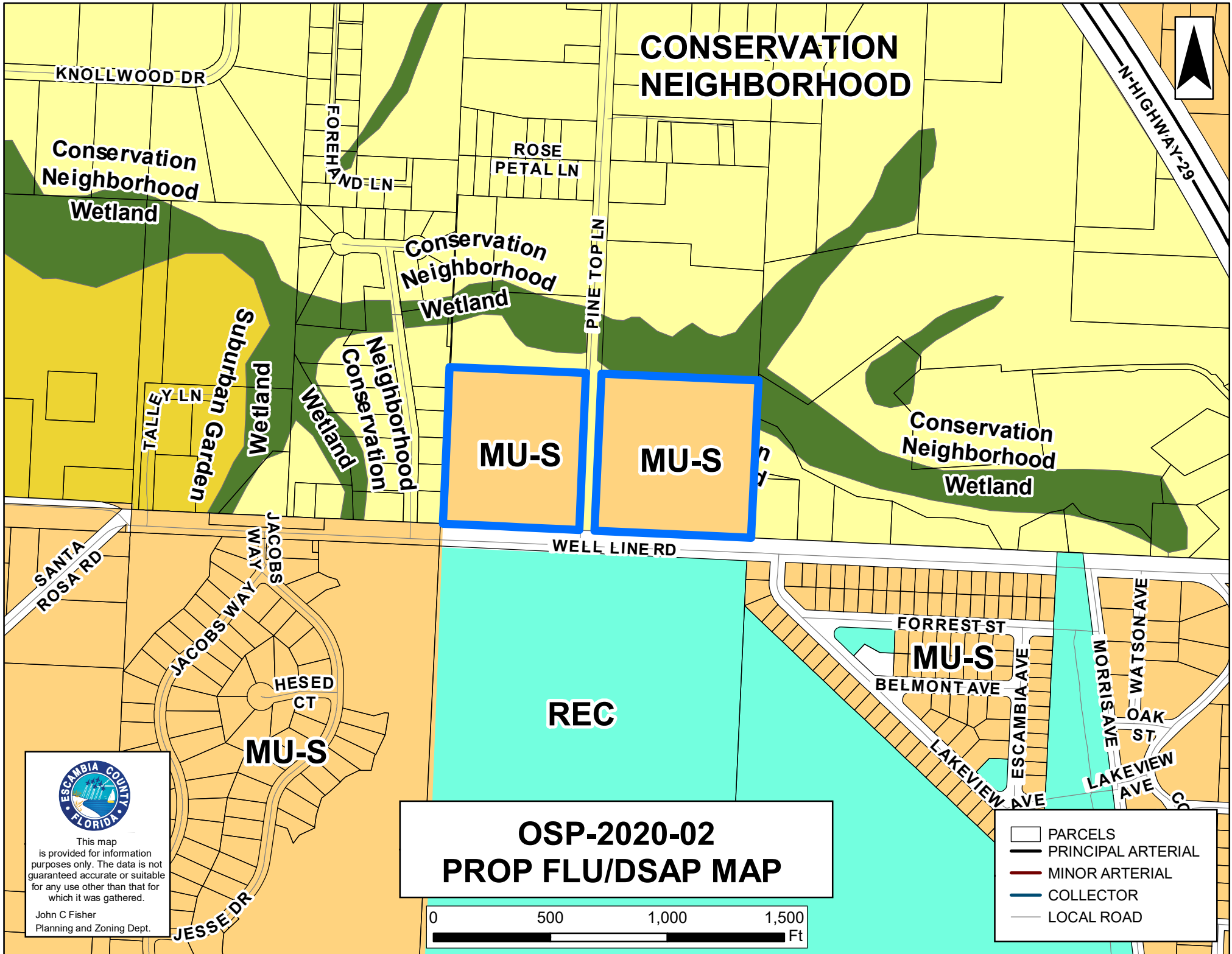
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

OSP-2020-02 EXISTING FLU/DSAP MAP



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



**OSP-2020-02
PROP FLU/DSAP MAP**

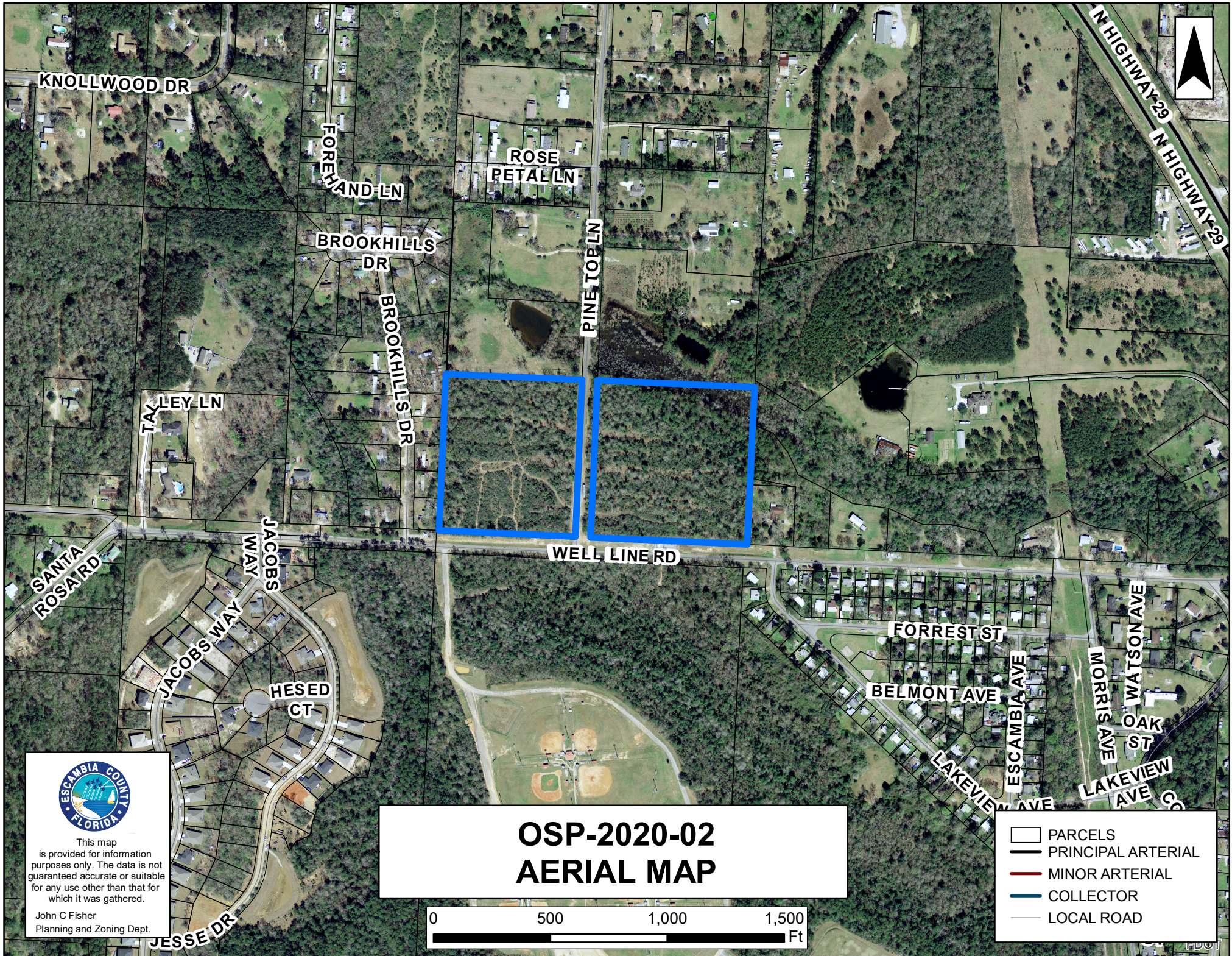
0 500 1,000 1,500
Ft



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

John C Fisher
Planning and Zoning Dept.

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



OSP-2020-02 AERIAL MAP



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

John C Fisher
Planning and Zoning Dept.

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

 **NOTICE OF
PUBLIC HEARING
FUTURE LAND USE CHANGE**
SECTOR PLAN OPT OUT
OSP-2020-02

CASE NO.: _____

CURRENT CON. NEIGH. PROPOSED FLU: MU-S

PLANNING BOARD

DATE 10/06/20 TIME: 8:35 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 11/05/20 TIME: 5:47 P.M.

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

PUBLIC HEARING SIGN



LOOKING EAST ALONG WELL LINE ROAD



LOOKING NORTH ACROSS WELL LINE ROAD AT SUBJECT PROPERTY



LOOKING NORTHWEST ACROSS WELL LINE ROAD AT SUBJECT PROPERTY



NOTICE OF
PUBLIC HEARING
FOR THE
PLANNING BOARD
ON 10/26/2023 AT 10:30 A.M.
LOCATION OF HEARING
BOARD OF COUNTY COMMISSIONERS
ON 11/05/2023 AT 1:00 P.M.
LOCATION OF HEARING
BOARD OF COUNTY COMMISSIONERS

LOOKING WEST ALONG WELL LINE ROAD



LOOKING NORTH ALONG PINE TOP LANE



LOOKING SOUTH AT THE CORNER OF PINE TOP LANE AND WELL LINE ROAD



LOOKING NORTH ALONG PINE TOP LANE



LOOKING WEST ALONG WELL LINE ROAD AT CORNER OF PINE TOP LANE

Wiley C. "Buddy" Page, MPA, APA
Professional Growth Management Services, LLC
5337 Hamilton Lane Pace, Florida 32571
Cell 850.232.9853
budpagel@att.net

August 20, 2020
VIA HAND DELIVERY

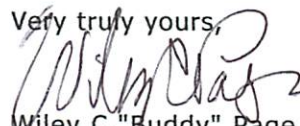
Mr. Horace Jones, Director
Department of Growth Management
3363 West Park Avenue
Pensacola, Florida 32505

RE: Sector Plan Opt-Out Request
Parcel: 03-1N-31-000-000
Address: 1000 Block Well Line Road

Dear Mr. Jones:

The attached application requests Planning Board consideration to remove/opt-out for the referenced parcel above from the adopted Escambia County DSAP Sector Plan. It is our understanding that, if granted, the Future Land Use classification for the property could likely change to the original MU-S category.

The application contains the required \$975.00 filing fee together with additional information regarding location, proof of ownership, water and sewer letters of service capacity and location/reference materials. Please contact me if you have any questions or require anything further. Thank you.

Very truly yours,

Wiley C. "Buddy" Page

**MID-WEST ESCACAMBIA COUNTY SECTOR PLAN OPT-OUT APPLICATION AND FUTURE LAND
USE ASSIGNMENT**

APPLICATION

CHECKLIST

1. ☒ Owner(s) Name, Home Address and Telephone Number. An email address is optional (see form herein).
2. ☐ Letter of request, including desired future land use category
3. ☒ Notarized Affidavit of Ownership and Authorization (form herein)
4. ☒ Notarized Affidavit of Ownership and Limited Power of Attorney (form herein) if agent will act in owner's behalf
5. ☒ Concurrency Determination Acknowledgement (form herein)
6. ☒ Proof of Ownership (Copy of Warranty Deed or Tax Notice)
- Also need copy of Contract for Sale if the change of ownership has not yet been recorded.
7. ☒ Street Map depicting general property location
8. ☒ Legal Description of exact property area proposed for opt-out and a future land use map assignment request , including:
 - ☐ Street Address
 - ☐ Property Reference Number(s)
 - ☐ Boundary Survey
 - ☐ Total parcel acreage
9. ☒ Opt-Out application and Future Land Use Assignment fee

\$975⁰⁰

Staff must ensure that all of the information is complete and the required documents on the checklist are provided at the time of submittal. Do not accept incomplete or partial applications.

STAFF

**MID-WEST ESCAMBIA COUNTY SECTOR PLAN OPT-OUT APPLICATION AND
FUTURE LAND USE MAP ASSIGNMENT**

(THIS SECTION FOR OFFICE USE ONLY):

20083417 PPS

Current DSAP Land Use: Con Ag Requested FLU: MU-S Zoning: LDR

Previous FLU: _____

Taken by: _____

Planning Board Public Hearing, date(s): _____

BCC Public Hearing, proposed date(s): _____

Fees Paid _____ Receipt # _____ Date: _____

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

Name: CLEVELAND R. CAMPBELL, SR.

Address:
2866 NORTH HWY 95A

City: CANTONMENT State: FL Zip Code: 32533

Telephone: () 850-380-9441

Email: _____

DESCRIPTION OF PROPERTY:

Street address: 1000 BLK PINETOP ROAD

Proposed development (If any): NONE

Subdivision: _____

Property reference number(s) 03-1N-31-3401-000-000

Size of Property (acres) 19.3 Sewer X Septic Tank _____

STAFF

APPLICANT

**AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION FOR
MID-WEST ESCAMBIA COUNTY SECTOR PLAN OPT-OUT APPLICATION AND FUTURE LAND
USE ASSIGNMENT** By my signature, I hereby certify that:

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

CLEVELAND R. CAMPBELL, SR. 7/17/20
Signature (Property Owner) Printed Name Date
TODD STAFFORD 7/17/20
Signature (Agent's Name) Printed Name Date
2866 NORTH HWY 95A Address:

City: CANTONMENT State: FL Zip: 32533

Telephone () 572 - 3005 Fax # () _____ - _____

Email: TSTAFFORD@HEATONBROTHERSCONSTRUCTION.COM

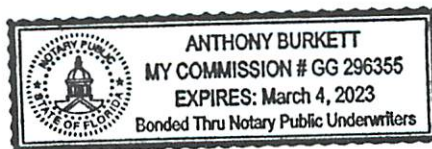
STATE OF Florida
COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 17 day of July, year of 2020
by means of ☒ physical presence or ☐ online notarization, this 17 day of July, 2020, produced
current Personally Known as identification.

Anthony Burkett 7/17/20
Signature of Notary Public Date Printed Name of Notary

My Commission Expires 3/4/20 Commission No. GG 296355

(Notary seal must be affixed)



AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1000 PINETOP ROAD, Pensacola, Florida, Property Reference Number(s) 03-1N-31-3401-000-000, I hereby designate TODD STAFFORD, for the sole purpose of completing this application and making a presentation to the Planning Board, sitting as the Local Planning Agency, and the Board of County Commissioners, to request a change in the Future Land Use on the above referenced property.

This Limited Power of Attorney is granted on this 17th day of July, the year of 2020, and is effective until the Board of County Commissioners has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Planning and Engineering Department.

Cleveland R. Campbell 7/17/20 CLEVELAND R. CAMPBELL, SR.
Signature of Property Owner Date

Printed Name of Property Owner
TODD STAFFORD

Signature of Agent

Date

Printed Name of Agent

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 17 day of July, year of 2020, by means of ☒ physical presence or ☐ online notarization, this 17 day of July, 2020, produced current as identification. Personally Known

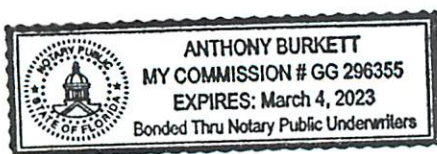
Anthony Burkett
Signature of Notary Public

7/17/20
Date

Anthony Burkett
Printed Name of Notary Public

Commission Number GG 296355 My Commission Expires 3/4/23

(Notary seal must be affixed)



APPLICANT

**MID-WEST ESCAMBIA COUNTY SECTOR PLAN OPT-OUT AND FUTURE LAND USE MAP
ASSIGNMENT APPLICATION
CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Project name: PINETOP PARCEL

Property reference #: 03-1N-31-3401-000-000

Project Address: 1000 BLK PINETOP ROAD, CANTONMENT, FL 32533

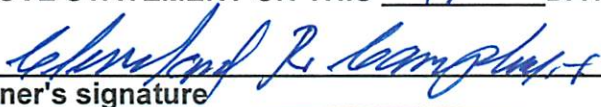
I/We acknowledge and agree that no future development permit (other than a rezoning/reclassification) shall be approved for the subject parcel(s) prior to the issuance of a certificate of concurrency for such proposed development based on the densities and intensities contained within such future development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

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

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

**I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE
ABOVE STATEMENT ON THIS 12 DAY OF July, 2020**

Owner's signature



CLEVELAND R. CAMPBELL, SR.

Owner's name (print)

Agent's signature



TODD STAFFORD

Agent's name (print)

APPLICANT

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1000 block of Pinetop Road (Cantonment)

Pensacola, Florida, Property Reference Number(s)
03-1N-31-3401-000-000, I hereby designate Wiley C. Buddy Page,

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

This Limited Power of Attorney is granted on this 1st day of October, the year of 2020, and is effective until the Board of County Commissioners has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Planning and Engineering Department.

<u>Cleveland R. Campbell SR.</u>	<u>10-3-2020</u>	<u>CLEVELAND R. CAMPBELL SR.</u>
Signature of Property Owner	Date	Printed Name of Property Owner
<u>Wiley C. Page</u>	<u>10-3-2020</u>	<u>WILEY C. PAGE</u>
Signature of Agent	Date	Printed Name of Agent

STATE OF Florida

COUNTY OF Escambia

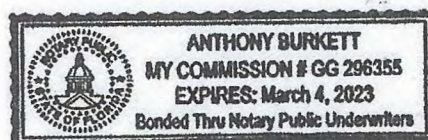
The foregoing instrument was acknowledged before me this 1st day of October, year of 2020, by Cleveland R. Campbell SR who () did (☒) did not take an oath.

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

<u>[Signature]</u>	<u>10/1/20</u>	<u>Anthony Burkett</u>
Signature of Notary Public	Date	Printed Name of Notary Public

Commission Number GG 296355 My Commission Expires 3/4/23

(Notary seal must be affixed)



THIS DOCUMENT WAS PREPARED WITHOUT
BENEFIT OF SURVEY OR TITLE SEARCH

Prepared by and return to:
Robert L. Jones, III, Esq.
Beggs & Lane, RLLP
501 Commendencia Street
Pensacola, FL 32502

SPECIAL WARRANTY DEED

THIS INDENTURE is made the 24th day of March, 2020, by the undersigned, ALICE KAY CAMPBELL, an unmarried widow, whose address is 1340 Brickton Road, Molino, FL 32577 (the "Grantor"), to CLEVELAND RUFUS CAMPBELL, SR., as TRUSTEE of the CLEVELAND RUFUS CAMPBELL, SR. REVOCABLE TRUST dated December 14, 2017, as amended, whose address is 10391 Old Dairy Lane, Pensacola, FL 32534 (the "Grantee").

WITNESSETH, that the said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), in hand paid by the Grantee, and other good and valuable consideration the receipt whereof is hereby acknowledged, does hereby remise, release and convey unto the Grantee forever, all the right, title interest, claim and demand which the Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Escambia County, Florida, as follows:

SEE ATTACHED EXHIBIT A

Together with all the rights, tenements, improvements, hereditaments, easements and appurtenances thereto belonging or in anywise appertaining, to have and to hold the same in fee simple forever.

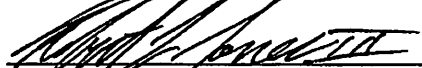
The benefits and obligations hereunder shall inure to and be binding upon the successors and assigns of the respective parties hereto, and the Grantor does hereby fully warrant title to Grantor's interest in the Property that is being conveyed hereunder and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

This conveyance is subject to taxes and assessments for the year 2020 and thereafter, zoning and other governmental regulations, and all conditions, restrictions, limitations, easements and matters of record, if any, but this provision shall not operate to reimpose same.

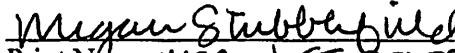
The property conveyed hereby is not the homestead of the Grantor as determined under the laws of the State of Florida.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Executed in the presence of:


Print Name: ROBERT L. JONES, III


ALICE KAY CAMPBELL


Print Name: MEGAN STUBBLEFIELD

Address: 1340 Brickton Road
Molino, FL 32577

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 24th day of MARCH, 2020, by ALICE KAY CAMPBELL, who is
personally known to me or who has produced _____ as identification.

(SEAL)



MEGAN STUBBLEFIELD
Notary Public, State of Florida
My Comm. Expires April 10, 2022
Commission No. GG 205374

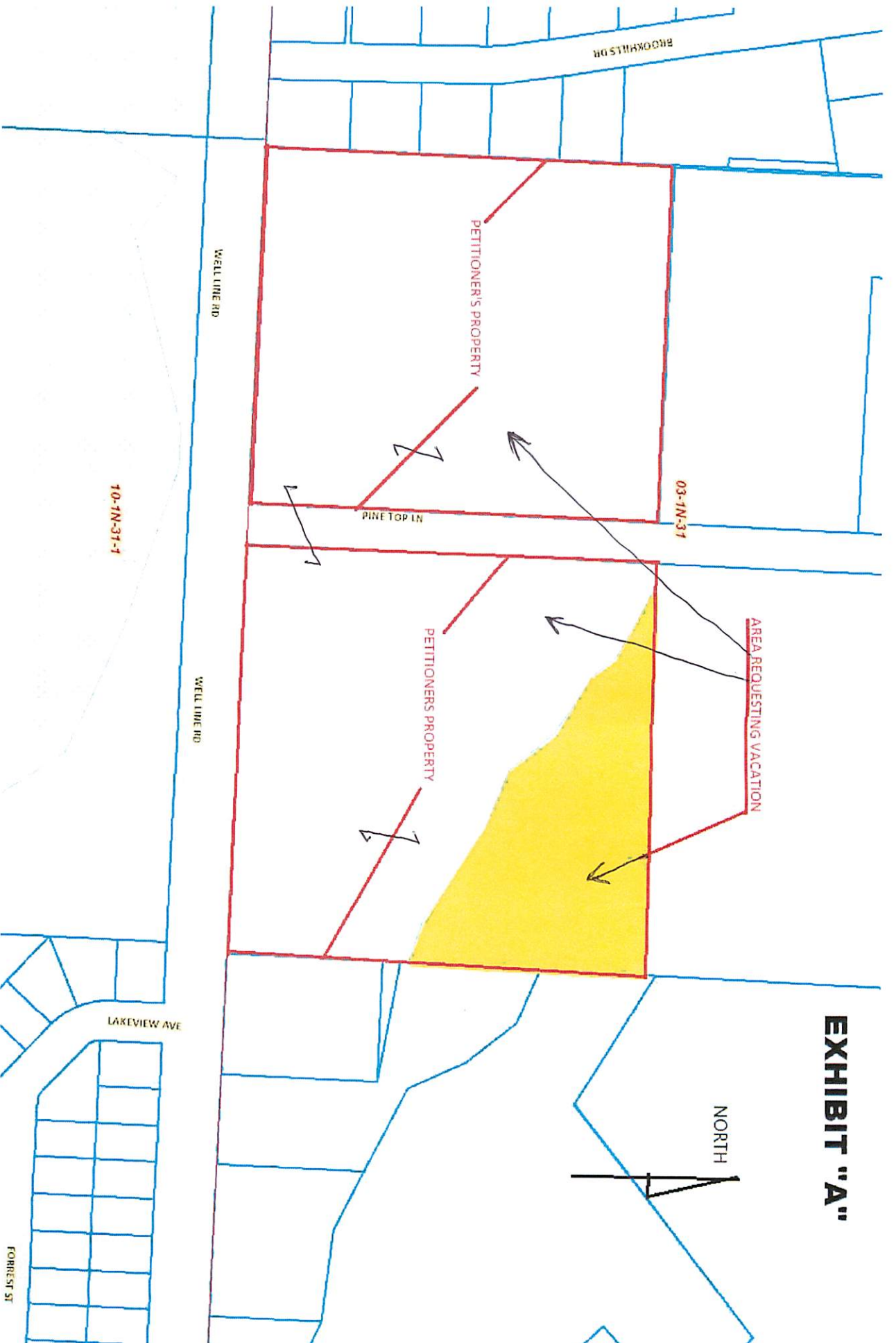

Notary Public

EXHIBIT A

Parcel ID: 03-1N-31-3401-000-000

**The South One-Half of the Southeast Quarter of the Southwest Quarter
of Section 3, Township 1-North, Range 31-West, Escambia County,
Florida, Less and Except that portion for Road Right-Of-Way.**

EXHIBIT "A"



Opt-Out Background and Overview

This application seeks approval and request to remove, or opt-out, a parcel of property from its classification within the adopted Escambia County Mid-West Sector Plan, Detailed Specific Area Plan (DSAP) as permitted at **Florida Statutes Ch.163.3245, Laws of Florida**. The subject parcel is a 19.10 acre site described as follows:

Location: Intersection of Pine Top Lane and Well Line Road in Cantonment, Escambia County, Florida. See attached maps.

Property Parcel Number 03-1N-31-3401-000-000

DSAP Land Use designation: Conservation

Requested Future Land Use Designation: Return to MU-S

Zoning: Should return to LDR

The following narrative responds to each required data set(s) using the same ITEM number identified in the application:

ITEM 1 *A comparative analysis of the impact of both the current and the proposed future land use categories. If a specific development is proposed, then the applicant must show that the infrastructure is available to support the most intense development allowed under the requested Future Land Use category.*

NOTE: Unless otherwise addressed herein, the remainder of identified analysis and data requirements will be submitted to the Development Review Committee when plans are complete.

The site is located just west of Highway 29 on Well Line Road and is bisected by Pine Top Lane as depicted on location maps herein. With the exception of a small wetland area in the northeast corner of the site, the balance of the property is otherwise high and dry. The site is located across Well Line Road from the 155 acre Cantonment Community park and has several existing residential subdivisions to the west and south east of the site. While the subject site is some 19 acres the DSAP area covers over 15,000 acres in comparison.

The current classification of Conservation provides for little if any development activity. A feed store is an example of allowed development even though the site has two residential developments and a large community park nearby. If this request is granted, the MU-S classification would provide for residential uses, among others, but no future development is proposed at this time. A residential subdivision would likely be more compatible with the existing land use patterns than a feed store.

ITEM 2 *Proximity to and impact on the following: A. Wellheads (indicate distance and location to nearest wellhead) B. Historically significant sites available from the Florida Division of Historical Resources: R. A. Gray Building, 500 S. Bronough Street, Room 425, Tallahassee, FL 32399-0250 sitefile@dos.myflorida.com Phone 850.245.6440 C. Natural Resources, including wetlands (a wetlands*

survey is highly recommended if wetlands are located on the property).

A. Wellheads Proximity: The nearest public potable water wellhead is located some 5,550 feet southwest of the site adjacent to the Farm Hill Utilities offices at 120 Madrid Road.

B. Natural Resources: As stated elsewhere, the site has a likely wetlands site in the northeast portion of the site. Once development are determined, a wetlands survey will be conducted to delineate exact locations which will be preserved pursuant to local, state and federal criteria.

C. Historical Significant Sites: A request to the Florida Department of Archives resulted in the attached letter of "no findings of cultural resources" issued from the Florida Master Site File.

Utility impacts and capacities have been reviewed by the respective providers and letters of availability are included in this application. Sanitary sewer service and solid waste provider ECUA affirms availability as well as potable water availability from Farm Hill Utilities.

The existing drainage pattern on the site is basically south west to north east. This natural flow direction will likely be retained with any new development because of the existing wetland in the northeast corner of the site as shown on the attached wetlands map.

ITEM 3 CONSISTENCY ANALYSIS WITH THE ADOPTED ESCAMBIA COUNTY COMPREHENSIVE PLAN

A review and analysis of the potential impacts on the adopted Escambia County Comprehensive Plan has been completed as follows:

Section 1.03 Intent. It is the intent of this Plan to provide orderly growth management for those areas identified in Section 1.02 above. This ordinance is not intended to terminate growth but rather to provide mechanisms for growth management in order to serve the citizens, visitors and property owners of Escambia County. Implementation of this ordinance is designed to maintain and improve the quality of life for all citizens of the county.

RESPONSE: The ordinance provides an opt-out provision which will allow the owner to develop his property more consistent with the original growth allowances in effect prior to the adoption of the DSAP.

FLU 1.2.1 State Assistance. Escambia County will utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County, and will utilize guidance, direction, and technical assistance received from this

agency.

FLUM Mixed-Use Suburban (MU-S) General Description:

Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of Allowable Uses:

Residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture. Standards: Residential

Maximum Density: 25 du/acre Non-Residential Minimum Intensity:

None Maximum Intensity: 1.0 Floor Area Ratio (FAR) CP7:4

Escambia County intends to achieve the following mix of land uses for new development within ¼ mile of arterial roadways or transit corridors by 2030: a) Residential 8% to 25% b) Public/Rec/Inst. 5% to 20% c) Non-Residential: Retail Service-30% to 50% Office-25% to 50% In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated: a) Residential 70% to 85% b) Public/Rec/Inst. 10% to 25% c) Non-Residential 5% to 10%.

RESPONSE: This proposed MU-S designation is more in keeping with promoting compatible infill land uses than the existing Conservation DSAP designation.

OBJ FLU 1.5 Sustainable Development Escambia County will promote sustainable development by encouraging compact, mixed- and multi-use land use patterns.

POLICIES FLU 1.5.1 New Development and Redevelopment

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

OBJ FLU 2.1 Urban Development Direct growth toward those areas where infrastructure and services exist to support development at approved densities and intensities.

RESPONSE: This site will have all necessary infrastructure and services necessary to support uses allowed in the MU-U Future Land Use Category. MU-S REQUESTED

POLICIES FLU 2.1.1 Infrastructure Capacities. Urban uses will be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department .

RESPONSE: This site meets all stated requirements in that water, sanitary sewer and other required urban services are available as witnessed by the utility letters included herein. The site has existing single family residences nearby together with the aforementioned 150 county recreation park across the street.

FLU 2.1.2 Compact Development. To promote compact development, FLUM amendments and residential re-zonings to allow for higher residential densities to be allowed in the MU-U and MU-S future land use categories.

RESPONSE: As referenced elsewhere, this opt-out request will result in the property being re-designated with a Future Land Use category of MU-S.

FLU 16.1.3 The total maximum development scenario of the Mid-West Escambia County Optional Sector Plan shall be limited to 12,175,000 sq. ft. of nonresidential development and 23,000 residential dwelling units. Any future amendments to this total shall result in a balanced jobs-to-housing ratio.

RESPONSE: Given the 19 acre size of the site, some 75 single family homes could conceivably be constructed on the property. The County has not revised the housing count within the DSAP area but it is highly unlikely that an additional 75 dwelling units will

negatively impact the housing limits of 23,000 units.

OBJ FLU 2.3 Infill Development Encourage infill development in appropriate urbanized areas where infrastructure is sufficient to meet demands, such as in MU-U and MU-S.

RESPONSE: This site is consistent with this Objective in that the request should result in a re designation to MU-S.

GOAL MOB 1 TRANSPORTATION Escambia County will provide a safe, cost-effective and functional roadway and transportation system for all residents and visitors to Escambia County.

RESPONSE: This site is provided access with the use of Well Line Road, which is a county owned and maintained roadway.

OBJ MOB 1.1 Transportation System Continue to provide a safe, convenient, efficient and cost-effective multimodal transportation system and roadway network for present and future residents.

RESPONSE: Well Line Road will provide the owner with readily available and quick access to Highway 29, a four lane, divided highway which is also designated as a north-south Hurricane Evacuation facility.

POLICIES MOB 1.1.1 Level of Service (LOS) Standards.

Levels of Service (LOS) will be used to evaluate facility capacity.

Escambia County will adopt LOS standards for all roadways as indicated in the LDC. The standards for Strategic Intermodal System (SIS) facilities may be revised based on changes to the federal classification of these roadways. These standards are not regulatory but provide a basis by which the County may monitor congestion and coordinate needed improvements with FDOT.

RESPONSE: As shown on the attached spread sheet, this section of Hwy 29 has ample LOS capacity to support the requested FLU change to MU-S.

NOT A FLU CHANGE BUT AN ASSIGNMENT OF FLU

POLICIES HOU 1.1.1 Residential Areas. The Escambia County FLUM and zoning maps will identify areas suitable for residential development and/or redevelopment.

RESPONSE: This has been accomplished through the MU-S designations found on the Future Land Use map series.

HOU 1.1.4 Adequate Infrastructure. To assure the sustainability of residential communities, Escambia County will require new residential development to locate where adequate infrastructure is available.

RESPONSE: As referenced elsewhere in this application, the site has all adequate infrastructure available for this 19 acre site.

GOAL INF 1 WASTEWATER Escambia County will ensure the provision of environmentally safe and efficient wastewater collection, treatment, and disposal concurrent with the demand for such services.

RESPONSE: The attached letter of capacity availability from ECUA affirms that sanitary sewer services are ready and capable to serve this 19 acre site.

INF 1.1.7 Level of Service (LOS) Standards. Average LOS standard for wastewater service is 210 gallons per residential connection per day, and the peak LOS will be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County will continue to work with the water providers to ensure that adequate capacity is available

RESPONSE: See attached service provided (ECUA) letter.

INF 1.1.11 Required New Service Connection. All new structures intended for human occupancy will connect to the ECUA

wastewater system unless ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA CP10:3 wastewater system will not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.

RESPONSE: See attached service provider (ECUA) letter.

GOAL INF 3 STORMWATER MANAGEMENT Escambia County will ensure the provision of environmentally safe and efficient stormwater management concurrent with the demand for such services. OBJ INF 3.1 Provision of Stormwater Management Ensure the safe and efficient provision of stormwater management through maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, and protection of natural resources.

RESPONSE: Once development plans are solidified, they will be submitted to the appropriate regulatory agencies for various compliance review to assure consistency with this Goal.

INF 3.1.6 Developer Responsibilities. Installation of stormwater management facilities made necessary by new development will be the responsibility of the developer.

RESPONSE: The owner understands that the installation of these

facilities will be his responsibility.

INF 4.1.4 Concurrency Management. Escambia County will ensure the provision of potable water facilities concurrent with the occupancy, as created by development or redevelopment through the implementation of the Concurrency Management System, and

INF 4.1.5 Facility Funding. All costs for potable water facilities will be the responsibility of the service providers and will be funded by user fees, special assessments, developer contributions, and state or federal grants or other means. Escambia County may consider additional funding mechanisms as appropriate, and

INF 4.1.6 Developer Responsibility. The cost of water line extensions made necessary by new development will be the responsibility of the developer unless otherwise funded by the service provider.

RESPONSE: Owner acknowledges the costs associated with potable water facilities improvements will be another developer responsibility.

CON 1.1.6 Habitat Protection. Escambia County will coordinate with the FDEP, FFWCC, and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the

County.

RESPONSE: The attached wetlands map identifies those areas on the site that will not be disturbed.

CON 1.4.1 Wellhead Protection. Escambia County will provide comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions will establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.

RESPONSE: The nearest protected well head designated area is located over 5,000 feet southwest of the site.

ITEM 4 Parcel size comparison The subject parcel measures some 19+ acres in size compared to a DSAP area made up of over 15,000 acres.

ITEM 5 Infrastructure design/impacts Access to the site is by way of Well Line Road, which has 100' of right of way containing two 9' paved driving lanes. The roadway begins at Hwy 29 on the east and travels west some 7,890 feet where it mixes and terminates with several local subdivision roads. Well Line Road is a county owned and maintained all weather roadway. The roadway is sufficient to serve area development and is similar to

other nearby roadways in the area. The vast majority of traffic enters and exits at the Well Line Road/Highway 29 intersection. Should the property be residentially developed it is not anticipated that traffic to and from Hwy 29 will would cause Well Line Road to decrease in LOS Level Of Service standards.

ITEM 6 Zoning Category Compatibility The existing underlying zoning category is Low Density Residential LD-R. The allowed residential category will not be compatible with the Conservation DSAP in that DSAP requires greater site requirements than otherwise allowed in LD-R which is approximately 4 units per acre.

ITEM 7 Consistency The requested opt-out will likely result in the assignment of the original underlying zoning of LD-R which is compatible with existing residential and recreational development in the area.

ITEM 8 Previous Future Land Use Designation Mixed Use Suburban MU-S was the site designation previously.



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com for project review information.

July 30, 2020



Paola Pearce
David W. Fitzpatrick, P.E., P.A.
10250 N. Palafox Street
Pensacola, FL 32534
p. 850.476.8677; f. 850.476-7708
E-mail: paola@fitzeng.com

Property reference ID: 03-1N-31-3401-000-000

In response to your inquiry of July 30, 2020, the Florida Master Site File lists no cultural resources located at 1000 BLK PINETOP ROAD, CANTONMENT, FL 32533

When interpreting the results of this search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Kind Regards,

Eman M. Vovsi, Ph.D.
Sr. Data Base Analyst
Florida Master Site File
Eman.Vovsi@DOS.MyFlorida.com



P.O. Box 17089 • 9255 Sturdevant Street
Pensacola, Florida 32522-7089
ph: 850-476-5110 • fax: 850-969-3308

August 5, 2020

David W. Fitzpatrick, P.E., P.A.
Attn: David W. Fitzpatrick, P.E.
10250 N. Palafox Street
Pensacola, Florida 32534

RE: Stafford Pine Top
1000 blk Well Line Road, at Pine Top intersection
Cantonment, Florida 32533
Letter of Capacity Reservation

Dear Mr. Fitzpatrick,:

ECUA is in receipt of your inquiry concerning the availability of ECUA service/s for the above-referenced project. ECUA provides Potable Water Production Well and/or Wastewater Treatment Plant Capacity Letters exclusively to assist with your permitting efforts through Escambia County's development and concurrency review process. The administration of the concurrency review process is the sole responsibility of Escambia County, and ECUA plays no role in it.

For the purpose of concurrency review only, ECUA anticipates no problems in wastewater treatment plant capacity for the flow rates indicated on your inquiry/request form. A determination on potable water production is not included as part of this letter as parcels appear to be within the potable water franchise area of Cottage Hill Waterworks. This letter is valid for a period not to exceed one (1) year from the date of issuance.

This letter does not guarantee that ECUA's existing water distribution or sanitary sewer collection infrastructure (mains, lift stations, etc.) in the area of your project are sufficient to serve your project; instead, this letter solely addresses potable water production well capacity and/or wastewater treatment plant capacity. Therefore, the project referenced above may require various extensions, additions, upgrades, and/or modifications to the existing ECUA water and/or sewer infrastructure that you, as the Developer, may be required to pay for and install as part of your project.

All extensions, additions, upgrades, and/or modifications to the potable water or sewer collection systems to serve this project must be designed, approved and constructed in accordance with ECUA's policies, procedures, and all applicable permitting requirements. Please submit your project to ECUA Engineering so we can work with your Engineer of Record to evaluate your project's potable water distribution and sanitary sewer collection system needs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stacy N. Hayden".

Stacy N. Hayden, PE
Director of Engineering/ECUA

SNH/cwb

cc: Project File



Capacity Reservation Request Form

Request for Water Well Capacity Reservation
and/or Wastewater Plant Capacity Reservation

Date: 7-30-2020 Service Requested: Water Well _____ Sewer Plant _____
Name of Project: Stafford Pine Top Area (Acres): 19.1
Project Address: 1000 blk Well Line Road, at Pine Top intersection
***THIS INFORMATION IS REQUIRED TO PROCESS APPLICATION (attach location map):**

Type Development: Residential ☒ Commercial _____ Industrial _____ Other _____
(Explain) possible 76 lot single family residential subdivision
Number and/or Size of Units: 76- 6000 sf lots

Estimated Flow: (Average Day) Water 2280 ~~gpd~~ ☒ Sewer 22800 gpd
How will water and/or sewer be provided if not from ECUA? Farm Hill utilities will provide potable water
Special Requirements: none

Owner of Property: (type or print) current owner is Cleveland Campbell/ future Todd Stafford
Address: 2866 n hwy 95A Cantonment Fl 32533 Phone: 572-3005
Developer: (type or print) Todd Stafford
Address: 2866 n hwy 95A Cantonment Fl 32533 Phone: 572-3005
Engineer: (type or print) David W. Fitzpatrick P.E., P.A.
Address: (type or print) 10250 n palafox 32534 Phone: 476-8677 Email: david@fitzeng.com
Submitted By: (type or print) David Fitzpatrick Title: EOR
Signature of Submitter: _____ Title: EOR



THE UNDERSIGNED, DAVID W. FITZPATRICK, P.E., P.A., IS A MEMBER OF THE FLORIDA BOARD OF PROFESSIONAL ENGINEERS AND ARCHITECTS. THIS DOCUMENT IS NOT VALID UNLESS IT IS SIGNED BY THE UNDERSIGNED. ANY OTHER SIGNATURE IS VOID.

FOR ECUA USE ONLY: (Not ECUA Water Franchise Area)

Water Zone: North Cottage Hills South _____
Wastewater Treatment Plant: Bayou Marcus _____ CWRP ☒ Other _____

*****Note: This form does not address water distribution or sewer collection systems issues or capacities; instead, it only concerns water well production and/or wastewater treatment plant capacities.**



Chris Jones

Escambia County Property Appraiser

[Real Estate Search](#)
[Tangible Property Search](#)
[Sale List](#)
[Back](#)

[←](#)
[Navigate Mode](#)
☒ [Account](#)
☐ [Reference](#)
[→](#)

[Printer Friendly Version](#)

General Information

Reference: 031N313401000000

Account: 112536000

Owners: CAMPBELL CLEVELAND R SR 1/2 INT
CAMPBELL CLEVELAND RUFUS SR TRUSTEE
CAMPBELL CLEVELAND RUFUS SR
REVOCABLE TRUST 1/2
INT

Mail: 2866 N HWY 95A
CANTONMENT, FL 32533

Situs: 1000 BLK PINETOP RD 32533

Use Code: NON-AG ACREAGE [🔍](#)

Taxing Authority: COUNTY MSTU

Tax Inquiry: [Open Tax Inquiry Window](#)

Tax Inquiry link courtesy of Scott Lunsford
Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2019	\$106,148	\$0	\$106,148	\$106,148
2018	\$106,148	\$0	\$106,148	\$106,148
2017	\$106,148	\$0	\$106,148	\$106,148

[Disclaimer](#)

[Tax Estimator](#)

> [File for New Homestead Exemption Online](#)

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
03/24/2020	8271	402	\$125,000	WD	View Instr
12/17/2019	8216	1362	\$100	CJ	View Instr
05/24/2019	8100	297	\$100	OT	View Instr
11/28/2010	6663	210	\$100	QC	View Instr

2019 Certified Roll Exemptions

None

Legal Description [🔍](#)

S1/2 OF SE1/4 OF SW1/4 LESS OR 402 P 887
COUNTY RD R/W OR 5766 P 383 CONSERVATION
ESMNT OR 6663 P 210 OR 8100 P 297...

Extra Features

None

10/2005	5766	383	\$160,000	WD	View Instr
03/2003	5113	1275	\$100	WD	View Instr
12/1996	4087	775	\$100	QC	View Instr
12/1996	4087	774	\$100	WD	View Instr

Official Records Inquiry courtesy of Pam Childers
Escambia County Clerk of the Circuit Court and
Comptroller

Parcel Information

[Launch Interactive Map](#)

Section Map

Id:

[03-1N-31](#)

Approx.

Acreage:

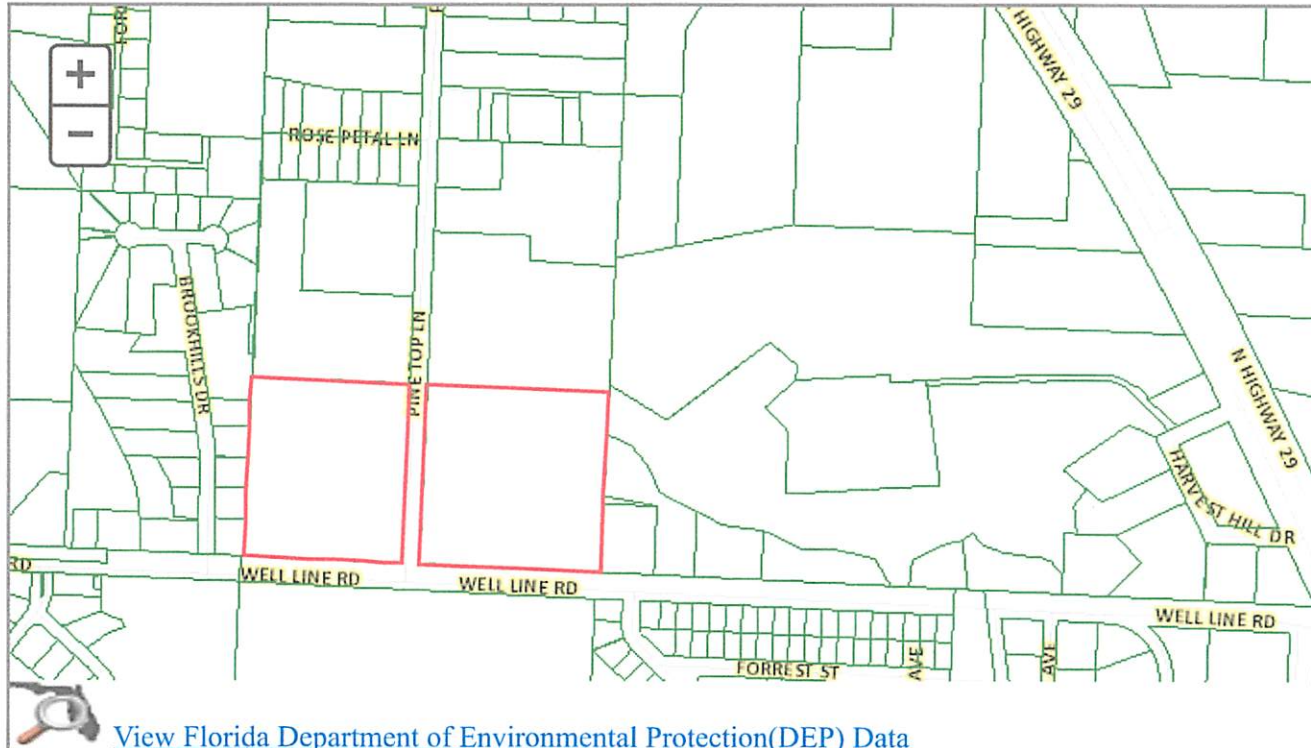
19.3367

Zoned: 

CONSULT
ZONING
AUTHORITY

**Evacuation
& Flood
Information**

[Open Report](#)



[View Florida Department of Environmental Protection\(DEP\) Data](#)

Buildings

Images

None

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Last Updated:08/13/2020 (tc.2935)

August 3, 2020

David W. Fitzpatrick, P.E., P.A.
10250 N. Palafox Street
Pensacola, Florida 32534

Re: Well Line Road Project
Water Availability for Development

To Whom It May Concern:

In response to your inquiry concerning availability of water service for the above referenced project, the Cottage Hill Water Works anticipates no problem in water supply capacity for 76 Single family homes at approximately 22,800 gallons per day.

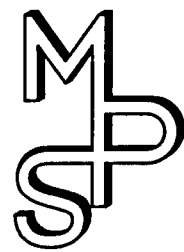
For the purpose of concurrency review, the Cottage Hill Water Works will supply potable water to the development. Connection of the proposed project to our potable water system is the responsibility of the developer. Extensions to the potable water systems to serve these projects must be designed and constructed in accordance with State accepted policies, procedures, and all applicable permitting requirements.

Sincerely,

Cottage Hill Water Works, Inc.

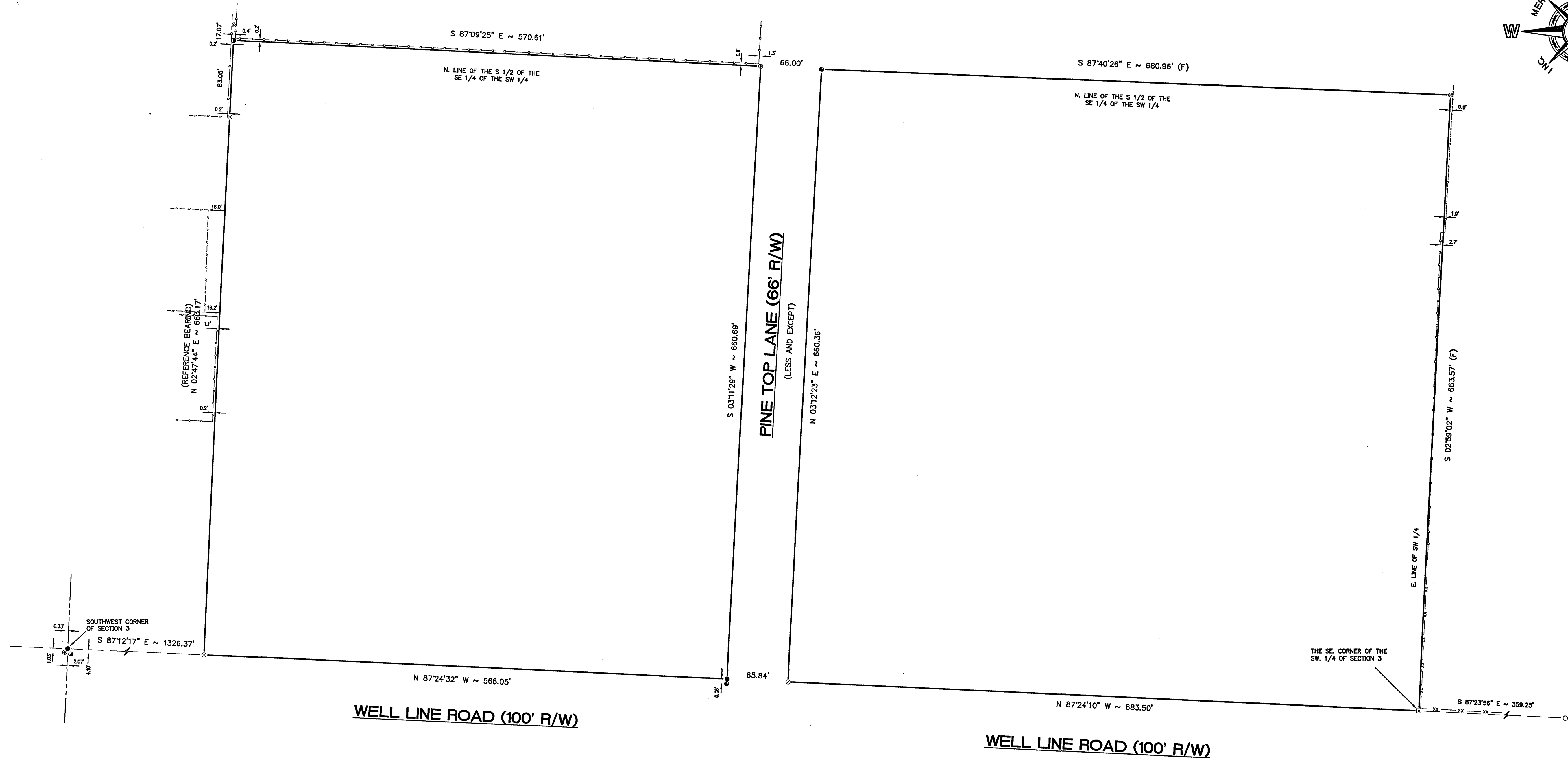
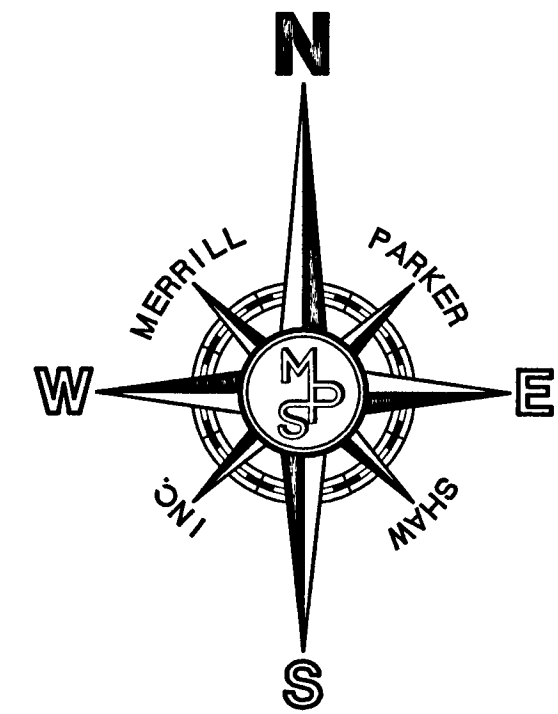
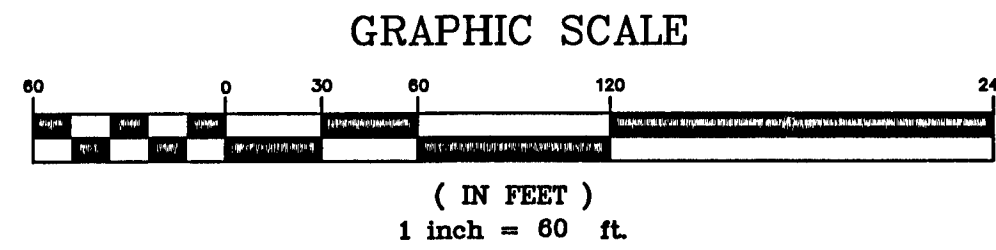


Ronnie Reynolds
Chairman Cottage Hill Water Works, Inc.



BOUNDARY SURVEY

A PORTION OF SECTION 3,
TOWNSHIP-1-NORTH, RANGE-31-WEST,
ESCAMBIA COUNTY, FLORIDA.



DESCRIPTION: (AS FURNISHED)

THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION OF FOR ROAD RIGHT-OF-WAY.

SURVEYOR'S NOTES:

- 1.) THE NORTH ARROW AND FIELD BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING OF N 02°47'44\"/>

LEGEND:

- ~ 5/8\"/>

CERTIFIED TO:

TODD STAFFORD
BEGGS AND LANE, RLLP
FIRST AMERICAN TITLE INSURANCE COMPANY

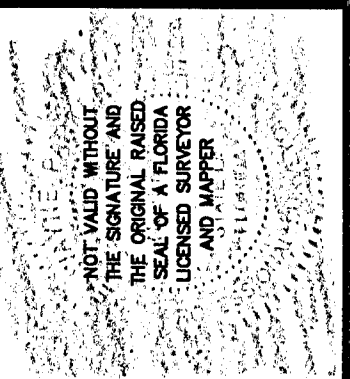
THE SURVEY SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 6J-17.050, CHAPTER 6J-17.051 AND 6J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 8/19/20
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174
STATE OF FLORIDA

COPYRIGHT © 2020 BY MERRILL PARKER SHAW, INC.

NO.	DATE	APPR.	REVISIONS:
①	8/20/20		REMOVE CONSERVATION EASEMENT



MERRILL PARKER SHAW, INC.
4928 N. DAVIS HWY
PENSACOLA, FL. 32503
PH: (850) 478-4923
FAX: (850) 478-4924
FLORIDA CORPORATION NUMBER 7174

DATE: 8/18/20
CHECKED: EWP
DRAWN: WPJ
SCALE: 1\"/>

BOUNDARY SURVEY
A PORTION OF SECTION 3,
TOWNSHIP-1-NORTH, RANGE-31-WEST,
ESCAMBIA COUNTY, FLORIDA.

PREPARED FOR: TODD STAFFORD
REQUESTED BY: TODD STAFFORD

**Comprehensive Plan
Removal of Parcel from the Optional Sector Plan (amending map)
and assignment of a new Future Land Use Category
Staff Analysis**

General Data

Project Name: OSP 2020-02
Location: 1000 BLK Pine Top Lane
Parcel #s: 03-1N-31-3401-000-000
Acreage: 19.34 (+/-) acres
Request: Opt-out of the Sector Plan and assign Future Land Use category
Current Zoning: Low Density Residential district (LDR)
Future Land Use Requested: Mixed Use Suburban (MU-S)
DSAP Land Use: Conservation Neighborhood (Jacks Branch DSAP)
Applicant: Todd Stafford, Agent for Cleveland R. Campbell, Sr, Owner
Meeting Dates: Planning Board: October 6, 2020
BCC: November 5, 2020

Site Description and Summary of Proposed Amendment:

The property owner is requesting a parcel be removed from the Escambia County Mid-West Sector Plan (SP), in the Jacks Branch Detailed Specific Area Plan (DSAP). Within the DSAP, the existing land use for the parcels is Conservation Neighborhood with a maximum residential density of 3 du/acre.

The applicant's request is to assign a Future Land Use (FLU) designation of **Mixed-Use Suburban (MU-S)** to the parcel with no future development proposed at this time.

According to the Escambia County Property Appraiser, the parcel is Non-AG Acreage, with total 19.34 +/- acres.

Standard Map Amendment Criteria

1. Availability of Facilities and Services:

The availability of public facilities and services are necessary to accommodate existing and future development, to promote orderly growth within areas best suited to accommodate development, protect sensitive natural resource systems and rural and agricultural areas. All level of service (LOS) standards are evaluated for compliance

during the review processes stated in the Land Development Code (LDC) for proposed development.

A. Sanitary Sewer

Ensure the safe and efficient provision of wastewater services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, and protection of natural resources.

CP Policy INF 1.1.7 Level of Service (LOS) Standards. Average LOS standard for wastewater service is 210 gallons per residential connection per day, and the peak LOS will be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County will continue to work with the water providers to ensure that adequate capacity is available.

CP Policy INF 1.1.11 Required New Service Connection. All new structures intended for human occupancy will connect to the ECUA wastewater system unless ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA wastewater system will not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.

B. Solid Waste Disposal

Ensure the safe and efficient provision of solid waste services through coordination with service providers, maximized use of existing landfill facilities, maintenance of appropriate levels of service, promotion of recycling and reuse, and protection of natural resources.

CP Policy INF 2.1.2 Perdido Landfill Operation. Escambia County will provide and operate the Perdido Landfill so as to accommodate the municipal solid waste disposal needs of the entire County.

CP Policy INF 2.1.4 Level of Service (LOS) Standards. The LOS standard for solid waste disposal will be 6 pounds per capita per day.

C. Potable Water

Ensure the safe and efficient provision of potable water services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, water conservation, and protection of natural resources.

CP Policy INF 4.1.1 Service Agreements. Potable water service will be provided at established levels of service within Escambia County consistent with the Interlocal

Agreement between the County and ECUA, the Escambia County Utilities Authority Act, and franchise agreements between Escambia County and other water service providers that were in operation on August 1, 1981.

CP Policy INF 4.1.6 Developer Responsibility. The cost of water line extensions made necessary by new development will be the responsibility of the developer unless otherwise funded by the service provider.

CP Policy INF 4.1.7 Level of Service (LOS) Standards. The LOS standard for potable water service within Escambia County will be 250 gallons per residential connection per day. For non-residential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC) to be calculated by the service provider at the time of application. Escambia County will continue to work with the water providers to ensure that adequate capacity is available.

Analysis: As shown in the tables in Section 4.03, Potable Water, of the Mid West Sector Plan document, an analysis was done to determine the infrastructure needed to support development within the DSAP area. Potable water for this area in the DSAP is supplied by Cottage Hill Water Works, Inc. The level of service (LOS) for potable water within Escambia County is 250 gallons per residential connection per day and the non-residential uses are based on equivalent residential connection to be calculated by the service provider at the time of application. Wastewater is supplied to the region by Emerald Coast Utilities Authority with the LOS standards within Escambia County being 210 gallons per residential connection per day, and the non-residential uses are calculated by the service provider at the time of application. Solid waste service LOS is 6 pounds per capita per day. Potable water was analyzed for both the five year and the buildout development programs. A conceptual potable water distribution system was developed based upon this analysis and is available in Figure 4.03A of the DSAP document. Funding for any expansion or improvements to the potable distribution and water treatment systems within a service area are typically generated by the respective Utility Authority.

At the time of submittal, the applicant's analysis documented that there is no development proposed at this time, however all the LOS standards for sanitary sewer, potable water, and waste disposal must be identified and reviewed for any proposed development.

D. Stormwater Management

Ensure the safe and efficient provision of stormwater management through maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, and protection of natural resources.

CP Policy INF 3.1.5 Concurrency Management. *Escambia County will ensure the provision of stormwater management facilities concurrent with the demand for such facilities as created by development or redevelopment through implementation of the Concurrency Management System.*

CP Policy INF 3.1.6 Developer Responsibilities. *Installation of stormwater management facilities made necessary by new development will be the responsibility of the developer.*

CP Policy CON 1.3.1 Stormwater Management. *Escambia County will protect surface water quality by implementing the stormwater management policies of the Infrastructure Element to improve existing stormwater management systems and ensure the provision of stormwater management facilities concurrent with the demand for such facilities.*

Analysis: Based on the DSAP's original analysis for stormwater in areas of the Sector Plan, stormwater systems should be developed as regional systems and encompass multiple areas of development. Attempts should be made to design stormwater treatment and attenuation systems and supporting conveyance pipes and swales as complete systems. All developments are required to meet or exceed the standards established by the Northwest Florida Water Management District (NFWFMD). The applicant stated that there is no proposed development at this time. Compliance with adopted stormwater management provisions will be reviewed and confirmed prior to any site development plan approval.

E. Traffic

Continue to provide a safe, convenient, efficient, and cost-effective multimodal transportation system and roadway network for present and future residents.

CP Policy MOB 1.1.1 Level of Service (LOS) Standards. Levels of Service (LOS) will be used to evaluate facility capacity. Escambia County will adopt LOS standards for all roadways as indicated in the LDC. The standards for Strategic Intermodal System (SIS) facilities may be revised based on changes to the federal classification of these roadways. These standards are not regulatory but provide a basis by which the County may monitor congestion and coordinate needed improvements with FDOT.

CP Policy MOB 1.1.2 On-site Facilities. All new private development will be required to provide safe and convenient on-site traffic flow as indicated in the LDC.

MOB 1.1.7 Access Management. Escambia County will promote access management by limiting the number of conflict points that a motorist experiences during travel, separating conflict points as much as possible when they cannot be eliminated, and controlling the turning movements to facilitate traffic flow on affected roadways.

Analysis: Based on Section 4.02 in the Public Facilities Plan under the Midwest Sector Plan, a transportation analysis was conducted on different roadways and segments evaluating the existing facilities and travel characteristics as well as the potential impacts and road capacity needs for the five year interim period and the buildout of the plan. A review of the area shows that various transportation improvements are planned

near the DSAP, including capacity expansions of US 29, Interstate 10, and Nine Mile Road.

The County's Traffic and Transportation department has provided comments.

At the time of submittal, the applicant stated there is no proposed development for this parcel. Any development application will require submittal, review, and approval thru the Site Plan Review process, meeting all the requirements of the LDC and Comprehensive Plan.

F. Recreation and Open Space

The purpose of the Recreation and Open Space Element is to ensure adequate recreational opportunities for the citizens of Escambia County through the provision of a comprehensive system of public and private park facilities. These facilities may include, but are not limited to, natural reservations, parks and playgrounds, trails, beaches and public access to beaches, open spaces, and waterways.

Analysis: Conservation Neighborhoods are intended to provide a more efficient and environmentally protective development pattern. As per Mid-West Sector Plan, Section 3.03, Conservation Neighborhood Guidelines, Open Space, the intent is to be low density, clustered communities with an interconnected open space that will serve to protect and preserve areas of significant natural resources and wildlife habitat while offering passive recreational opportunities to residents. Parks and recreational facilities within a neighborhood will promote physical activity as well as adding to the overall value of the area.

The applicant stated that there is no proposed development for the parcel, however, any future development must go through the Development Review process and meet all standards for Recreation and Open Space in the Comprehensive Plan.

G. Public School Facilities

CP Policy ICE 1.1.2 Interlocal Agreements. Escambia County will implement adopted interlocal agreements with the Escambia County School Board, the City of Milton, the City of Pensacola, the City of Gulf Breeze, and Santa Rosa County so as to provide for coordination and evaluation of development proposals that affect the bays, bayous, sound, or gulf (including estuaries and estuarine systems).

Analysis: As per the Sector Plan, Section 4.08, for Schools, an analysis was completed for the purposes of estimating DSAP impacts for both the five year and buildout conditions. Based on the public records of Escambia County, the assigned schools that service the area are Jim Allen, Ransom and Tate. The school district staff is part of the Site Plan Review process having the ability to comment on all proposed projects in Escambia County. The applicant stated there are no plans to develop and although any increase in density may or may not have an influence on student population, the exact number of students cannot be calculated until a plan is submitted thru the Site Plan Review process.

2. Impact on Natural Resources

A. Wellheads

CP Policy CON 1.4.1 Wellhead Protection. Escambia County will provide comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions will establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.

Analysis: Based on the Geographical Information System (GIS) layer, the subject parcel is not located in a wellhead protection area.

B. Historically Significant Sites

CP Policy FLU 1.2.1 State Assistance. *Escambia County will utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County and will utilize guidance, direction, and technical assistance received from this agency.*

Analysis: The applicant provided documentation stating there are no previously recorded historical resources within the parcel. The Escambia County Comprehensive Plan has a section for historical preservation and at any time during development if artifacts are discovered, they are to cease construction under policy OBJ FLU 1.2 Historic Resources, in the Escambia County Comprehensive Plan.

C. Natural Environment

CP Policy CON 1.1.2 Wetland and Habitat Indicators. *Escambia County has adopted and will use the National Wetlands Inventory Map, the Escambia County Soils Survey, and the Florida Fish and Wildlife Conservation Commission's (FFWCC) LANDSAT imagery as indicators of the potential presence of wetlands or listed wildlife habitat in the review of applications for development approval.*

CP Policy CON 1.1.6 Habitat Protection. *Escambia County will coordinate with the FDEP, FFWCC, and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the County.*

CP Policy CON 1.3.6 Wetland Development Provisions. *Development in wetlands will not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development in wetlands will be restricted to allow residential density uses as indicated by the LDC.*

CP Policy CON 1.6.3 Tree Protection. *Escambia County will protect trees through LDC provisions.*

Analysis: As stated in the Sector Plan document, Section 5.01, Natural Resources, the DSAP contains significant wetland systems that are listed as a Regionally Significant Natural Resource by the Emerald Coast Regional Planning Council and the final design was to avoid and minimize wetland impacts to the greatest extent possible. The applicant stated that there is no development proposed on the subject parcel. Once a project is proposed, the application will be reviewed and must receive approval through the Site Plan Review process.

3. Comprehensive Plan requirements for changes to an existing DSAP.

OBJ FLU 16.6 Specific Area Plans

Changes to an Existing DSAP: Any addition or deletion of property or changes to the neighborhood, center or district boundaries in an approved DSAP shall follow the County's established processes. It shall include an evaluation and analysis of the impacts to the approved or planned land uses and the ability of the proposed amendment to meet the principles and guidelines outlined in this plan. Such additions or deletions shall not be designed to create remnant areas or fragmented DSAPs.

Evaluation and Analysis. In recognitions of the benefits of long-range planning for specific areas, Escambia County adopted the Sector plan which is intended to promote long-term planning for development and conservation. The primary component of the Sector plan is two DSAP land use plans. There are two DSAP land use plans, Muscogee DSAP and Jacks Branch, that capture the consensus long-term vision for the area. Both DSAPs were assigned development types and associated densities based on the proportionate share of the overall sector plan.

The total developable land under the Muscogee DSAP, located in the southern section of the SP, is approximately 3,380 acres; under the Jacks Branch DSAP, located in the northern section of the SP, the total developable land is approximately 5,231.70 acres, as can be identified in Figure 2.01A, Attachment A.

The subject parcel is in the southeast area of the Jacks Branch DSAP with access from Well Line Road to Highway 29. Analysis of the areas under the DSAP Land Use Plan designated the parcel as being Conservation Neighborhood. If approved, the requested removal of the parcel would not create a fragmented DSAP in Section JB-53 with parcels.

4. Parcel size in relation to the individual DSAP land use category and in relation to the overall Sector Plan, and the aggregate acreage of any granted opt-outs.

The total developable acreage in the entire Sector Plan is 8,611.80 acres. Based on staff calculations, utilizing data from DSAP document Section 2.02, the applicant's parcel totaling 19.34+/- acres, represent 0.22% of the existing developable acreage of the **Sector Plan**.

Under Section 2.02 Development Program calculation tables, (page 34 of the DSAP) the total residential developable acreage of the **Jacks Branch DSAP** under the

Conservation Neighborhood Land Use is 2,565.6 acres. Removal of the applicant's 19.34 +/- acres will result in a **0.75% decrease** in developable acres.

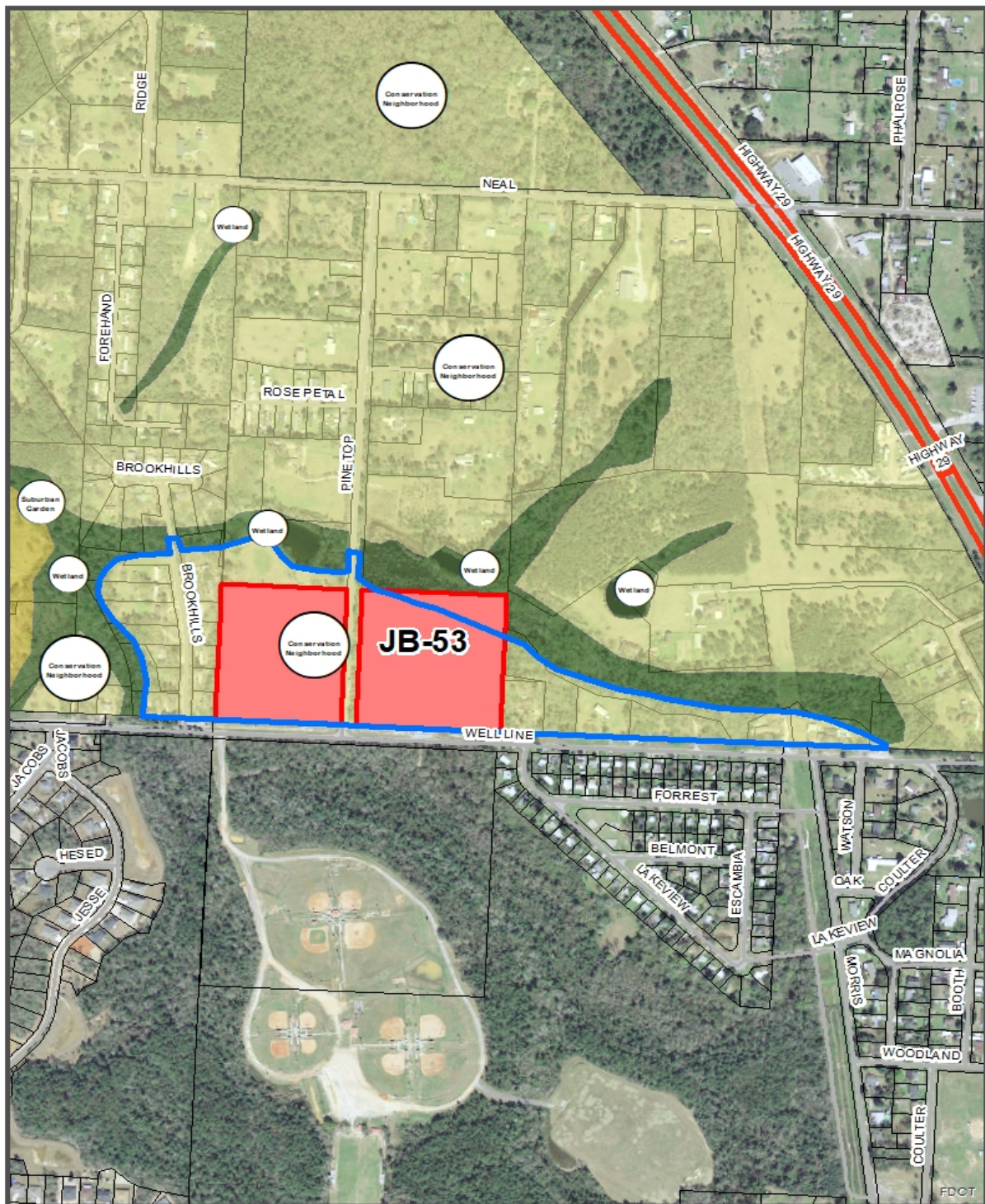


Figure A

The specific Jacks Branch DSAP Land Use for parcels in sections JB-53 (Figure A) is identified as **Conservation Neighborhood** with total dwelling unit development allowances assigned as follows:

JB-53 section total development acreage 38.3 acres

-low density x (0.1) yielding a total density of 3 dwelling units

-medium density x (1) yielding a total density of 38 dwelling units

-high density x (3) yielding a total density of 114 dwelling units

Derived from the analysis of the baseline data we can identify the following trends:

JB-53 section

a. the applicant's parcel area represents 0.22% of the total developable area.

b. removal of the applicant's 19.34 (+/-) acres from the total developable acreage for section JB-53, will result in a reduction of 58.02 total dwelling units under the high-density allocation.

This is the **Seventh Opting-Out request** submitted to and processed by County staff. If approved, the total Sector Plan aggregate acreage will be **154.45**

The original Sector Plan profile identified approximately 15,000 acres of land, the availability of infrastructure and public services and the protection of natural resources; the calculations used to complete the maximum development scenario for the Plan were specific and resulted in a **balanced jobs-to-housing ratio**. Changes to or variations of any of the original data used for the plan could hinder the balance and the viability of attaining the SP goals and objectives.

Assuming a maximum theoretical buildout under the mixture of uses, the DSAP area would produce approximately 27,145 jobs. When analyzed using the maximum residential build-out of 23,000 dwelling units, the result, is a jobs-to-employed residents' ratio of **1.19**. It should be noted that although there is no single perfect ratio, an area is generally considered to be "balanced" if it has a jobs-to-housing ratio of roughly **0.8 to 1.2**. If the proposed amendment is approved the resulting **job-to-housing ratio will be 1.20.**

5. The existing transportation infrastructure and any effect the proposal may have on the capacity of that infrastructure.

TTO Staff has reviewed the Sector Plan Opt-Out Case OSP-2020-02, 1000 BLK Pine Top Lane (parcels 03-1N-31-3401-000-000), agenda item for the Planning Board meeting scheduled for October 6, 2020. Please see the below comments.

The property in question is located on either side of Pine Top Lane and has direct access from Well Line Road. Pine Top Lane is a two-lane undivided facility without paved shoulders. The approximate pavement width of Pine Top Lane is 18 feet, with a right-of-way width of 64 feet. The posted speed is 35 MPH. Well Line Road is also a two-lane undivided facility without paved shoulders. The approximate pavement width

for this segment of the roadway is 18 feet, with a right-of-way width of 90 feet. The posted speed on Well Line Road is 35 MPH.

The County has a project in design for a Well Line Road extension. We have 60% plans to extend Well Line Road by constructing a road through an unopened/un-acquired area along the Well Line Road corridor between Andalusia Road and Jacks Branch Road. Once acquired, the new roadway will consist of 120' of county-owned right-of-way with 12' travel lanes, 5' paved shoulders, and drainage improvements. Holding ponds and a bridge will be constructed at various locations along the corridor.

The County collected a traffic count on Well Line Road between Pine Top Lane and the road to Cantonment Park, September 9, 2020. The daily volume was recorded as 1,878.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any future TTO comments during the Development Review process.

6. The underlying zoning district and the compatibility with the surrounding DSAP Land Use designation.

The existing parcel is currently zoned Low-Density residential (LDR). If removed from the SP, the following range of permitted uses are allowed under the existing zoning district:

Sec. 3-2.5 Low Density Residential district (LDR).

(a) Purpose. The Low Density Residential (LDR) district has a density of four dwellings units per acre. The district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district. Residential uses within the LDR district are predominantly detached single-family dwellings. Clustering dwellings on smaller residential lots may occur where needed to protect prime farmland from non-agricultural use or to conserve and protect environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

(b) Permitted uses. Permitted uses within the LDR district are limited to the following:

(1) Residential.

- a.** Manufactured (mobile) homes only within existing manufactured home parks or subdivisions, or on land zoned SDD prior to adoption of LDR zoning. No new or expanded manufactured home parks or subdivisions.
- b.** Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots two acres or larger. Attached single-family dwellings and zero lot line subdivision only on land zoned V-5 or SDD prior to adoption of LDR zoning.

c. Two-family dwellings and multi-family dwellings up to four units per dwelling (triplex and quadruplex) only on land zoned V-5 or SDD prior to adoption of LDR zoning.

See also conditional uses in this district.

(2) Retail sales. No retail sales.

(3) Retail services. No retail services.

(4) Public and civic.

a. Cemeteries, family only.

b. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

(5) Recreation and entertainment.

a. Marinas, private only.

b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related. No industrial or related uses.

(7) Agricultural and related. On land not zoned SDD prior to adoption of LDR zoning, agricultural production and storage is limited to food primarily for personal consumption by the producer. The following additional agricultural uses are allowed on lands zoned SDD prior to LDR zoning:

a. Agriculture, but no farm animals except horses and other domesticated *equines* kept on site, and stables for such animals, accessory to a private residential use with a minimum lot area of two acres and a maximum of one animal per acre.

b. Aquaculture, marine or freshwater.

c. Produce display and sales of fruit, vegetables and similar agricultural products.

d. Silviculture

The Escambia County Land Development Code defines compatibility as a condition in which land uses, activities or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use, activity, or condition is unduly negatively impacted directly or indirectly by another use, activity, or condition. The character and intensity of the LDR zoning district **is compatible** with the low densities in the Conservation Neighborhood.

The DSAP Land Use for the surrounding parcels is strictly Conservation Neighborhood; based on the Residential Guidelines language, the Conservation Neighborhood Land Use is designed to allow clustered subdivisions of detached housing, with a maximum density of 3 dwellings units per net acre.

7. The consistency of any requested Future Land Use designation with the underlying zoning.

Should the Opt-Out be approved, and the MU-S Future Land Use category assigned, the most intense use will be dictated by the LDR zoning category, which allows for residential developments of 4 du/acre. The requested **MU-S** FLU category **will be consistent** with the underlying zoning uses densities and intensities allowed by LDR. From the Escambia County 2030 Comprehensive Plan:

FLUM Mixed-Use Suburban (MU-S)

General Description: Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.

Range of Allowable Uses: Residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: None

Maximum Intensity: 1.0 Floor Area Ratio (FAR)

Escambia County intends to achieve the following mix of land uses for new development within ¼ mile of arterial roadways or transit corridors by 2030:

- a) Residential 8% to 25%
- b) Public/Rec/Inst. 5% to 20%
- c) Non-Residential:
 - Retail Service-30% to 50%
 - Office-25% to 50%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

- a) Residential 70% to 85%
- b) Public/Rec/Inst. 10% to 25%
- c) Non-Residential 5% to 10%

8. Previous FLU designation

Prior to adoption of the DSAP, the FLU designation for this parcel was The Cottage Hill/Quintette Area (Area #15) which stated approximately 70 percent of the lands within the node shall remain in agricultural uses, 25 percent may be developed in residential uses and five percent may be developed in commercial or light industrial uses. The intensity of the nonresidential uses shall be defined by limiting the maximum amount of impervious surface to 82 percent and a floor area ratio of 1.1.

9. Analysis to consider whether the applicant lost development rights or was effectively downzoned as part of the Sector Plan adoption.

The vacant 19.34 (+/-) acre parcel had a FLU designation of Activity Area 15 (AA15). The table, 7-1 under Chapter 7 of the 2020 Comprehensive Plan, Policy 7.A.4.8: Rural Densities, established the density of residential uses in the agriculture, rural and activity area(nodes). The residential density, lot sizes clustering and size of proposed new subdivisions would have been governed by the table based on the location of proposed development site and its relationship to an activity node. Any development at that time would have been required to meet the design standards in the LDC or submit a proposal for development, however there is no record that the property owner submitted

a plan or received an approved Development Order, therefore the applicant did not lose development rights.

Prior to the adoption of the Mid-West Escambia Sector Plan, the vacant parcel was zoned Villages Clustered Residential, V-5. The Villages Clustered Residential zoning districts were characterized by rural land development patterns, as stated in the previous zoning district of V-5, in the prior LDC. The V-5 densities reflected the need for more affordable lot sizes for single family detached, attached structures, duplexes, quadraplexes, townhouses, and patio homes that would be allowed with a gross density (four units per acre, if sewerred and clustered) or gross density (one unit per acre, if unsewerred). Based on the available data, **the residential density** for the parcel were in-fact **increased and decreased based on rather a development is sewerred and clustered or unsewerred** by the adoption of the Sector Plan and the assignment of the Conservation Neighborhood Land Use under the DSAP, which provides a maximum allowance of 3 du/acre.

If approved, any future development associated with this parcel will be evaluated during the Site Plan Review process. The review will utilize the current zoning regulations addressing and minimizing any potential impacts that the proposed development could have on the characteristics of the existing low to mid-density residential development listed under the SP's Land Uses.

If approved, the SP boundary map will be adjusted accordingly, to reflect the removal of the parcel from the Plan as shown in Attachment B.

If approved the parcels will be assigned the Future Land Use Category of MU-S as shown in Attachment C.

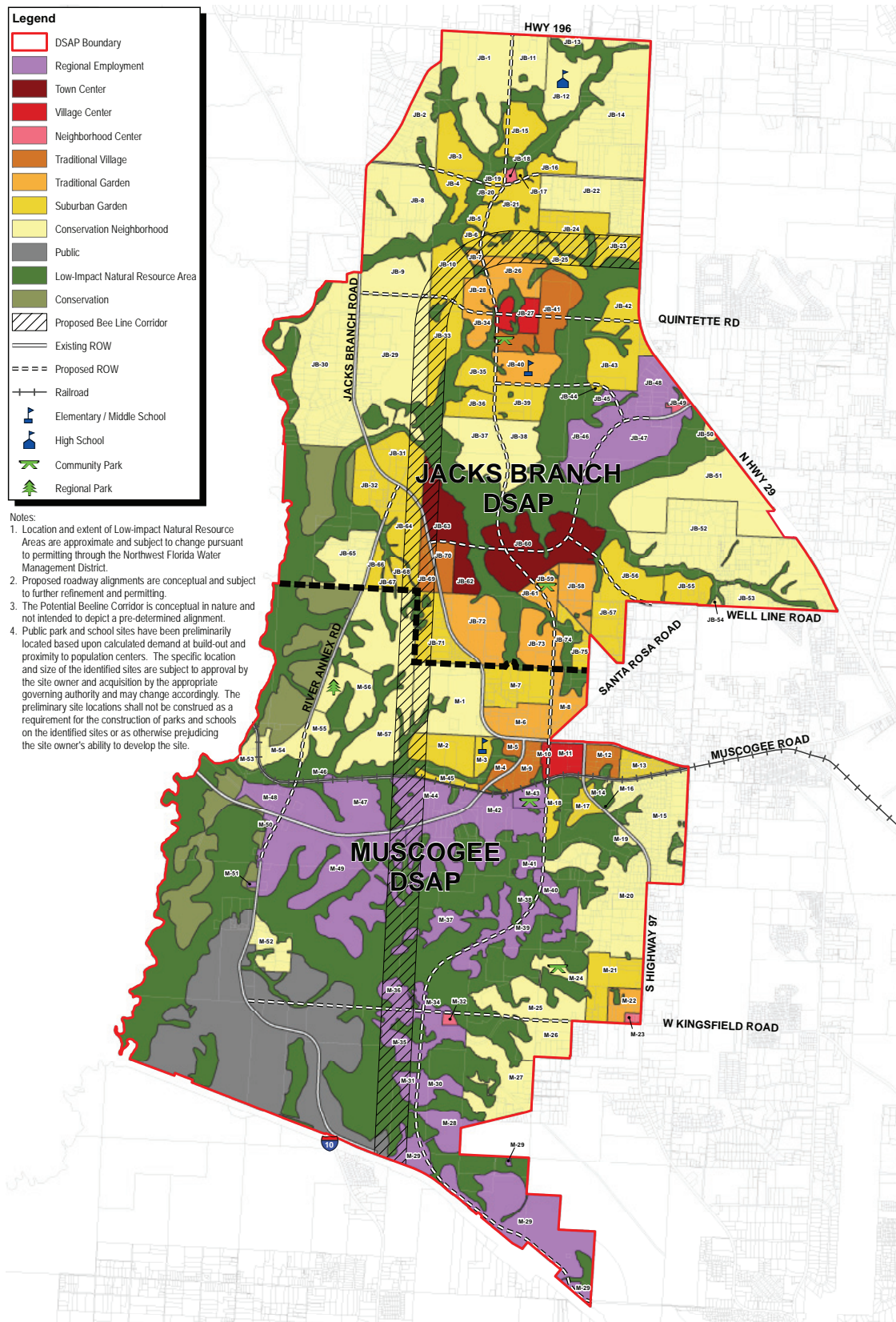


Figure 2.01.A Final Land Use Plan

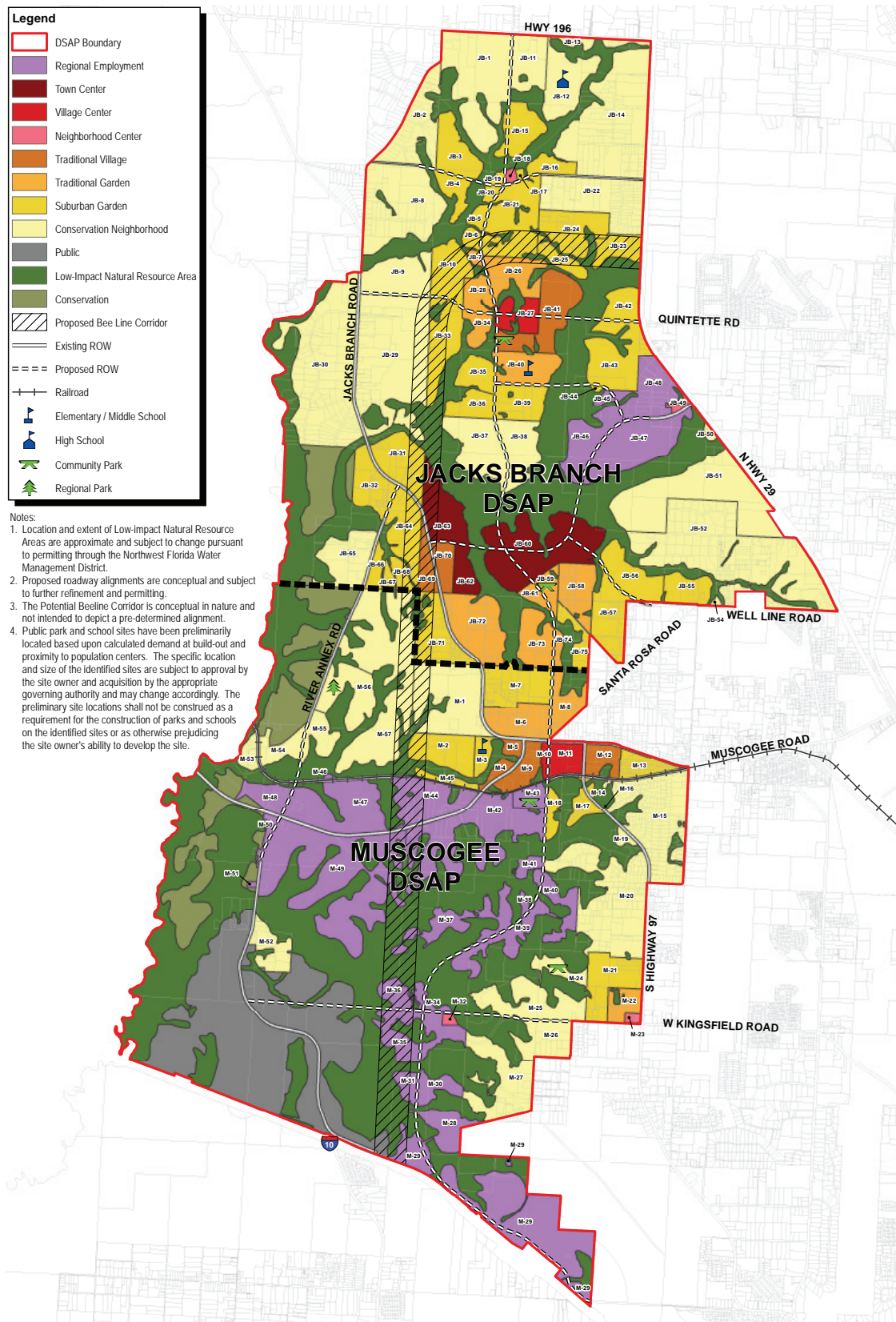
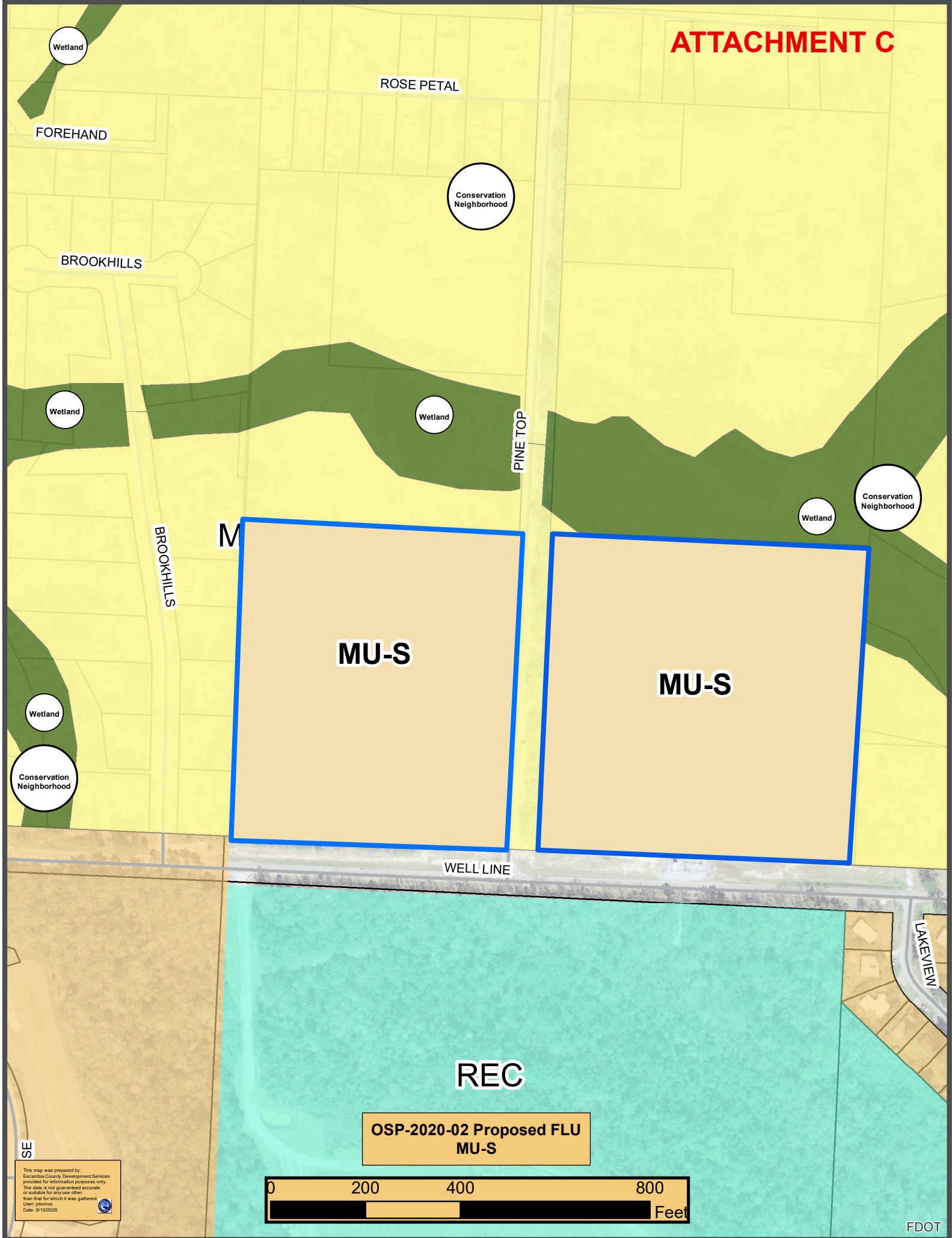
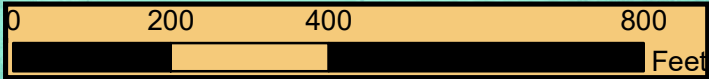


Figure 2.01.A Final Land Use Plan

ATTACHMENT C



This map was prepared by
Escambia County Development Services
provided for information purposes only.
The data is not guaranteed accurate
or suitable for any use other
than that for which it was gathered.
User: jdemas
Date: 9/10/2020



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

INTEROFFICE MEMORANDUM



**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

DATE: September 24, 2020

RE: Transportation & Traffic Operations (TTO) Comments – OSP-2020-02

TTO Staff has reviewed the Sector Plan Opt-Out Case OSP-2020-02 1,000 Block of Well Line Road, agenda item for the Planning Board meeting scheduled for October 6, 2020. Please see the below comments.

The property in question is located on either side of Pine Top Lane and has direct access from Well Line Road. Pine Top Lane is a two-lane undivided facility without paved shoulders. The approximate pavement width of Pine Top Lane is 18 feet, with a right-of-way width of 64 feet. The posted speed is 35 MPH. Well Line Road is also a two-lane undivided facility without paved shoulders. The approximate pavement width for this segment of the roadway is 18 feet, with a right-of-way width of 90 feet. The posted speed on Well Line Road is 35 MPH.

The County has a project in design for a Well Line Road extension. We have 60% plans to extend Well Line Road by constructing a road through an unopened/un-acquired area along the Well Line Road corridor between Andalusia Road and Jacks Branch Road. Once acquired, the new roadway will consist of 120' of county-owned right-of-way with 12' travel lanes, 5' paved shoulders, and drainage improvements. Holding ponds and a bridge will be constructed at various locations along the corridor.

The County collected a traffic count on Well Line Road between Pine Top Lane and the road to Cantonment Park, September 9, 2020. The daily volume was recorded as 1,878.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any future TTO comments during the Development Review process.

**cc: Horace Jones, Development Services Department Director
Joy Jones, P.E., Engineering Department Director
Christine Fanchi, P.E., Transportation Engineer
John C. Fisher, Development Services Department**

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: _____

Date: _____

Date requested back by: _____

Requested by: _____

Phone Number: _____

|||||

(LEGAL USE ONLY)

Legal Review by _____

Date Received: _____

____ Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

ORDINANCE NUMBER 2020-____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY MID-WEST SECTOR PLAN, FINAL LAND USE PLAN, FIGURE 2.01.A, REMOVING A PARCEL WITHIN SECTION 03, TOWNSHIP 1N, RANGE 31W, PARCEL NUMBER 3401-000-000 TOTALING 19.34 (+/-) ACRES, LOCATED ON PINE TOP LANE, FROM THE ESCAMBIA COUNTY MID-WEST SECTOR PLAN; FURTHER AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED, AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," POLICY FLU 1.1.1, TO PROVIDE FOR AN AMENDMENT TO THE 2030 FUTURE LAND USE MAP, ASSIGNING A FUTURE LAND USE CATEGORY TO A PARCEL WITHIN SECTION 30, TOWNSHIP 1N, RANGE 31W, PARCEL NUMBER 3401-000-000 TOTALING 19.34 (+/-) ACRES, OF MIXED-USE SUBURBAN (MU-S); PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Chapter 16, FLU 16.6.1.V of the Escambia County Comprehensive Plan provides guidelines for removing properties from an approved DSAP; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to consider changes (amendments) to the boundaries of the Escambia County Mid-West Sector Plan, Final Land Use Plan Map, Figure 2.01.A, Attachment "A;" and

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

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

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

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

PB: 10-6-2020
Re: OSP-2020-02
Draft: legal sign-off

Section 1. Purpose and Intent

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

Section 2. Title of Map Amendment

This Final Land Use Plan Map amendment shall be entitled – "Opting-Out Escambia County Mid-West Sector Plan OSP 2020-02."

Section 3. Changes to the Final Land Use Plan

The Final Land Use Plan (Figure 2.01.A), as adopted in the Escambia County Mid-West Sector Plan, Land Use Plan and Development Program, and all notations, references and information shown thereon, is further amended to remove the following parcel:

One parcel within Section 03, Township 1N, Range 31W, parcel number 3401-000-000 totaling 19.34 (+/-) acres, located on Pine Top Lane.

The amended Final Land Use Plan Map boundary is reflected in Attachment "B."

Section 4. Title of Comprehensive Plan Amendment

This Comprehensive Plan amendment shall be entitled – "Opting-Out Escambia County Mid-West Sector Plan OSP 2020-02."

Section 5. Changes to the 2030 Future Land Use Map

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

A parcel within Section 03, Township 1N, Range 31W, parcel number 3401-000-000 totaling 19.34 (+/-) acres, located on Pine Top Lane, included as Attachment "C," **assigning a FLU of Mixed-Use Suburban (MU-S).**

Section 6. Severability

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

Section 7. Effective Date

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

DONE AND ENACTED this _____ day of _____, 2020.

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

By: _____
Steven Barry, Chairman

**ATTEST: PAM CHILDERS
CLERK OF THE CIRCUIT COURT**

Approved as to form and legal sufficiency.

By/Title: Kia M. Johnson, ACA

By: _____
Deputy Clerk

Date: 09-14-2020

(SEAL)

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

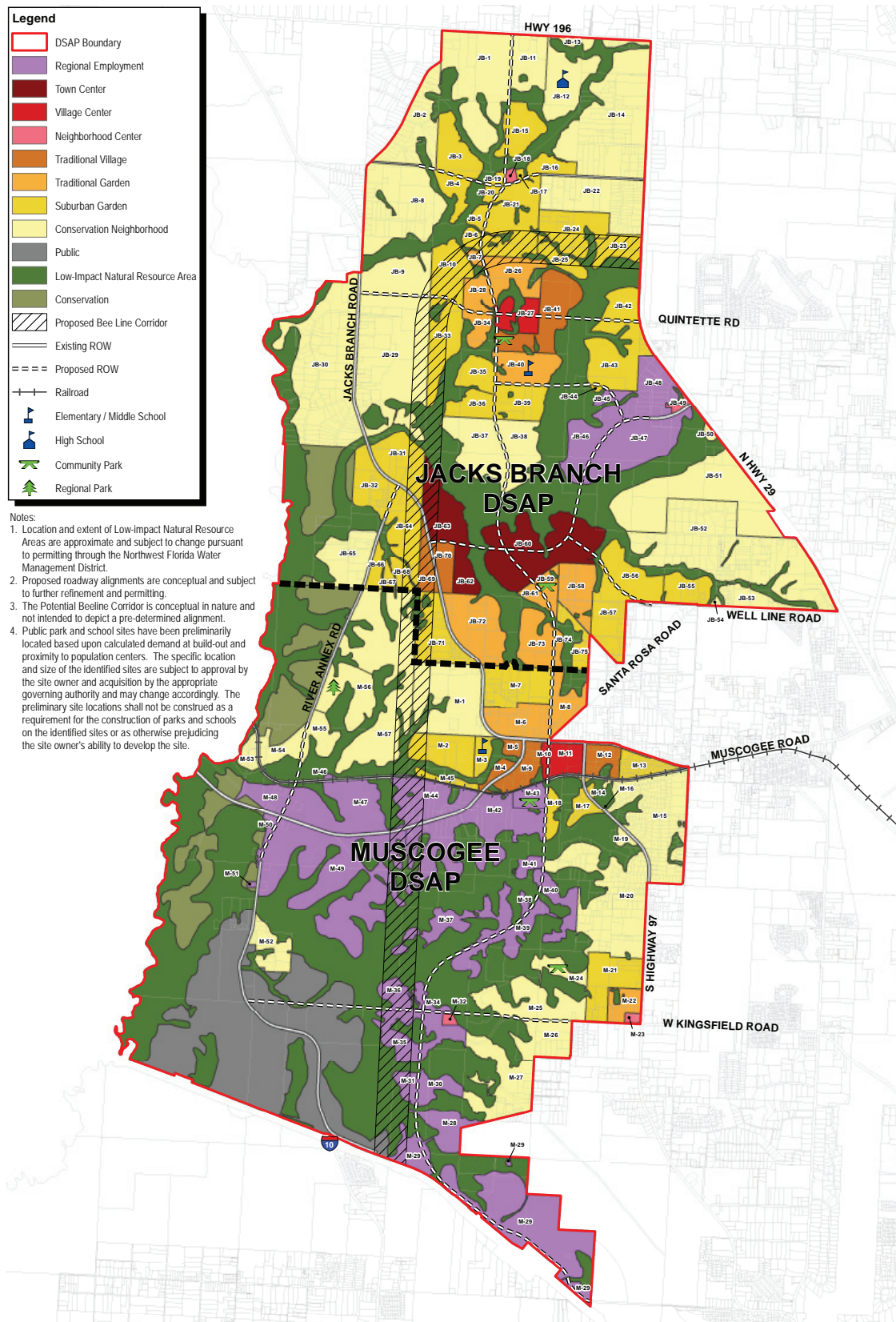


Figure 2.01.A Final Land Use Plan

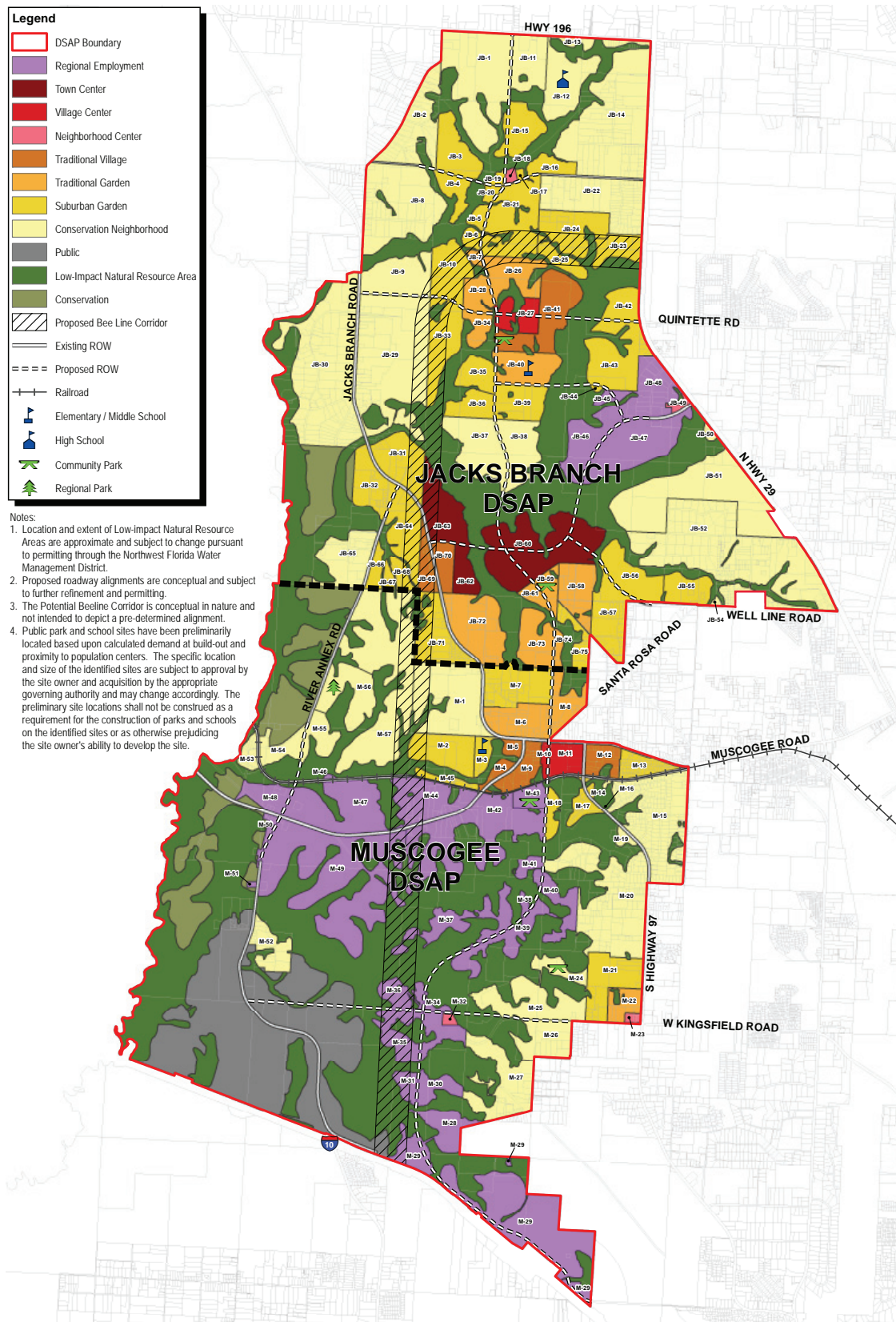


Figure 2.01.A Final Land Use Plan

ATTACHMENT C

