

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
July 11, 2011–8:35 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Proof of Publication.
3. Approval of Minutes.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Summary Minutes of the June 13, 2011 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for July 2011.

C. Planning Board 6-Month Outlook for July 2011.

4. Public Hearings.

Comprehensive Plan Amendment- Chapter 7, "Future Land Use Element"

That the Board review and recommend to the Board of County Commissioners (BCC) the proposed Comprehensive Plan Amendment, Future Land Use Element herein, amending Part II of the Escambia County Code of Ordinances , the Escambia County Comprehensive Plan:2030; Amending Chapter 7, "The Future Land Use Element," to add Policy 5.4.6, establishing a process for protection and management of regionally significant natural resources within the Optional Sector Plan; Amending Policy 5.6.1 to delete certain requirements regarding conservation areas from the detailed specific area plans boundary determination analysis.

5. Action/Discussion/Info Items.

A. **Discussion Item -- Subdivision Rezoning**, presented by T. Lloyd Kerr, Director, Development Services

B. **Discussion Item -- Perdido Key Neighborhood Plan Update**, presented by Annie Griffin, Perdido Key Association

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

The next Regular Planning Board meeting is scheduled for **Monday, August 8, 2011 at 8:30 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

10. Announcements/Communications.
11. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-858

Item #: 3.

Planning Board-Regular

Meeting
Date: 07/11/2011

Agenda Item:

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Summary Minutes of the June 13, 2011 Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for July 2011.
- C. Planning Board 6-Month Outlook for July 2011.
-

Attachments

Summary Minutes

Monthly Action Follow-up

6 month Outlook

**SUMMARY OF THE
ESCAMBIA COUNTY PLANNING BOARD
HELD ON JUNE 13, 2011
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, FIRST FLOOR
PENSACOLA, FLORIDA**

(8:30 A.M. – 9:15 A.M.)

MEMBERS PRESENT: Wayne Briske, Chairman
Tim Tate, Vice Chair
Steven Barry
Vann Goodloe
Alvin Wingate
Patty Hightower, School Board Representative (non-voting)
Stephanie Oram, Navy Representative (non-voting)

MEMBERS ABSENT: Dorothy Davis
Karen Sindel

STAFF PRESENT: Stephen West, Assistant County Attorney
Horace Jones, Division Manager, Planning & Zoning
Andrew Holmer, Senior Planner, Planning & Zoning
John Fisher, Planner II, Planning & Zoning
Juan Lemos, Urban Planner I, Planning & Zoning
Karen Spitsbergen, Board Clerk, Planning & Zoning

1. The meeting was called to order at 8:30 a.m. with 5 voting members present.
2. Invocation and pledge was given by Wingate.
3. Proof of Publication was given by Mr. Fisher.
4. Board Minutes
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Summary Minutes of the May 9, 2011 Planning Board Meeting.
Motion was made by Tate to approve the meeting minutes, seconded by Goodloe and passed unanimously (5-0).
 - B. Planning Board Monthly Action Follow-up Report for May 2011.
No Action Taken.
 - C. Planning Board 6-Month Outlook for May 2011.
No Action Taken.
4. Public Hearings
 - A. **LDC Ordinance** – Article 6, “Uses and Parking of Recreational Vehicles”, presented by Andrew Holmer, Senior Planner, Planning & Zoning
Motion was made by Barry to recommend to the BCC for adoption an Ordinance to the Land Development Code (LDC) Article 6, Section

6.04.04 to redefine “uses and parking of recreational vehicles.”, seconded by Goodloe and passed unanimously (5-0).

5. Action/Discussion/Info Items

- A. **Discussion Item** – New Growth Management Legislation, presented by T. Lloyd Kerr, Director, Development Services.

Mr. Kerr gave a synopsis of the newly adopted legislation passed by the Florida Legislature.

6. Bureau Chief’s Report

No report.

7. County Attorney’s Report

No report.

8. Scheduling of Future Meetings

- A. The next Regular Planning Board meeting is scheduled for **Monday, July 11, 2011** at 8:30 a.m., in the Escambia County Central Office Complex, Board Meeting Room, Room 104, 3363 West Park Place, Pensacola, Florida.

10. Adjournment

9:15 AM – Regular Board Meeting Adjourned



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: Karen Spitsbergen, Clerk to the Board
Planning & Zoning Division

DATE: June 21, 2011

RE: Monthly Action Follow-Up Report for July 2011

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

PROJECTS, PLANS, & PROGRAMS

1. *Optional Sector Plan (OSP) Detailed Specific Area Plan (DSAP)*

- 03/17/11 The BCC approved an amended Mid-West Escambia County Optional Sector Plan Detailed Specific Area Plan Boundary.
- 05/11/11 Staff held a Conceptual Plan Workshop at Ransom Middle School to discuss the preliminary Detailed Specific Area Plan (DSAP)

COMMITTEES & WORKING GROUP MEETINGS

None

LAND DEVELOPMENT CODE ORDINANCES

1. *Article 6 Motorized Commercial Recreational Uses*

- 03/07/11 PB discussed including motorized commercial recreational uses as a permitted use within the VAG zoning districts
- 04/11/11 PB directed staff to draft language to be included in the LDC that would allow motorized commercial uses within the VAG zoning districts (with a minimum lot size of 20 acres). In addition, changing golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings from a conditional use to permitted uses in the VAG zoning districts.
- 05/09/11 PB reviewed and recommended approval of the Ordinance to the BCC; forwarded to 07/07/11 BCC for the first of two public hearings.

2. Article 6 Recreational Vehicle as Living Quarters

05/09/11 PB directed staff to draft language to be included in the LDC that would eliminate the language that would allow a conditional use permit to be obtained when an RV is used as living quarters longer than 14 calendar days.

06/13/11 PB reviewed and recommended approval of the Ordinance to the BCC; forwarded to the 08/04/11 BCC for the first of two public hearings.

REZONING CASES

1. Rezoning Case Z-2011-08

05/09/11 PB reviewed and recommended approval of Z-2011-08; forwarded to 06/02/11 BCC for approval

06/02/11 BCC reviewed and approved the PB recommendation of R-6

2. Rezoning Case Z-2011-09

05/09/11 PB reviewed and recommended approval of Z-2011-09; forwarded to 06/02/11 BCC for approval

06/02/11 BCC reviewed and approved the PB recommendation of R-5

PLANNING BOARD MONTHLY SCHEDULE 6 MONTH OUTLOOK FOR JULY 2011

(Revised 06/28/11)

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

Planning Board Meeting Date	LDC Changes	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Monday, July 11, 2011		CPA 2011-01 – Text Amendment – DSAP – Conservation Easements	Z-2011-10 Z-2011-11 Z-2011-12 Z-2011-13	<ul style="list-style-type: none"> • S/D Rezoning • Perdido Key Neighborhood Plan Update
Monday, August 8, 2011	<ul style="list-style-type: none"> • *DSAP – Preliminary Plan • Gun Range Deregulation 	*CPA-2011-02 – Map Amendment – 200 Becks Lake Rd		<ul style="list-style-type: none"> • Way Finding Signs • Barrancas Redevelopment Plan Update
Monday, September 12, 2011	*Way Finding Signs			
Monday, October 10, 2011		CPA -2011-03 – CIP A.H.		<ul style="list-style-type: none"> • PSFE ILA Working Group
Monday, November 7, 2011				
Monday, December 12, 2011				

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



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-995

Item #: 4.

Planning Board-Regular

Meeting Date: 07/11/2011

Issue: Comprehensive Plan Amendment- Chapter 7, "Future Land Use Element"

From: T. Lloyd Kerr, AICP

Organization: Development Services

RECOMMENDATION:

That the Board review and recommend to the Board of County Commissioners (BCC) the proposed Comprehensive Plan Amendment, Future Land Use Element herein, amending Part II of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan:2030; Amending Chapter 7, "The Future Land Use Element," to add Policy 5.4.6, establishing a process for protection and management of regionally significant natural resources within the Optional Sector Plan; Amending Policy 5.6.1 to delete certain requirements regarding conservation areas from the detailed specific area plans boundary determination analysis.

BACKGROUND:

The BCC adopted the 2030 Comprehensive Plan and EAR based amendments on January 20, 2011. Recent changes to Chapter 163 Florida Administrative Code (FAC) and the repeal of Rule 9J-5 have necessitated amending certain comprehensive plan policies pertaining to wetlands and other environmentally sensitive areas within a DSAP. This amendment will serve to further strengthen the ability to make land use decisions locally.

BUDGETARY IMPACT:

No budgetary impact are anticipated as a result of the recommended Board action.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached comprehensive plan amendment was reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any suggested legal comments are attached herein with the respective ordinance to which they pertain.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

Comprehensive Plan Section 4.07 requires public hearing review by the local planning agency (Planning Board) of any proposed amendment to the plan prior to adoption by the Board of County Commissioners in a subsequent public hearing.

IMPLEMENTATION/COORDINATION:

Upon recommended approval by the Planning Board, the package is forwarded to the Department of Community Affairs(DCA) for compliance review consistent with the State Coordinated review process. Once comments are received, the Board of County Commissioners will hold a public hearing to review and adopt the amendment package.

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

Attachments

Legal Approval;Draft Ordinance 1D

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Comp Plan Amendment -Chapter 7 "Future Land Use Element" Draft 1D

Date: 06-24-11

Date requested back by: 06-27-11

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: June 27, 2011

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Please see my emails from June 24-27, 2011

Allyson Cain

From: Stephen G. West
Sent: Friday, June 24, 2011 2:28 PM
To: Allyson Cain
Cc: T. Lloyd Kerr; Horace L Jones; Brenda J. Spencer
Subject: RE: Comprehensive Plan Amendment - Chapter 7, "Future Land Use Element"

Allyson:

I'll need more information on this. The term "conservation" is defined and used throughout the Comp Plan, but the proposed change introduces a new term – "low impact natural resource area." As far as I can tell, this term is not defined. I don't know what this is, how it relates to or differs from a conservation area, or what prompted the change.

Please understand that I am a little uncomfortable with the way this Comp Plan change has unfolded. This is the second week in a row where our office has received a request for a short-notice review in order to make a PNJ deadline. Last week I approved a proposed change that was contrary to the provisions of the new Community Planning Act based on staff's assurance that DCA was OK with it. I later learned that this was not the case.

Please ask Lloyd or Horace call me.

From: Allyson Cain
Sent: Friday, June 24, 2011 9:27 AM
To: Stephen G. West
Cc: Brenda J. Spencer; Horace L Jones; T. Lloyd Kerr
Subject: Comprehensive Plan Amendment - Chapter 7, "Future Land Use Element"

Steve,

As per direction from Lloyd, there are some slight changes in the draft ordinance. I have attached the document and have highlighted the additional language, which replaces the word "conservation". We have contacted the PNJ to hold for your final review and approval. Please return to us as soon as possible so we do not miss the summittal deadline for PNJ.

Thank you,

*Allyson Cain, Planner II
Development Services Department*

Escambia County is striving to maintain a high level of Customer Service and we would love to hear about your experience with us. Please complete the attached customer service survey and fax it to 595-3481.

<http://www.zoomerang.com/Survey/WEB22C6W7A4DVC/>

From: Stephen G. West
To: Allyson Cain
Cc: T. Lloyd Kerr; Horace L Jones; Brenda J. Spencer
Subject: RE: See this attachment!
Date: Monday, June 27, 2011 10:15:17 AM

Allyson:

I understand from talking with Horace that the intent underlying the change to “low impact natural resource area” is to allow the potential for some type of development in what would otherwise be a conservation area. My concern is that low impact natural resource area is an undefined term. So the comp plan would have no guidance on what development is allowed. The County may find later that the developers had a much different (more intense) expectation of the type of development that would be allowed. And, of course, we don’t know if DCA is OK with this. I’ve discussed this with Alison and our office will sign off on the ordinance, subject to this caution.

ORDINANCE NO. 2011-____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," TO ADD POLICY FLU 5.4.6, ESTABLISHING A PROCESS FOR ENSURING APPROPRIATE IDENTIFICATION, PROTECTION AND MANAGEMENT OF REGIONALLY SIGNIFICANT NATURAL RESOURCES WITHIN THE OPTIONAL SECTOR PLAN; AMENDING POLICY FLU 5.6.1 TO DELETE CERTAIN REQUIREMENTS REGARDING CONSERVATION AREAS FROM THE DETAILED SPECIFIC AREA PLANS BOUNDARY DETERMINATION ANALYSIS; 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 current Comprehensive Plan on January 20, 2011; 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, which has conducted a public hearing, reviewed and approved the changes to the Comprehensive Plan and authorized the transmittal of the proposed changes to the Florida Department of Community Affairs (DCA) for review and comment prior to considering the changes (amendments) for adoption; and

WHEREAS, the Board of County Commissioners, Escambia County, Florida finds that the adoption of these amendments 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:

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.

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Section 2. Title of Comprehensive Plan Amendment

This Comprehensive Plan Amendment for Escambia County, Florida shall be entitled – "Comprehensive Plan Amendment 2011-01." This is the first amendment to be submitted to the DCA for the Year 2011.

Section 3. Future Land Use Element

Part II, of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan: 2030, Chapter 7, "Future Land Use Element," Sections 5.4.6 and 5.6.1 and all notations, references and information shown thereon is amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

OBJ FLU 5.4 Environment

FLU 5.4.6 To ensure appropriate identification, protection and management of regionally significant natural resources within the OSP, the following process is established:

1. Regionally significant natural resources, including waterbodies, wetlands, listed species habitat, unique vegetative communities and publicly owned lands acquired for conservation purposes, shall be identified at the long-term master plan level utilizing publicly available data. These resources shall be depicted on the long-term master plan framework map as "Anticipated Conservation Areas."
2. At the Detailed Specific Area Plan (DSAP) level, Anticipated Conservation Areas shall be subject to further study and refinement. Methods such as photo-interpretation and ground-truthing shall be utilized to verify, and where appropriate, revise Anticipated Conservation Area boundaries. These areas shall be depicted as low impact natural resource areas on the DSAP land use map.
3. At the time of issuance of an Escambia County development order, areas identified through the permitting process for preservation shall be

1 protected through the recordation of conservation easements consistent
2 with Section 704.06, Florida Statutes. Escambia County shall
3 administratively amend the boundaries of areas designated low impact
4 natural resource areas on the DSAP land use map to reflect the executed
5 conservation easements.

6 **OBJ FLU 5.6 Specific Area Plans**

7 FLU 5.6.1 Development within the OSP shall be subject to the adoption of Detailed
8 Specific Area Plans (DSAP). Each DSAP must be a minimum of 1,000 acres in size
9 and developed in sufficient detail to allow evaluation of the interrelationship of its parts
10 and establish consistency with principles and criteria contained in FLU 5.1.1 – FLU
11 5.5.5. Until and unless a DSAP is approved by the Escambia County Board of County
12 Commissioners and found in compliance by the Florida Department of Community
13 Affairs, the property in the OSP shall maintain the underlying future land use category
14 (e.g. Agricultural , Rural Community, Mixed-Use Suburban) and zoning district (e.g. the
15 agricultural, the rural community, the mixed-use low density zonings or the equivalents),
16 except for those projects that are vested.

17 All applications for development approvals (i.e. lot splits, special exceptions, variances,
18 etc.) on any property within the OSP shall be reviewed on a case-by-case basis for the
19 effect of such development approval on adopted or future DSAPs and in compliance
20 with the general principles established in FLU Policy 5.1.2. At a minimum, development
21 of a DSAP must include the following information:

22 **I. DSAP Boundary Determination Analysis**

23 Conduct a preliminary site analysis of the proposed DSAP area to determine
24 appropriate boundaries. This analysis shall include the following:

- 25
- 26 1. Identification of the extent and location of natural resources.
- 27
- 28 2. Identification of the environmental opportunities and constraints to
29 development within the area.
- 30
- 31 3. Identification of the net usable land area.
- 32
- 33 4. Determination of a maximum development scenario based upon the uses,
34 densities and intensities identified in the Conceptual Long-term Build-out
35 Overlay.

- 1
- 2 5. A Jobs-to housing balance assessment consistent with policy FLU 5.3.4
- 3 and utilizing a professionally acceptable methodology.
- 4
- 5 6. Identification of public facilities and services available to the area;
- 6 available capacity; potential deficiencies; and an approximation of
- 7 necessary improvements.
- 8

9 ~~If a DSAP contains areas designated as Anticipated Conservation Areas on the Long-~~
10 ~~Range Conceptual Framework Map, the boundaries of those Anticipated Conservation~~
11 ~~Areas shall be finalized during the DSAP process and designated as Conservation on~~
12 ~~the Future Land Use Map as part of the DSAP plan amendment. No development shall~~
13 ~~be permitted on lands designated Conservation within a DSAP except as specifically~~
14 ~~provided for in the DSAP. Prior to the commencement of any development within a~~
15 ~~DSAP, a perpetual conservation easement meeting the requirements of Section 704.06,~~
16 ~~Florida Statutes, shall be placed over all of the lands designated Conservation within~~
17 ~~that DSAP and shall be recorded in the public records of Escambia County. The total~~
18 ~~acreage of lands subject to the conservation easement shall be no less than the total~~
19 ~~acreage of lands designated Conservation within a DSAP. The conservation easement~~
20 ~~shall be granted to, and provide for enforcement rights by, the County, the Department~~
21 ~~of Community Affairs, and either the Department of Environmental Protection or a~~
22 ~~recognized statewide land trust.~~

23

24 **Section 4. Severability**

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

29

30 **Section 5. Inclusion in the Code**

31

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

37

38 **Section 6. Effective Date**

39

40 Pursuant to Section 163.3184(4)(e)5, Florida Statutes, this plan amendment shall go
41 into effect pursuant to the State Land Planning Agency's notice of intent. If timely

DRAFT

1 challenged, this plan amendment will not become effective until the State Land Planning
2 Agency or the Administration Commission enters a final order determining the adopted
3 amendment to be in compliance.

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DONE AND ENACTED this _____ day of _____, 2011.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: _____
Kevin W. White, Chairman

ATTEST: ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-861

Item #: 5.

Planning Board-Regular

Meeting
Date: 07/11/2011

Agenda Item:

A. Discussion Item -- Subdivision Rezoning, presented by T. Lloyd Kerr, Director,
Development Services

B. Discussion Item -- Perdido Key Neighborhood Plan Update, presented by Annie Griffin,
Perdido Key Association
