

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
February 4, 2013–8:35 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Invocation/Pledge of Allegiance to the Flag.
3. Proof of Publication.
4.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 3, 2013 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for January 2013.
 - C. Planning Board 6-Month Outlook for February 2013.
5. Public Hearings.
 - A. LDC Article 13.12 "Alternative To The Center One Third Regulation for Piers Or Docks On Pensacola Beach"

A Public Hearing Concerning the Review of an LDC Ordinance Amending Article 13 "Piers, Basins & Marinas"

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 13.12 to provide more alternatives for the installation of a pier or dock in waters containing an abundance of sea grass in the standards expressed for the regulation for piers, basins and marinas on Santa Rosa Island.
 - B. LDC Ordinance Article 13.01 "Administration"

A Public Hearing Concerning the Review of an LDC Ordinance Amending Article 13.01 "Administration"

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 13.01.00 "Administration"

The Santa Rosa Island Authority Board has reviewed the Ordinance and has recommended it to the Board of County Commissioners for review and adoption.

6. Discussion and Info Items.

LDC Re-Write

At the January 8, 2013 Committee of the Whole, Larry Newsom, Assistant County Administrator, recommended hiring a consultant to do a comparative analysis of the Comprehensive Plan and the proposed LDC with Santa Rosa, Okaloosa and Bay counties' respective plans.

7. Public Forum.

8. Director's Review.

9. County Attorney's Report

Sunshine Law Training Refresher

10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Monday, March 4, 2012 at 8:30 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.

12. Adjournment.



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

Planning Board-Regular
Meeting Date: 02/04/2013

4.

Agenda Item:

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 3, 2013 Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for January 2013.
- C. Planning Board 6-Month Outlook for February 2013.

Attachments

Quasi-Judicial Resume
Planning Board Regular Mtg Resume
Monthly Action Follow-Up
Six month Outlook

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL HEARING January 7, 2013

**CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:35 A.M. – 9:45 A.M.)**

Present: Tim Tate, Vice Chairman
David Luther Woodward
Dorothy Davis
Robert V. Goodloe
Karen Sindel
Alvin Wingate
Patty Hightower, School Board (non-voting)
Stephanie Oram, Navy (Non voting)

Absent: Wayne Briske, Chairman

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Andrew Holmer, Senior. Planner, Planning & Zoning
Horace Jones, Division Mgr., Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Stephen West, Assistant County Attorney

1. Call to Order.
2. Invocation was given by Mr. Alvin Wingate and the Pledge of Allegiance to the Flag was given by Ms. Karen Sindel.
3. Proof of Publication was given by the clerk and the board voted to waive the reading of the legal advertisement.

Motion by David Luther Woodward, Seconded by Robert V. Goodloe
Motion was made to approve Proof of Publication and to waive the reading of the legal advertisement.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

4. Quasi-judicial Process Explanation.

5. Public Hearings.
- A. Z-2012-25
- Applicant: Wiley C. "Buddy" Page, Agent
for Freddy Powell, Owner
- Address: 617 N. 70th Ave & 7008 W
Jackson St
- From: R-2, Single -Family District
(cumulative), Low-Medium
Density (7 du/acre)
- To: R-6, Neighborhood
Commercial and Residential
District, (cumulative) High
Density (25 du/acre)

Mr. Robert V. Goodloe and Mr. David Woodward acknowledged visiting the site.

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

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

Motion by David Luther Woodward, Seconded by Robert V. Goodloe
Motion was made to accept the applicants findings of facts as well as the
applicants request to rezone only the Jackson St parcel from R-2 to R-6 and
recommend approval to the Board of County Commissioners.

Vote: 4 - 2 Approved

Voted No: Karen Sindel
Alvin Wingate

Other: Wayne Briske (ABSENT)

6. The meeting was adjourned at 9:45.

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD January 7, 2013

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(9:55 A.M. - 10:09 A.M.)

Present: Tim Tate, Vice Chairman
David Luther Woodward
Dorothy Davis
Robert V. Goodloe
Karen Sindel
Alvin Wingate
Patty Hightower, School Board (non-voting)
Stephanie Oram, Navy (Non voting)

Absent: Wayne Briske, Chairman

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Andrew Holmer, Senior. Planner, Planning & Zoning
Horace Jones, Division Mgr., Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Stephen West, Assistant County Attorney

1. The meeting was called to order at 9:55 a.m.
2. Proof of Publication.
3.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the December 10, 2012 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for December 2012.
 - C. Planning Board 6-Month Outlook for January 2013.

Motion by Karen Sindel, Seconded by Robert V. Goodloe
Motion was made to approve the minutes from the December 10, 2012 Planning Board Meeting.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

4. Public Hearings.

A. LDC Article 13 "Signage", Regulation of Signs and Outdoor Display

Motion by David Luther Woodward, Seconded by Karen Sindel
Motion was made to recommend to the Board of County Commissioners approval of the LDC Article 13 "Signage", Regulation of Signs and Outdoor Display.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

5. Action/Discussion/Info Items.

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, February 4, 2013 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. The meeting was adjourned at 10:10 a.m.



BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

DEVELOPMENT SERVICES DEPARTMENT
3363 WEST PARK PLACE
PENSACOLA, FLORIDA 32505
PHONE: 850-595-3475
FAX: 850-595-3481
www.myescambia.com

Memorandum

TO: Planning Board
FROM: Kayla Meador
Planning & Zoning Division
DATE: January 24, 2013
RE: Monthly Action Follow-Up Report for January 2013

Following is a status report of Planning Board (PB) agenda items for the prior month of **December**. 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. **PERDIDO KEY MASTER PLAN**

01/12/12	BCC directed staff to send out a Request for Letters of Interest
06/28/12	BCC selected Duany Plater-Zyberk & Company, LLC.
08/15/12	Site Visit – Duany Plater-Zyberk & Company, LLC.
09/13/12	Workshop was held at Perdido Bay Community Center
10/15-10/22	Charrette

COMMITTEES & WORKING GROUP MEETINGS

1.	11/19/12	LDC Re-write Workshop (Map and Text)
	12/10/12	Planning Board-Public Hearing

COMPREHENSIVE PLAN AMENDMENTS

• Text Amendments:

1. **Comprehensive Plan Text Amendment- Ordinance amending the 2030 Escambia County Comprehensive Plan to remove all references to Florida Rule 9J-5; to remove all references to Department of Community Affairs and replace with Florida Department of Economic Opportunity (FDEO); to remove all references to Florida Statue 163.3101 and replace with Florida Statue 163.3161. (CPA-2012-01)**

01/09/12	PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment.
03/01/12	BCC approved transmittal to DEO

05/17/12 BCC adopted

2. Comprehensive Plan Text Amendment- Ordinance amending the Escambia County Comprehensive Plan: 2030, as amended; repealing and replacing in its entirety ordinance No. 2012-18. (CPA-2015-05)

07/09/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment repealing and replacing Ordinance 2012-18.

08/09/12 BCC transmitted to DEO

09/13/12 Response letter from DEO

12/06/12 BCC adopted

3. Comprehensive Plan Text Amendment – FLU 5 OSP (CPA 2012-03) Ordinance amending the Escambia County Comprehensive Plan 2030, amending policy FLU 5.5.2 regarding the locational criteria for traditional urban neighborhoods, new suburban neighborhoods and conservation neighborhoods in specific area plans.

07/09/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment.

08/09/12 BCC approved transmittal to DEO.

10/05/12 Response letter from DEO

12/06/12 BCC adopted

4. Comprehensive Plan Text Amendment - House Bill 503, amending the Comprehensive Plan 2030 consistent with Chapter 2012-205, Laws of Florida; removing references from the Comprehensive Plan 2030 requiring an applicant to obtain a permit or approval from any State or Federal agency as a condition of processing a development permit under certain conditions.

08/13/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment CPA 2012-04.

09/06/12 BCC approved transmittal to DEO

10/12/12 Response letter from DEO

12/06/12 BCC adopted

5. Comprehensive Plan Text Amendment – amending the Escambia County Comprehensive Plan: 2030; amending future land use element MU-PK; removing certain restrictions on development, height, and density; increasing the floor area ratio. (CPA 2012-06)

11/05/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment CPA 2012-06.

12/06/12 BCC approved transmittal to DEO

6. Comprehensive Plan Text Amendment – CIE (CPA 2012-07), amending the Escambia County Comprehensive Plan 2030 consistent with Chapter 2011-139.

12/10/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Text Amendment

01/03/13 BCC to approve transmittal to DEO

- **Map Amendments:**

- 7. Comprehensive Plan Map Amendment – Large Scale Amendment (CPA-2012-02) amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.**

08/13/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Map Amendment CPA-2012-02.

08/23/12 BCC approved transmittal to DEO

09/28/12 Response letter from DEO

01/03/13 BCC to adopt

- 8. Comprehensive Plan Map Amendment- Small Scale Amendment (SSA-2012-02) amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.**

08/13/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Map Amendment SSA 2012-02.

08/23/12 BCC adopted

- 9. Comprehensive Plan Map Amendment- Small Scale Amendment (SSA-2012-03) amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.**

10/08/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Map Amendment SSA 2012-03.

11/01/12 BCC adopted

- 10. Comprehensive Plan Map Amendment- Small Scale Amendment (SSA-2012-04) amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.**

11/05/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Map Amendment SSA 2012-04.

12/06/12 BCC adopted

- 11. Comprehensive Plan Map Amendment- Small Scale Amendment (SSA-2012-05) amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.**

11/05/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Map Amendment SSA 2012-05.

12/06/12 BCC adopted

- 12. Comprehensive Plan Map Amendment – Large Scale Amendment (CPA-2012-04), 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," providing for an amendment to the 2030 Future Land Use Map, changing the future land use category of a parcel within Section 4, Township 1S, Range 31W, Parcel Number 1101-000-000, totaling 241.9 (+/-) acres, located at 4810 West Nine Mile Road, from Recreation (REC) to Mixed-Use Urban (MU-U).

12/10/12 PB reviewed and forwarded to the Board of County Commissioners the proposed Comprehensive Plan Map Amendment CPA-2012-04.
01/03/13 BCC to approve transmittal to DEO

LAND DEVELOPMENT CODE ORDINANCES

- 1. Article 3 Local Criteria for Local Roads**
05/17/12 PB recommended approval of ordinance
08/09/12 BCC adopted
- 2. Article 13 Flood Plain Revision- SRIA**
05/17/12 PB recommended approval of ordinance
08/09/12 BCC adopted
- 3. Article 2, 4, 7, 12 – House Bill 503**
08/13/12 PB recommended approval of ordinance
09/06/12 BCC adopted
- 4. Article 2 Appeals**
09/10/12 PB rejected the ordinance to the BCC
10/04/12 BCC meeting- Administrator pulled and sent back to PB
10/08/12 PB to review and make recommendation to BCC
11/01/12 BCC voted to leave ordinance as is
- 5. Article 7 Barrier Island Lighting**
10/08/12 PB discussed ordinance
- 6. Article 13 SRIA Signage**
01/07/13 PB recommended approval of ordinance
02/07/13 BCC Meeting

REZONING CASES

- 1. Rezoning Case Z-2012-09**
05/14/12 PB recommended denial of rezoning
06/28/12 BCC remanded case to the Planning Board to consider rezoning the R-5 portion to ID-2
08/13/12 PB recommended staff revise findings for ID-1 and bring back to the September 10th PB meeting
09/10/12 PB recommended denial of rezoning
10/04/12 BCC remanded back to PB
11/05/12 PB voted to move case to 12/10 PB meeting, Mr. Page was absent
12/10/12 PB recommended approval of rezoning
01/03/13 BCC approved to ID-1

- 2. Rezoning Case Z-2012-12**
08/13/12 PB recommended approval of rezoning
08/23/12 BCC approved
- 3. Rezoning Case Z-2012-13**
07/09/12 PB recommended approval of rezoning
08/09/12 BCC approved
- 4. Rezoning Case Z-2012-14**
07/09/12 PB recommended approval of rezoning
08/09/12 BCC approved
- 5. Rezoning Case Z-2012-15**
07/09/12 PB recommended approval of rezoning
08/09/12 BCC approved
- 6. Rezoning Case Z-2012-16**
09/10/12 PB recommended approval of rezoning
TBD BCC meeting- waiting on Future Land Use Change approval from DEO
- 7. Rezoning Case Z-2012-17**
08/13/12 PB recommended approval of rezoning
10/04/12 BCC approved
- 8. Rezoning Case Z-2012-18**
09/10/12 PB recommended approval of rezoning
10/04/12 BCC approved
- 9. Rezoning Case Z-2012-19**
09/10/12 PB recommended approval of rezoning
10/04/12 BCC approved
- 10. Rezoning Case Z-2012-20**
09/10/12 PB recommended approval of rezoning
10/04/12 BCC approved
- 11. Rezoning Case Z-2012-21**
09/10/12 PB recommended approval of rezoning
11/01/12 BCC approved
- 12. Rezoning Case Z-2012-22**
10/08/12 PB recommended approval of rezoning
11/01/12 BCC approved
- 13. Rezoning Case Z-2012-23**
10/08/12 PB recommended approval of rezoning
11/01/12 BCC approved
- 14. Rezoning Case Z-2012-24**
10/08/12 PB recommended approval of rezoning
11/01/12 BCC approved

- 15. Rezoning Case Z-2012-25**
 - 10/08/12 PB recommended denial of rezoning
 - 11/01/12 BCC remanded back to PB, to consider R-6
 - 01/07/13 PB recommended approval for 7008 W. Jackson St ONLY
 - 02/07/13 BCC Meeting

- 16. Rezoning Case Z-2012-26**
 - 11/05/12 PB voted to move case to 12/10 PB meeting, Mr. Page was absent
 - 12/10/12 PB recommended approval of rezoning
 - 01/03/13 BCC Approved

- 17. Rezoning Case Z-2012-27**
 - 11/05/12 PB recommended approval of rezoning
 - 12/06/12 BCC approved

- 18. Rezoning Case Z-2012-28**
 - 12/10/12 PB recommended approval of rezoning
 - 01/03/13 BCC Approved

- 19. Rezoning Case Z-2012-29**
 - 12/10/12 PB recommended approval of rezoning
 - 01/03/13 BCC Approved

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR FEBRUARY 2013

(Revised 11/20/12)

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 Public Hearing	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Monday, December 10, 2012	<ul style="list-style-type: none"> • LDC Re-write 	<ul style="list-style-type: none"> • CPA-2012-04 MAP • CPA-2012-07 TEXT 	<ul style="list-style-type: none"> • Z-2012-09 • Z-2012-26 • Z-2012-28 • Z-2012-29 	
Monday, January 7, 2013	<ul style="list-style-type: none"> • LDC SRIA Signage 		<ul style="list-style-type: none"> • Z-2012-25 	
Monday, February 4, 2013	<ul style="list-style-type: none"> • LDC SRIA Admin • LDC SRIA Docks and Piers 			
Monday, March 4, 2013				<ul style="list-style-type: none"> • PK MP Presentation
Monday, April 1, 2013	<ul style="list-style-type: none"> • LDC Ord.-Chickens 	<ul style="list-style-type: none"> • Comp Plan Annual Report 		
Monday, May 6, 2013				<ul style="list-style-type: none"> • JLUS
Monday, June 3, 2013				

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



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. A.

Meeting Date: 02/04/2013

Issue: LDC Article 13.12 "Alternative To The Center One Third Regulation for Piers Or Docks On Pensacola Beach"

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an LDC Ordinance Amending Article 13 "Piers, Basins & Marinas"

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 13.12 to provide more alternatives for the installation of a pier or dock in waters containing an abundance of sea grass in the standards expressed for the regulation for piers, basins and marinas on Santa Rosa Island.

BACKGROUND:

The Santa Rosa Island Authority is revising the Land Development code, Article 13 "Piers Basins and Marinas". The current center 1/3 has become very restrictive due to the sea grass. The proposed amendment is for the setback lines to be 10 percent of waterfront at MHWL but no less than 5' from littoral lines.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared by Santa Rosa Island Authority in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Santa Rosa Island Authority will ensure proper advertisement.

Attachments

Draft Ordinance w Legal review

Allyson Cain

From: Stephen G. West
Sent: Tuesday, December 18, 2012 3:33 PM
To: Michael Stebbins
Cc: Allyson Cain; Tara D. Cannon
Subject: FW: PROPOSED ORDINANCE - Section 13 12.C. I. piers Revision 11262012.doc
Attachments: PROPOSED ORDINANCE - Section 13 12.C. I. piers Revision 11262012.doc

Mike:

Looks good to me too. I'm copying Allyson Cain so she can arrange for this to be presented to the Planning Board.

Steve

-----Original Message-----

From: Michael Stebbins [mailto:mjsteb@bellsouth.net]
Sent: Tuesday, December 18, 2012 1:41 PM
To: Stephen G. West
Cc: Paolo Ghio; Melody Bolster
Subject: FW: PROPOSED ORDINANCE - Section 13 12.C. I. piers Revision 11262012.doc

Steve:

Melody beat me to the punch and made the changes you suggested. Attached is the revision. They look good to me.

Mike

Michael J. Stebbins
MICHAEL J. STEBBINS, P.L.
504 N. Baylen Street
Pensacola, FL 32501
850-434-9922

On 12/18/12 12:17 PM, "Melody Bolster" <melody_bolster@sria-fla.com> wrote:

> Hopefully this saves you a minute:)
>
>
> _____ Information from ESET NOD32 Antivirus, version of virus
>signature database 7813 (20121218) _____
>
>The message was checked by ESET NOD32 Antivirus.
>
><http://www.eset.com>
>
>
>
> _____ Information from ESET NOD32 Antivirus, version of virus
>signature database 7813 (20121218) _____
>
>The message was checked by ESET NOD32 Antivirus.
>
><http://www.eset.com>

1 **Section 3. Inclusion in Code.**

2
3 It is the intention of the Board of County Commissioners that the provisions of this
4 Ordinance shall be codified as required by F.S. § 125.68, and that the sections,
5 subsections and other provisions of this Ordinance may be renumbered or re-lettered
6 and the word "ordinance" may be changed to "section," "article," or such other
7 appropriate word or phrase in order to accomplish such intentions.
8

9 **Section 4. Effective Date.**

10
11 This Ordinance shall become effective upon filing with the Department of State.
12

13 **DONE AND ENACTED** this _____ day of _____, 2013.

14
15 **BOARD OF COUNTY COMMISSIONERS**
16 **OF ESCAMBIA COUNTY, FLORIDA**

17
18 **By:** _____

19
20 **Gene M. Valentino, Chairman**

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

23
24 **By:** _____
25 **Deputy Clerk**

26 **(SEAL)**

27
28 **ENACTED:**

29
30 **FILED WITH THE DEPARTMENT OF STATE:**

31
32 **EFFECTIVE DATE:**
33



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. B.

Meeting Date: 02/04/2013

Issue: LDC Ordinance Article 13.01 "Administration"

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an LDC Ordinance Amending Article 13.01 "Administration"

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 13.01.00 "Administration"

The Santa Rosa Island Authority Board has reviewed the Ordinance and has recommended it to the Board of County Commissioners for review and adoption.

BACKGROUND:

The Santa Rosa Island Authority has drafted an Ordinance that will provide commercial and residential leaseholders with an accelerated time frame to obtain approval for construction projects on Santa Rosa Island.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared by the Santa Rosa Island Authority in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Santa Rosa Island Authority will ensure proper advertisement.

Attachments

Ordinance Draft

Allyson Cain

From: Stephen G. West
Sent: Thursday, January 10, 2013 8:59 AM
To: Michael Stebbins
Cc: Allyson Cain; Tara D. Cannon
Subject: FW: PROPOSED ORDINANCE - Section 13 .01.02 administration Revision 12-12-2012.doc
Attachments: Proposed Ordinance - Section 13.01.00 (v2).docx

Mike:

It looks good. Thanks. By copy of this email, I am forwarding the ordinance to Allyson Cain so she can place it on the next available Planning Board agenda.

Steve

-----Original Message-----

From: Michael Stebbins [mailto:mjsteb@bellsouth.net]
Sent: Wednesday, January 09, 2013 12:03 PM
To: Stephen G. West
Cc: Tara D. Cannon; 'Paolo Ghio'; Melody Bolster
Subject: Re: PROPOSED ORDINANCE - Section 13 .01.02 administration Revision 12-12-2012.doc

Dear Steve:

Attached is the ordinance with the revisions you outlined below.

Please double check Section 13.01.02.A - I think I got it right - the number/letter change was significant.

Thanks, Mike

Michael J. Stebbins
MICHAEL J. STEBBINS, P.L.
504 N. Baylen Street
Pensacola, FL 32501
850-434-9922

On 1/9/13 9:33 AM, "Stephen G. West" <sgwest@co.escambia.fl.us> wrote:

>Mike:

>

>The lettering/numbering at the beginning of the subsections in Section
>13.01.02 should be revised. Section 13.01.02.A (page 2, line 13) is
>followed on line 19 with "a." This should be a "1." to be consistent
>with the subsection lettering/numbering in the rest of the ordinance.
>The lettering/numbering in the other subsections should revised accordingly.

>

>Also, I noted the following minor typos:

>

>Page 1, line 17 - change "providing" to "provide."

>

>Page 1, line 23 - insert a space after "Article," move the quotation
>mark after the comma, and delete the space after "13.01.00."

>

>Page 3, line 1 - delete the period at the beginning of the line.
>
>Page 3, line 16 - insert a period at the end of the line.
>
>Steve
>
>-----Original Message-----
>From: Michael Stebbins [mailto:mjsteb@bellsouth.net]
>Sent: Tuesday, January 08, 2013 4:47 PM
>To: Stephen G. West
>Cc: 'Paolo Ghio'; Melody Bolster
>Subject: Re: PROPOSED ORDINANCE - Section 13 .01.02 administration
>Revision 12-12-2012.doc
>
>Steve:
>
>Have you had a chance to review this proposed ordinance revision?
>Allyson was asking Melody about it.
>
>Thanks, Mike
>
>
>
>
>Michael J. Stebbins
>MICHAEL J. STEBBINS, P.L.
>504 N. Baylen Street
>Pensacola, FL 32501
>850-434-9922
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>On 12/16/12 10:19 AM, "Michael Stebbins" <mjsteb@bellsouth.net> wrote:
>
>>Dear Steve:
>>
>>Attached is an LDC revision that was prepared by the SRIA Staff and
>>approved by the SRIA Board on Wednesday.
>>
>>Unless there are formatting issues, it appears to be in proper form.
>>
>>In order for it to go to the Jan. 7, 2013 Planning Board, we need to
>>get an ad placed by 12/19/12. Therefore, as with the previous
>>ordinance revision I sent you on Friday, any help you can give us to
>>expedite your department's approval would be greatly appreciated.
>>
>>Thanks.
>>
>>Mike
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>>
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>>On 12/13/12 11:18 AM, "Melody Bolster" <melody_bolster@sria-fla.com>
>>wrote:
>>
>>> Hello Mike:
>>>
>>>Please see attached a copy of the amended Ordinance section 13:01.00
>>>Administration as approved last night. Please review and make any
>>>changes that you feel are necessary prior to sending to Mr. West.
>>>Again, I have changed dates and Clerk of the Court and didn't include
>>>the footer notes just in case.
>>>
>>>Thank you!
>>>
>>>Melody
>>>
>>>All done:)
>>>
>>>
>>>_____ Information from ESET NOD32 Antivirus, version of virus
>>>signature database 7796 (20121213) _____
>>>
>>>The message was checked by ESET NOD32 Antivirus.
>>>
>>><http://www.eset.com>
>>>
>>>
>>>
>>>_____ Information from ESET NOD32 Antivirus, version of virus
>>>signature database 7796 (20121213) _____
>>>
>>>The message was checked by ESET NOD32 Antivirus.
>>>
>>><http://www.eset.com>
>>>
>
>

1
2 13.01.02. *SRIA development approval levels.* Because of the leasehold nature of
3 properties on Pensacola Beach which are under the jurisdiction of the Santa Rosa
4 Island Authority, all development projects must first be reviewed by the SRIA. This
5 review process allows for some projects identified in Section 13.01.02 A to be reviewed
6 and approved by the Developmental Services Department of the SRIA. Other projects
7 require review of the Developmental Services Department and review and/or approval
8 of a subcommittee of the SRIA called the Architectural Environmental Committee.
9 These development projects are identified in Section 13.01.02 B and 13.01.02 B.
10 Development projects identified in Section 13.01.02 C require review by the
11 Developmental Services Department, the Architectural Environmental Committee and
12 review and/or approval by the Santa Rosa Island Authority Board.

13
14 A. Items that are reviewed and acted upon at SRIA staff level:

15
16 1. ~~Small interior commercial projects.~~

17
18 2. ~~Residential renovations/additions that are less than 50% improvement.~~

19
20 1. Residential:

21
22 a. New construction.

23
24 b. Reconstruction.

25
26 c. Substantial improvement (50 percent or more).

27
28 3.d. Fences.

29
30 4.e. Swimming pools.

31
32 6.f. Signs as specified All signs in section 13.22.00.

33
34 6.g. Erosion control.

35
36 7.h. Satellite dishes.

37
38 i. Piers

1 2. Commercial and multi-family residential construction under \$25,000.
2 \$1,000,000.00

3
4 3. Signs as specified All signs in section 13.22.00.
5

6 ~~B. Architectural environmental committee(AEC). The AEC of the SRIA is~~
7 ~~established for the purpose of reviewing all plans and specifications for~~
8 ~~construction at Pensacola Beach as listed below. The committee consists of~~
9 ~~three members of the Santa Rosa Island Authority Board. In addition, advisors to~~
10 ~~the committee include, but are not limited to, an architect, an environmental~~
11 ~~consultant, and a representative of the Santa Rosa Island Authority's consulting~~
12 ~~engineering firm.~~

13
14 ~~1. Items that are reviewed and acted upon at the AEC level:~~

15
16 ~~a. Residential:~~

17
18 ~~1. New construction.~~

19
20 ~~2. Reconstruction.~~

21
22 ~~3. Substantial improvement (50 percent or more).~~

23
24 ~~b. Commercial and multi-family residential construction under \$25,000.~~

25
26 ~~c. Signs as specified in section 13.22.02~~

27
28 ~~C. Items that require AEC review and recommendation prior to action by the full~~
29 ~~SRIA Board:~~

30
31 ~~1. All commercial and multi-family construction over \$25,000.~~

32
33 ~~2. Projects requiring the SRIA Board to address ecological or environmental~~
34 ~~aspects.~~

35
36 ~~3. Projects representing a known or potential controversy.~~

37
38 ~~4. Preliminary or final plats for the subdivision of land.~~

39
40 ~~5. Piers, docks, basins and marinas.~~
41

1 ~~6. Appeals of SRIA determinations.~~

2
3
4 **DB.** Items that require action by the full SRIA Board:

- 5
6 1. Commercial and multiple dwelling residential projects valued at more than
7 ~~\$25,000~~ \$1,000,000.00
8
9 2. Projects requiring a variance or representing an obvious or questionable
10 deviation from established codes or restrictions or policy.
11
12 3. Projects requiring that the SRIA Board address ecological or environmental
13 aspects.
14
15 4. Preliminary or final plats for the subdivision of land.
16
17 5. Appeals of SRIA staff ~~and the AEC~~ determinations.
18
19 6. Any project referred to the full board by the AEC Basins and Marinas.
20

21 (Ord. No. 97-51, s 2, 10-2-1997; Ord. No. 98-53, s 12-3-1998)

22
23 **Section 2. Severability.**

24
25 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
26 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
27 affect the validity of the remaining portions of this Ordinance.
28

29 **Section 3. Inclusion in Code.**

30
31 It is the intention of the Board of County Commissioners that the provisions of this
32 Ordinance shall be codified as required by F.S. § 125.68, and that the sections,
33 subsections and other provisions of this Ordinance may be renumbered or re-lettered
34 and the word "ordinance" may be changed to "section," "article," or such other
35 appropriate word or phrase in order to accomplish such intentions.
36
37

38 **INTENTIONALLY LEFT BLANK**

1 **Section 4. Effective Date.**

2
3 This Ordinance shall become effective upon filing with the Department of State.
4
5

6
7 **DONE AND ENACTED** this _____ day of _____, 2013.
8

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

11
12 **By:** _____
13 **Gene M. Valentino, Chairman**

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

16
17 **By:** _____
18 **Deputy Clerk**

19 **(SEAL)**

20
21 **ENACTED:**

22
23 **FILED WITH THE DEPARTMENT OF STATE:**

24
25 **EFFECTIVE DATE:**
26
27