

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
February 3, 2015–8:35 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. Approval of Minutes.
  - A.
    - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 6, 2015 and January 13, 2015 Planning Board Meeting.
    - B. Planning Board Monthly Action Follow-up Report for January 2015.
    - C. Planning Board 6-Month Outlook for February 2015.
5. Public Hearings.
  - A. Subdivision Regulations, Procedures and Submission
6. Action/Discussion/Info Items.
7. Public Forum.
8. Director's Review.
9. County Attorney's Report.

10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for Monday, **February 9, 2015 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**

**4. A.**

**Meeting Date: 02/03/2015**

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**Agenda Item:**

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 6, 2015 and January 13, 2015 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for January 2015.

C. Planning Board 6-Month Outlook for February 2015.

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**Attachments**

Quasi Mtg Resmue

Regular Mtg Resume 1-6-15

Regular Mtg Resume 1-13-15

Monthly Action Follow-Up

6 Month Outlook

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# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING January 6, 2015

### CENTRAL OFFICE COMPLEX 3363 WEST PARK PLACE, BOARD CHAMBERS PENSACOLA, FLORIDA (8:34 A.M. – 11:30 A.M.)

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Rodger Lowery  
Dorothy Davis  
Timothy Pyle  
Alvin Wingate  
Patty Hightower, School Board (non-voting)  
Stephanie Oram, Navy (Non voting)

Staff Present: Stephen West, Assistant County Attorney  
Kerra Smith, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Andrew Holmer, Senior. Planner, Planning & Zoning  
Allyson Cain, Urban Planner, Planning & Zoning  
John Fisher, Urban Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant  
Kayla Meador, Sr Office Assistant

1. Call to Order at 8:34 a.m.
2. Invocation/Pledge of Allegiance were given by Mr. Alvin Wingate.
3. Proof of Publication was given by Board Clerk.
4. Waive the reading of the legal advertisement.

Motion by Dorothy Davis, Seconded by Rodger Lowery  
Motion was made to waive the reading of the legal advertisement.

**Vote:** 6 - 0 Approved

5. Quasi-judicial Process Explanation.

6. Public Hearings.

- A. Case #: Z-2015-01  
Applicant: William Dyess, Agent for  
Helen P. Scarbrough, Owner  
Address: 13922 River Road  
Property Size: 2.21 (+/-) acres  
From: R-2PK, Residential District  
(Perdido Key), Medium  
Density (4.5 du/acre)  
To: CGPK, (Perdido Key)  
Commercial Gateway  
District, High Density (12.5  
du/acre)

Alvin Wingate and Rodger Lowery acknowledged visiting the site.

Timothy Pyle acknowledged requesting a parcel map from realtor.

No Planning Board Member refrained from voting on this matter due to any conflict of interest.

Motion by Alvin Wingate, Seconded by Dorothy Davis  
Motion was made to accept finding of fact and recommend approval to the  
BCC.

**Vote:** 6 - 0 Approved

- B. Case #: Z-2015-02  
Applicant: Linda H. Dunson Banta,  
Owner  
Address: 13900 River Rd  
Property Size: 1.72 (+/-) acres  
From: R-2PK, Residential District  
(Perdido Key), Medium  
Density (4.5 du/acre)  
To: CGPK, (Perdido Key)  
Commercial Gateway  
District, High Density (12.5  
du/acre)

Alvin Wingate and Rodger Lowery acknowledged visiting the site.

Timothy Pyle acknowledged requesting a parcel map from realtor.

No Planning Board Member refrained from voting on this matter due to any conflict of interest.

Motion by Alvin Wingate, Seconded by Rodger Lowery  
Motion was made to accept findings of fact and recommend approval to the  
BCC.

**Vote:** 6 - 0 Approved

7. Adjournment at 11:30 a.m.

# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD January 6, 2015

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:30 A.M. – 11:40 A.M.)

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Rodger Lowery  
Dorothy Davis  
Timothy Pyle  
Alvin Wingate  
Patty Hightower, School Board (non-voting)  
Stephanie Oram, Navy (Non voting)

Staff Present: Stephen West, Assistant County Attorney  
Kerra Smith, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Andrew Holmer, Senior. Planner, Planning & Zoning  
Allyson Cain, Urban Planner, Planning & Zoning  
John Fisher, Urban Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant  
Kayla Meador, Sr Office Assistant

1. Call to Order at 11:40 a.m.
2. Proof of Publication given by Board Clerk
3. Approval of Minutes.

Motion by Tim Tate, Seconded by Rodger Lowery  
Motion was made to approve the minutes from the December 9, 2014 Planning Board Meeting.

**Vote:** 6 - 0 Approved

4. Public Hearings.
  - A. Public Hearing - LDC Ordinance- Article 6 - Increase in Maximum Building Height A Public Hearing Concerning the Review of an Ordinance Amending Article 6, Maximum building height in ID-CP zoning district.

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 6.05.17.E.1, maximum building height in ID-CP zoning district.

Motion by Tim Tate, Seconded by Rodger Lowery  
Motion was made to recommend approval to the BCC.

**Vote:** 6 - 0 Approved

B. Public Hearing - Proposed LDC, Repeal and Replace Escambia County Land Development Code A Public Hearing Concerning the Review of an Ordinance Amending the Escambia County Land Development Code

That the Board review and recommend to the Board of County Commissioners (BCC) for review and adoption, an Ordinance repealing and replacing the Land Development Code (LDC).

**Did not have a quorum to continue meeting.**

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 **Tuesday, January 13, 2015 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 at 12:51 p.m.



# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD January 13, 2015

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:46 A.M. – 12:50 P.M.)

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Rodger Lowery  
Alvin Wingate  
Patty Hightower, School Board (non-voting)

Absent: Timothy Pyle  
Stephanie Oram, Navy (Non voting)

Staff Present: Stephen West , Assistant County Attorney  
Kerra Smith, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Karla Moreno, Director's Aide  
Juan Lemos, Senior Planner, Planning & Zoning  
Andrew Holmer, Senior. Planner, Planning & Zoning  
Allyson Cain, Urban Planner, Planning & Zoning  
Denise Halstead, Sr Office Assistant  
Temeka Mallory, Sr. Office Assistant  
Kayla Meador, Sr Office Assistant  
Tim Day

1. Call to Order at 8:46 a.m.
2. Invocation/Pledge of Allegiance were given by Mr. Alvin Wingate.
3. Proof of Publication was given by Board Clerk.
4. Public Hearings.
  - A. Borrow pits and reclamation activities A Public Hearing Concerning the Review of an Ordinance Amending Article(s) 3, 6, 7 and 12

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Article 3, Definitions; Article 6.05.00 District Regulations, Article 7, Performance Standards and Article 12, Part II, Conservation.

Motion by Alvin Wingate, Seconded by Tim Tate  
Motion was made to recommend approval to the BCC with documented changes.

**Vote:** 4 - 0 Approved

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

The next Regular Planning Board meeting is scheduled for **Tuesday, February 3, 2015 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

9. Announcements/Communications.
10. Adjournment at 12:50 p.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:** Temeka Mallory, Board Clerk  
**DATE:** January 20, 2015  
**RE:** Monthly Action Follow-Up Report for January 2015

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

## PROJECTS, PLANS, & PROGRAMS

## COMMITTEES & WORKING GROUP MEETINGS

## COMPREHENSIVE PLAN AMENDMENTS

- Text Amendments:
  
- Map Amendments:

## LAND DEVELOPMENT CODE ORDINANCES

### **Maximum Building Height**

01-06-15 PB recommended approval  
02-05-15 BCC

### **Proposed LDC, Repeal and Replace Escambia County Land Development Code**

01-06-15 Did not have a quorum

## REZONING CASES

1. **Rezoning Case Z-2015-01**  
01-06-15 PB recommended approval  
02-05-15 BCC
  
2. **Rezoning Case Z-2015-02**  
01-06-15 PB recommended approval  
02-05-15 BCC

**Miscellaneous Items**

- Transfer of Development Rights

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR January 2015

(Revised 12/17/14)

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, January 6, 2015	<ul style="list-style-type: none"> <li>• LDC Revision Transmittal to BCC</li> <li>• NFCU Height</li> </ul>		<ul style="list-style-type: none"> <li>• Z-2015-01</li> <li>• Z-2015-02</li> </ul>	
Tuesday, January 13, 2015	<ul style="list-style-type: none"> <li>• Pits Ordinance</li> </ul>			
Tuesday, February 3, 2015	<ul style="list-style-type: none"> <li>• S/D Regulations, Procedures &amp; Submissions Art 4 &amp; 6</li> </ul>			
Tuesday, March 3, 2015				
Tuesday, April 7, 2015				
Tuesday, May 5, 2015				
Tuesday, June 2, 2015				
Tuesday, February 3, 2015				

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:** 02/03/2015

**Issue:** Subdivision Regulations, Procedures and Submission

**Organization:** Development Services

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**RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Articles 4 and 6 of the Land Development Code

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) amending Article 4, Section 4.02.00, Subdivision Regulations, Procedures and Submission; and creating Section 6.04.20, Cessation of Recreational Amenities in Residential Subdivisions.

**BACKGROUND:**

The Board of County Commissioners directed staff to draft an ordinance addressing the cessation of recreational amenities in residential subdivisions.

**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 Alison Rogers, 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 County Attorney's Office. The Development Services Department will ensure proper advertisement.

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## Attachments

Subdivison Draft Ord

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ORDINANCE 2015-\_\_\_\_\_

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE, ARTICLE 4, SUBDIVISIONS AND SITE PLANS; AMENDING SECTION 4.02.00 SUBDIVISION REGULATIONS, PROCEDURES AND SUBMISSION REQUIREMENTS; SECTION 6.04.00 ZONING DISTRICTS; CREATING A NEW SECTION 6.04.20 RELATING TO CESSATION OF RECREATIONAL AMENITIES IN RESIDENTIAL SUBDIVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Escambia County finds that best planning practices dictate predictability for residential developments; and

WHEREAS, predictability helps protect investment expectations of home buyers and infrastructure planning; and

WHEREAS, an ordinance that helps ensure the integrity of residential subdivisions serves the health, safety and welfare of those who live in and visit Escambia County.

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

**SECTION 1. SUBDIVISIONS AND SITE PLANS.**

Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 4, Subdivisions and Site Plans, Section 4.02.00, Subdivision regulations, procedures and submission requirements, is hereby amended as follows:

**4.02.07 Final plat-approval process.**

C. *Standards for approval of final plats.* The purpose of this section is to set forth the standards and criteria the county shall consider in determining whether to approve or deny an application for final plat approval. No final plat for a proposed subdivision shall be approved unless:

- 1. The application conforms with the requirements of this article regarding the form and content of the plat; timely submittal; offers of dedication and payment of an inspection fee;



- 45 2. The application conforms with the requirements of F.S. ch. 177, as  
46 amended, regarding the form and content of plats offered for recording.  
47 Final plat review and approval does not constitute verification of all  
48 "survey data" as defined in F.S. ch. 177. If the county chooses to verify  
49 the survey data shown on the plat, the county shall utilize a surveyor in  
50 the employment of, or under contract with, the BCC for the purpose of  
51 such examination, at the expense of the county;  
52
- 53 3. Adequate security has been provided for the warranty of required  
54 improvements in accordance with this article;  
55
- 56 4. The application conforms in all respects to the requirements of this  
57 Code;  
58
- 59 5. The final plat is in substantial conformance with the approved  
60 preliminary plat; and  
61
- 62 6. Adequate security has been provided for any construction punchlist  
63 deficiencies determined to be incidental. Items not considered incidental  
64 include, but are not limited to, base course, paving, and storm sewer  
65 systems. Items that are considered incidental could include, but not  
66 limited to, fencing, sod, street signs, etc. The security will be in the form  
67 of cash escrow or irrevocable letter of credit expiring six months after  
68 the deadline for the scheduled completion of the work. The amount of  
69 the escrow will be based on 150 percent as per the pricing agreement of  
70 the cost of construction of the incidentals as per the pricing agreement  
71 or \$7,500.00 whichever is greater. If the items are not completed within  
72 90 days of approval from the board of county commissioners, the  
73 division manager, development services may use this escrow to correct  
74 these deficiencies. If the division manager, development services  
75 determines that in his or her judgment the developer has made good  
76 faith progress toward completion of the incidentals in the first 90 days,  
77 one 90-day extension may be granted. Upon proof of completion of the  
78 incidentals, the county shall return any unused escrow.  
79
- 80 7. For proposed subdivisions that are designed to utilize significant  
81 recreational amenities, including but not limited to a golf course,  
82 swimming pool, club house or tennis courts, the area designated for  
83 those uses shall be included in the final plat.  
84

85 **SECTION 2. ZONING DISTRICTS.**  
86

87 Part III of the Escambia County Code of Ordinances, the Land Development  
88 Code of Escambia County, Article 6, Zoning Districts, Section 6.04.00, General  
89 provisions, is hereby created as follows:  
90

91 **6.04.20. Cessation of Recreational Amenities in Residential Subdivisions.**

92  
93 In cases where a subdivision or other residential development where a  
94 recreational amenity, including but not limited to a golf course, swimming pool, club  
95 house or tennis courts, was anticipated as part of the subdivision or development  
96 regardless of whether the amenity was included in the subdivision plat, and that amenity  
97 abuts any lot of the subdivision that is used or anticipated for residential use, then  
98 should that amenity cease to be used for recreational purposes, it cannot be developed  
99 more intensely than the most intense residential use in the subdivision.

100  
101 **SECTION 3. SEVERABILITY.**

102  
103 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
104 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way  
105 affect the validity of the remaining portions of this Ordinance.  
106

107 **SECTION 4. INCLUSION IN CODE.**

108  
109 It is the intention of the Board of County Commissioners that the provisions of  
110 this Ordinance shall be codified as required by F.S. § 125.68 (2014); and that the  
111 sections, subsections and other provisions of this Ordinance may be renumbered or re-  
112 lettered and the word "ordinance" may be changed to "section," "article," or such other  
113 appropriate word or phrase in order to accomplish such intentions.  
114

115 **SECTION 5. EFFECTIVE DATE.**

116  
117 This Ordinance shall become effective upon filing with the Department of State.  
118

119 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

120  
121 BOARD OF COUNTY COMMISSIONERS  
122 ESCAMBIA COUNTY, FLORIDA

123  
124 BY: \_\_\_\_\_  
125 STEVEN BERRY, Chairman

126 ATTEST: PAM CHILDERS  
127 CLERK OF THE CIRCUIT COURT

128 By: \_\_\_\_\_  
129 Deputy Clerk  
130 (SEAL)

131  
132 ENACTED: \_\_\_\_\_  
133  
134 FILED WITH DEPARTMENT OF STATE: \_\_\_\_\_  
135  
136 EFFECTIVE:

DRAFT