

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
August 4, 2015–8:35 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.
3. Approval of Resume' Minutes.
  - A. A. RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the July 7, 2015 Planning Board Meeting.
    - B. Planning Board Monthly Action Follow-up Report for July 2015.
    - C. Planning Board 6-Month Outlook for August 2015.
4. Public Hearings.
  - A. A Public Hearing to Review an Ordinance Amending Chapter 2, LDC Development and Compliance Review
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, September 1, 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.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Regular**

**3. A.**

**Meeting Date: 08/04/2015**

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**Agenda Item:**

A. RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the July 7, 2015 Planning Board Meeting.

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

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

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**Attachments**

7-7-2015 Planning Board Regular Mtg Resume'

July Monthly Follow-Up Report

August Six Month Outlook

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# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD July 7, 2015

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:31 A.M. – 9:40 A.M.)

Present: Wayne Briske, Chairman  
Rodger Lowery  
Alvin Wingate  
Stephanie Oram, Navy (Non voting)  
Timothy Pyle  
Bob Cordes

Absent: Tim Tate, Vice Chairman  
Patty Hightower, School Board (non-voting)  
Reid Rushing

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
John Fisher, Urban Planner, Planning & Zoning  
Karen Bohon, Sr. Office Assistant  
Kayla Meador, Sr Office Assistant  
Kerra Smith, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.  
  
Motion by Timothy Pyle, Seconded by Rodger Lowery  
  
Motion was made to waive reading of the legal advertising.  
**Vote:** 5 - 0 Approved
4. Approval of Resume' Minutes.

A.

A. RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the May 26, 2015 and June 2, 2015 Planning Board Meetings.

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

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

Motion by Bob Cordes, Seconded by Rodger Lowery

Motion was made to approve the minutes from the previous month's meeting.

**Vote:** 5 - 0 Approved

5. Public Hearings.

A. SSA-2015-04 - A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to amend the Future Land Use Map.

Motion by Bob Cordes, Seconded by Rodger Lowery

Motion was made to recommend approval to the BCC.

**Vote:** 5 - 0 Approved

B. SSA-2015-05 - A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Future Land Use Map.

Motion by Bob Cordes, Seconded by Rodger Lowery

Motion was made to recommend approval to the BCC.

**Vote:** 5 - 0 Approved

Motion by Timothy Pyle, Seconded by Rodger Lowery

Motion to draft letter from the PB to the BCC of concerns for the transition of the ball field.

**Vote:** 5 - 0 Approved

C. A Public Hearing to Review an LDC Ordinance Amending Chapter 3 Zoning Regulations  
A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Section 3-2.5

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, Zoning Regulations. In the Low Density Residential district (LDR), land zoned V-1 prior to the adoption of this code requires a one acre minimum lot size.

Motion by Rodger Lowery, Seconded by Timothy Pyle

Motion was made to recommend approval to the BCC with the suggested change of Sec. 3-2.5.(d) (4) to change wording from "prior to April 16, 2015" to "on April 16, 2015".

**Vote:** 5 - 0 Approved

6. C & D Ordinance Discussion
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 **Tuesday, August 4, 2015 at 8:35 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**



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 Bohon, Board Clerk  
**DATE:** July 16, 2015  
**RE:** Monthly Action Follow-Up Report for July 2015.

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

**PROJECTS, PLANS, & PROGRAMS**

**COMMITTEES & WORKING GROUP MEETINGS**

**COMPREHENSIVE PLAN AMENDMENTS**

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

**SSA-2015-01**

400 Neal Road  
04-07-15 PB recommended approval  
05-07-15 BCC approved

**LSA-2015-01**

9600 Blk Tower Ridge Road  
04-07-15 PB recommended approval  
05-07-15 BCC approved for transmittal to DEO

**SSA-2015-04**

North Beverly Parkway  
07-07-15 PB recommended approval  
07-23-15 BCC Meeting

**SSA-2015-05**

South Beverly Parkway  
07-07-15 PB recommended approval  
07-23-15 BCC Meeting

## **LAND DEVELOPMENT CODE ORDINANCES**

### **Maximum Building Height**

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

### **Borrow pits and reclamation activities**

01-13-15 PB recommended approval  
02-19-15 BCC approved

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

02-09-15 PB recommended approval  
03-19-15 First of two public hearings before the BCC  
04-16-15 BCC approved

### **S/D Regulations, Procedures, and Submissions**

03-03-15 PB recommended approval with changes  
03-19-15 First of two public hearings before the BCC  
04-09-15 Second of two public hearings before the BCC, BCC approved

### **CRA Ordinance, Article 2 changes**

03-03-15 PB recommended approval with changes  
03-19-15 BCC approved

## **REZONING CASES**

1. **Rezoning Case Z-2015-01**  
01-06-15 PB recommended approval  
02-05-15 BCC denied
2. **Rezoning Case Z-2015-02**  
01-06-15 PB recommended approval  
02-05-15 BCC denied
3. **Rezoning Case Z-2015-04**  
03-03-15 PB recommended approval  
04-09-15 BCC approved
4. **Rezoning Case Z-2015-06**  
04-07-15 PB recommended approval  
05-07-15 Pulled at BCC meeting
5. **Rezoning Case Z-2015-07**  
04-07-15 PB recommended approval  
05-07-15 BCC approved
6. **Rezoning Case Z-2015-08**  
04-07-15 PB recommended approval  
05-07-15 BCC approved
7. **Rezoning Case Z-2015-09**  
05-05-15 Pulled at PB meeting



8.     **Rezoning Case Z-2015-10**  
05-05-15     Pulled at PB meeting
  
9.     **Rezoning Case Z-2015-11**  
06-02-15     PB recommended approval  
07-07-15     BCC approved
  
10.    **Rezoning Case Z-2015-12**  
06-02-15     PB recommended approval  
07-07-15     Moved case to 8/6 BCC meeting

**Miscellaneous Items**

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR AUGUST 2015

(Revised 06/10/15)

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

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

Meeting Date	LDC Changes and/or Public Hearings	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Tuesday, August 4, 2015	<ul style="list-style-type: none"> <li>• Zoning Requirements</li> </ul>		<ul style="list-style-type: none"> <li>• Z-2015-14</li> </ul>	
Tuesday, September 1, 2015		<ul style="list-style-type: none"> <li>• CPA-2015-03</li> <li>• CPA-2015-07</li> </ul>	<ul style="list-style-type: none"> <li>• Z-2015-13</li> </ul>	
Tuesday, October 6, 2015				
Tuesday, November 3, 2015				
Tuesday, December 1, 2015				
Tuesday, January 5, 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**

4. A.

**Meeting Date:** 08/04/2015

**Issue:** A Public Hearing to Review an Ordinance Amending Chapter 2, LDC Development and Compliance Review

**From:** Horace Jones, Department Director

**Organization:** Development Services

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**RECOMMENDATION:**

A Public Hearing to Review an Ordinance Amending LDC Chapter 2, Development and Compliance Review

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 2, Section 2-7.2, "LDC Zoning Map and Text amendments". To clarify the procedures related to rezoning applications and requirements for board action.

**BACKGROUND:**

Since the adoption of the LDC on April 16, 2015, it has been the goal of the County to clarify the procedures to be used for the rezoning applications and requirements for board action on rezoning requests.

**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 Kerra Smith, 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 in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

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### **Attachments**

Draft Ordinance

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1 public notice is consistent with Florida Statutes and the Comprehensive Plan  
2 provided.  
3

4 **(3) Compliance review.** ~~The Planning Board shall conduct a~~ A quasi-judicial public  
5 hearing shall be conducted by the Planning Board or the SRIA to consider ~~the a~~  
6 requested rezoning according to the provisions of this article. At the conclusion of  
7 the hearing, based on the record of evidence, the ~~Planning reviewing Bboard~~  
8 shall submit a recommendation to the BCC for rezoning approval, denial, or if  
9 possible appropriate and acceptable to the applicant, approval of a district with  
10 less intensive uses than the requested zoning.  
11

12 **(4) Approval conditions.** The applicant has the burden of presenting competent  
13 substantial evidence to the ~~Planning Board reviewing board~~ that establishes each  
14 of the following conditions:

15 **a. Consistent with Comprehensive Plan.** The proposed rezoning is consistent  
16 with the goals, objectives, and policies of the Comprehensive Plan and not in  
17 conflict with any of its provisions.

18 **b. Consistent with LDC.** The proposed rezoning is consistent with the stated  
19 purposes and intent of the LDC and not in conflict with any of its provisions.

20 **c. Compatibility.** All land uses, development activities, and conditions allowed  
21 by the proposed zoning are compatible with the surrounding conforming uses,  
22 activities and conditions and are able to coexist in relative proximity to them in a  
23 stable fashion over time such that no use, activity, or condition negatively  
24 impacts another. The appropriateness of the rezoning is not limited to any  
25 specific use that may be proposed but is evident for all permitted uses of the  
26 requested zoning. This condition shall not apply to any conditional uses of the  
27 proposed district or compatibility with nonconforming or unapproved uses,  
28 activities, or conditions.

29 **d. Changed conditions.** The area to which the proposed rezoning would apply  
30 has changed, or is changing, to such a degree that it is in the public interest to  
31 encourage new uses, density, or intensity in the area through rezoning.

32 **e. Development patterns.** The proposed rezoning would contribute to or result  
33 in a logical and orderly development pattern.

34 **f. Effect on natural environment.** The proposed rezoning would not increase  
35 the probability of any significant adverse impacts on the natural environment.  
36

37 **(5) Board Action.** When the reviewing board finds from the record of the hearing  
38 that the applicant has presented competent substantial evidence establishing the  
39 required conditions, ~~the reviewing board shall recommend approval of the~~

40 rezoning request to the BCC, unless the reviewing board determines that  
41 maintaining the current zoning ~~designations shall will~~ prevent the following:

42 **a. Premature development or sprawl.** The land uses and development  
43 activities allowed by the proposed rezoning are ~~not premature, and or~~ the  
44 rezoning would ~~not~~ likely create or contribute to an urban sprawl pattern of  
45 development more than the current zoning.

1 **b. Isolated districts.** The proposed rezoning would not create or contribute to an  
2 isolated zoning district that is neither related to the adjacent and nearby zoning  
3 districts nor an appropriate transition between them.

4 **c. Intrusion of non-residential uses.** The proposed rezoning would not allow an  
5 intrusion of commercial or industrial uses into a platted residential subdivision or  
6 other established residential area more than the current zoning.

7 **d. Property value impacts.** The land uses, development activities and  
8 conditions allowed by the proposed rezoning would not likely result in significant  
9 adverse impacts upon the property values of adjacent properties or those in the  
10 immediate area more than the types of use, activities, and conditions permitted  
11 by the current zoning.

12 **e. Nuisance-based impacts.** The land uses, development activities and  
13 conditions allowed by the proposed rezoning would not likely adversely impact  
14 the character of existing development or quality of life in the general area or  
15 neighborhood by creating excessive traffic, noise, lights, vibration, fumes, odors,  
16 dust, physical activities, or other detrimental effects or nuisances more than the  
17 types of uses, activities and conditions permitted by the current zoning.

18  
19 **(6) Final determination.** The BCC at its scheduled hearing shall adopt, modify, or  
20 reject the recommendation of the Planning Board or SRIA or return the rezoning  
21 case to the board with instructions for additional facts or clarification. The staff of  
22 the recommending board shall inform the board of all formal actions taken by the  
23 BCC on the rezoning request.

24  
25 **(7) Appeals.** Actions by the BCC adopting, rejecting, or modifying the recommended  
26 rezoning of the reviewing board are final. Any party seeking judicial review of the  
27 final determination shall do so according to the general provisions of Article 1.  
28 Additionally, written notice of the filing of any such petition for judicial review shall  
29 be promptly provided by the petitioner through the county to each owner of real  
30 property with any portion within a 500-foot radius of the rezoning subject  
31 property.

## 32 33 **Section 2. Severability.**

34  
35 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
36 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way  
37 affect the validity of the remaining portions of this Ordinance.

## 38 39 **Section 3. Inclusion in Code.**

40  
41 It is the intention of the Board of County Commissioners that the provisions of this  
42 ordinance shall be codified as required by Section 125.68, Florida Statutes, and that the  
43 sections, subsections and other provisions of this ordinance may be renumbered or re-  
44 lettered and the word "ordinance" may be changed to "section," "article," or such other  
45 appropriate word or phrase in order to accomplish such intentions.

1 **Section 4. Effective Date.**

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

4  
5  
6 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

7  
8 **BOARD OF COUNTY COMMISSIONERS**  
9 **OF ESCAMBIA COUNTY, FLORIDA**

10  
11  
12 **By:** \_\_\_\_\_  
13 **Steven Barry, Chairman**

14  
15 **ATTEST: Pam Childers**  
16 **Clerk of the Circuit Court**

17  
18 **By:** \_\_\_\_\_  
19 **Deputy Clerk**

20  
21 **(SEAL)**

22  
23 **ENACTED:**

24  
25 **FILED WITH THE DEPARTMENT OF STATE:**

26  
27 **EFFECTIVE DATE:**