

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
September 1, 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. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 4, 2015 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for August 2015.
  - C. Planning Board 6-Month Outlook for September 2015.
4. Public Hearings.
  - A. A Public Hearing Concerning the Review of an Ordinance Amending Comprehensive Plan Chapter 15 "Capital Improvement Element", Objective CIE 1.2
  - B. A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3 Community Redevelopment
  - C. A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3, Zoning Regulations, LDR-PB

- D. A Public Hearing Concerning the Review of an LDC Ordinance Chapter 4, SRIA Floodplain Management
  
- E. SSA-2015-06 A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map
  
- F. A Public Hearing Concerning the Review of an LDC Ordinance, Chapter 3 Zoning Regulations

- 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 **Thursday, October 6, 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: 09/01/2015**

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**Agenda Item:**

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 4, 2015 Planning Board Meeting.

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

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

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**Attachments**

8-4-15 Quasi-Judicial Mtg Resume Minutes

8-4-15 Regular PB Mtg Resume Minutes

August Monthly Action Follow-Up

September Six Month Outlook

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# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING August 4, 2015

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:30 A.M. –8:50 A.M.)

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

Absent: Patty Hightower, School Board (non-voting)

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
Horace Jones, Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Karen Bohon, 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 Tim Tate, Seconded by Bob Cordes

Motion was made to accept the proof of publication and to waive reading of the legal advertising.

**Vote:** 7 - 0 Approved

4. Quasi-judicial Process Explanation.
5. Public Hearings.



A. Case #: Z-2015-14  
Applicant: John Watson, Agent for  
Downtown Investment  
Properties, LLC  
Address: 3245 W. Fairfield Drive  
Property Size: 0.48 (+/- acres)  
From: HDR, High Density  
Residential district (18  
du/acre)  
To: HDMU, High Density  
Mixed-use district (25  
du/acre)

Rodger Lowery and Alvin Wingate 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 Reid Rushing, Seconded by Alvin Wingate

Motion was made to accept Power of Attorney as Exhibit A.

**Vote:** 7 - 0 Approved

Motion by Reid Rushing, Seconded by Alvin Wingate

Motion was made to accept CRA email as Exhibit B.

**Vote:** 7 - 0 Approved

Motion by Tim Tate, Seconded by Rodger Lowery

Motion was made to accept staff findings and recommend approval to the BCC.

**Vote:** 7 - 0 Approved

6. Adjournment.

# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD August 4, 2015

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:51 A.M. – 9:34 A.M.)

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

Absent: Patty Hightower, School Board (non-voting)

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
Horace Jones, Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Karen Bohon, Sr. Office Assistant  
Kerra Smith, Assistant County Attorney

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.  
  
Motion by Reid Rushing, Seconded by Rodger Lowery  
  
Motion was made to accept proof of publication and to waive reading of the legal advertising.  
  
**Vote:** 7 - 0 Approved
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.

Motion by Rodger Lowery, Seconded by Alvin Wingate

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

**Vote:** 7 - 0 Approved

4. Public Hearings.

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

Motion by Reid Rushing, Seconded by Bob Cordes

Motion was made to recommend approval to the BCC with a modification to Sec. 2-7.2 (3) wording to say 'shall be conducted by the appropriate reviewing board'.

**Vote:** 7 - 0 Approved

5. Action/Discussion/Info Items.

Juan Lemos updated the Planning Board regarding DSAP due to new board members.

Motion by Tim Tate, Seconded by Timothy Pyle

Board members directed staff to review the permitted uses in HDR, HDMU, HC/LI in regard to Group Living, the definition and the discretionary uses. Bring back in ordinance format to the board at a future meeting.

**Vote:** 7 - 0 Approved

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**



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:** August 12, 2015  
**RE:** Monthly Action Follow-Up Report for August 2015.

The following is a status report of Planning Board (PB) agenda items for the prior month of **August**. 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:**

**LSA-2015-01**

9600 Blk Tower Ridge Road  
04-07-15 PB recommended approval  
05-07-15 BCC approved for transmittal to DEO  
08-06-15 BCC Adopted

**SSA-2015-04**

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

**SSA-2015-05**

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

## **LAND DEVELOPMENT CODE ORDINANCES**

### **Minimum Lot Size Ordinance, Chapter 3 changes**

07-07-15 PB recommended approval with changes  
08-06-15 First of two public hearings before the BCC  
08-20-15 Second of two public hearings before the BCC

### **Zoning Requirements Ordinance, Chapter 2 changes**

08-04-15 PB recommended approval with changes  
09-03-15 BCC meeting

## **REZONING CASES**

1. **Rezoning Case Z-2015-09**  
05-05-15 Pulled at PB meeting
2. **Rezoning Case Z-2015-10**  
05-05-15 Pulled at PB meeting
3. **Rezoning Case Z-2015-11**  
06-02-15 PB recommended approval  
07-07-15 BCC approved
4. **Rezoning Case Z-2015-12**  
06-02-15 PB recommended approval  
07-07-15 BCC sent back to PB  
09-01-15 PB meeting
5. **Rezoning Case Z-2015-14**  
06-02-15 PB recommended approval  
09-03-15 BCC meeting

## **Miscellaneous Items**

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR SEPTEMBER 2015

(Revised 08/19/15)

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, September 1, 2015	<ul style="list-style-type: none"> <li>• CRA Overlay Standards</li> <li>• Density &amp; Uses Savings Clause</li> </ul>	<ul style="list-style-type: none"> <li>• CPA-2015-07</li> <li>• SSA-2015-06</li> </ul>	<ul style="list-style-type: none"> <li>• Z-2015-12</li> <li>• Z-2015-13</li> </ul>	
Tuesday, October 6, 2015	<ul style="list-style-type: none"> <li>• Accessory Uses &amp; Structures</li> <li>• Temporary Uses &amp; Structures</li> </ul>		<ul style="list-style-type: none"> <li>• Z-2015-15</li> <li>• Z-2015-16</li> </ul>	<ul style="list-style-type: none"> <li>• PK Charrette (Oct 5-9<sup>th</sup>)</li> </ul>
Tuesday, November 3, 2015				
Tuesday, December 1, 2015				
Tuesday, January 5, 2016				
Tuesday, February 2, 2016				

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:** 09/01/2015

**Issue:** A Public Hearing Concerning the Review of an Ordinance Amending Comprehensive Plan Chapter 15 "Capital Improvement Element", Objective CIE 1.2

**From:** Horace Jones, Department Director

**Organization:** Development Services

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**RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Comprehensive Plan Chapter 15, "Capital Improvement Element", Objective CIE 1.2 "Five-Year Schedule".

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Comprehensive Plan Chapter 15, "Capital Improvement Element", Objective CIE 1.2 "Five-Year Schedule".

**BACKGROUND:**

These proposed changes are being made to reflect the yearly adopted Florida-Alabama Transportation Planning Organization (TPO) Transportation Improvement Program (TIP).

**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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**LEGAL REVIEW**

(COUNTY DEPARTMENT USE ONLY)

Document: CPA-2015-07 (Capital Improvement Element) Draft #2

Date: 07/27/2015

Date requested back by: 08/06/2015

Requested by: John C Fisher

Phone Number: 595-4651



(LEGAL USE ONLY)

Legal Review by *Kerna Smith*

Date Received: *7/27/15*

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Draft #2

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

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 15, "CAPITAL IMPROVEMENT ELEMENT", OBJECTIVE CIE 1.2 "FIVE-YEAR SCHEDULE," TO ALLOW CERTAIN DOCUMENTS INCORPORATED BY REFERENCE TO BE UPDATED BY ORDINANCE WITHOUT AMENDMENT TO THE COMPREHENSIVE PLAN; CREATING POLICY CIE 1.2.5 "INCORPORATION OF FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION 5-YEAR TRANSPORTATION IMPROVEMENT PROGRAM," INCORPORATING BY REFERENCE THE FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION FISCAL YEAR 2016-2020 TRANSPORTATION IMPROVEMENT PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Chapter 163, Part II, Florida Statutes, the Escambia County Board of County Commissioners adopted the Escambia County Comprehensive Plan: 2030 (Comprehensive Plan) on April 29, 2014; 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 Board of County Commissioners of 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.** Part II of the Escambia County Code of Ordinances, the Comprehensive Plan 2030, Chapter 15, "Capital Improvement Element", Objective CIE 1.2 "Five-Year Schedule" is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

**OBJ CIE 1.2 Five-Year Schedule.**

Maintain a Five-Year Schedule of Capital Improvements as the specific guide that the County will use to determine the construction of capital facilities and the maintenance of LOS standards. The Five-Year Schedule of Capital Improvements is attached herein to this Plan as Exhibit R. Modifications to update the Five-Year Schedule of Capital Improvements may be accomplished by ordinance and may not be deemed

1 amendments to the Comprehensive Plan. Due to the frequency of the updates, these  
2 ordinances shall not be codified but shall be recorded in a book kept for that purpose  
3 and maintained by the clerk of the Board of County Commissioners in accordance with  
4 Section 125.68, Florida Statutes.

5  
6 **POLICIES**  
7

8 **CIE 1.2.1 Project Prioritization.** Escambia County will evaluate and rank capital  
9 improvement projects in the Five-Year Schedule of Capital Improvements by using the  
10 following criteria to prioritize:

- 11 a. The elimination of future public hazards to preserve the health,  
12 safety, and welfare of the public;
- 13 b. The elimination of any existing capacity or LOS deficits;
- 14 c. The impact on the annual operating budget and Capital  
15 Improvements Program (CIP) of Escambia County;
- 16 d. Locational needs based on projected growth patterns;
- 17 e. The accommodation of new development and redevelopment  
18 facility demands; and
- 19 f. Plans of the NFWFMD, Escambia County School Board,  
20 FDOT, and other state agencies or entities that provide public facilities within  
21 the jurisdiction of Escambia County.

22  
23 **CIE 1.2.2 Funding Prioritization.** Escambia County will prioritize funding for capital  
24 improvements in a manner that generally assigns first priority to the renewal and  
25 replacement of obsolete or worn-out facilities, assigns second priority to correcting  
26 existing deficiencies in public facilities, and assigns third priority to facilities necessary to  
27 accommodate desired future growth. Nothing in this policy will preclude Escambia  
28 County from increasing or rearranging the CP15:3  
29 priority of any particular capital improvement project so that cost savings may be  
30 realized or LOS standards may be met.

31  
32 **CIE 1.2.3 CHHA Expenditure Limits.** Escambia County will limit public expenditures in  
33 the CHHA, except for the provision or support of recreation uses such as parks and  
34 walkovers, erosion control devices, increased public access, and the correction of  
35 existing deficiencies.

36  
37 **CIE 1.2.4 Incorporation of School Board's 5-Year District Facilities Work Plan.** The  
38 County hereby incorporates by reference the Escambia County School District current  
39 Work Plan for the 5-Year District Facilities Work Program approved by the School Board  
40 of Escambia County. The Work Plan includes school capacity sufficient to meet  
41 anticipated student demands projected by the County and municipalities in consultation  
42 with the School Board's projections of student enrollment, based on the adopted level of  
43 service standards for public schools.

1 **OBJ CIE 1.2.5 Incorporation of Florida-Alabama Transportation Planning**  
2 **Organization 5-Year Transportation Improvement Program.** The County hereby  
3 incorporates by reference the Florida-Alabama Transportation Planning Organization  
4 (TPO) Fiscal Year 2016-2020 Transportation Improvement Program (TIP) adopted  
5 June 10, 2015. The TIP provides a project listing that reflects the needs and desires of  
6 the TPO Study Area. The TIP is a 5-Year plan for transportation improvements within  
7 the TPO Study Area that contains information about the type of work to be completed,  
8 project phasing, estimated costs, and funding sources. The TIP is developed by the FL-  
9 AL TPO in cooperation with the Florida Department of Transportation (FDOT), the  
10 Alabama Department of Transportation (ALDOT), and the respective local governments  
11 within the TPO region.

12  
13 **Section 2. Severability.**

14  
15 If any section, sentence, clause or phrase of this ordinance is held to be invalid  
16 or unconstitutional by a court of competent jurisdiction, the holding shall in no way affect  
17 the validity of the remaining portions of this ordinance.

18  
19 **Section 3. Inclusion in the code.**

20  
21 The Board of County Commissioners intends that the provisions of this ordinance  
22 will be codified as required by Section 125.68, Florida Statutes, and that the sections of  
23 this ordinance may be renumbered or relettered and the word "ordinance" may be  
24 changed to "section," "article," or such other appropriate word or phrase in order to  
25 accomplish its intentions.

26  
27  
28  
29  
30  
31  
32  
33 **INTENTIONALLY LEFT BLANK**

1 **Section 4. Effective date.**

2  
3 Pursuant to Section 163.3184(3)(c)(4), Florida Statutes, this ordinance shall not  
4 become effective until 31 days after the Department of Economic Opportunity notifies  
5 Escambia County that the plan amendment package is complete. If timely challenged,  
6 this ordinance shall not become effective until the Department of Economic Opportunity  
7 or the Administration Commission enters a final order determining the ordinance to be in  
8 compliance.  
9

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

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

13  
14  
15  
16 **By:** \_\_\_\_\_  
17 **Steven Barry, Chairman**

18  
19 **ATTEST: Pam Childers**  
20 **Clerk of the Circuit Court**

21  
22 **By:** \_\_\_\_\_ **Date Executed:** \_\_\_\_\_  
23 **Deputy Clerk**

24  
25 **(SEAL)**

26  
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**

**4. B.**

**Meeting Date:** 09/01/2015

**Issue:** A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3 Community Redevelopment

**From:** Horace Jones, Department Director

**Organization:** Development Services

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**RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Article 3, Section 3-3.2

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, Article 3, Section 3-3.2 "Community Redevelopment", to modify the authority to grant exceptions to the overlay district standards.

**BACKGROUND:**

Ordinance number 2015-09 was adopted on March 19, 2015 and inadvertently it was not incorporated into the new Land Development Code that was adopted on April 16, 2015.

**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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LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: CRA Overlay Standards

Date: 07-20-2015

Date requested back by: 08-06-2015

Requested by: Allyson Cain & Kayla Meador

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by Kenna Smith

Date Received: 7/20/15

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

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

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 3, ARTICLE 3, SECTION 3-3.2 “COMMUNITY REDEVELOPMENT”, TO MODIFY THE AUTHORITY TO GRANT EXCEPTIONS TO THE OVERLAY DISTRICT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Board of County Commissioners created the Community Redevelopment Agency (CRA) to aid in the development of the community redevelopment districts; and,

**WHEREAS**, through its Land Development Code the Board of County Commissioners authorized the CRA Manager or designee to grant exemptions to the overlay district standards; and,

**WHEREAS**, the Board of County Commissioners finds that modifying the authority to grant exceptions to the overlay district standards serves an important public purpose.

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

**Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 3, Article 3, Section 3-3.2 “Community redevelopment” is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

**Sec. 3-3.2 Community redevelopment**

**(a) Generally.** Community redevelopment areas within the county, and plans to reduce identified slum and blighted conditions within those areas, have been adopted by the Board of County Commissioners (BCC). The redevelopment plans provide guidance to enhance quality of life, encourage private sector reinvestment, promote sound economic development, and provide recommendations for capital improvement projects and other public sector enhancements. Redevelopment overlay zoning districts are established in this article to support these adopted redevelopment plans through land development regulations.

1 **(b) Community Redevelopment Agency (CRA).**As part of the redevelopment strategy  
2 for designated redevelopment areas, the BCC created the Community  
3 Redevelopment Agency (CRA) and authorized tools for redevelopment. Within the  
4 LDC compliance review processes the CRA Manager or designee shall determine  
5 compliance with redevelopment overlay district regulations, particularly regarding  
6 land use and site and building requirements. In evaluating compliance, the CRA  
7 Board may identify circumstances requiring a departure from some overlay  
8 requirements and may grant exceptions accordingly. Although financial hardship  
9 alone is not a basis to grant an exception, the CRA Board may consider the  
10 following when requested to grant exceptions to overlay zoning district requirements:

- 11 **(1)** Individual and public safety.
- 12 **(2)** Unique site conditions or building characteristics.
- 13 **(3)** Adverse effects of standards on the use of the property.
- 14 **(4)** Public benefit.

15 **(c) Crime prevention through design.** When designing any element within a  
16 redevelopment overlay district, including site layout, buildings, streets, signs,  
17 landscaping, and parking, Crime Prevention Through Environmental Design  
18 (CPTED) principles shall be used. The CRA shall evaluate the following CPTED  
19 guidelines for development within the districts:  
20

21 **Section 2. Severability.**

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

26 **Section 3. Inclusion in Code.**

27  
28 It is the intention of the Board of County Commissioners that the provisions of this  
29 Ordinance shall be codified as required by F.S. § 125.68 (2011); and that the sections,  
30 subsections and other provisions of this Ordinance may be renumbered or re-lettered  
31 and the word “ordinance” may be changed to “section,” “chapter,” or such other  
32 appropriate word or phrase in order to accomplish such intentions.  
33  
34  
35

36 **INTENTIONALLY LEFT BLANK**  
37  
38  
39  
40

1 **Section 4. Effective Date.**

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

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

6  
7 **BOARD OF COUNTY COMMISSIONERS**  
8 **OF ESCAMBIA COUNTY, FLORIDA**

9  
10 **By:** \_\_\_\_\_  
11 **Steven Barry, Chairman**

12  
13 **ATTEST: PAM CHILDERS**  
14 **Clerk of the Circuit Court**

15  
16 **By:** \_\_\_\_\_  
17 **Deputy Clerk**

18 **(SEAL)**

19  
20 **ENACTED:**

21  
22 **FILED WITH THE DEPARTMENT OF STATE:**

23  
24 **EFFECTIVE DATE:**



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

**Planning Board-Regular**

**4. C.**

**Meeting Date:** 09/01/2015

**Issue:** A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3, Zoning Regulations, LDR-PB

**From:** Horace Jones, Department Director

**Organization:** Development Services

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**RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Zoning Regulations, LDR-PB

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC Chapter 3, Section 3-5.2, LDR-PB, "Site and Building Requirements".

**BACKGROUND:**

At the June 22, 2015 Santa Rosa Island Architectural & Environmental Committee meeting, staff expressed concerns with Chapter 3, Pensacola Beach District, Section 3-5.2 (1), " Site and building requirements" due to the numerous elements involved when establishing or verifying setbacks for a residential lot, (subdivision, corner lot, facing Via de Luna, Gulf or Sound Front, Plat, etc...) and recommended that changes to the ordinance were necessary to clarify/simplify the information, making it easier to follow when setbacks are being established or verified. At the July 8, 2015 SRIA Regular Board meeting, the SRIA Board approved the recommendation and has forwarded it on to the September 1, 2015 Planning Board for review.

**BUDGETARY IMPACT:**

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

**LEGAL CONSIDERATIONS/SIGN-OFF:**

The proposed Ordinance has been reviewed and approved for legal sufficiency by Mike Stebbins, Attorney for the SRIA and Alison Rogers, Escambia 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.

---

**Attachments**

Legal Review

Draft Ordinance

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LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: \_\_\_\_\_

Date: \_\_\_\_\_

Date due for placement on agenda: \_\_\_\_\_

Requested by \_\_\_\_\_

Phone Number: \_\_\_\_\_



(LEGAL DEPARTMENT USE ONLY)

Legal Review by \_\_\_\_\_

Date Received: \_\_\_\_\_

\_\_\_\_\_ Approved as to form and legal sufficiency.

\_\_\_\_\_ Not approved.

\_\_\_\_\_ Make subject to legal signoff.

Additional comments:

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

**AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 3 PENSACOLA BEACH DISTRICT, SECTION 3-5.2(1), TO CLARIFY SETBACK INSTRUCTIONS AND THE ACCOMPANYING FOOTNOTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, amending Chapter 3, Pensacola Beach Districts, Section 3-5.2(1), to clarify setback instructions and the accompanying footnotes.

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

**Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 3, Section 3-5.2(1),, is hereby amended as follows (additions are underlined and deletions are ~~strikethrough~~):

**Chapter 3 Pensacola Beach districts.**

**Sec. 3-5.2 Low density residential (LDR-PB).** Areas delineated as low density residential are restricted to the development of single family detached homes at densities up to and including four units per acre.

**(1) Site and building requirements.**

TABLE LDR-PB

Minimum Size Lot	<u>Building Height</u>	Building Setbacks <sup>1, 2</sup>	Parking	Special Requirements
Minimum lot size is 10,000 sq. ft.	<u>See Article 5, Sec. 3-5.1</u>	Front - 30 feet <sup>3,4</sup> Side - 15 feet* <sup>4,5</sup> Rear - 20 feet* <sup>3,6,7</sup> *See list for existing subdivisions	Minimum 2 spaces off street	Subdivision plat required. Landscaping requirements per Chapter 5

**Notes:**

- 1. Setbacks to be measured to outside walls with maximum of three feet of overhang allowed.



1  
2 2. Front is defined as side facing main street or access. If water front  
3 property, then side facing water is rear.  
4

5 3. If facing County Road 399 front or rear setback shall be 50 feet, for lots  
6 larger than 10,000 sq. ft.  
7

8 4. If sound front lot, building front setback may be reduced to a minimum of  
9 20 feet, only if erosion on Soundside has placed rear platted lot line in the Sound.  
10

11 5. Corner lot (street side) setbacks shall be 25 feet. For irregular shaped lots  
12 the ~~sideline~~ side setback restrictions may be based on 10 percent of the average  
13 of the front and rear lines, but in no case shall be less than 10 feet unless  
14 otherwise specified.  
15

16 6. If Gulf front lot, rear building line shall be ~~the most restrictive of 50 feet~~  
17 ~~landward of the crest of the primary dune line; or the State of Florida 1975~~  
18 ~~Coastal Construction Control Line (CCCL). In Lafitte Cove, as per recorded plat.~~  
19 ~~In Villa Sabine, as per recorded plat.~~  
20

21 7. If sound front lot, (Villa Primera and Villa Segunda subdivisions) building  
22 setbacks shall be ~~established as~~ 30 feet upland of the mean high water line, for  
23 structures deemed in compliance with current flood elevation requirements and  
24 whose shoreline has been stabilized; this relief is for lots whose platted rear line  
25 is in the Sound. All other structures shall maintain a building setback of 50 feet  
26 upland of the ~~vegetation~~ mean high water line.  
27

28 8. First floor level of lowest habitable floor must be in compliance with current  
29 flood insurance rate map issued by the National Flood Insurance Program, ~~or this~~  
30 ~~chapter, whichever is greater,~~ Chapter 4, Section 4-3.1.  
31

32 9. Enclosures below established base flood level must be accomplished  
33 through "break-away" wall construction, and such enclosures may not be used  
34 for habitable purposes. (Habitable includes working, sleeping, eating, cooking or  
35 recreation, or a combination thereof.)  
36

37 *Setbacks.* Listed below are required setbacks for the existing single-family detached  
38 subdivisions located on Pensacola Beach.

Name of Subdivision	Front	Side	Rear
Deluna Point	plat	plat	plat
LaCaribe	plat	plat	plat

Lafitte Cove	25 feet	10 feet	plat
Lafitte Cove Unit II	40 feet	plat	30 feet
Santa Rosa Villas	25 3 feet	7.5 feet <sup>5</sup> <u>per lease</u>	10 feet <sup>4,3,4</sup> <u>per lease</u>
Santa Rosa Villas 1st Addition	30 feet <sup>4</sup>	15 feet <sup>2</sup>	20 feet <sup>3</sup>
Santa Rosa Villas 2nd Addition	30 feet	15 feet <sup>2</sup>	20 feet <sup>4</sup>
Santa Rosa Villas Estates	plat	plat	plat
Seashore Village	plat	plat	plat
Tristan Villas	plat	plat	plat
Villa Primera	30 feet <sup>4</sup>	15 feet <sup>2</sup>	20 feet <sup>3,4</sup>
Villa Sabine	30 feet	15 feet	Plat 4
Villa Segunda	30 feet <sup>4</sup>	15 feet <sup>2</sup>	20 feet <sup>3,4</sup>
White Sands Cottages	30 feet	5 feet	20 feet

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**Section 2. Severability.**

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

**Section 3. Inclusion in Code.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68, and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” or such other 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 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

6  
7  
8 BOARD OF COUNTY COMMISSIONERS  
9 OF ESCAMBIA COUNTY, FLORIDA

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

13  
14 ATTEST: PAM CHILDERS  
15 Clerk of the Circuit Court

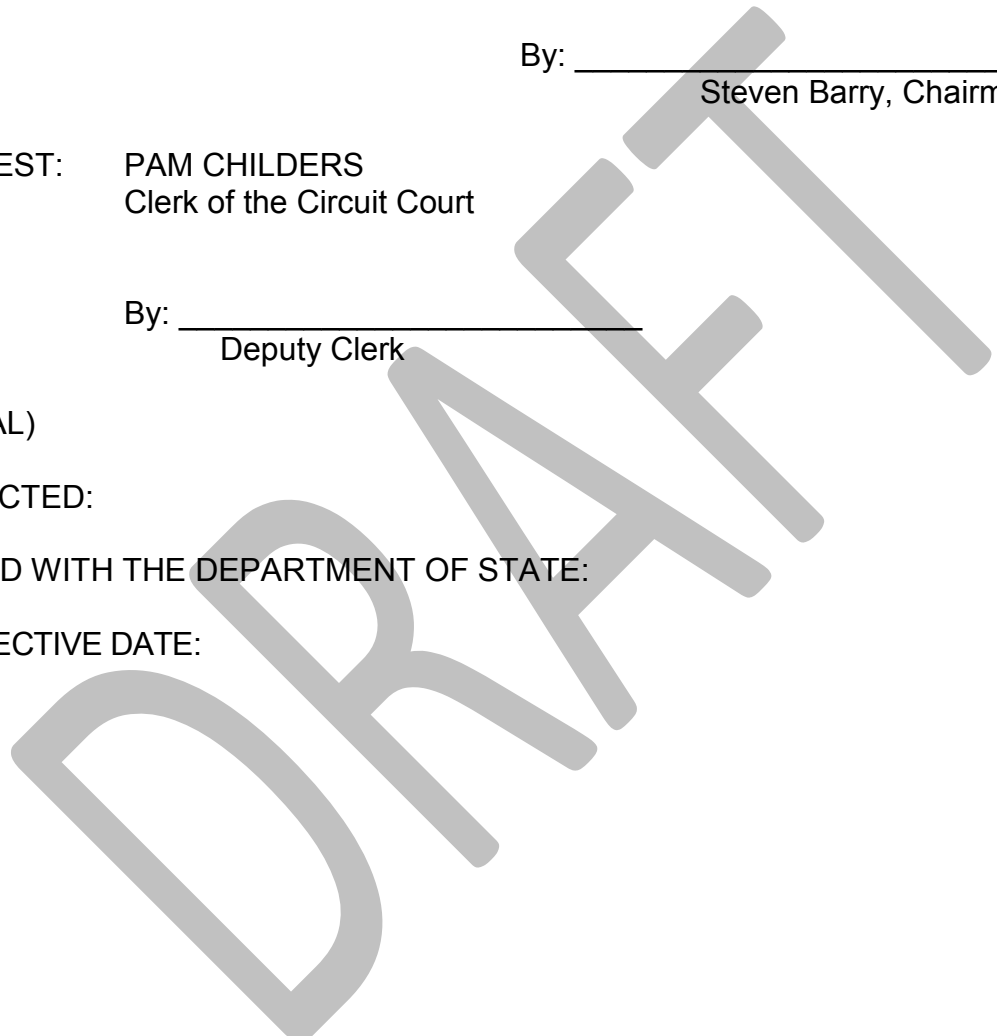
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18 By: \_\_\_\_\_  
19 Deputy Clerk

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21 (SEAL)

22  
23 ENACTED:

24  
25 FILED WITH THE DEPARTMENT OF STATE:

26  
27 EFFECTIVE DATE:





## BOARD OF COUNTY COMMISSIONERS Escambia County, Florida

### Planning Board-Regular

4. D.

**Meeting Date:** 09/01/2015

**Issue:** A Public Hearing Concerning the Review of an LDC Ordinance Chapter 4, SRIA Floodplain Management

**From:** Horace Jones, Department Director

**Organization:** Development Services

---

### **RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, SRIA Floodplain Management

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 4, Article 3, Floodplain management on Pensacola Beach.

### **BACKGROUND:**

At the July 22, 2015 the Santa Rosa Island Authority Architectural & Environmental Committee meeting, staff brought forth a recommendation to repeal and replace Chapter 4, Article 3, in anticipation of the SRIA 2015 Community Rating System cycle visit. The SRIA, with help from consultant French Wetmore, took our existing regulation and incorporated it into the new State model floodplain ordinance, which will soon be a requirement and will also benefit the leaseholders by increasing the discount they currently receive for the SRIA's participation in the CRS program. At the August 12, 2015 SRIA Regular Board meeting, the SRIA Board approved the recommendation and has forwarded it on to the September 1, 2015 Planning Board for review.

### **BUDGETARY IMPACT:**

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

### **LEGAL CONSIDERATIONS/SIGN-OFF:**

The proposed Ordinance has been reviewed and approved for legal sufficiency by Mike Stebbins, Attorney for the SRIA and Alison Rogers, Escambia 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**

Ordinance Draft

legal sign off

SRIA floodplain Strikethrough

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**ORDINANCE NUMBER 2015-**

**AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, REPEALING AND REPLACING CHAPTER 4, ARTICLE 3; ESTABLISHING FLOODPLAIN REGULATIONS SPECIFIC TO SANTA ROSA ISLAND; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR; ESTABLISHING PROCEDURES AND CRITERIA FOR DEVELOPMENT, AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Santa Rosa Island Authority and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

**WHEREAS**, the Santa Rosa Island Authority was accepted for participation in the National Flood Insurance Program on September 28, 1973, and the Escambia County Board of County Commissioners desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

**WHEREAS**, the Escambia County Board of County Commissioners is adopting a requirement to (1) regulate the area within the jurisdiction of the Santa Rosa Island Authority as coastal high hazard areas; and (2) require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a 10–year period, for the purpose of participating in the National Flood Insurance Program’s Community Rating System, and, pursuant to section 553.73(5), Fla. Stat., is formatting those requirements to coordinate with the *Florida Building Code*; and

**WHEREAS**, this ordinance is intended to be adopted concurrently, or as close in time as possible, with minor local amendments to the Florida Building Code.

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

1 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development  
2 Code of Escambia County, Article 3, Section 4-3.1 is hereby repealed and replaced to  
3 read as follows (words underlined are additions and words ~~stricken~~ are deletions):  
4

5 **4-3.1 – Floodplain management on Pensacola Beach under the control of the**  
6 **Santa Rosa Island Authority.**  
7

8 **(a)GENERAL.** These regulations shall be known as the *Floodplain Management*  
9 *Ordinance* of the Santa Rosa Island Authority, hereinafter referred to as “this article.”  
10

11 **(b)Scope.** These provisions shall apply to all development or redevelopment of  
12 property within the jurisdiction of the Santa Rosa Island Authority (SRIA), including but  
13 not limited to the subdivision of land; filling, grading, and other site improvements and utility  
14 installations; construction, alteration, remodeling, enlargement, improvement, replacement,  
15 repair, relocation or demolition of buildings, structures, and facilities that are exempt from  
16 the *Florida Building Code*; placement, installation, or replacement of manufactured  
17 buildings; installation or replacement of tanks; placement of recreational vehicles;  
18 installation of swimming pools; and any other development.  
19

20 **Sec. 4-3.2 General provisions.**

21 **(a)**The purposes of this article and the flood load and flood resistant construction  
22 requirements of the *Florida Building Code* are to establish minimum requirements to  
23 safeguard the public health, safety, and general welfare and to minimize public and  
24 private losses due to flooding through regulation of development to:  
25

26 (1) Minimize unnecessary disruption of commerce, access and public service during  
27 times of flooding;

28 (2) Require the use of appropriate construction practices in order to prevent or  
29 minimize future flood damage;

30 (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations,  
31 storage of equipment or materials, and other development which may increase flood  
32 damage or erosion potential;

33 (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to  
34 minimize the impact of development on the natural and beneficial functions of the  
35 floodplain;

36 (5) Minimize damage to public and private facilities and utilities;

37 (6) Help maintain a stable tax base by providing for the sound use and development  
38 of flood hazard areas;

39 (7) Minimize the need for future expenditure of public funds for flood control projects  
40 and response to and recovery from flood events; and

41 (8) Meet the requirements of the National Flood Insurance Program for community  
42 participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

1  
2 **(b)Coordination with the Florida Building Code.** This article is intended to be  
3 administered and enforced in conjunction with the *Florida Building Code*. Where cited,  
4 ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building*  
5 *Code*.

6  
7 **(c)Warning.** The degree of flood protection required by this article and the *Florida*  
8 *Building Code*, as amended by the SRIA, is considered the minimum reasonable for  
9 regulatory purposes and is based on scientific and engineering considerations. Larger  
10 floods can and will occur. Flood heights may be increased by man-made or natural  
11 causes. This article does not imply that uses permitted will be free from flooding or flood  
12 damage. The flood hazard areas and base flood elevations contained in the Flood  
13 Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title  
14 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal  
15 Emergency Management Agency, requiring the SRIA to revise these regulations to  
16 remain eligible for participation in the National Flood Insurance Program. No guaranty  
17 of vested use, existing use, or future use is implied or expressed by compliance with  
18 this code.

19  
20 **(d)Disclaimer of Liability.** The provisions of this article shall not create liability on the  
21 part of the Escambia County Board of County Commissioners or by any officer or  
22 employee thereof, or the Santa Rosa Island Authority or by any officer or employee  
23 thereof, for any flood damage that results from reliance on these provisions or any  
24 administrative decision lawfully made thereunder.

#### 25 26 **4-3.3 APPLICABILITY.**

27  
28 **(a)General.** Where there is a conflict between a general requirement and a specific  
29 requirement, the specific requirement shall be applicable.

30  
31 **(b)Areas to which these regulations apply.** These regulations shall apply to all land  
32 within the jurisdiction of the Santa Rosa Island Authority.

33  
34 **(c)Basis for establishing flood hazard data.** The Flood Insurance Study for  
35 Escambia County, Florida and Incorporated Areas dated September 29, 2006, and all  
36 subsequent amendments and revisions, and the accompanying Flood Insurance Rate  
37 Maps (FIRM), and all subsequent amendments and revisions to such maps, are  
38 adopted by reference as a part of this article and shall serve as the minimum basis for  
39 establishing flood hazard data. Studies and maps that establish flood hazard data are  
40 on file at the SRIA Department of Environmental and Developmental Services.

41  
42 **(d)Other laws.** The provisions of this article shall not be deemed to nullify any  
43 provisions of local, state or federal law.  
44



1 **(e) Abrogation and greater restrictions.** The provisions of this article supersedes any  
2 ordinance in effect for management of development within the jurisdiction of the Santa  
3 Rosa Island Authority. However, it is not intended to repeal or abrogate any existing  
4 ordinances, including but not limited to land development regulations, zoning  
5 ordinances, stormwater management regulations, or the *Florida Building Code*. In the  
6 event of a conflict between these regulations and any other regulation, the more  
7 restrictive shall govern. These regulations shall not impair any deed restriction,  
8 covenant or easement, but any land that is subject to such interests shall also be  
9 governed by this article.

10  
11 **(f) Interpretation.** In the interpretation and application of the provisions of this article,  
12 all provisions shall be:

- 13  
14 (1) Considered as minimum requirements;  
15 (2) Liberally construed in favor of the governing body; and  
16 (3) Deemed neither to limit nor repeal any other powers granted under state  
17 statutes.

#### 18 19 **4-3.4 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR.**

20  
21 **(a) Designation.** The Director of Developmental Services is designated as the  
22 Floodplain Administrator. The Floodplain Administrator may delegate performance of  
23 certain duties to other employees.

24  
25 **(b) General.** The Floodplain Administrator is authorized and directed to administer and  
26 enforce the floodplain management provisions of this article. The Floodplain  
27 Administrator shall have the authority to render interpretations of this article consistent  
28 with the intent and purpose of this article and may establish policies and procedures in  
29 order to clarify the application of its provisions. Such interpretations, policies, and  
30 procedures shall not have the effect of waiving requirements specifically provided in this  
31 article without the granting of a variance pursuant to Section 4-3.8 of this article. The  
32 Floodplain Administrator shall have the authority to approve all applications for  
33 development under the jurisdiction of the Santa Rosa Island Authority. Building permits  
34 and certificates of occupancy issued by Escambia County shall be consistent with the  
35 Floodplain Administrator's approvals and denials of approvals.

36  
37 **(c) Applications, approvals, and permits.** The Floodplain Administrator, in  
38 coordination with other pertinent offices of the SRIA and the County, shall:

- 39  
40 (1) Review applications for modification of any existing development for compliance  
41 with the requirements of this article;  
42 (2) Provide available flood elevation and flood hazard information;

1 (3) Determine whether additional flood hazard data shall be obtained from other  
2 sources or shall be developed by an applicant;

3 (4) Review applications to determine whether proposed development will be  
4 reasonably safe from flooding;

5 (5) Issue floodplain development approvals for development other than buildings and  
6 structures that are subject to the *Florida Building Code*, including buildings,  
7 structures and facilities exempt from the *Florida Building Code*, when compliance  
8 with the provisions of this article is demonstrated, or disapprove the same in the  
9 event of noncompliance; and

10 (6) Coordinate with and provide comments to the Escambia County Building Officials  
11 to assure that applications, plan reviews, County permits, and inspections for  
12 buildings and structures comply with the applicable provisions of this article.

13  
14 **(d)Substantial improvement and substantial damage determinations.** For  
15 applications for approvals and building permits to improve buildings and structures,  
16 including alterations, movement, enlargement, replacement, repair, change of  
17 occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of  
18 substantial damage, and any other improvement of or work on such buildings and  
19 structures, the Floodplain Administrator, in coordination with the Escambia County  
20 Building Officials, shall:

21  
22 (1) Obtain the estimated building value from the Escambia County Property  
23 Appraiser to estimate the market value, or allow the applicant to obtain an appraisal  
24 of the market value prepared by a qualified independent appraiser of the building or  
25 structure before the start of construction of the proposed work; in the case of repair,  
26 the market value of the building or structure shall be the market value before the  
27 damage occurred and before any repairs are made;

28 (2) Compare the cost to perform the improvement, the cost to repair a damaged  
29 building to its pre-damaged condition, or the combined costs of improvements and  
30 repairs, if applicable, to the market value of the building or structure;

31 (3) Determine and document whether the proposed work constitutes substantial  
32 improvement or repair of substantial damage; for proposed work to improve, modify,  
33 or add to an existing building, the determination requires evaluation of previous  
34 permits as specified in the definition of “substantial improvement”; and

35 (4) Notify the applicant if it is determined that the work constitutes substantial  
36 improvement or repair of substantial damage and that compliance with the flood  
37 resistant construction requirements of the *Florida Building Code* and this article is  
38 required.

39  
40 **(e)Modifications of the strict application of the requirements of the *Florida***  
41 ***Building Code*.** The Floodplain Administrator shall review requests submitted to the  
42 Escambia County Building Official that seek approval to modify the strict application of

1 the flood load and flood resistant construction requirements of the *Florida Building Code*  
2 to determine whether such requests require the granting of a variance pursuant to  
3 Section 4-3.8 of this article.

4  
5 **(f)Notices and orders.** The Floodplain Administrator shall coordinate with appropriate  
6 local agencies for the issuance of all necessary notices or orders to ensure compliance  
7 with this article.

8  
9 **(g)Inspections.** The Floodplain Administrator shall make the required inspections as  
10 specified in Section 4-3.7 of this article for development that is not subject to the *Florida*  
11 *Building Code*, including buildings, structures and facilities exempt from the *Florida*  
12 *Building Code*. The Floodplain Administrator shall inspect areas to determine if  
13 development is undertaken without issuance of an approval or County permit.

14  
15 **(h)Other duties of the Floodplain Administrator.** The Floodplain Administrator shall  
16 have other duties, including but not limited to:

17  
18 (1) Establish, in coordination with the Escambia County Building Official, procedures  
19 for administering and documenting determinations of substantial improvement and  
20 substantial damage made pursuant to Section 4-3.4(d) of this article;

21 (2) Require that applicants proposing alteration of a watercourse notify adjacent  
22 communities and the Florida Division of Emergency Management, State Floodplain  
23 Management Office, and submit copies of such notifications to the Federal  
24 Emergency Management Agency (FEMA);

25 (3) Require applicants who submit hydrologic and hydraulic engineering analyses to  
26 support approval and permit applications to submit to FEMA the data and  
27 information necessary to maintain the Flood Insurance Rate Maps if the analyses  
28 propose to change base flood elevations or flood hazard area boundaries, such  
29 submissions shall be made within 6 months of such data becoming available;

30 (4) Review required design certifications and documentation of elevations specified  
31 by this article and the *Florida Building Code* to determine that such certifications and  
32 documentations are complete and correct;

33 (5) Notify the Federal Emergency Management Agency when the corporate  
34 boundaries of the Santa Rosa Island Authority are modified; and

35 (6) Advise applicants for new buildings and structures, including substantial  
36 improvements that are located in any unit of the Coastal Barrier Resources System  
37 established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal  
38 Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is  
39 not available on such construction; areas subject to this limitation are identified on  
40 Flood Insurance Rate Maps as “Coastal Barrier Resource System Areas” and  
41 “Otherwise Protected Areas.”

1 **(i)Floodplain management records.** Regardless of any limitation on the period  
2 required for retention of public records, the Floodplain Administrator shall maintain and  
3 permanently keep and make available for public inspection all records that are  
4 necessary for the administration of this article and the flood resistant construction  
5 requirements of the *Florida Building Code*, including Flood Insurance Rate Maps;  
6 Letters of Map Change; records of issuance of approvals and denial of approvals;  
7 determinations of whether proposed work constitutes substantial improvement or repair  
8 of substantial damage; required design certifications and documentation of elevations  
9 specified by the *Florida Building Code* and this article; notifications to adjacent  
10 communities, FEMA, and the state related to alterations of watercourses; assurances  
11 that the flood carrying capacity of altered watercourses will be maintained;  
12 documentation related to appeals and variances, including justification for issuance or  
13 denial; and records of enforcement actions taken pursuant to the provisions of this  
14 article and the flood resistant construction requirements of the *Florida Building Code*.  
15 These records shall be available for public inspection at the SRIA Department of  
16 Environmental and Developmental Services.

#### 17 **4-3.5 APPROVALS AND PERMITS.**

18 **(a)Approvals and Permits required.** Any owner or owner's authorized agent  
19 (hereinafter "applicant") who intends to undertake any development activity within the  
20 scope of this ordinance, including buildings, structures and facilities exempt from the  
21 *Florida Building Code*, which is wholly within or partially within the jurisdictional limits of the  
22 SRIA shall first make application to the Floodplain Administrator for approval, and shall  
23 obtain the required approval(s) and County permit(s). No such permit or approval shall  
24 be issued until compliance with the requirements of this article and all other applicable  
25 codes and regulations has been satisfied.

26 **(b)Floodplain development permits or approvals.** Floodplain development permits or  
27 approvals shall be issued pursuant to this article for any development activities not subject  
28 to the requirements of the *Florida Building Code*, including buildings, structures and  
29 facilities exempt from the *Florida Building Code*. Depending on the nature and extent of  
30 proposed development that includes a building or structure, the Floodplain Administrator  
31 may determine that a floodplain development approval is required in addition to a building  
32 permit.

33 **(c)Buildings, structures and facilities exempt from the *Florida Building Code*.**  
34 Pursuant to the requirements of federal regulation for participation in the National Flood  
35 Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or  
36 approvals shall be required for the following buildings, structures and facilities that are  
37 exempt from the *Florida Building Code* and any further exemptions provided by law,  
38 which are subject to the requirements of this article.

39 (1) Railroads and ancillary facilities associated with the railroad.

40 (2) Nonresidential farm buildings on farms, as provided in section 604.50, Fla. Stat.

- 1       (3) Temporary buildings or sheds used exclusively for construction purposes.
- 2       (4) Mobile or modular structures used as temporary offices.
- 3       (5) Those structures or facilities of electric utilities, as defined in section 366.02, Fla.  
4       Stat., which are directly involved in the generation, transmission, or distribution of  
5       electricity.
- 6       (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the  
7       Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an  
8       open-sided wooden hut that has a thatched roof of palm or palmetto or other  
9       traditional materials, and that does not incorporate any electrical, plumbing, or other  
10       non-wood features.
- 11       (7) Family mausoleums not exceeding 250 square feet in an area which are  
12       prefabricated and assembled on site or preassembled and delivered on site and  
13       have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- 14       (8) Temporary housing provided by the Department of Corrections to any prisoner in  
15       the state correctional system.
- 16       (9) Structures identified in section 553.73(10)(k), Fla. Stat., are not exempt from the  
17       Florida Building Code if such structures are located in flood hazard areas  
18       established on Flood Insurance Rate Maps.

19  
20 **(d)Application for approval.** To obtain a floodplain development approval the  
21 applicant shall first file an application in writing on a form furnished by the SRIA  
22 Department of Environmental and Developmental Services. The information provided  
23 shall:

- 24       (1) Identify and describe the development to be covered by the approval.
- 25       (2) Describe the land on which the proposed development is to be conducted by  
26       legal description, street address or similar description that will readily identify and  
27       definitively locate the site.
- 28       (3) Indicate the use and occupancy for which the proposed development is intended.
- 29       (4) Be accompanied by a site plan or construction documents as specified in Section  
30       4-3.6 of this article.
- 31       (5) State the valuation of the proposed work.
- 32       (6) Be signed by the applicant or the applicant's authorized agent.
- 33       (7) Give such other data and information as required by the Floodplain  
34       Administrator.
- 35       (8) For projects that include enclosed areas under elevated buildings, include a  
36       signed nonconversion lease amendment as described in Section 4-3.5.  
37

1 **(e) Nonconversion lease amendment.** Where an enclosed area below the design  
2 flood elevation exceeds four feet in height, measured from floor of the enclosure to the  
3 underside of the floor system above, the applicant shall sign a nonconversion lease  
4 amendment acknowledging that the conversion of the area below the lowest floor to a  
5 use or dimension contrary to the building's originally approved design is prohibited.  
6

7 (1) The nonconversion lease amendment shall authorize the Floodplain  
8 Administrator to conduct inspections of the enclosed area in accordance with the  
9 lease amendment's authorization to make future inspections of the leasehold upon  
10 reasonable notice to the Lessee.

11 (2) The applicant shall provide a copy that documents that the nonconversion lease  
12 amendment has been recorded in the Office of the Clerk of the Court in such a  
13 manner that it appears in the chain of title of the affected property.

14 (3) A copy of the recorded nonconversion lease amendment shall be presented as a  
15 condition of issuance of the final certificate of occupancy.  
16

17 **(f) Certificate of occupancy.** The Escambia County Building Official shall not issue a  
18 certificate of occupancy until:  
19

20 (1) The permit applicant has provided the Floodplain Administrator with a copy of the  
21 following, where applicable:  
22

- 23 a. The building permit,
- 24 b. The "Final Construction" Elevation Certificate,
- 25 c. The as-built site survey, and
- 26 d. The recorded nonconversion lease amendment; and  
27

28 (2) The Floodplain Administrator has notified the Escambia County Building  
29 Inspections Division that the project has been completed and is in compliance with  
30 the provisions of this article.  
31

32 **(g) Validity of permit or approval.** The issuance of a floodplain development permit or  
33 approval pursuant to this article shall not be construed to be a permit for, or approval of,  
34 any violation of this ordinance, the Florida Building Codes, or any other ordinance of  
35 SRIA or Escambia County. The issuance of permits based on submitted applications,  
36 construction documents, and information shall not prevent the Floodplain Administrator  
37 from requiring the correction of errors and omissions.  
38

39 **(h) Expiration.** A floodplain development permit or approval shall become invalid  
40 unless the work authorized by such permit is commenced within 180 days after its  
41 issuance, or if the work authorized is suspended or abandoned for a period of 180 days  
42 after the work commences. Extensions for periods of not more than 180 days each  
43 shall be requested in writing and justifiable cause shall be demonstrated.  
44



1 **(i)Suspension or revocation.** The Floodplain Administrator is authorized to suspend  
2 or revoke a floodplain development approval if the approval or permit was issued in  
3 error, on the basis of incorrect, inaccurate or incomplete information, or in violation of  
4 this article or any other ordinance, regulation or requirement of the SRIA.

5  
6 **(j)Other permits required.** Floodplain development approvals and permits and  
7 building permits shall include a condition that all other applicable state or federal permits  
8 be obtained before commencement of the permitted development, including but not  
9 limited to the following:

10  
11 (1) The Northwest Florida Water Management District; section 373.036, Fla. Stat.

12 (2) Florida Department of Health for onsite sewage treatment and disposal systems;  
13 section 381.0065, Fla. Stat. and Chapter 64E-6, F.A.C.

14 (3) Florida Department of Environmental Protection for construction, reconstruction,  
15 changes, or physical activities for shore protection or other activities seaward of the  
16 coastal construction control line; section 161.141, Fla. Stat.

17 (4) Florida Department of Environmental Protection for activities subject to the Joint  
18 Coastal Permit; section 161.055, Fla. Stat.

19 (5) Florida Department of Environmental Protection for activities that affect wetlands  
20 and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers;  
21 Section 404 of the Clean Water Act.

22 (6) Federal permits and approvals.

#### 23 24 **4-3.6 SITE PLANS AND CONSTRUCTION DOCUMENTS.**

25  
26 **(a)Information for development.** The site plan or construction documents for any  
27 development subject to the requirements of this article shall be drawn to scale and shall  
28 include, as applicable to the proposed development:

29  
30 (1) Delineation of Flood Insurance Rate Map zones, base flood elevation(s), and  
31 ground elevations if necessary for review of the proposed development.

32 (2) Location of the proposed activity and proposed structures, and locations of  
33 existing buildings and structures; in coastal high hazard areas, new buildings shall  
34 be located landward of the reach of mean high tide.

35 (3) Location, extent, amount, and proposed final grades of any filling, grading, or  
36 excavation.

37 (4) Where the placement of fill is proposed, the amount, type, and source of fill  
38 material; compaction specifications; a description of the intended purpose of the fill  
39 areas; and evidence that the proposed fill areas are the minimum necessary to  
40 achieve the intended purpose.

1 (5) Delineation of the Coastal Construction Control Line or notation that the site is  
2 seaward of the coastal construction control line, if applicable.

3 (6) Extent of any proposed alteration of sand dunes or mangrove stands, provided  
4 such alteration is approved by the Florida Department of Environmental Protection.

5  
6 The Floodplain Administrator is authorized to waive the submission of site plans,  
7 construction documents, and other data that are required by this article but that are not  
8 required to be prepared by a registered design professional if it is found that the nature  
9 of the proposed development is such that the review of such submissions is not  
10 necessary to ascertain compliance with this article.

11  
12 **(b)Additional analyses and certifications.** For activities that propose to alter sand  
13 dunes or mangrove stands in coastal high hazard areas, the applicant shall submit an  
14 engineering analysis, signed and sealed by a Florida licensed engineer, that  
15 demonstrates the proposed alteration will not increase the potential for flood damage.

#### 16 **4-3.7 INSPECTIONS.**

17  
18  
19 **(a)General.** Development for which a floodplain development permit or approval is  
20 required shall be subject to inspection.

21  
22 **(b)Development other than buildings and structures.** The Floodplain Administrator  
23 shall inspect all development to determine compliance with the requirements of this  
24 article and the conditions of issued floodplain development permits or approvals.

25  
26 **(c)Buildings, structures and facilities exempt from the Florida Building Code.** The  
27 Floodplain Administrator shall inspect buildings, structures and facilities exempt from  
28 the Florida Building Code to determine compliance with the requirements of this article  
29 and the conditions of issued floodplain development permits or approvals.

30  
31 **(d)Buildings, structures and facilities exempt from the Florida Building Code,**  
32 **lowest floor inspection.** Upon placement of the lowest floor, including basement, and  
33 prior to further vertical construction, the owner of a building, structure or facility exempt  
34 from the Florida Building Code, or the owner's authorized agent, shall submit to the  
35 Floodplain Administrator the certification of elevation of the lowest floor prepared and  
36 sealed by a Florida licensed professional surveyor.

37  
38 **(e)Buildings, structures and facilities exempt from the Florida Building Code, final**  
39 **inspection.** As part of the final inspection, the owner or owners' authorized agent shall  
40 submit to the Floodplain Administrator a final certification of elevation of the lowest floor;  
41 such certifications shall be prepared as specified in Section 4-3.7(d) of this article.

#### 42 **4-3.8 VARIANCES AND APPEALS.**



1 **(a) Appeals.** The SRIA Board shall hear appeals when it is alleged there is an error in  
2 any requirement, decision, or determination made by the Floodplain Administrator in the  
3 administration and enforcement of this ordinance. The SRIA Board shall make final  
4 decisions on appeals to the actions of SRIA staff. Any person aggrieved by the decision  
5 of the SRIA Board may appeal such decision to the Escambia County Board of County  
6 Commissioners.

7  
8 **(b) Variances.** Pursuant to section 553.73(5), Fla. Stat., the SRIA Board shall hear  
9 requests for variances from the strict application of the flood resistant construction  
10 requirements of the *Florida Building Code* and recommend their resolution to the  
11 Escambia County Board of Adjustment which shall make final decisions. Any person  
12 aggrieved by the decision of the Escambia County Board of Adjustment may appeal  
13 such decision to the Escambia County Board of County Commissioners. This section  
14 does not apply to Section 3109 of the *Florida Building Code, Building*.

15  
16 **(c) Limitations on authority to grant variances.** The SRIA Board and the Escambia  
17 County Board of Adjustment shall base their recommendations and decisions on  
18 variances on technical justifications submitted by applicants, the considerations for  
19 issuance in Section 4-3.8 of this article, the conditions of issuance set forth in Section 4-  
20 3.9 of this article, and the comments and recommendations of the Floodplain  
21 Administrator and the Escambia County Building Official. The SRIA Board and the  
22 Escambia County Board of Adjustment have the right to recommend and subsequently  
23 to attach such conditions deemed necessary to further the purposes and objectives of  
24 this article.

25  
26 **(d) Historic buildings.** A variance is authorized to be issued for the repair,  
27 improvement, or rehabilitation of a historic building that is determined eligible for the  
28 exception to the flood resistant construction requirements of the *Florida Building Code,*  
29 *Existing Building, Chapter 11 Historic Buildings, upon a determination that the proposed*  
30 repair, improvement, or rehabilitation will not preclude the building's continued  
31 designation as a historic building and the variance is the minimum necessary to  
32 preserve the historic character and design of the building. If the proposed work  
33 precludes the building's continued designation as a historic building, a variance shall not  
34 be granted and the building and any repair, improvement, and rehabilitation shall be  
35 subject to the requirements of the *Florida Building Code*.

36  
37 **(e) Functionally dependent uses.** A variance is authorized to be issued for the  
38 construction or substantial improvement necessary for the conduct of a functionally  
39 dependent use, as defined in this article, provided the variance is the minimum  
40 necessary considering the flood hazard, and all due consideration has been given to  
41 use of methods and materials that minimize flood damage during occurrence of the  
42 base flood.

43  
44 **(f) Considerations for issuance of variances.** In reviewing requests for variances, the  
45 SRIA Board and the Escambia County Board of Adjustment shall consider all technical

1 evaluations, all relevant factors, all other applicable provisions of the *Florida Building*  
2 *Code*, this article, and the following:

3  
4 (1) The danger that materials and debris may be swept onto other lands resulting in  
5 further injury or damage;

6 (2) The danger to life and property due to flooding or erosion damage;

7 (3) The susceptibility of the proposed development, including contents, to flood  
8 damage and the effect of such damage on current and future owners;

9 (4) The importance of the services provided by the proposed development to the  
10 community;

11 (5) The availability of alternate locations for the proposed development that are  
12 subject to lower risk of flooding or erosion;

13 (6) The compatibility of the proposed development with existing and anticipated  
14 development;

15 (7) The relationship of the proposed development to the comprehensive plan and  
16 floodplain management program for the area;

17 (8) The safety of access to the property in times of flooding for ordinary and  
18 emergency vehicles;

19 (9) The expected heights, velocity, duration, rate of rise and debris and sediment  
20 transport of the floodwaters and the effects of wave action, if applicable, expected at  
21 the site; and

22 (10) The costs of providing governmental services during and after flood conditions  
23 including maintenance and repair of public utilities and facilities such as sewer, gas,  
24 electrical and water systems, streets and bridges.

25  
26 **4-3.9 CONDITIONS FOR ISSUANCE OF VARIANCES.**

27  
28 Variances shall be issued only upon:

29  
30 **(a)** Submission by the applicant, of a showing of good and sufficient cause that the  
31 unique characteristics of the size, configuration, or topography of the site limit  
32 compliance with any provision of this ordinance or the required elevation standards;

33 **(b)** Determination by the SRIA Board and the Escambia County Board of Adjustment  
34 that:

35 (1) Failure to grant the variance would result in exceptional hardship due to the  
36 physical characteristics of the land that render the lot undevelopable; increased  
37 costs to satisfy the requirements or inconvenience do not constitute hardship;

38 (2) The granting of a variance will not result in increased flood heights, additional  
39 threats to public safety, extraordinary public expense, nor create nuisances, cause

1 fraud on or victimization of the public or conflict with existing local laws and  
2 ordinances; and

3 (3) The variance is the minimum necessary, considering the flood hazard, to afford  
4 relief;

5  
6 (c) Receipt of a signed statement by the applicant that the variance, if granted, shall  
7 be recorded in the Office of the Clerk of the Court in such a manner that it appears in  
8 the chain of title of the affected parcel of land; and

9 (d) If the request is for a variance to allow construction of the lowest floor of a new  
10 building, or substantial improvement of a building, below the required elevation, a copy  
11 in the record of a written notice from the Floodplain Administrator to the applicant for the  
12 variance, specifying the difference between the base flood elevation and the proposed  
13 elevation of the lowest floor, stating that the cost of federal flood insurance will be  
14 commensurate with the increased risk resulting from the reduced floor elevation (up to  
15 amounts as high as \$25 for \$100 of insurance coverage), and stating that construction  
16 below the base flood elevation increases risks to life and property.

#### 17 18 **4-3.10 VIOLATIONS.**

19  
20 (a)**Violations.** Any development that is not within the scope of the *Florida Building*  
21 *Code* but that is regulated by this article that is performed without the Administrator's  
22 approval or an issued permit, that is in conflict with an issued approval or permit, or that  
23 does not fully comply with the provisions of this article, shall be deemed a violation of  
24 this article. A building or structure without the documentation of elevation of the lowest  
25 floor, other required design certifications, or other evidence of compliance required by  
26 this article or the *Florida Building Code* is presumed to be a violation until such time as  
27 that documentation is provided.

28  
29 (b)**Authority.** For development that is not within the scope of the *Florida Building Code*  
30 but that is regulated by this article and that is determined to be a violation, the  
31 Floodplain Administrator is authorized to serve notices of violation or stop work orders  
32 to owners of the property involved, to the owner's agent, or to the person or persons  
33 performing the work.

34  
35 (c)**Unlawful continuance.** Any person who shall continue any work after having been  
36 served with a notice of violation or a stop work order, except such work as that person is  
37 directed to perform to remove or remedy a violation or unsafe condition, shall be subject  
38 to penalties as prescribed by law.

#### 39 40 **4-3.11 DEFINITIONS**

41  
42 Unless otherwise expressly stated, the following words and terms shall, for the  
43 purposes of this article , have the meanings shown in this section.

1 **(a) Terms defined in the Florida Building Code.** Where terms are not defined in this  
2 ordinance and are defined in the *Florida Building Code*, such terms shall have the  
3 meanings ascribed to them in that code.

4  
5 **(b) Terms not defined.** Where terms are not defined in this ordinance or the *Florida*  
6 *Building Code*, such terms shall have ordinarily accepted meanings such as the context  
7 implies.

8  
9 **Appeal.** A request for a review of the Floodplain Administrator's interpretation of any  
10 provision of this article.

11  
12 **ASCE 24.** A standard titled *Flood Resistant Design and Construction* that is referenced  
13 by the *Florida Building Code*. ASCE 24 is developed and published by the American  
14 Society of Civil Engineers, Reston, VA.

15  
16 **Base flood.** A flood having a 1-percent chance of being equaled or exceeded in any  
17 given year. The base flood is commonly referred to as the "100-year flood" or the "1-  
18 percent-annual chance flood."

19  
20 **Base flood elevation.** The elevation of the base flood, including wave height, relative  
21 to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum  
22 (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). For an area  
23 where no base flood elevation is shown on the FIRM, the base flood elevation shall be  
24 the highest base flood elevation specified on the FIRM adjacent to that area.

25  
26 **Basement.** The portion of a building having its floor subgrade (below ground level) on  
27 all sides.

28  
29 **Building Official.** The Building Official for Escambia County.

30  
31 **Coastal construction control line.** The line established by the State of Florida  
32 pursuant to section 161.053, Fla. Stat., and recorded in the official records of Escambia  
33 County, which defines that portion of the beach-dune system subject to severe  
34 fluctuations based on a 100-year storm surge, storm waves or other predictable weather  
35 conditions.

36  
37 **Coastal high hazard area.** The area subject to high velocity wave action from storms  
38 or seismic sources. Coastal high hazard areas are also referred to as "high hazard  
39 areas subject to high velocity wave action." The entire area of the Santa Rosa Island  
40 Authority is considered a coastal high hazard area for the purposes of this ordinance  
41 and the *Florida Building Code*.

42  
43 **Nonconversion Lease Amendment.** A form provided by the Floodplain Administrator  
44 to be signed by the owner and recorded in Official Records of the Clerk of Courts in a  
45 manner to appear in the chain of title, for the owner to agree not to convert or modify in

1 any manner that is inconsistent with the terms of the building permit and these  
2 regulations any enclosures below elevated buildings, and to authorize in accordance  
3 with the lease amendment, the Floodplain Administrator to conduct inspections of any  
4 enclosures upon reasonable notice to the Lessee.

5  
6 **Design flood.** The flood associated with the greater of the following two areas:

7  
8 (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any  
9 year; or

10 (2) Area designated as a flood hazard area on the community's flood hazard map, or  
11 otherwise legally designated.

12  
13 **Design flood elevation.** The elevation of the "design flood," including wave height,  
14 relative to the datum specified on the community's legally designated flood hazard map.

15  
16 **Development.** Any man-made change to improved or unimproved real estate,  
17 including but not limited to, buildings or other structures, tanks, temporary structures,  
18 temporary or permanent storage of equipment or materials, mining, dredging, filling,  
19 grading, paving, excavations, drilling operations or any other land disturbing activities.

20  
21 **Existing building and existing structure.** Any buildings and structures for which the  
22 "start of construction" commenced before September 28, 1973.

23  
24 **Federal Emergency Management Agency (FEMA).** The federal agency that, in  
25 addition to carrying out other functions, administers the National Flood Insurance  
26 Program.

27  
28 **Flood or flooding.** A general and temporary condition of partial or complete inundation  
29 of normally dry land from:

30  
31 (1) The overflow of inland or tidal waters.

32 (2) The unusual and rapid accumulation or runoff of surface waters from any source.

33  
34 **Flood damage-resistant materials.** Any construction material capable of withstanding  
35 direct and prolonged contact with floodwaters without sustaining any damage that  
36 requires more than cosmetic repair.

37  
38 **Flood hazard area.** For the purposes of this ordinance and the *Florida Building Code*,  
39 all lands within the jurisdiction of the Santa Rosa Island Authority are considered to be a  
40 flood hazard area.

41  
42 **Flood Insurance Rate Map (FIRM).** The official map of the community on which the  
43 Federal Emergency Management Agency has delineated both special flood hazard  
44 areas and the risk premium zones ("flood zones") applicable to the community.

1  
2 **Flood Insurance Study (FIS).** The official report provided by the Federal Emergency  
3 Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary  
4 and Floodway Map (if applicable), the water surface elevations of the base flood, and  
5 supporting technical data.

6  
7 **Floodplain Administrator.** The office or position designated and charged with the  
8 administration and enforcement of this ordinance.

9  
10 **Floodplain development approval.** A written approval issued by the Floodplain  
11 Administrator which notifies the Escambia County Building Official that the requested  
12 development activity is determined to be compliant with this ordinance.

13  
14 **Floodplain development permit.** An official document or certificate issued by the  
15 Escambia County Building Official, or other evidence of approval or concurrence, which  
16 authorizes performance of specific development activities and that are determined to be  
17 compliant with this ordinance.

18  
19 **Florida Building Code.** The family of codes adopted by the Florida Building  
20 Commission, including: *Florida Building Code, Building; Florida Building Code,*  
21 *Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical;*  
22 *Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.*

23  
24 **Functionally dependent use.** A use which cannot perform its intended purpose unless  
25 it is located or carried out in close proximity to water, including only docking facilities,  
26 port facilities that are necessary for the loading and unloading of cargo or passengers,  
27 and ship building and ship repair facilities; the term does not include long-term storage  
28 or related manufacturing facilities.

29  
30 **Historic structure.** Any structure that is determined eligible for the exception to the  
31 flood hazard area requirements of the *Florida Building Code, Existing Building, Chapter*  
32 *11 Historic Buildings.*

33  
34 **Letter of Map Change (LOMC).** An official determination issued by FEMA that amends  
35 or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Such  
36 amendments or revisions generally only affect the insurance aspects of the National  
37 Flood Insurance Program and do not alter the fact that the entire jurisdictional area of  
38 the Santa Rosa Island Authority is considered a coastal high hazard area and subject to  
39 this ordinance and the *Florida Building Code.* Letters of Map Change include:

40  
41 **Letter of Map Amendment (LOMA).** An amendment based on technical data showing  
42 that a property was incorrectly included in a designated special flood hazard area. A  
43 LOMA amends the current effective Flood Insurance Rate Map and establishes that a  
44 specific property, portion of a property, or structure is not located in a special flood  
45 hazard area.



1  
2 **Letter of Map Revision (LOMR).** A revision based on technical data that may show  
3 changes to flood zones, flood elevations, special flood hazard area boundaries and  
4 floodway delineations, and other planimetric features.

5  
6 **Letter of Map Revision Based on Fill (LOMR-F).** A determination that a structure or  
7 parcel of land has been elevated by fill above the base flood elevation and is, therefore,  
8 no longer located within the special flood hazard area. In order to qualify for this  
9 determination, the fill must have been permitted and placed in accordance with the  
10 SRIA's floodplain management regulations.

11  
12 **Conditional Letter of Map Revision (CLOMR).** A formal review and comment as to  
13 whether a proposed flood protection project or other project complies with the minimum  
14 NFIP requirements for such projects with respect to delineation of special flood hazard  
15 areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood  
16 Insurance Study; upon submission and approval of certified as-built documentation, a  
17 Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

18  
19 **Light-duty truck.** As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500  
20 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of  
21 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or  
22 less, which is:

23  
24 (1) Designed primarily for purposes of transportation of property or is a derivation of  
25 such a vehicle, or

26 (2) Designed primarily for transportation of persons and has a capacity of more than  
27 12 persons; or

28 (3) Available with special features enabling off-street or off-highway operation and  
29 use.

30 **Lowest floor.** The lowest floor of the lowest enclosed area of a building or structure,  
31 including basement, but excluding any unfinished or flood-resistant enclosure, other  
32 than a basement, usable solely for vehicle parking, building access or limited storage  
33 provided that such enclosure is not built so as to render the structure in violation of the  
34 non-elevation requirements of the *Florida Building Code* or ASCE 24.

35  
36 **Manufactured home.** A structure, transportable in one or more sections, which is eight  
37 (8) feet or more in width and greater than four hundred (400) square feet, and which is  
38 built on a permanent, integral chassis and is designed for use with or without a  
39 permanent foundation when attached to the required utilities. The term "manufactured  
40 home" does not include a "recreational vehicle" or "park trailer."

41  
42 **Market value.** The price at which a property will change hands between a willing buyer  
43 and a willing seller, neither party being under compulsion to buy or sell and both having  
44 reasonable knowledge of relevant facts. As used in this ordinance, the term refers to

1 the market value of a building or structure, excluding the land and other improvements  
2 on the parcel. Market value is established as specified in Section 4-3.4(d).

3  
4 **New construction.** For the purposes of administration of this ordinance and the flood  
5 resistant construction requirements of the *Florida Building Code*, structures for which  
6 the “start of construction” commenced on or after September 28, 1973 and includes any  
7 subsequent improvements to such structures.

8  
9 **Nonconforming structure.** A building or structure legally constructed in accordance  
10 with the applicable building laws in effect at the time of construction that does not meet  
11 current building or flood hazard regulations. A structure can become “nonconforming”  
12 due to revisions to the building code or the flood hazard regulations or a revision to the  
13 Flood Insurance Rate Map that increases the base flood elevation.

14  
15 **Park trailer.** A transportable unit which has a body width not exceeding fourteen (14)  
16 feet and which is built on a single chassis and is designed to provide seasonal or  
17 temporary living quarters when connected to utilities necessary for operation of installed  
18 fixtures and appliances.

19  
20 **Recreational vehicle.** A vehicle, including a park trailer, which is:

- 21  
22 (1) Built on a single chassis;  
23 (2) Four hundred (400) square feet or less when measured at the largest horizontal  
24 projection;  
25 (3) Designed to be self-propelled or permanently towable by a light-duty truck; and  
26 (4) Designed primarily not for use as a permanent dwelling but as temporary living  
27 quarters for recreational, camping, travel, or seasonal use.

28  
29 **Sand dunes.** Naturally occurring accumulations of sand in ridges or mounds landward  
30 of the beach.

31  
32 **Special flood hazard area.** An area in the floodplain subject to a 1 percent or greater  
33 chance of flooding in any given year. Special flood hazard areas are shown on FIRMs  
34 as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

35  
36 **Start of construction.** The date of issuance of permits for new construction and  
37 substantial improvements, provided the actual start of construction, repair,  
38 reconstruction, rehabilitation, addition, placement, or other improvement is within 180  
39 days of the date of the issuance. The actual start of construction means either the first  
40 placement of permanent construction of a building (including a manufactured home) on  
41 a site, such as the pouring of slab or footings, the installation of pilings, the construction  
42 of columns. Permanent construction does not include land preparation (such as  
43 clearing, grading, or filling), the installation of streets or walkways, excavation for a  
44 basement, footings, piers, or foundations, the erection of temporary forms or the



1 installation of accessory buildings such as garages or sheds not occupied as dwelling  
2 units or not part of the main buildings. For a substantial improvement, the actual “start  
3 of construction” means the first alteration of any wall, ceiling, floor or other structural  
4 part of a building, whether or not that alteration affects the external dimensions of the  
5 building.

6  
7 **Substantial damage.** Damage of any origin sustained by a building or structure  
8 whereby the cost of restoring the building or structure to its before-damaged condition  
9 would equal or exceed 50 percent of the market value of the building or structure before  
10 the damage occurred.

11  
12 **Substantial improvement.** Any combination of repair, reconstruction, rehabilitation,  
13 addition, or other improvement of a building or structure taking place during a 10-year  
14 period, the cumulative cost of which equals or exceeds 50 percent of the market value  
15 of the building or structure before the improvement or repair is started. For each  
16 building or structure, the 10-year period begins on the date of the first improvement or  
17 repair of that building or structure subsequent to the effective date of this ordinance. If  
18 the structure has sustained "substantial damage," any repairs are considered  
19 substantial improvement regardless of the actual repair work performed. The term does  
20 not, however, include either:

21  
22 (1) Any project for improvement of a building required to correct existing health,  
23 sanitary, or safety code violations identified by the Escambia County Building Official  
24 and that are the minimum necessary to assure safe living conditions.

25 (2) Any alteration of a historic structure provided the alteration will not preclude the  
26 structure's continued designation as a historic structure.

27  
28 **Variance.** A grant of relief from the requirements of this ordinance, or the flood resistant  
29 construction requirements of the *Florida Building Code*, which permits construction in a  
30 manner that would not otherwise be permitted by this article or the *Florida Building*  
31 *Code*.

32  
33 **Watercourse.** A river, creek, stream, channel or other topographic feature in, on,  
34 through, or over which water flows at least periodically.

#### 35 36 **4-3.12 BUILDINGS AND STRUCTURES.**

37  
38 **(a)Design and construction of buildings, structures and facilities exempt from the**  
39 ***Florida Building Code*.** Pursuant to Section 4-3.5(c) of this article, buildings, structures,  
40 and facilities that are exempt from the *Florida Building Code*, including substantial  
41 improvement or repair of substantial damage of such buildings, structures and facilities,  
42 shall be designed and constructed in accordance with the flood load and flood resistant  
43 construction requirements of ASCE 24. Structures exempt from the *Florida Building Code*  
44 that are not walled and roofed buildings shall comply with the requirements of Section 4-  
45 3.18 of this article.

1  
2 **(b)Standards for buildings and structures within the jurisdiction of the SRIA.**

3  
4 (1) Buildings and structures shall be designed and constructed to comply with the  
5 more restrictive applicable requirements of the *Florida Building Code, Building*  
6 Section 3109 and Section 1612 or *Florida Building Code, Residential* Section R322,  
7 applicable to coastal high hazard areas.

8  
9 (2) Nonconforming buildings and structures shall not be extended, expanded, or  
10 enlarged unless the entire nonconforming structure is brought into conformance with  
11 the flood hazard area requirements of the *Florida Building Code* and this article.

12 (3) Minor structures and non-habitable major structures as defined in section 161.54,  
13 Fla. Stat. shall be designed and constructed to comply with the intent and applicable  
14 provisions of this article and ASCE 24.

15  
16 **4-3.13 SUBDIVISIONS.**

17  
18 **(a)Minimum requirements.** Subdivision proposals shall be reviewed to determine that:

19  
20 (1) Such proposals are consistent with the need to minimize flood damage and will  
21 be reasonably safe from flooding;

22 (2) All public utilities and facilities such as sewer, gas, electric, communications, and  
23 water systems are located and constructed to minimize or eliminate flood damage;  
24 and

25 (3) Adequate drainage is provided to reduce exposure to flood hazards and  
26 adequate drainage paths shall be provided to guide floodwaters around and away  
27 from existing and proposed structures.

28  
29 **(b)Subdivision plats.** The following shall be required for each subdivision plat:

30  
31 (1) Delineation of flood zones and design flood elevations, as appropriate, shall be  
32 shown on preliminary plats;

33 (2) Compliance with the site improvement and utilities requirements of Section 4-  
34 3.14 of this article.

35  
36 **4-3.14 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS.**

37  
38 **(a) Minimum requirements.** All proposed new development shall be reviewed to  
39 determine that:

40  
41 (1) Such proposals are consistent with the need to minimize flood damage and will  
42 be reasonably safe from flooding;

1 (2) All public utilities and facilities such as sewer, gas, electric, communications, and  
2 water systems are located and constructed to minimize or eliminate flood damage;  
3 and

4 (3) Adequate drainage is provided to reduce exposure to flood hazards and  
5 adequate drainage paths shall be provided to guide floodwaters around and away  
6 from existing and proposed structures.

7  
8 **(b)Sanitary sewage facilities.** All new and replacement sanitary sewage facilities  
9 (including all pumping stations and collector systems) shall be designed in accordance  
10 with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6,  
11 F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into  
12 the facilities and discharge from the facilities into flood waters, and impairment of the  
13 facilities and systems.

14 **(c)Water supply facilities.** All new and replacement water supply facilities shall be  
15 designed in accordance with ASCE 24 Chapter 7 to minimize or eliminate infiltration of  
16 floodwaters into the systems.

17  
18 **(d)Limitations on placement of fill.** Subject to the limitations of this ordinance, fill  
19 shall be designed to be stable under conditions of flooding including rapid rise and rapid  
20 drawdown of floodwaters, prolonged inundation, and protection against flood-related  
21 erosion and scour. Fill shall not be permitted to support buildings and structures.

22  
23 **(e)Limitations on site improvements.** Alteration of sand dunes and mangrove stands  
24 shall be permitted only if such alteration is approved by the Florida Department of  
25 Environmental Protection and only if the engineering analysis required by Section 4-  
26 3.6(b) of this article demonstrates that the proposed alteration will not increase the  
27 potential for flood damage. Construction or restoration of dunes under or around  
28 elevated buildings and structures shall comply with Section 4-3.18(e) of this article.

#### 29 30 **4-3.15 MANUFACTURED HOMES.**

31  
32 **Manufactured home prohibition.** Manufactured homes are not permitted within the  
33 jurisdiction of the SRIA.

#### 34 35 **4-3.16 RECREATIONAL VEHICLES AND PARK TRAILERS.**

36  
37 **(a)Temporary placement.** Recreational vehicles and park trailers placed temporarily  
38 shall:

39  
40 (1) Be on the site for fewer than 180 consecutive days; or

41 (2) Be fully licensed and ready for highway use, which means the recreational  
42 vehicle or park model is on wheels or jacking system, is attached to the site only by  
43 quick-disconnect type utilities and security devices, and has no permanent  
44 attachments such as additions, rooms, stairs, decks and porches.

1  
2 **(b)Permanent placement prohibited.** Permanent placement of recreational vehicles  
3 and park trailers is not permitted within the jurisdiction of the SRIA.

4  
5 **4-3.17 TANKS.**

6  
7 **(a)Underground tanks.** Underground tanks shall be anchored to prevent flotation,  
8 collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during  
9 conditions of the design flood, including the effects of buoyancy assuming the tank is  
10 empty.

11  
12 **(b)Above-ground tanks, not elevated.** Above-ground tanks that do not meet the  
13 elevation requirements of Article 2, Section 4-2.4 of the LDC shall not be permitted.

14  
15 **(c)Above-ground tanks, elevated.** Above-ground tanks shall be attached to and  
16 elevated to or above the design flood elevation on a supporting structure that is  
17 designed to prevent flotation, collapse or lateral movement during conditions of the  
18 design flood. Tank-supporting structures shall meet the foundation requirements for  
19 coastal high hazard areas.

20  
21 **(d)Tank inlets and vents.** Tank inlets, fill openings, outlets and vents shall be:

22  
23 (1) At or above the design flood elevation or fitted with covers designed to prevent  
24 the inflow of floodwater or outflow of the contents of the tanks during conditions of  
25 the design flood; and

26 (2) Anchored to prevent lateral movement resulting from hydrodynamic and  
27 hydrostatic loads, including the effects of buoyancy, during conditions of the design  
28 flood.

29  
30 **4-3.18 OTHER DEVELOPMENT.**

31  
32 **(a)General requirements for other development.** All development, including man-  
33 made changes to improved or unimproved real estate for which specific provisions are  
34 not specified in this article or the *Florida Building Code*, shall:

35  
36 (1) Be located and constructed to minimize flood damage;

37 (2) Be anchored to prevent flotation, collapse or lateral movement resulting from  
38 hydrostatic loads, including the effects of buoyancy, during conditions of the design  
39 flood;

40 (3) Be constructed of flood damage-resistant materials; and

41 (4) Have mechanical, plumbing, and electrical systems above the design flood  
42 elevation or meet the requirements of ASCE 24, except that minimum electric  
43 service required to address life safety and electric code requirements is permitted

1 below the design flood elevation provided it conforms to the provisions of the  
2 electrical part of building code for wet locations.

3  
4 **(b)Concrete slabs used as parking pads, enclosure floors, landings, decks,**  
5 **walkways, patios and similar nonstructural uses.** Concrete slabs used as parking  
6 pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses  
7 are permitted beneath or adjacent to buildings and structures provided the concrete  
8 slabs are designed and constructed to be:

9  
10 (1) Structurally independent of the foundation system of the building or structure;

11 (2) Frangible and not reinforced, so as to minimize debris during flooding that is  
12 capable of causing significant damage to any structure; and

13 (3) Have a maximum slab thickness of not more than four (4) inches.

14  
15 **(c)Decks and patios.** In addition to the requirements of the *Florida Building Code,*  
16 decks and patios shall be located, designed, and constructed in compliance with the  
17 following:

18  
19 (1) A deck that is structurally attached to a building or structure shall have the  
20 bottom of the lowest horizontal structural member at or above the design flood  
21 elevation and any supporting members that extend below the design flood elevation  
22 shall comply with the foundation requirements that apply to the building or structure,  
23 which shall be designed to accommodate any increased loads resulting from the  
24 attached deck.

25 (2) A deck or patio that is located below the design flood elevation shall be  
26 structurally independent from buildings or structures and their foundation systems,  
27 and shall be designed and constructed either to remain intact and in place during  
28 design flood conditions or to break apart into small pieces to minimize debris during  
29 flooding that is capable of causing structural damage to the building or structure or to  
30 adjacent buildings and structures.

31 (3) A deck or patio that has a vertical thickness of more than twelve (12) inches or  
32 that is constructed with more than the minimum amount of fill necessary for site  
33 drainage shall not be approved unless an analysis prepared by a qualified registered  
34 design professional demonstrates no harmful diversion of floodwaters or wave run-  
35 up and wave reflection that would increase damage to the building or structure or to  
36 adjacent buildings and structures.

37 (4) A deck or patio that has a vertical thickness of twelve (12) inches or less and that  
38 is at natural grade or on nonstructural fill material that is similar to and compatible  
39 with local soils and is the minimum amount necessary for site drainage may be  
40 approved without requiring analysis of the impact on diversion of floodwaters or  
41 wave run-up and wave reflection.

1 **(d)Other development.** Development activities other than buildings and structures  
2 shall be permitted only if also authorized by the appropriate federal, state or local  
3 authority; if located outside the footprint of, and not structurally attached to, buildings  
4 and structures; and if analyses prepared by qualified registered design professionals  
5 demonstrate no harmful diversion of floodwaters or wave run-up and wave reflection  
6 that would increase damage to adjacent buildings and structures. Such other  
7 development activities include but are not limited to:

8  
9 (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control  
10 structures; and

11 (2) Solid fences and privacy walls, and fences prone to trapping debris, unless  
12 designed and constructed to fail under flood conditions less than the design flood or  
13 otherwise function to avoid obstruction of floodwaters.

14  
15 **(e)Nonstructural fill.** In coastal high hazard areas:

16  
17 (1) Minor grading and the placement of minor quantities of nonstructural fill shall be  
18 permitted for landscaping and for drainage purposes under and around buildings.

19 (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five  
20 units horizontal shall be permitted only if an analysis prepared by a qualified  
21 registered design professional demonstrates no harmful diversion of floodwaters or  
22 wave run-up and wave reflection that would increase damage to adjacent buildings  
23 and structures.

24 (3) Where authorized by the Florida Department of Environmental Protection or  
25 applicable local approval, sand dune construction and restoration of sand dunes  
26 under or around elevated buildings are permitted without additional engineering  
27 analysis or certification of the diversion of floodwater or wave run-up and wave  
28 reflection if the scale and location of the dune work is consistent with local beach-  
29 dune morphology and the vertical clearance is maintained between the top of the  
30 sand dune and the lowest horizontal structural member of the building.

31  
32 **Section 2. Severability.**

33  
34 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
35 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way  
36 affect the validity of the remaining portions of this Ordinance.

37  
38 **Section 3. Inclusion in the Code.**

39  
40 It is the intention of the Board of County Commissioners that the provisions of this  
41 Ordinance shall be codified as required by Florida Statutes §125.68 (2014); and that the  
42 sections, subsections and other provisions of this Ordinance may be renumbered or re-  
43 lettered and the word "ordinance" may be changed to "section," "article," or such other  
44 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 DONE AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

6  
7 **BOARD OF COUNTY COMMISSIONERS**  
8 **ESCAMBAIA COUNTY, FLORIDA**

9  
10  
11  
12 By: \_\_\_\_\_  
13 Steven Barry, Chairman

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

18  
19  
20 By: \_\_\_\_\_  
21 Deputy Clerk

22  
23 (SEAL)

24  
25  
26 Enacted:

27  
28 Filed with Department of State:

29  
30 Effective:

31



**From:** [Michael Stebbins](#)  
**To:** [Allyson Cain](#); "Melody Bolster"  
**Cc:** [Michael Stebbins](#)  
**Subject:** Re: Formatted draft of floodplain Ordinance  
**Date:** Friday, August 14, 2015 2:07:21 PM  
**Attachments:** [Draft PB2.docx](#)  
[Table of content for chapter 4 Art 3 SRIA.docx](#)

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Allyson:

Thank you for redoing the formatting.

Mike

On Friday, August 14, 2015 1:48 PM, Allyson Cain <MACAIN@co.escambia.fl.us> wrote:

I have reviewed the floodplain ordinance for consistency with the current LDC format and have made changes(track changes) to the numbering. I have talked with Melody and she will be able to explain better than this email. But in a nutshell, everything under a major heading does not need a separate section number, so it became (a),(b),(c) ... I have included what will be the new table of content with this new format for you to follow.

If you do not like, let me know. Again, the content/context is the same, the majority of changes were to formatting. I will send to our legal if you agree. If you would like to call me, you can reach me at 595-3547.

*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/WEB22G5ZBFPMTB>



Please consider the environment before printing this e-mail. Think Green.

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## Article 3 Santa Rosa Island Authority (Existing SRIA Ordinance)

### Sec. 4-3.1 Floodplain management on Pensacola Beach under the control of the Santa Rosa Island Authority

~~(a) Statutory authorization.~~ The Legislature of the State of Florida has delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, Escambia County does hereby adopt the following floodplain management regulations by the Santa Rosa Island Authority.

#### ~~(b) Findings of fact.~~

~~(1) The flood hazard areas of Pensacola Beach—Santa Rosa Island Authority are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.~~

~~(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.~~

~~(c) Statement of purpose.~~ It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

~~(1) Protect human life, health, safety and welfare,~~

~~(2) Minimize expenditure of public money for costly flood control projects,~~

~~(3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public,~~

~~(4) Minimize prolonged business interruptions,~~

~~(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, roadways, bridges, and culverts located in floodplains,~~

~~(6) Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and~~

~~(7) Ensure that potential homebuyers are notified that property is in a flood hazard area.~~

~~(d) Methods of reducing flood losses.~~ In order to accomplish its purpose, this ordinance includes methods and provisions for:

- ~~(1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;~~
- ~~(2) Requiring that uses vulnerable to floods including facilities which serve such uses be protected against flood damage throughout their intended life span;~~
- ~~(3) Regulate the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;~~
- ~~(4) Regulate filling, grading, dredging, and other development which may increase flood damage, and~~
- ~~(5) Regulating the construction of flood barriers that will unnaturally divert flood waters or may increase flood hazards in other areas.~~

~~**Sec. 4-3.2. Definitions.** Unless specifically defined below, words or phrases used in this ordinance shall be interpreted as the meaning they have in common usage as applied to the ordinance. The Santa Rosa Island Authority is hereinafter referred to as S.R.I.A.~~

~~*Appurtenant structure (accessory structure)* means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Examples of accessory structures are detached garages, carports, storage sheds.~~

~~*Area of special flood hazard* is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The term "special flood hazard area", for purposes of these regulations, is synonymous with the phrase "area of special flood hazard".~~

~~*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year (also called the "regulatory flood").~~

~~*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or the supporting foundation system.~~

~~*Building*—See *Structure*.~~

~~*Certification* means a certification by a registered professional engineer or other party does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier's knowledge. Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood. Certification of "as built" conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.~~

~~*Coastal high hazard area* means, for floodplain management purposes, an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1—V30, VE, or V.~~

~~*Community* means any state or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, Alaska Native village or authorized native organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction.~~

~~*Critical facility* means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.~~

~~*Cross bracing* means an industry accepted form of diagonal timber bracing used on foundations under coastal homes.~~

~~*Development* means any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials or equipment.~~

~~*Elevated building* means a non-basement building built to have the lowest floor elevated above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Residential and nonresidential structures in AE zones must be constructed to meet VE zone standards.~~

~~*Existing construction* means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date (May 26, 1970). This term may also be referred to as "existing structures".~~

~~*Fifty-foot setback* is the line of jurisdiction established pursuant to the provisions of F.S. § 161.052, in which construct is prohibited within 50 feet of the line of mean high water at any riparian coastal location fronting the Gulf of Mexico or the Atlantic coast shoreline.~~

~~*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:~~

- ~~(1) The overflow of inland or tidal waters;~~
- ~~(2) The unusual and rapid accumulation or runoff of surface waters from any source.~~

~~*Flood elevation determination* means a determination by the administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.~~

~~*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an~~

examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood insurance rate map (FIRM)* means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

*Flood insurance study (FIS)* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

*Floodplain or floodprone area* means any land area susceptible to being inundated by water from any source (see definition of "flooding").

*Floodplain* means any land area susceptible to being inundated by water from any source (see definition of "flooding").

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations.

*Floodplain management regulations* means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power. This term describes federal, state or local regulations, in any combination thereof, which provide provisions for the purpose of flood damage prevention and reduction.

*Flood proofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Freeboard* means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

*Functionally dependent facility* means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

~~*General manager of the community* means the official of the community who is charged with the authority to implement and administer laws, ordinances and regulations for that community.~~

~~*Increased cost of compliance (ICG)* means the coverage by a standard flood insurance policy under the NFIP that provides for the payment of a claim for the cost to comply with the State of Florida and Pensacola Beach—Santa Rosa Island Authority floodplain management laws and ordinances after a direct physical loss by flood, when Pensacola Beach—Santa Rosa Island Authority declares the structure to be "substantially" or "repetitively" flood damaged. ICG coverage is provided for in every standard NFIP flood insurance policy, and will help pay for the cost to flood proof, relocate, elevate, or demolish the structure.~~

~~*Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the nonelevation design requirements of this ordinance.~~

~~*Map* means the flood hazard boundary map (FHBM) or the flood insurance rate map (FIRM) for a community.~~

~~*Mean sea level* means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.~~

~~*New construction* means, for floodplain management purposes, structures for which the start of construction commenced on or after May 26, 1970, the effective date of the initial adoption of a floodplain management regulation and includes any subsequent improvements to such structures.~~

~~*Participating community*, also known as an *eligible community*, means a community in which FEMA has authorized the sale of flood insurance.~~

~~*Pool equipment* means any electrically powered equipment (pool pumps and accessories) servicing the pool, excluding pool heaters.~~

~~*Primary frontal dune* means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.~~

~~*Program deficiency* means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the standards in §§ 60.3, 60.4, 60.5, or 60.6 [sic].~~

~~*Recreational vehicle* means a vehicle which is:~~

- ~~(1) Built on a single chassis;~~
- ~~(2) Four hundred square feet or less when measured at the largest horizontal projection;~~
- ~~(3) Designed to be self-propelled or permanently towable by a light duty truck; and~~
- ~~(4) Designed primarily not for use as a permanent dwelling, but may be allowed when the single family residence on the leasehold has been rendered unfit for human habitation and can only be occupied by the owner/leaseholder.~~

~~*Remedy a violation* means to bring the structure or other development into compliance with safe or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.~~

~~*Repetitive loss* means flood related damages sustained by a structure on two separate occasions during a ten-year period ending on the date of the event for which the second claim is made, for which the cost of repairs at the time of each such flood event, on the average, equaled or exceeded 25 percent of the market value of the structure before the damages occurred.~~

~~*Sand dunes* mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.~~

~~*Special flood hazard area (SFHA)* means an area having special flood hazard and shown on an FHBM or FIRM as Zones AE and VE. (See also "Area of special flood hazard".)~~

~~*Start of construction* (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.~~

~~*Structure* means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.~~

~~*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.~~

~~*Substantial improvement* means any reconstruction, rehabilitation, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. Nonconforming structures may not be extended, expanded or enlarged. The term includes structures that have incurred substantial damage, regardless of the actual work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.~~

~~*Thirty-year erosion projection* is the projection of long term shoreline recession occurring over a period of 30 years based on shoreline change rate information obtained from historical measurements.~~

~~*Thirty-year setback* means a distance equal to 30 times the average annual long term recession rate at a site, measured from the reference feature.~~

~~*VE Zone*—See *Coastal high hazard area*.~~

~~*Variance* means a grant of relief by the board of adjustments from the requirements of this ordinance.~~

~~*Violation* means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.~~

~~*Water surface elevation* means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.~~

~~*Zone of imminent collapse* means an area subject to erosion adjacent to the shoreline of an ocean, bay, or lake and within a distance equal to ten feet plus five times the average annual long-term erosion rate for the site, measured from the reference feature.~~



### **Sec. 4-3.3 General provisions**

- (a) ~~Lands to which this ordinance applies.~~** This ordinance shall apply to all areas of special flood hazard within the jurisdiction of Pensacola Beach—Santa Rosa Island Authority, Florida.
- (b) ~~Basis for establishing the areas of special flood hazards.~~** The areas of special flood hazard identified by FEMA Flood Insurance Study (FIS) for Escambia County, Florida, dated February 23, 2000, with the accompanying maps (Flood Insurance Rate Map (FIRM) #12033C0000 Index (Revised: July 17, 2002) (Community Panel Numbers 125138 557, 558, 559, 577, 578, 579, 581) (Revised: February 23, 2000) specific Flood Insurance Rate Map panels applicable for the community) and other supporting data, and any subsequent revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance.
- (c) ~~Designation of flood damage prevention ordinance administrator.~~** The Santa Rosa Island Authority of Pensacola Beach hereby appoints the general manager or his designee to administer and implement the provisions of this ordinance, and is hereinafter referred to as the floodplain management administrator, or the floodplain administrator.
- (d) ~~Establishment of development permit.~~** A development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in conformance with the provisions of this ordinance.
- (e) ~~Compliance.~~** No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the requirements of this ordinance, the SRIA lease agreement and other applicable laws and regulations.
- (f) ~~Abrogation and greater restrictions.~~** This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (g) ~~Interpretation.~~** In the interpretation and application of this ordinance all provisions shall be:
- a.** ~~Considered as minimum requirements;~~
  - b.** ~~Deemed neither to limit nor repeal any other powers granted under state statutes.~~
- (h) ~~Warning and disclaimer of liability.~~** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages.

~~This ordinance shall not create liability on the part of the Santa Rosa Island Authority of Pensacola Beach or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.~~

#### **Sec. 4-3.4 Administration.**

~~(a) **Permit procedures.** A development permit application shall be submitted the SRIA and Escambia County, prior to undertaking any development activities, to the SRIA administrator and Escambia County building floodplain management administrator on forms furnished by him or her, and must include, but not be limited to, the following: plans in triplicate drawn to scale showing the nature, location, dimensions, and elevations of the area under consideration for development; existing structure(s) and other features; proposed structure(s), existing and proposed infrastructure, earthen fill, storage of materials or equipment, drainage facilities, perimeter setbacks, environmental features such as base floodplain areas, wetlands, coastal barrier resource system areas (as established by the U.S. Department of Interior, Fish and Wildlife Service) the coastal construction control line as established by the Florida Department of Environmental Protection (see section 13.05.01.C.1., Plot plan) and other protected areas; and the location of the foregoing. Specifically, the following information, but may not be limited to, certified by a professional who is authorized to certify such information in the state, is required:~~

~~(1) **Application stage:**~~

- ~~a. — Elevations of the area of development in relation to NGVD (such as a contour map) for both existing and proposed development;~~
- ~~b. — Elevation in relation to NGVD of the lowest floors of all proposed structures;~~
- ~~c. — Elevation in relation to NGVD to which any nonresidential structure will be floodproofed;~~
- ~~d. — Floodproofing certificate, meeting the floodproofing criteria. Elevation, in relation to NGVD, of the bottom of the lowest horizontal structural member in AE and VE zones;~~
- ~~e. — FEMA elevation certificate (most current version);~~
- ~~f. — Existing and proposed infrastructure; and~~
- ~~g. — Description of the extent to which any watercourse will be altered or relocated as result of proposed development.~~

~~(2) **Construction stage:**~~

- ~~a. — Upon placement of the lowest floor, or floodproofing by whatever construction means, it shall be the duty of the permit holder to submit to the floodplain management administrator a FEMA elevation certificate of the elevation of the lowest floor or floodproofed elevation (as built), in relation to NGVD. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer who is authorized to certify such information in~~

~~the state, and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk.~~

~~b. The floodplain management administrator shall review the lowest floor elevation and floodproofing certificate. Should these documents be found not in conformance with the requirements of this ordinance, the permit holder shall immediately cease further work, and shall correct any deficiencies. Failure of the permit holder to submit the surveyed lowest floor elevation and floodproofing certificate, and failure to correct said deficiencies required hereby, shall be the cause to issue a stop-work order for the project.~~

~~**(b) Duties and responsibilities of the floodplain administrator.** Duties of the administrator shall include, but are not be limited to the following:~~

- ~~(1) Review all development permits to assure that the requirements of this ordinance have been fully met;~~
- ~~(2) Review proposed development to assure that all necessary permits have been obtained from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act, as amended, or by wide area agencies, prior to issuing a development permit. Such documentation is to be maintained on file with the development permit;~~
- ~~(3) Review and verify the VE zone certifications for new and substantially improved structures in coastal high hazard areas;~~
- ~~(4) Review certified plans and specifications for compliance with the requirements of this ordinance;~~
- ~~(5) Verify and record the actual elevation (in relation to NGVDI) of the lowest floor of all new and substantially improved residential structures, in accordance with section 13.20.08;~~
- ~~(6) Verify and record the actual elevation (in relation to NGVD) to which the new and substantially improved nonresidential structures in AE zones have been floodproofed, in accordance with section 13.20.08;~~
- ~~(7) Where community officials determine a structure has been substantially damaged, assure market value estimates are reasonably accurate and that the cost estimate reasonably reflects the actual costs to fully repair the damage, make any other improvements to the structure, and notify the owner of the community's determination. The local permit official may require that the permit applicant or owner of the building supply the information necessary (e.g., appraisals, construction costs estimates, elevation certificate, etc.) to make the determination;~~
- ~~(8) Interpret the exact location of boundaries of the areas of special flood hazard. When there appears to be a conflict between a mapped boundary and actual field conditions, the floodplain management administrator shall make the necessary interpretation. The person contesting the location of the boundary~~

shall be given a reasonable opportunity to appeal the interpretation as provided for in this ordinance;

- ~~(9) — Coordinate with planning, zoning, and public works and other departments in Escambia County, Florida, the Santa Rosa Island Authority, to assure that the requirements of this ordinance are fully met;~~
- ~~(10) — Participate actively in evaluating variance requests and provide input and recommendations in variance hearings/proceedings;~~
- ~~(11) — Coordinate all revision or amendment requests to the FIS and/or FIRM or both, with the requester, state, and FEMA, as well as the changes to the Pensacola Beach—Santa Rosa Island Authority jurisdictional limits with the state and FEMA; and~~
- ~~(12) — Requirement to submit new technical data.~~

~~The Santa Rosa Island Authority's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Santa Rosa Island Authority shall notify FEMA of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.~~

#### **Sec. 4-3.5 Standards for flood hazard reduction.**

**(a) General standards.** In all areas of special flood hazard, determined by FEMA, the following provisions shall apply:

- ~~(1) — Submit adequate documentation along with permit application for proposed construction or other development, including the placement of fill and manufactured homes, so that a determination may be made whether or not such construction or other development is proposed within floodprone areas.~~
- ~~(2) — New construction, substantial improvements, and other development proposals shall assure that all necessary permits have been obtained from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act, as amended, or by wide area agencies.~~
- ~~(3) — All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.~~
- ~~(4) — All new construction and substantial improvements shall be constructed with materials and utility elements resistant to flood damage.~~
- ~~(5) — All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.~~

- ~~(6) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~
- ~~(7) Subdivision proposals and other proposed new development shall be assured that they will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a floodprone area, any such proposals shall assure that:
  - ~~a. All such proposals are consistent with the need to minimize flood damage within the floodprone area;~~
  - ~~b. All public utilities and facilities, such as sewer, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and~~
  - ~~c. Adequate drainage is provided to reduce exposure to flood hazards.~~~~
- ~~(8) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems.~~
- ~~(9) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.~~
- ~~(10) New construction and substantial improvements, when located in multiple flood zones with varying base flood elevations or in same flood zone with multiple base flood elevations shall meet the requirements for the flood zone with the most stringent requirements and the highest base flood elevation.~~
- ~~(11) Cross bracing is NOT permitted except above BFE and perpendicular to the shoreline on a structure that has no breakaway walls. Cross bracing may not be used as part of the structural calculations to meet the required design criteria.~~
- ~~(12) All pool equipment must be strapped down or elevated above BFE to prevent floatation during a storm.~~

**(b) Specific standards for AE zones** In all areas of special flood hazard where base flood elevation data have been provided, the following provisions shall apply:

- ~~(1) *Residential structures.* All new construction or substantial improvements of residential structures in Zones AE shall be elevated on pilings so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings) is elevated to at least three feet above the base flood elevation.~~
- ~~(2) *Nonresidential structures.* All newly constructed or substantially improved nonresidential structures shall be elevated so that the bottom of the lowest~~

horizontal structural member of the lowest floor (excluding the pilings) is elevated to at least three feet above the base flood elevation. Nonresidential structures may not be floodproofed in lieu of being elevated.

- ~~(3) — *Elevated structures.* Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:~~
- ~~(a) — Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and~~
  - ~~(b) — The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.~~
- ~~(1) — Designs for meeting this requirement must either be certified by a professional engineer or architect, who is authorized to such information in the state, or meet or exceed the following minimum criteria.~~
- ~~(2) — A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided:~~
- ~~a. — The bottom of all openings shall be no higher than one foot above grade; and~~
  - ~~b. — Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they result in the minimum required net area of the openings and permit the automatic entry and exit of floodwaters.~~
- ~~(6) — Access to the enclosed area shall be minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).~~
- ~~(7) — The interior portion of such enclosed areas shall not be partitioned, finished, or temperature controlled.~~

~~(8) — Where elevation requirements exceed six feet above the highest adjacent grade, a copy of the lease amendment restriction prohibiting the conversion of the area below the lowest floor to a use or dimension contrary to the building's originally approved design, shall be presented as a condition of issuance of the final certificate of occupancy.~~

~~(9) — All recreational vehicles placed on sites must either:~~

~~a. — Be on the site for fewer than 180 consecutive days;~~

~~b. — Meet the requirements for new construction, including anchoring.~~

~~c. — A recreational vehicle must be ready for highway use if it is on its wheels or jack system, is attached to the site only by quick disconnect type utility and security devices, and has no permanently attached additions.~~

~~c. — **Coastal high hazard area (Zone VE)** Located within areas of special flood hazard areas established in section 13.20.06.B. are coastal high hazard areas, designated as Zone VE. These areas have special flood hazards associated with high velocity waters from hurricane surges and, therefore, the following provisions shall apply:~~

~~(1) — All new construction and substantial improvements in Zone VE shall be elevated on pilings so that:~~

~~a. — The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings) is elevated to at least three feet above the base flood elevation; and~~

~~b. — The pile foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards. A registered professional engineer or architect, who is authorized to certify such information by the state, shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this section.~~

~~c. — Obtain the elevation (in relation to NGVD) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings) of all new and substantially improved structures. The floodplain administrator shall maintain a record of all such information.~~

~~d. — All new construction shall be located landward of the reach of mean high tide.~~

~~e. — Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice work, or insect~~

~~screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this Section, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:~~

~~1. Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and~~

~~2. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.~~

~~f. The enclosed space below the lowest floor shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be partitioned into multiple rooms, finished, temperature controlled, or used for human habitation.~~

~~g. The use of fill for structural support of buildings is prohibited. Development involving fill in coastal high hazard area shall not be permitted unless it has been demonstrated through appropriate engineering analyses that the subject fill does not cause any adverse impacts to the structure on site or adjacent structures due to wave ramping or deflection.~~

~~h. Prohibit man-made alteration of sand dunes that would increase potential flood damage.~~

~~i. Recreational vehicles placed on sites shall be in conformance with the requirements of section 13.20.08.B.9.~~

**(d) Critical facilities.** ~~Critical facilities constructed within the SFHA shall have the lowest floor elevated to at least three feet above the base flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the maximum extent possible.~~



### **Sec 4-3.6 Variances**

~~(a) Variances of this floodplain ordinance.~~ The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the floodplain management administrator in the enforcement or administration of this ordinance.

~~(b) Considerations in granting variance requests.~~ In acting upon such applications, the {appointed board} shall consider all technical evaluations, all relevant factors, provisions specified in other sections of this ordinance, and:

- ~~(1) The danger that materials may be swept onto other lands to the injury of others;~~
- ~~(2) The danger of life and property due to flooding or erosion damage;~~
- ~~(3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;~~
- ~~(4) The importance of the services provided by the proposed facility to the community;~~
- ~~(5) The necessity to the facility of a waterfront location, where applicable;~~
- ~~(6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;~~
- ~~(7) The compatibility of the proposed use with existing and anticipated development;~~
- ~~(8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;~~
- ~~(9) The safety of access to the property in times of flood for ordinary and emergency vehicles;~~
- ~~(10) The expected heights, velocity, duration, rate of rise, and sediment of transport of the floodwaters and the effects of wave action, if applicable, expected at the site;~~
- ~~(11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges; and~~
- ~~(12) The request for variance is not an after-the-fact request.~~

~~(c) Conditions for variances.~~

- ~~(1) Variances may only be issued when there is:
  - ~~a. A showing of good and sufficient cause;~~
  - ~~b. A determination that failure to grant the variance would result in exceptional hardship; and~~~~

- ~~c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~
- ~~d. That the exceptional hardship referred to in criteria above applies to the physical characteristics of the property in question, not to economic or other personal hardships of the owner or inhabitants of the structure.~~

- ~~(2) Variances may only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this ordinance.~~
- ~~(3) Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
  - ~~(a) The criteria of paragraphs a through c. of section 13.20.09.C.1. are met; and~~
  - ~~(b) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.~~~~

~~(d) **Variance notification.** Any applicant to whom a variance is granted shall be notified in writing over the signature of the community official that:~~

- ~~(1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage; and~~
- ~~(2) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the floodplain management administrator in the office of the community recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.~~
- ~~(3) The floodplain management administrator shall maintain a record of all variance actions, including justification for their issuance or denial, and report such variances issued in its annual biennial report submitted to FEMA.~~

~~(e) **Special conditions.** Upon consideration of the factors listed in section 13.20.09, and the purposes of this ordinance, the Santa Rosa Island Authority may attach such conditions to the granting of variances, as it deems necessary to further the purposes of this ordinance.~~



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

**Planning Board-Regular**

**4. E.**

**Meeting Date:** 09/01/2015

**Issue:** SSA-2015-06 A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map

**From:** Horace Jones, Director

**Organization:** Development Services

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**RECOMMENDATION:**

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.

**BACKGROUND:**

The applicant request to amend the 2030 Future Land Use Map of a parcel within Section 39, Township 1S, Range 31W, parcel number 39-1S-31-4305-000-000 totaling 4.62 (+/-) acres, located on Saufley Field Road from Commercial (C) to Mixed-Use Urban (MU-U).

**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**

[Application Packet](#)

[Legal Review](#)

[Draft Ordinance](#)

[Exhibit A Boundary Survey](#)

[Staff Analysis](#)

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**SSA-2015-06**

**Escambia County, Florida**  
**Future Land Use Map Amendment Request**  
**4536 Saufley Field Road**  
**Parcel ID # 39-1S-31-4305-000-000**

**Introduction**

This document is a written request for a Future Land Use Map (FLUM) Amendment of Parcel Number 39-1S-31-4305-000-000. The Parcel is currently "Split" zoned with the southern half having direct access to Saufley Field Road zoned Commercial (C), and the northern half zoned High Density Mixed Use (HDMU). The FLUM shows the entire 4.62 acres being zoned Commercial. The request is to Amend the FLUM for the entire Parcel to be zoned **MU-U**

**General Property Information**

Property Address: 4536 Saufley Field Road  
Parcel Number: 39-1S-31-4305-000-000  
Parcel Size: 4.62 acres  
Intended Use: Residential Subdivision  
Property Owner: 7729 Equities LLC  
6622 E. Broad STE A  
Douglasville, GA 30134  
Property Developer: D.R. Horton  
25366 Profit Drive  
Daphne, Alabama 36526  
Legal Description: Warranty Deed Enclosed  
Current Zoning: 1/2 Commercial  
1/2 HDMU  
Current FLUM: Commercial  
Requested FLUM: MU-U (HDMU)  
Vicinity Map: **Appendix A**

The Applicant is proposing to construct Townhomes on the Parcel for Fee-Simple Ownership. The Townhomes will be constructed in clusters with up to six homes per structure and up to 8 structures on the site. The final number of homes will be dictated by the final layout and infrastructure requirements. It is anticipated that the maximum number of units possible will be 50 for a maximum density of 10.8 units per acre. The FLU Category MU-U allows for a HDMU Zoning District with a maximum density of 25 dwelling units per acre.

Properties adjacent to this Parcel along Saufley Field Road currently have similar "split" zoning and FLUM zoning of Commercial. Parcels to the north and west are currently zoned HDMU with properties to the east, towards Hwy. 90, zoned Commercial. Current and Future zoning maps are included in Appendix B of this report. Based on the surrounding property information, the proposed FLUM Amendment is considered compatible with adjacent land uses.

NPECI survey by  
Aug. 12th  
1d for ASAP

ESCAMBIA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
3363 West Park Place, Pensacola, FL 32505 (850) 595-3475

FUTURE LAND USE MAP AMENDMENT APPLICATION

(THIS SECTION FOR OFFICE USE ONLY):

TYPE OF REQUEST: SMALL SCALE FLU AMENDMENT   J    
LARGE SCALE FLU AMENDMENT           

Current FLU: C Desired FLU: M4-R zoning <sup>split zoning</sup> Taken by: H. Jones and Snow

Planning Board Public Hearing, date(s): sep 1, 2015 <sup>HOM/COM</sup>

BCC Public Hearing, proposed date(s): 10-8-2015

Fees Paid                            Receipt #                            Date:                           

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

Name: 7729 Equities, LLC

Address: 6622 E BROAD STE A

City: Douglasville State: GA Zip Code: 30134

Telephone: (404) 386-0901

Email: gkingston99@comcast.net

DESCRIPTION OF PROPERTY:

Street address: 4536 Sufley Field Road  
Pensacola, FL 32526

Subdivision: N/A

Property reference number: Section 39 Township 1 Range 31  
39-13-31-4305-000-000  
Parcel                            Lot                            Block                           

Size of Property (acres) 4.62



AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION FOR  
FUTURE LAND USE CHANGE REQUEST

By my signature, I hereby certify that:

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

George Kingston Signature (Property Owner)      GEORGE KINGSTON Printed Name      6/12/2015 Date

Thomas E. Granger Signature (Agent's Name (or owner if representing oneself))      THOMAS E. GRANGER Printed Name      7/27/2015 Date

Address: 6622 E Road Ste A

City: Douglasville State: GA Zip: 30134

Telephone (404) 386-0901 Fax# ( ) \_\_\_\_\_

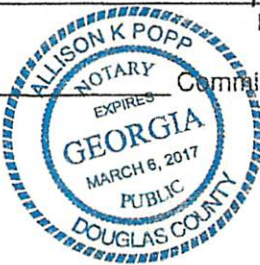
Email: gkingston99@comcast.net

STATE OF Georgia  
COUNTY OF Douglas

The forgoing instrument was acknowledged before me this 12 day of June, year of 2015 by George Kingston who ( ) did ( ) did not take an oath. He/she is (  ) personally known to me, ( ) produced current Florida/Other driver's license, and/or ( ) produced current \_\_\_\_\_ as identification.

Allison Kate Popp Signature of Notary Public      6-12-15 Date      Allison Kate Popp Printed Name of Notary

My Commission Expires \_\_\_\_\_ Commission No. \_\_\_\_\_  
(Notary seal must be affixed)





AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at 4536 Sawfley Field Rd,  
Pensacola, Florida, Property Reference Number(s) 3915314305000000

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

This Limited Power of Attorney is granted on this 12 day of JUNE, the year of 2015, and is effective until the Board of County Commissioners has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Planning and Engineering Department.

<u>George Kingston</u>	<u>6/12/2015</u>	<u>GEORGE KINGSTON</u>
Signature of Property Owner	Date	Printed Name of Property Owner
<u>Thomas E. Granger</u>	<u>7/27/2015</u>	<u>THOMAS E. GRANGER</u>
Signature of Agent	Date	Printed Name of Agent

STATE OF Georgia  
COUNTY OF Douglas

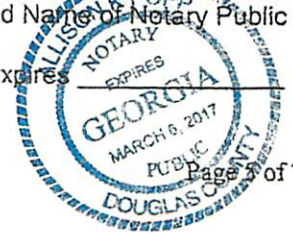
The foregoing instrument was acknowledged before me this 12 day of June, year of 2015, by George Kingston who ( ) did ( ) did not take an oath.

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

<u>Allison Kate Popp</u>	<u>6-12-15</u>	<u>Allison Kate Popp</u>
Signature of Notary Public	Date	Printed Name of Notary Public

Commission Number \_\_\_\_\_ My Commission Expires \_\_\_\_\_

(Notary seal must be affixed)



ESCAMBIA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
3363 West Park Place, Pensacola, FL 32505 (850) 595-3475

**FUTURE LAND USE MAP AMENDMENT APPLICATION  
CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Project name:

Sawflly Field Townhomes

Property reference #: Section 39 Township 1 Range 31

Parcel # 391531430500000

Project Address:

4536 Sawflly Field Rd Pensacola, FL 36526

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 12<sup>th</sup> DAY OF June, 2015

George Kingston  
Owner's signature

GEORGE KINGSTON  
Owner's name (print)

Thomas E. Granger  
Agent's signature

THOMAS E. GRANGER  
Agent's name (print)



Prepared by and return to:  
Shannon L. Widman  
Attorney at Law  
Forath & Associates, P.A.  
600 Grand Boulevard Suite 205  
Destin, FL 32550  
850-622-0102  
File Number: 09-186  
Parcel Identification No.

[Space Above This Line For Recording Date]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 27th day of July, 2009 between See Level Properties, LLC, a Florida limited liability company whose post office address is 12 Sanderlin Estates, Miramar Beach, FL 32550 of the County of Walton, State of Florida, grantor\*, and 7729 Equities, LLC, a Florida limited liability company whose post office address is 6622 East Broad Street, Suite A, Douglasville, GA 30134 of the County of Douglas, State of Georgia, grantee\*.

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida, to-wit:

Parcel #1: Begin at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 39, Township 1 South, Range 31 West, Escambia County, Florida; thence run West along the South line of said Section 39 a distance of 495 feet for a Point of Beginning; thence continue same course a distance of 82 1/2 feet; thence run North 215 feet; thence run West 82 1/2 feet; thence run South 215 feet to the South line of said Section 39; thence run West 25 feet; thence run North 660 feet; thence run East 190 feet; thence run South 660 feet to the Point of Beginning. LESS right of way for Sausley Field Road. Parcel #2: The West 82 1/2 feet of the East 660 feet of the South 215 feet of the Southwest Quarter of the Southeast Quarter and the West 140 feet of the East 825 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter, less the West 20 feet of the East 40 feet of the South 165 feet, Section 39, Township 1 South, Range 31 West, Escambia County, Florida. LESS right of way for Sausley Field Road. Parcel #3: The West 20 feet of the South 165 feet of the East 725 feet of the Southwest Quarter of the Southeast Quarter of Section 39, Township 1 South, Range 31 West, Escambia County, Florida. LESS right of way for Sausley Field Road

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.


Subject to taxes for the current year and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

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

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.


Signed, sealed and delivered in our presence:

  
Witness Name: Steve L. Smith

See Level Properties, LLC, a Florida limited liability company

By:   
Jack J. Welborn, Jr., Membership Manager

(Corporate Seal)

  
Witness Name: Shannon L. Widman

State of Florida  
County of Walton

The foregoing instrument was acknowledged before me this 27th day of July, 2009 by Jack J. Wellborn, Jr., Member/Manager of See Level Properties, LLC, a Florida limited liability company, on behalf of the corporation. He [X] is personally known to me or [ ] has produced \_\_\_\_\_ as identification.

Nicole L. Smith  
Notary Public

[Notary Seal]



Printed Name: Nicole L. Smith

My Commission Expires: September 8, 2012

Street Address: 4536 Saufley Field Road  
Property Reference: 39-1S-31-4309-000-000  
Boundary Survey: Pending  
Total Acreage: 4.62  
Acreage Requested To Amend: 2.31+/-

Parcel #1: Begin at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 39, Township 1 South, Range 31 West, Escambia County, Florida; thence run West along the South line of said Section 39 a distance of 495 feet for a Point of Beginning; thence continue same course a distance of 82 ½ feet; thence run North 215 feet; thence run West 82 ½ feet; thence run South 215 feet to the South line of said Section 39; thence run West 25 feet; thence run North 660 feet; thence run East 190 feet; thence run South 660 feet to the Point of Beginning. LESS right of way for Saufley Field Road.

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Parcel #3: The West 20 feet of the South 165 feet of the East 725 feet of the Southwest Quarter of the Southeast Quarter of Section 39, Township 1 South, Range 31 West, Escambia County, Florida. LESS right of way for Saufley Field Road.

## Data and Analysis

The FLU map Amendment Request will result in a conversion of 2.31 acres from Proposed Commercial to MU-U. The effect of such a small land conversion is anticipated to have little adverse impact on existing infrastructure, traffic, etc.. The existing infrastructure is available to handle this Amendment.

ITEM	ANALYSIS
SANITARY SEWER	The Emerald Coast Utilities Authority has the existing facilities is capable of providing sanitary Sewer service to this proposed Development. A letter of concurrency from ECUA is provided in Appendix C.
SOLID WASTE DISPOSAL	The Emerald Coast Utilities Authority is capable of providing garbage collection service to this Development.
POTABLE WATER	The Emerald Coast Utilities Authority provides Potable Water in this Area. A pressure test was conducted on fire hydrants adjacent to the Parcel. Static and Residual Readings were recorded at Hydrant #2265 with Hydrant #2588 Flowing. These hydrants carry potable water and are located across from the Parcel. Original Static Pressure recorded 75 psi. The Residual pressure recorded 65 psi. The pressure flowing at the 2 1/2" nozzle recorded 50 psi. The calculated flow rate equals 1,190 gpm. The after test static pressure was recorded at 78 psi. A letter of concurrency from ECUA is provided in Appendix C.
STORMWATER MANAGEMENT	As noted during the Pre-Application Review, positive outfall from the Parcel for storm water will need further investigation. The topographic survey of the Parcel as well as the ROW along Saufley Field Road will determine if a positive Outfall for storm water release is possible. The Applicant will comply with all storm water regulations once the topographic survey determines the conditions.
TRAFFIC	The Pre-Application Review dictated that a Right turn lane for westbound traffic will be required for this proposed development and a left turn lane may be required following a traffic study. The Applicant proposes to construct the required right turn lane as noted, and agrees to re-stripe the existing center turn lane on Saufley Field Road for a designated left turn lane in the vicinity of the entrance to the Development.
RECREATIONAL AND OPEN SPACE	The proposed FLUM Amendment will not result in exceeding the capacity of existing County Recreational Facilities. Existing Commercial facilities including Publix and Winn Dixie Shopping Centers, CVS and Walgreen's Drug Stores, and various restaurant, banking, car repair establishments are located within walking distance to this Parcel. There are six Churches located within 1 mile of this Parcel.
SCHOOLS	According the School District of Escambia County, the FLUM Amendment and the potential addition of up to 50 single family homes meets the level of service requirements of the Florida Statutes. A copy of the School District's "Level of Service Determination Letter" is included in Appendix D.



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**Environmental, Historical, and Archeological Impacts**

Environmental impacts to the property will be minimal with the FLUM Amendment. The 4.62 acre Parcel was Evaluated by Alpha Environmental Management Corporation (ALPHA). Their analysis indicated that wetlands are not present on the Property. A copy of the full report prepared by ALPHA is included in Appendix E.

The site is undeveloped and is heavily wooded. The size and location of the Parcel would indicate there is little chance of the presence of Threatened or Endangered Species. Any Heritage Trees will be identified during the Boundary and Topographic Survey Phase.

The University of West Florida Department of Archeology performed an analysis regarding the historical significance of the Subject Parcel and found no evidence of historic features on or near the Property. A copy of the Analysis performed by UWF is included in Appendix F.

**Consistency with the Comprehensive Plan**

The following demonstrates that the proposed FLUM Amendment is consistent with the Escambia County Comprehensive Plan. Applicable sections from the Comprehensive Plan have been included with the responses following each section.

**Goal CMS 1 Concurrency Management System: Escambia County will adopt a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. The Concurrency Management System will be determined by the provisions of the LDC.**

**Response:** The Property and proposed Development is located within an Urban/Suburban area and Residential Development will not negatively impact or degrade the level of service of existing infrastructure. The Applicant agrees to develop the Property in accordance with the requirements of the Escambia County Land Development Code. Concurrency from ECUA and the Escambia County School Board indicate there is available capacity (each) for the proposed Land Use.

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

**OBJ FLU 1.5.2: Compact Development and Maximum Densities and Intensities- to ensure developments are designed to be compact and to accommodate travel mode choice, especially for short, local trips, the County will require minimum densities in the Mixed-Use-**

**Suburban Future Land Use category and encourage the maximum densities and Intensities in the Mixed Use-Urban Future Land Use category.**

**RESPONSE:** The Future Land Use Map Amendment request for the Property is Mixed-Use Urban(MU-U). All Properties adjacent to the North as well just to the west, have the MU-U designation on the FLUM. The Properties immediately to the east are primarily designated as Commercial. Compact Development suits this Parcel as it fits with the surrounding Parcel designations of MU-U and Commercial. The Property is located within walking distance of two shopping Centers including Publix and Winn Dixie as well as two National Chain Drug Stores including CVS and Walgreen's. The schools are in close proximity, (Bellview Middle is located adjacent to this Parcel) and there are six churches less than 1 mile from the subject Property, encouraging pedestrian mode of travel.

**Chapter 10: Infrastructure Element- The purpose of the Infrastructure Element is to provide guidance in the provision of services necessary to accommodate existing and future development in a way that is environmentally sensitive, efficient, and cost-effective. Included within this Element are goals, objectives and policies regarding potable water provision, wastewater treatment, solid waste disposal, storm water management and aquifer protection. The adequate provision of these services is intended to promote orderly growth within areas best suited to accommodate development, protect sensitive natural resource systems and rural and agricultural areas, and preserve the public health, safety, and general welfare of Escambia County's citizens.**

**RESPONSE:** The subject Property is located within the Emerald Coast Utilities Authority Service jurisdiction. The proposed FLUM Amendment for this Parcel meets the goals objectives and policies regarding potable water, wastewater, solid waste, storm water management, traffic, schools, and aquifer protection.

**OBJ CON 1.3: Surface Water Resources-Protect and improve the quality, biological health, and natural function of all surface water systems to preserve their ecological and aesthetic values.**

**Con 1.3.1: Storm Water Management- Escambia County shall protect surface water quality by implementing the stormwater management policies of the Infrastructure Element to improve existing stormwater management systems and ensure the provision of stormwater management facilities concurrent with the demand for such facilities.**

**RESPONSE:** The stormwater management facilities will be designed in accordance with all applicable regulatory applications for managing quality and quantity of stormwater from the proposed development.



**OBJ CON 1.4: Wellhead Protection- Escambia County will provide comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions will establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.**

**RESPONSE:** The subject Parcel is located in an area which is heavily developed with neighboring properties being primarily Commercial and residential. No wellheads are located on the subject property. No wellhead impacts are anticipated.



Vicinity Map  
4536 Saufley Field Road  
Parcel ID 39-1S-31-4305-000-000





P.O. Box 15311 • 9255 Sturdevant Street  
Pensacola, Florida 32514-0311  
ph: 850 476-5110 • fax: 850 969-3308

August 5, 2015

Mr. Thomas E. Granger, P.E.  
Sawgrass Consulting, LLC  
5535 Business Parkway  
Theodore, Alabama 36582

Re: **Letter of Capacity Reservation**  
**4536 Saufley Field Road**

Dear Mr. Granger:

In response to your inquiry concerning availability of water and sewer services for the above referenced project, ECUA anticipates no problems in water supply or sewage treatment plant capacity. Our review indicates this project will not degrade ECUA's water and sewer systems to a degree which would cause these systems to fail to meet the adopted levels of service as defined in the Escambia County Comprehensive Plan.

For the purpose of concurrency review, ECUA will guarantee the availability of water and sewer system capacity up to the requested demand and flow for a period not to exceed one year from the date of this letter. The administration of the Concurrency Review Process is the sole responsibility of Escambia County. This letter is provided to assist in that process.

Connection of the proposed project to ECUA's systems is the responsibility of the developer. Extensions to the ECUA potable water distribution and sewage collection systems to serve this project must be designed, approved, and constructed in accordance with ECUA's policies and procedures and all applicable permitting requirements. Wastewater capacity impact fees are due and payable prior to issuance of building permits. Water capacity impact fees are due prior to actual connection to the ECUA system.

Sincerely,

  
William E. Johnson, Jr., PE/LS  
Director of Engineering

WEJ/bs

x:\tracking\concurrency-availability ltr from request for service form\2015\4536 saufley field road.docx

Vicki Campbell  
District One

Lois Benson  
District Two

Elvin McCorvey  
District Three

Dale Perkins  
District Four

Larry Walker  
District Five



"Making a Positive Difference"

## THE SCHOOL DISTRICT OF ESCAMBIA COUNTY

30 E. Texar Drive Pensacola, Florida 32503 (850) 469-5660

Malcolm Thomas, Superintendent

[www.escambia.k12.fl.us](http://www.escambia.k12.fl.us)

Facilities Planning  
Anthony B. Noles, Director  
30 E. Texar Drive, Room 158  
Pensacola, Florida 32503  
(850) 469-5660 Fax: (850) 469-5634

### Level of Service Determination Letter

Project Information	
Project Name	Saufley Field Townhouses
Project Location	<del>4509</del> Saufley Field Rd <b>4536</b>
Parcel ID Numbers	391S314305000000
Property Owner/Developer	D. R. Horton
Applicant	D. R. Horton
Applicant Address	25366 Profit Drive Daphne AL 36526

School Level of Service Reservation			
Level of Service	Bellview Elem.	Bellview Middle	Pine Forest High
Reserved Students	9.5	4.75	4.75
Comments:			

This School Level of Service Determination Letter shall reserve capacity for the above referenced project and shall confirm said project meets the School Level of Service requirements of Florida Statute 163.3180 and the adopted Interlocal Agreement

This Level of Service Reservation shall expire two (2) years from date of issuance of this letter.

  
\_\_\_\_\_  
Anthony B. Noles, Director  
Facilities Planning

\_\_\_\_\_  
June 16, 2015  
Issue Date

C: Shawn Dennis, Assistant Superintendent of Operations

**ALPHA ENVIRONMENTAL MANAGEMENT CORPORATION**

STABILIZATION SITE EVALUATION REPORT

4536 SAUFLEY FIELD RD, PENSACOLA, FL

Facility and Inspection Information								
<b>Facility Location or Address</b>  4536 Saufley Field Rd. Pensacola, FL 32526	<b>Hydrologic Conditions:</b> Dry  <b>Construction Start Date:</b> N/A  <b>Completion Date:</b> N/A	<b>Inspection Date:</b> 6/15/2015						
<b>County:</b> Escambia 30.4622.78.29 -87.30535.66	<b>FLDEP Permit Number:</b> None	<b>ACOE Permit Number:</b> None						
<b>ATTACHMENTS:</b>	Soils Map							
Activity								
<b>Nature of Project:</b> Home Building <b>Construction Stage:</b> Pre-Acquisition								
Company Representatives								
<b>Official(s)</b> Tom Poulos  <b>Telephone</b> 1-251-316-5401	<b>Title</b> Land Acquisition Manager	<b>Company/Organization</b> DR Horton Homes						
<table border="1"> <tbody> <tr> <td><i>Name of Inspector</i></td> <td>Roxanne Jones</td> </tr> <tr> <td><i>Qualifications of Inspector</i></td> <td>ALPHA EMC NW Accounts Manager/Field Consultant #13-0053 CHP in soils/wetlands Identity</td> </tr> <tr> <td><i>Measures/Areas Inspected</i></td> <td></td> </tr> </tbody> </table>			<i>Name of Inspector</i>	Roxanne Jones	<i>Qualifications of Inspector</i>	ALPHA EMC NW Accounts Manager/Field Consultant #13-0053 CHP in soils/wetlands Identity	<i>Measures/Areas Inspected</i>	
<i>Name of Inspector</i>	Roxanne Jones							
<i>Qualifications of Inspector</i>	ALPHA EMC NW Accounts Manager/Field Consultant #13-0053 CHP in soils/wetlands Identity							
<i>Measures/Areas Inspected</i>								

**Inspection:**

Questions	Yes/No	Notes
<i>Signs of Pollution leaving site?</i>	No	
<i>Structural BMP's working properly? (Check dam, retrofitting, sediment barrier, outlet protection, sediment basin, etc.)</i>	NA	
<i>Is there proper buffer protection at all waterways/water bodies?</i>	Yes	
<i>Are erosion control measures preventing impacts to receiving waters?</i>	NA	

<i>Additional BMP's needed?</i>	NO	
<i>Signs of pollution leaving material storage area?</i>	NO	
<i>Signs of offsite tracking at exit/entry points?</i>	NO	
<i>Has silt reached 1/3 of fence height in any area?</i>	NA	
<i>Is there any evidence of overtopping or washout?</i>	NO	
<i>Are inlet protection barriers in place and functioning properly?</i>	NA	

This pre-assessment is conducted on the subject property and should not hold ALPHAEMC or their analyst responsible for activities conducted prior to the analyst's visit; and thereafter from the date of said visit. The information provided are the findings available while the ground thruthing was conducted. This report and all attachments were prepared for a pre-assessment by the signatory on behalf of ALPHAEMC company services. This report does not preclude ALPHAEMC opinions.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: Environmental Analyst, Alpha Environmental Management Corporation

Date: \_\_\_\_\_

**ALPHA ENVIRONMENTAL MANAGEMENT CORPORATION**

***DR Horton North Gulf Coast***

**Corrective Action Log**

Location	Corrective Action Needed	Date Originally Noted	Date Corrected and Initials of Installer	Date Correction Noted By Alpha	Notes
	This is raw land 4.6 AC				

**Permit Review**

Questions	Yes/No	Notes
<i>Is the property raw land?</i>	Yes	
<i>Is the property platted as a community?</i>	NO	
<i>If applicable, are any lots within the community occupied with a home or any other permitted</i>	NO	

<i>structure?</i>		
<i>Is there a storm water facility within the property other than swales?</i>	NO	
<i>Does the property qualify for FLDEP Storm water Swale exemption?</i>	No	
<i>Is there proper FLDEP Generic Storm water Permit available?</i>	No	
<i>Have documentation of jurisdictional wetlands been previously located within the perimeter of the community?</i>	NA	
<i>If available, are jurisdictional wetlands depicted on the plat?</i>	NA	
<i>Have documentation of impacts to jurisdictional wetlands been found?</i>	NA	
<i>Has a FLDEP Wetland permit of any kind been found to be associated with this property?</i>	No	
<i>Has an ACOE Wetland permit of any kind been found to be associated with this property?</i>	No	
<i>Are jurisdictional wetlands found on any lots of interest?</i>	No	
<i>Are any wetland buffers found on any lots of interest?</i>	No	

**Site Conditions:**

The current condition of the property is raw land in an urban mix residential/commercial neighborhood. In 2008, a single family home existed but was dismantled because of vagrant activity. The property is divided into to two halves for zoning. One half is zoned "residential mixed use" and the other portion is zoned "commercial". Walking the property from front to back, there were large oaks and a few Live Oaks noted. Some were termite infested and had fallen from a recent storm; some weren't trees at all but tall grasses, such as Bamboo.

This parcel is actually described in the last deed as three parcels, parcels 1-3. At the rear of the parcel, one can see Bellview School's track and exercise facilities. The Saufley Field Naval Base is approximately 1.75 miles from to the property; 0.16 miles to Winn Dixie Shopping Center, and ½ mile from Bellview School's entrance.

**Wetlands:**

No wetlands were mapped for this parcel. After ground-truthing the parcel, no wetland indicators were found. Vegetation to name a few, were mostly hardwood trees, such as Blue Jack, Laurel Oak, and Magnolia. Some sub-canopy trees such as Huckleberry were noted.

**Soils:**

Soils are important when moving dirt for construction and development. This property is mapped "(13) Lakeland series". Lakeland series, 0-12% slopes, usually have a deep seasonal water table around 60-80 inches below grade. This is a sandy soil with rich colors, such as yellow, orange, and white granular shades. Lakeland soils are usually sought for filling in areas where soils are too saturated. Drainage and permeability characteristics are usually excessively well drained; rapid to very rapid permeability; and slow to runoff in the state of Florida.

**Storm water:**

This is raw land and no development exists at this time. Municipal utilities are available.

**Set-Backs:**

Front 30'  
Back 20'  
Side 15'

**Easements:**

None recorded.

**Flood Zone:**

X (BFE)



**Site Photos:**

Figure 1: For sale sign on west side



Figure 2: Commercial for Sale sign on East side of parcel:





Figure 3: Raw land, facing Saufley Field Rd.









Figure 4: Large termite ridden tree

Figure 5: Rear of Parcel, facing school track and classrooms

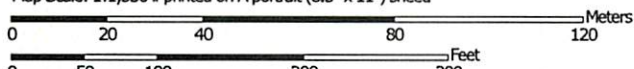




Soil Map—Escambia County, Florida  
(4536 Saufley Field Rd., Pensacola, FL)







































Map Scale: 1:1,530 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ties: UTM Zone 16N WGS84

## MAP LEGEND

<b>Area of Interest (AOI)</b>		 Spoil Area	
 Area of Interest (AOI)		 Stony Spot	
<b>Soils</b>		 Very Stony Spot	
 Soil Map Unit Polygons		 Wet Spot	
 Soil Map Unit Lines		 Other	
 Soil Map Unit Points		 Special Line Features	
<b>Special Point Features</b>		<b>Water Features</b>	
 Blowout		 Streams and Canals	
 Borrow Pit		<b>Transportation</b>	
 Clay Spot		 Rails	
 Closed Depression		 Interstate Highways	
 Gravel Pit		 US Routes	
 Gravelly Spot		 Major Roads	
 Landfill		 Local Roads	
 Lava Flow		<b>Background</b>	
 Marsh or swamp		 Aerial Photography	
 Mine or Quarry			
 Miscellaneous Water			
 Perennial Water			
 Rock Outcrop			
 Saline Spot			
 Sandy Spot			
 Severely Eroded Spot			
 Sinkhole			
 Slide or Slip			
 Sodic Spot			

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Escambia County, Florida  
Survey Area Data: Version 11, Sep 26, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Escambia County, Florida (FL033)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
13	Lakeland sand, 0 to 5 percent slopes	11.0	94.8%
22	Urban land	0.6	5.2%
<b>Totals for Area of Interest</b>		<b>11.6</b>	<b>100.0%</b>





Archaeology Institute  
Division of Anthropology and Archaeology  
11000 University Parkway, Bldg. 89  
Pensacola, FL 32514-5751

July 31, 2015

Thomas E. Granger, PE  
Sawgrass Consulting LLC  
5535 Business Parkway  
Theodore, Alabama 36582

Dear Mr. Grainger,

At your request, I performed an archaeological review of parcel 39-1S-31-4305-000-000, located at 4536 Saufley Field Road in Escambia County. You have informed me that you are requesting a Future Land Use Map Amendment from Escambia County Development Services Department, Planning and Zoning Division to rezone this parcel for residential use. This archaeological review is being performed to determine whether any historically significant sites located on or near the parcel would be impacted by the proposed land use change. My review includes an archaeological and historical background appraisal based on our records and those of the Florida Master Site File (FMSF), the state-wide repository of recorded historical and archaeological properties. I will provide you with a limited professional opinion based on an in-house review of the aforementioned records we keep at The University of West Florida Archaeology Institute (UWF). The data are in a county Geographic Information System (GIS) we developed for such preliminary evaluations, records on file of fieldwork performed in the vicinity, and various reports. I have no official authority, we at UWF simply provide this level of research as a public service. This letter reports the results of my review.

The archaeological review indicates no recorded archaeological sites, cemeteries, National Register of Historic Places (NRHP) sites or historic structures are on file with the FMSF. In other words, no archaeological sites, NRHP properties, or historic structures are recorded within or near the subject parcel.

If your project will require state or federal permits or certification, or if you are receiving or going to receive state or federal funding, then you may expect that state and/or federal laws concerning impacts to cultural resources will probably apply. In that case you will likely receive a legally binding document from the State Historic Preservation Officer (SHPO); in our state that agency is the Division of Historical Resources. SHPO represents and oversees both federal requirements (Section 106) or state laws of which there are a small number embedded in at least two chapters. If the state or federal involvement play a role, generally a Cultural Resource Assessment Survey (CRAS) is needed. In addition to UWF, there are a number of private Sector "CRM" companies who provide these services. If no federal or state involvement are triggered, my review should suffice for your needs. Since your review requirements are limited to an Escambia County Planning and Zoning request, my letter report should suffice.

In my professional opinion, based on this review, it is highly unlikely that significant cultural resources exist within the parcel. The proposed land use change is very unlikely to impart such resources.

Please feel free to contact me in regards to any part of this review or if you have further questions.

Sincerely,

April A. Holmes, M.A.

UWF Archaeology Institute  
The University of West Florida, Bld. 89  
11000 University Parkway  
Pensacola, FL 32514

Phone 850.474.3015 Fax 850.474.2764

Web [uwf.edu/archaeology](http://uwf.edu/archaeology)

An Equal Opportunity/Equal Access Institution

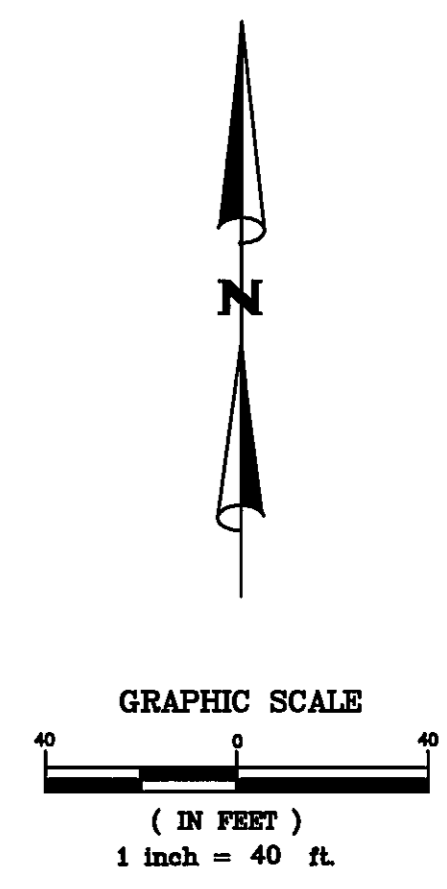
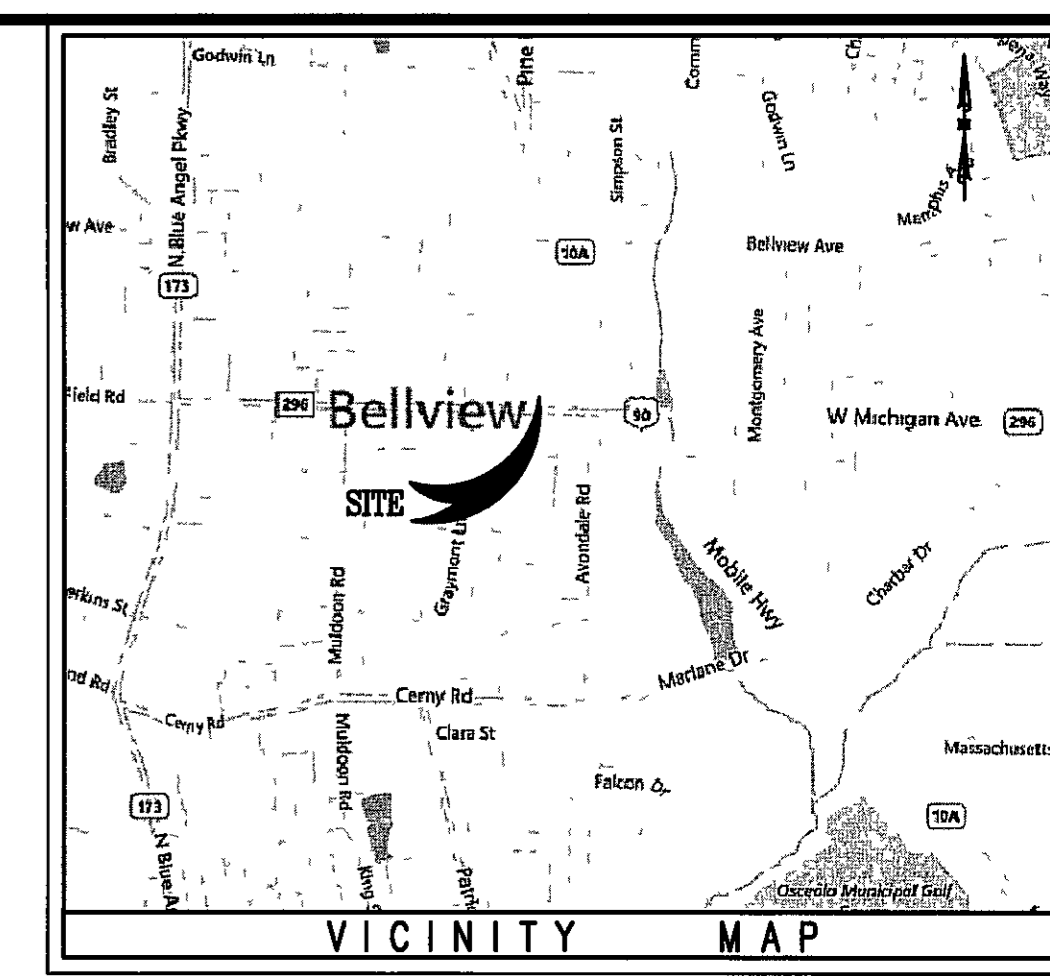
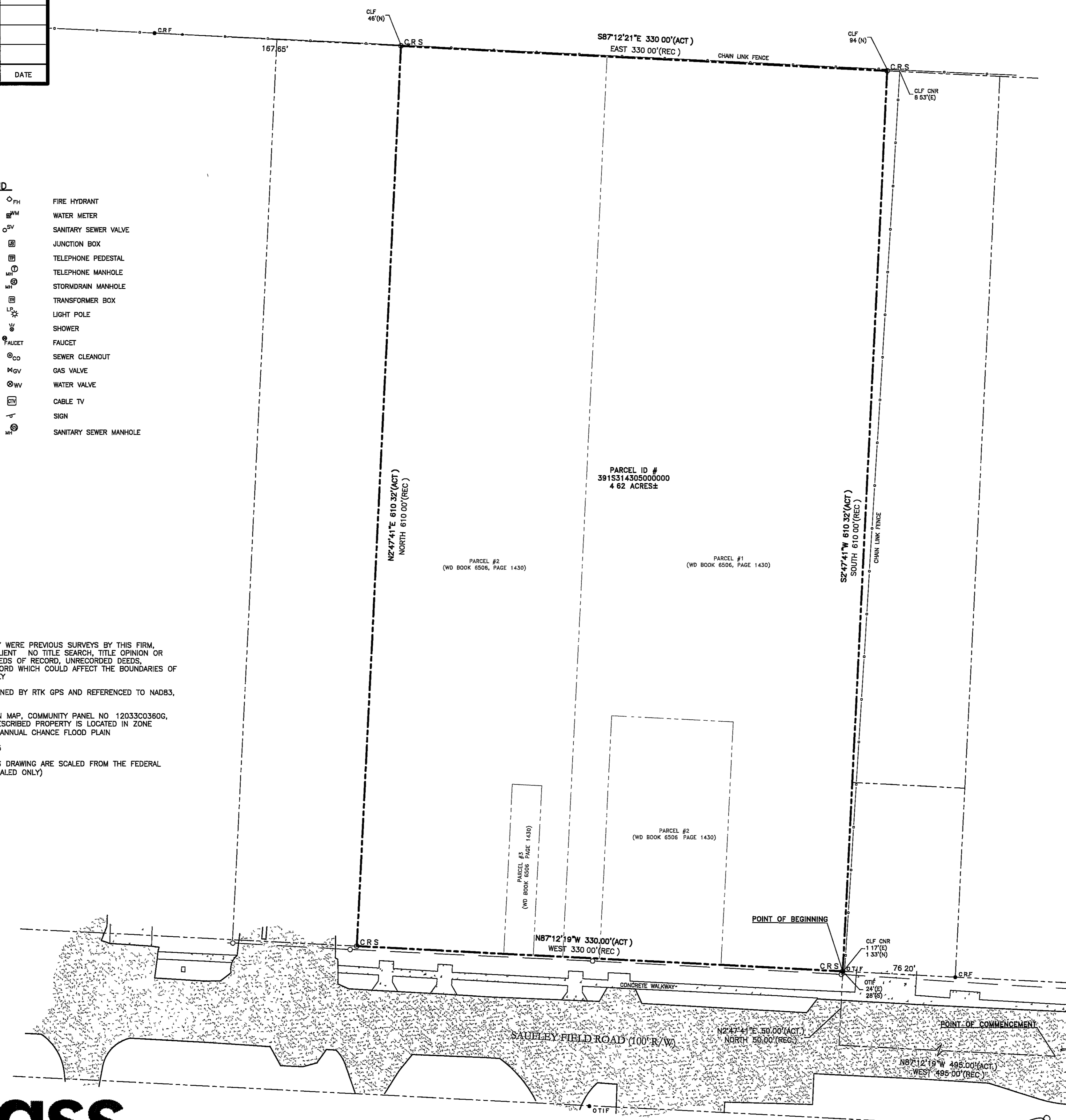
NO	REVISION	DATE

**LEGEND**

● OTIF	OPEN TOP IRON FOUND	○ FH	FIRE HYDRANT
● CTF	CRIMP TOP IRON FOUND	○ WM	WATER METER
● CRT	CAPPED REBAR FOUND	○ SV	SANITARY SEWER VALVE
● RF	REBAR FOUND	□ JCB	JUNCTION BOX
○ CRS	CAPPED REBAR SET	□ TP	TELEPHONE PEDESTAL
■ CMF	CONCRETE MONUMENT FOUND	○ TMH	TELEPHONE MANHOLE
□ CMS	CONCRETE MONUMENT SET	○ SMH	STORMDRAIN MANHOLE
⚡ PP	POWER POLE	□ TMB	TRANSFORMER BOX
— R.O.W	RIGHT-OF-WAY	⚡ LP	LIGHT POLE
— — — — —	PROPERTY LINE	⚡ S	SHOWER
---99---	1' CONTOURS	⚡ F	FAUCET
---100---	5' CONTOURS	⊙ CO	SEWER CLEANOUT
☐	MAIL BOX	M GV	GAS VALVE
←	GUY WIRE	⊙ WV	WATER VALVE
⊠	ELECTRIC METER BOX	⊠ TV	CABLE TV
⊠	AIR CONDITIONER	⊠	SIGN
⊙	GRINDER PUMP	⊠	SANITARY SEWER MANHOLE
⊠	ELECTRIC BOX		

**GENERAL SURVEYORS NOTES**

- SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS FIRM, SURVEYS BY OTHER FIRMS AND INFORMATION FURNISHED BY CLIENT. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
- ALL BEARINGS ARE BASED ON THE GRID NORTH AS DETERMINED BY RTK GPS AND REFERENCED TO NAD83, FLORIDA NORTH STATE PLANE COORDINATES.
- I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION MAP, COMMUNITY PANEL NO 12033C0360G, REVISED SEPTEMBER 29, 2006, AND HAVE FOUND THAT THE DESCRIBED PROPERTY IS LOCATED IN ZONE "X"(UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- FIELD WORK FOR THIS SURVEY WAS PERFORMED JULY, 2015.
- ANY FLOOD ZONES GIVEN OR SHOWN ON THE FACE OF THIS DRAWING ARE SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE MAPS (SCALED ONLY).



**RECORD DESCRIPTION:**  
 PARCEL #1 BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA. THENCE RUN WEST ALONG THE SOUTH LINE OF SAID SECTION 39 A DISTANCE OF 495 FEET FOR A POINT OF BEGINNING, THENCE CONTINUE SAME COURSE A DISTANCE OF 82.5 FEET, THENCE RUN NORTH 215 FEET, THENCE RUN WEST 82.5 FEET, THENCE RUN SOUTH 215 FEET TO THE SOUTH LINE OF SAID SECTION 39, THENCE RUN WEST 25 FEET, THENCE RUN NORTH 660 FEET, THENCE RUN EAST 190 FEET, THENCE RUN SOUTH 660 FEET TO THE POINT OF BEGINNING LESS RIGHT OF WAY FOR SAUFLEY FIELD ROAD. PARCEL #2 THE WEST 82.5 FEET OF THE EAST 660 FEET OF THE SOUTH 215 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST 140 FEET OF THE EAST 82.5 FEET OF THE SOUTH 660 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE WEST 20 FEET OF THE EAST 40 FEET OF THE SOUTH 165 FEET OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA LESS RIGHT OF WAY FOR SAUFLEY FIELD ROAD. PARCEL #3 THE WEST 20 FEET OF THE SOUTH 165 FEET OF THE EAST 725 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA LESS RIGHT OF WAY FOR SAUFLEY FIELD ROAD (WD BOOK 6506, PAGE 1430)

**SURVEYED DESCRIPTION:**  
 COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE RUN N-87°12'19"-W, ALONG THE SOUTH LINE OF SAID SECTION 39, 495.00 FEET TO A POINT, THENCE RUN N-2°47'41"-E, LEAVING SAID SOUTH LINE, 50.00 FEET TO A POINT LOCATED ON THE NORTH RIGHT OF WAY OF SAUFLEY FIELD ROAD FOR THE POINT OF BEGINNING, THENCE RUN N-87°12'19"-W, ALONG SAID NORTH RIGHT OF WAY, 330.00 FEET TO A POINT, THENCE RUN N-2°47'41"-E, LEAVING SAID NORTH RIGHT OF WAY, 610.32 FEET TO A POINT, THENCE RUN S-87°12'21"-E, 330.00 FEET TO A POINT, THENCE RUN S-2°47'41"-W, 610.32 FEET TO THE POINT OF BEGINNING, CONTAINING 4.62 ACRES±.

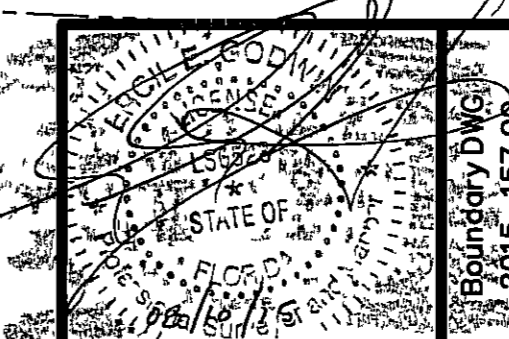
I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA ADMINISTRATIVE CODE CHAPTER 61G17-8 TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

ERCIL E. GODWIN, PSM  
 FLORIDA PSM LICENSE NUMBER 6528  
 FLORIDA LB NUMBER 7997

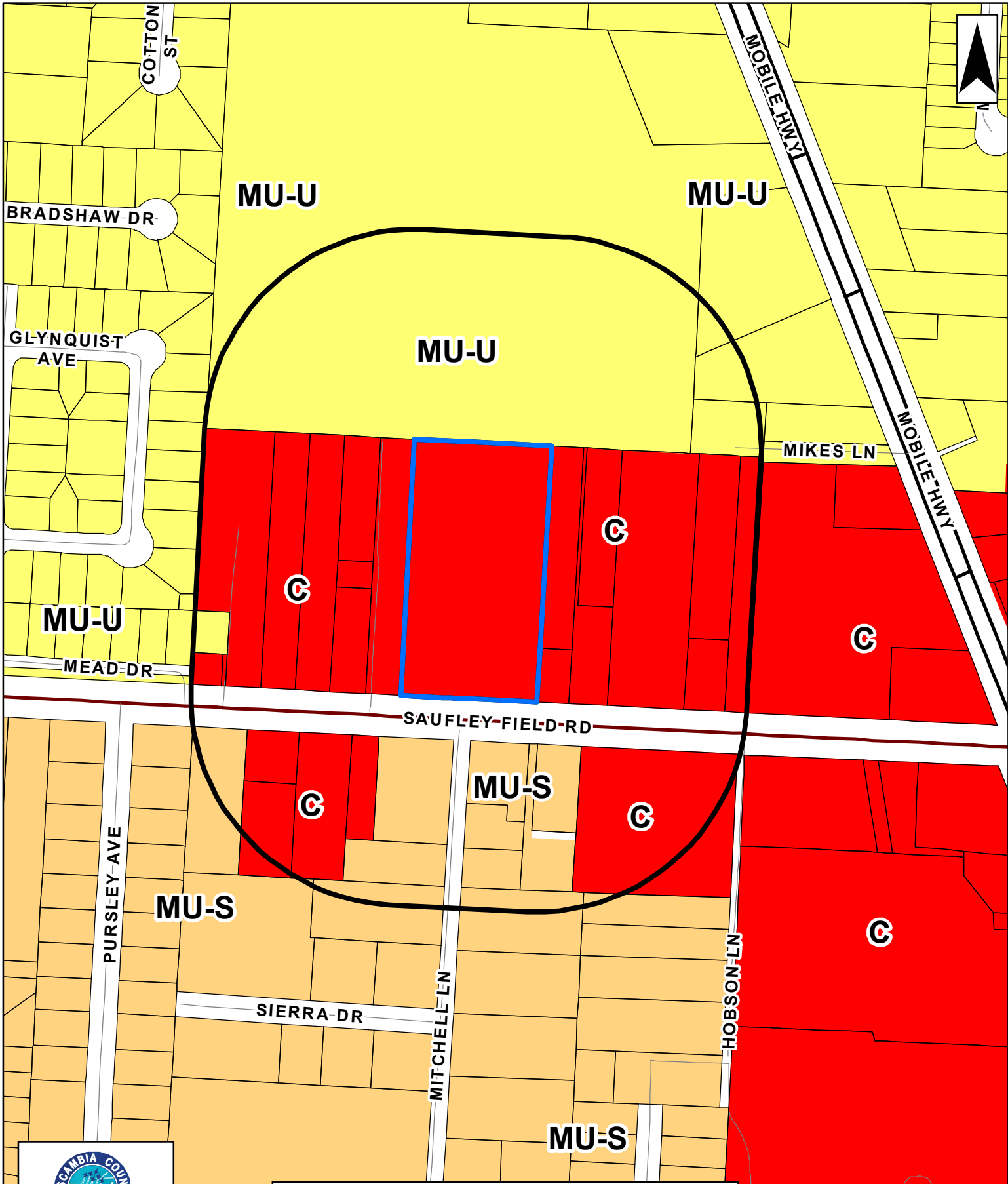
08/10/15  
 DATE




5535 Business Parkway, Theodore, AL 36582 Phone (251) 544-7900  
 www.SawgrassLLC.com Fax (251) 544-7918








<b>BOUNDARY SURVEY</b>				
4536 SAUFLEY FIELD RD., PENSACOLA, FLORIDA				
<b>D.R. HORTON</b>				
SCALE	DATE	DRAWN BY	CHECKED BY	SHEET
1"=40'	AUGUST 10, 2015	Q.L.M	E.E.G	1 OF 1



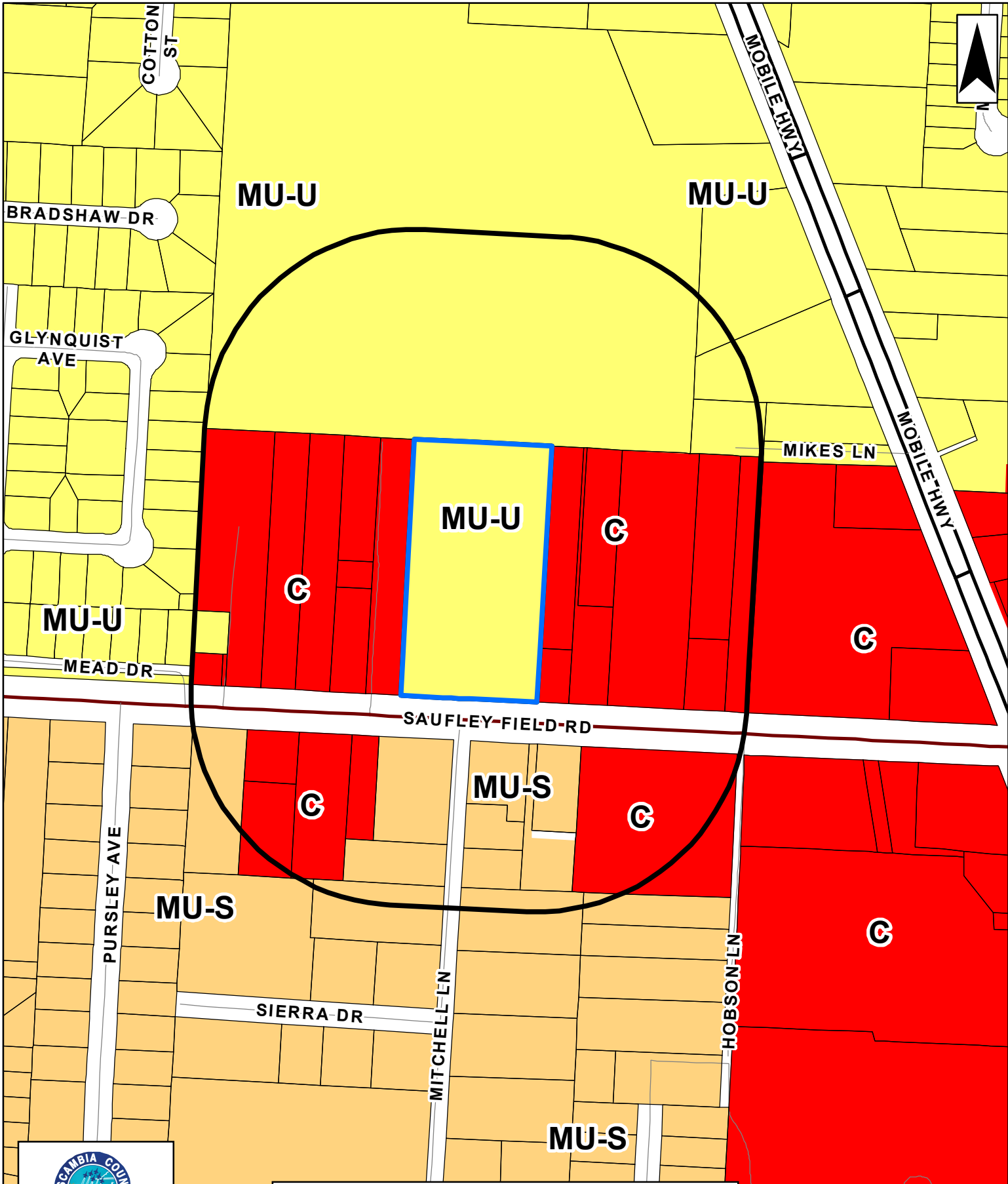
  
 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.  
 Andrew Holmer  
 Planning and Zoning Dept.

**SSA-2015-06**  
**CURRENT FLU**








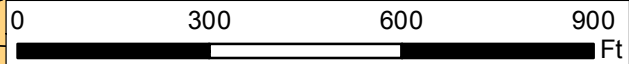

-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD





# SSA-2015-06 PROPOSED FLU

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

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

Andrew Holmer  
Planning and Zoning Dept.



BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

Development Services Department  
3363 West Park Place  
Pensacola, FL 32505  
www.myescambia.com

SPLIT ZONED PARCEL REQUEST

**Sec. 3-1.3 Zoning and future land use.**

(d) **Split parcels.** The adopted zoning districts and FLU categories are parcel-based, but their boundaries are not prohibited from dividing a parcel. For parcels split by these boundaries, including overlay district boundaries, only that portion of a parcel within a district or category is subject to its requirements. Where a zoning district boundary divides a parcel that is ten acres or less in size and not part of a platted residential subdivision, the zoning district of the larger portion may be applied to the entire parcel if requested by the parcel owner, consistent with the applicable FLU category, and in compliance with the location criteria of the requested zoning. Zoning map amendment is otherwise required to apply a single district to a split-zoned parcel.

Tom Granger Property owner name      4536 Sawley Field Property address  
39-15-31-4305-000-000 Parcel reference number

Current split zoning of HDMU and COMM /Largest split zoned HDMU

Parcel is not part of a platted subdivision NO

Current FLU COM / SSA to MU-U submitted Location criteria  Meet       Does not meet

Total acreage 4.62 (Ten or less)

Proposed zoning consolidation to HDMU

I, THOMAS GRANGER submit this request to the Planning Official to apply the following zoning \_\_\_\_\_ to the entire parcel, as listed above.

Thomas E. Granger  
Owner signature

8/06/15  
Date

Horace L. Jones  
County staff name

Approved       Disapproved

Submitted to GIS for zoning map adjustment on 8/6/15 received by: \_\_\_\_\_

Signed copy to owner, to GIS, to file

## **Comprehensive Plan Amendment Staff Analysis**

### **General Data**

**Project Name:** SSA 2015-06  
**Location:** 4536 Saufley Field Road  
**Parcel #s:** 39-1S-31-4305-000-000  
**Acreage:** 4.62 (+/-) acres  
**Request:** From Commercial (C) to Mixed-Use Urban (MU-U)  
**Agent:** Escambia County

**Meeting Dates:** Planning Board September 1, 2015  
BCC October 8, 2015

### **Summary of Proposed Amendment:**

The proposed amendment is for a parcel totaling 4.62 (+/-) acres, accessed from Saufley Field Road. The agent has requested a future land use (FLU) map amendment to change the FLU category from Commercial (C) to Mixed-Use Urban (MU-U). The zoning designation for the referenced parcel is High Density Mixed-Use District (HDMU).

The proposed small scale amendment meets the following conditions in order to be classified as a small scale comprehensive plan amendment:

- a) The parcel is 4.62 (+/-) acres which is under the 10 acres or fewer as stated in 163.3187(1)(a).
- b) This amendment is the fifth small scale amendment for this calendar year; therefore, it will not exceed the maximum of 120 acres in a calendar year as stated in F.S 163.3187(1)(b).
- c) The proposed amendment is not located within a designated area of critical state concern.

### **Land Use Impacts:**

#### **Residential Impact**

**Comprehensive Plan Policy (CPP) 1.3.1**, the current Commercial FLU category has a density 25 du/acre. Residential development may be permitted only if secondary to a primary commercial development. The non-residential standards also provide for a maximum intensity of 1.0 FAR. The range of allowable uses is intended for a mix of

residential, retail and services, professional office, light Industrial, recreational facilities and public and civic.

The proposed amendment to Mixed-Use Urban (MU-U) FLU category has a residential Maximum Density of 25 du/acre and a Non-Residential Maximum Intensity of 2.0 Floor Area Ratio (FAR). The MU-U FLU category is designated for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowed uses encompass residential, retail and services, professional office, light industrial, recreational facilities, Public and Civic uses.

**Staff Analysis:** The property is located along Saufley Field Road which serves as a commercial strip and to the north the surrounding parcels serves as a mixed-use urban area. The subject property is served by one minor arterial road, Saufley Field Road and one major arterial road Mobile Highway, and within one and a quarter miles of Mobile Highway, a principal arterial hub. The location and intensity of allowed uses is compatible to the existing zoning and the current conditions of nearby parcels.

#### **Infrastructure Availability:**

##### **FLU 1.5.1 New Development and Redevelopment in Built Areas**

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

##### **GOAL CMS 1 Concurrency Management System**

Escambia County will adopt a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. The Concurrency Management System will be determined by the provisions of the LDC.

#### **Potable Water**

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

#### **Sanitary Sewer**

The adopted level of service standards for sanitary sewer established in Comprehensive Plan Policy INF 1.1.7 are an average of 210 gallons per residential connection per day and a peak of 350 gallons per residential connection per day. The policy also states that the LOS requirements for non-residential uses shall be based upon an equivalent residential connection calculated by the provider and on the size of the non-residential water meter.

### **Solid Waste Disposal**

As established in Comprehensive Plan policy INF 2.1.4, the adopted LOS standard for solid waste disposal in the county is six pounds per capita per day.

### **Stormwater Management**

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

### **Transportation System**

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

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

MOB 1.2.1 **Consistency.** All plans and proposals for development and redevelopment as well as all land use decisions will be reviewed for consistency with the FLUM.

**Staff Analysis:** The location's proximity to minor arterial and collector roadways promote the efficient use of existing public roads and infrastructure. On-site traffic, access management, roadway capacity allocation, LOS and availability for potable water, wastewater, solid waste and storm water management shall be determined at the time of Site Plan Review. Any new development on the parcel must meet all current LOS requirements.

### **Impact on Wellheads, Historically Significant Sites and the Natural Environment:**

#### **Wellheads:**

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



### **Historically Significant Sites:**

FLU 1.2.1 **State Assistance.** Escambia County shall utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County. The County will utilize guidance, direction and technical assistance received from this agency to develop provisions and regulations for the preservation and protection of such sites and structures. In addition, the County will utilize assistance from this agency together with other sources, such as the University of West Florida, in identifying newly discovered historic or archaeological resources. The identification will include an analysis to determine the significance of the resource.

### **Wetlands:**

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

**Staff Analysis:** The parcel is not located within well-head area protection area, ECUA will further review as part of the Site Plan Review process.

The applicant provided a document signed by April A. Holmes, Archeological Data Analyst, Florida Master Site File which states that there are no previously recorded cultural resources in that section of Escambia County. (Letter on File). From a review of the available National Wetland Inventory maps, there appears to be no environmentally sensitive lands on the subject parcel. Any future development shall be analyzed for environmental compliance with regulations prior to the issuance of any site plan approval.

Any proposed project within the parcel shall avoid any potential impacts to environmentally sensitive areas and should preserve the natural function of wetlands and natural resources on the subject parcel. Staff will review the proposed development at the Site Plan Review process for concurrency with existing County regulations.

### **Comprehensive Plan Consistency and Relevant Policies:**

#### **Mixed-Use Urban (MU-U) Land Use Category:**

FLU 1.3.1 Intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

**FLU 1.5.1 New Development and Redevelopment in Built Areas.** To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

**Staff Analysis:** Any proposed development will be analyzed during the Site Plan Review process, to ensure that the planned activities on site are compatible with the existing surrounding uses, allowed by the current zoning and will not have a negative impact upon existing public roads, utilities and service infrastructures.

**Summary:** If the amendment is approved, further in-depth analysis and evaluation will be accomplished by all participating agencies, once a final project application is submitted to the Development Review Committee.

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: SSA-2015-06 4536 Saufley Field Road

Date: 08/11/2015

Date requested back by: 08/17/2015

Requested by: John C Fisher

Phone Number: 595-4651

.....  
(LEGAL USE ONLY)

Legal Review by Kenna A. Smith

Date Received: 8/11/15

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Please mark the Survey Exhibit A.

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12  
13  
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15  
16  
**ORDINANCE NUMBER 2015-\_\_\_\_**

**AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," POLICY FLU 1.1.1 TO PROVIDE FOR AN AMENDMENT TO THE 2030 FUTURE LAND USE MAP, CHANGING THE FUTURE LAND USE CATEGORY OF A PARCEL WITHIN SECTION 39, TOWNSHIP 1S, RANGE 31W, PARCEL NUMBER 39-1S-31-4305-000-000 TOTALING 4.62 (+/-) ACRES, LOCATED ON SAUFLEY FIELD ROAD, FROM COMMERCIAL (C) TO MIXED-USE URBAN (MU-U); PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

19  
20 **WHEREAS**, Chapter 125, Florida Statutes, empowers the Board of County  
21 Commissioners of Escambia County, Florida to prepare, amend and enforce  
22 comprehensive plans for the development of the County; and

23  
24 **WHEREAS**, the Escambia County Planning Board conducted a public hearing and  
25 forwarded a recommendation to the Board of County Commissioners to approve  
26 changes (amendments) to the Comprehensive Plan; and

27  
28 **WHEREAS**, the Board of County Commissioners of Escambia County, Florida finds that  
29 the adoption of this amendment is in the best interest of the County and its citizens;

30  
31 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of  
32 Escambia County, Florida, as follows:

33  
34 **Section 1. Purpose and Intent**

35 This Ordinance is enacted to carry out the purpose and intent of, and exercise the  
36 authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215,  
37 Florida Statutes.

1 **Section 2. Title of Comprehensive Plan Amendment**

2  
3 This Comprehensive Plan amendment shall be entitled – "Small Scale Amendment  
4 2015-06."

5 **Section 3. Changes to the 2030 Future Land Use Map**

6  
7 The 2030 Future Land Use Map, as adopted by reference and codified in Part II of the  
8 Escambia County Code of Ordinances, the Escambia County Comprehensive Plan:  
9 2030, as amended; Chapter 7, "Future Land Use Element," Policy FLU 1.1.1; and all  
10 notations, references and information shown thereon, is further amended to include the  
11 following future land use change.

12  
13 A parcel within Section 39, Township 1S, Range 31W, parcel number 39-  
14 1S-31-4305-000-000 totaling 4.62 (+/-) acres, located on Saufley Field  
15 Road, as more particularly described by Ercil E Godwin, PSM, signed and  
16 sealed by Ercil E Godwin, in the boundary survey dated August 10, 2015,  
17 attached as Exhibit A, from Commercial (C) to Mixed-Use Urban (MU-U).

18  
19 **Section 4. Severability**

20  
21 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
22 unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect  
23 the validity of the remaining portions of this Ordinance.

24  
25 **Section 5. Inclusion in the Code**

26  
27 It is the intention of the Board of County Commissioners that the provisions of this  
28 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that  
29 the sections, subsections and other provisions of this Ordinance may be renumbered or  
30 relettered and the word "ordinance" may be changed to "section," "article," or such other  
31 appropriate word or phrase in order to accomplish such intentions.

32  
33 **Section 6. Effective Date**

34  
35 Pursuant to Section 163.3187(5)(c), Florida Statutes, this Ordinance shall not become  
36 effective until 31 days after adoption. If challenged within 30 days after adoption, this

1 Ordinance shall not become effective until the Department of Economic Opportunity or  
2 the Administration Commission enters a final order determining the Ordinance to be in  
3 compliance.

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

6  
7 BOARD OF COUNTY COMMISSIONERS  
8 OF ESCAMBIA COUNTY, FLORIDA  
9

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

13  
14 ATTEST: PAM CHILDERS  
15 Clerk of the Circuit Court

16  
17  
18 By: \_\_\_\_\_  
19 Deputy Clerk

20  
21  
22 (SEAL)

23  
24  
25 ENACTED:

26  
27  
28 FILED WITH THE DEPARTMENT OF STATE:

29  
30 EFFECTIVE DATE:

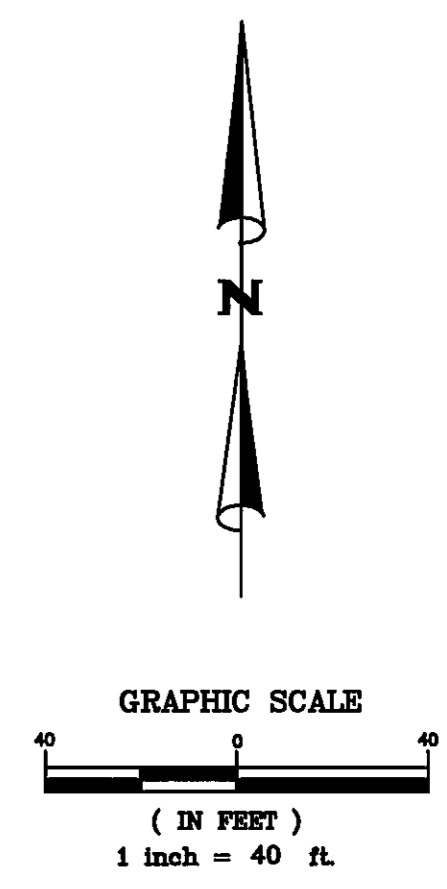
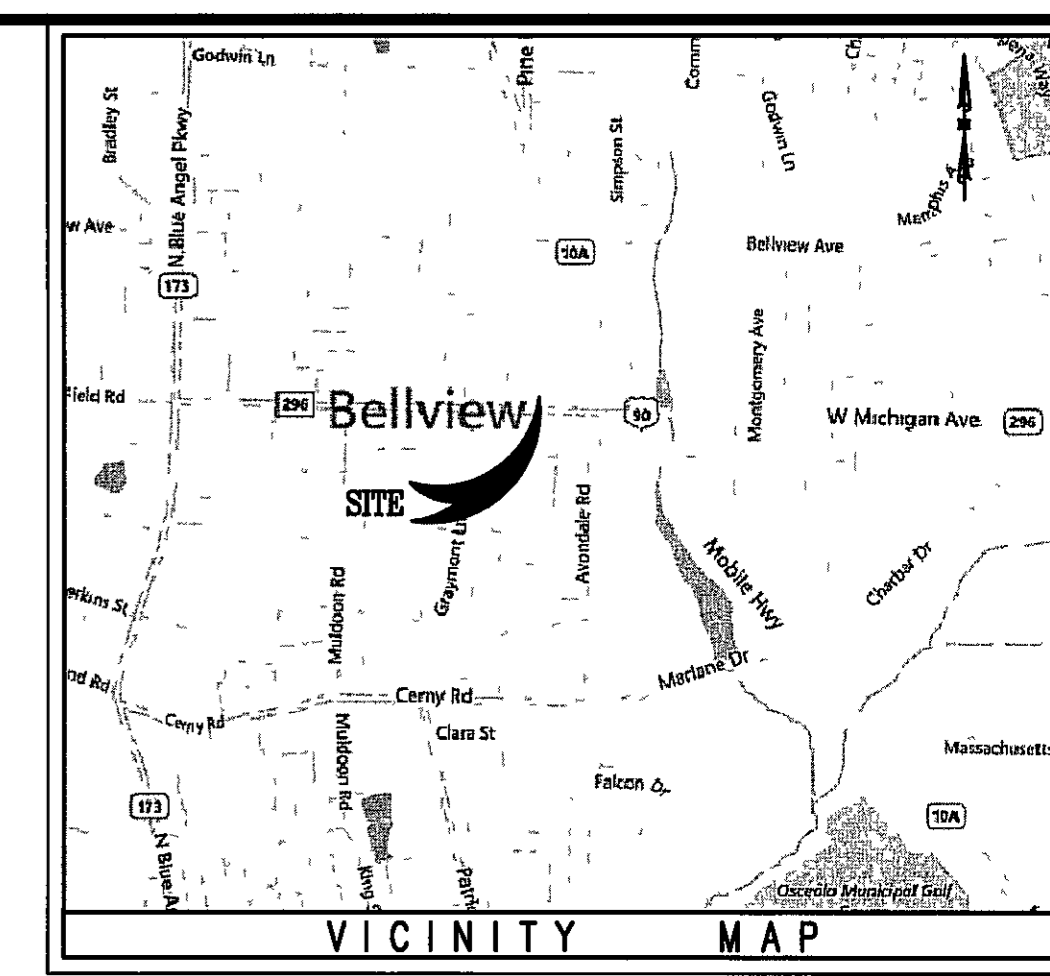
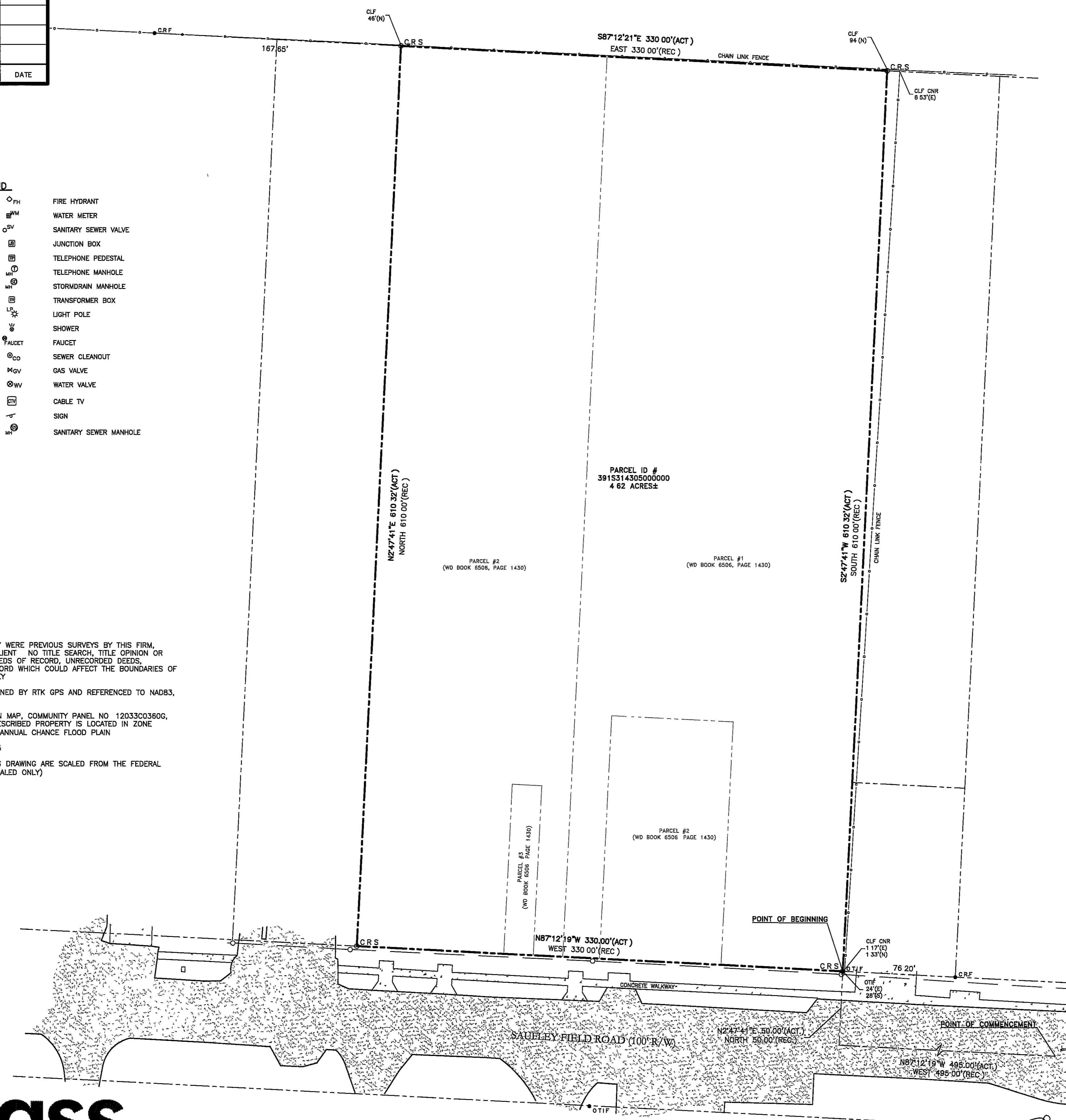
NO	REVISION	DATE

**LEGEND**

● OTIF	OPEN TOP IRON FOUND	○ FH	FIRE HYDRANT
● CTF	CRIMP TOP IRON FOUND	⊞ WM	WATER METER
● CRF	CAPPED REBAR FOUND	○ SV	SANITARY SEWER VALVE
● RF	REBAR FOUND	⊞ JB	JUNCTION BOX
○ CRS	CAPPED REBAR SET	⊞ TP	TELEPHONE PEDESTAL
■ CMF	CONCRETE MONUMENT FOUND	⊞ TM	TELEPHONE MANHOLE
□ CMS	CONCRETE MONUMENT SET	⊞ SM	STORMDRAIN MANHOLE
⊞ PP	POWER POLE	⊞ TB	TRANSFORMER BOX
---	RIGHT-OF-WAY	⊞ LP	LIGHT POLE
---	PROPERTY LINE	⊞ S	SHOWER
---	1' CONTOURS	⊞ F	FAUCET
---	5' CONTOURS	⊞ CO	SEWER CLEANOUT
⊞ MB	MAIL BOX	⊞ GV	GAS VALVE
---	GUY WIRE	⊞ WV	WATER VALVE
⊞ EMB	ELECTRIC METER BOX	⊞ CT	CABLE TV
⊞ AC	AIR CONDITIONER	⊞ S	SIGN
⊞ GP	GRINDER PUMP	⊞ SSM	SANITARY SEWER MANHOLE
⊞ EB	ELECTRIC BOX		

**GENERAL SURVEYORS NOTES**

- SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS FIRM, SURVEYS BY OTHER FIRMS AND INFORMATION FURNISHED BY CLIENT. NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
- ALL BEARINGS ARE BASED ON THE GRID NORTH AS DETERMINED BY RTK GPS AND REFERENCED TO NAD83, FLORIDA NORTH STATE PLANE COORDINATES.
- I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION MAP, COMMUNITY PANEL NO 12033C0360G, REVISED SEPTEMBER 29, 2006, AND HAVE FOUND THAT THE DESCRIBED PROPERTY IS LOCATED IN ZONE "X"(UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- FIELD WORK FOR THIS SURVEY WAS PERFORMED JULY, 2015.
- ANY FLOOD ZONES GIVEN OR SHOWN ON THE FACE OF THIS DRAWING ARE SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE MAPS (SCALED ONLY).



**RECORD DESCRIPTION:**

PARCEL #1 BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA. THENCE RUN WEST ALONG THE SOUTH LINE OF SAID SECTION 39 A DISTANCE OF 495 FEET FOR A POINT OF BEGINNING, THENCE CONTINUE SAME COURSE A DISTANCE OF 82.5 FEET, THENCE RUN NORTH 215 FEET, THENCE RUN WEST 82.5 FEET, THENCE RUN SOUTH 215 FEET TO THE SOUTH LINE OF SAID SECTION 39, THENCE RUN WEST 25 FEET, THENCE RUN NORTH 660 FEET, THENCE RUN EAST 190 FEET, THENCE RUN SOUTH 660 FEET TO THE POINT OF BEGINNING LESS RIGHT OF WAY FOR SAUFLEY FIELD ROAD. PARCEL #2 THE WEST 82.5 FEET OF THE EAST 660 FEET OF THE SOUTH 215 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST 140 FEET OF THE EAST 82.5 FEET OF THE SOUTH 660 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE WEST 20 FEET OF THE EAST 40 FEET OF THE SOUTH 165 FEET, SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA LESS RIGHT OF WAY FOR SAUFLEY FIELD ROAD. PARCEL #3 THE WEST 20 FEET OF THE SOUTH 165 FEET OF THE EAST 725 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA LESS RIGHT OF WAY FOR SAUFLEY FIELD ROAD (WD BOOK 6506, PAGE 1430)

**SURVEYED DESCRIPTION:**

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 39, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE RUN N-87°12'19"-W, ALONG THE SOUTH LINE OF SAID SECTION 39, 495.00 FEET TO A POINT, THENCE RUN N-2°47'41"-E, LEAVING SAID SOUTH LINE, 50.00 FEET TO A POINT LOCATED ON THE NORTH RIGHT OF WAY OF SAUFLEY FIELD ROAD FOR THE POINT OF BEGINNING, THENCE RUN N-87°12'19"-W, ALONG SAID NORTH RIGHT OF WAY, 330.00 FEET TO A POINT, THENCE RUN N-2°47'41"-E, LEAVING SAID NORTH RIGHT OF WAY, 610.32 FEET TO A POINT, THENCE RUN S-87°12'21"-E, 330.00 FEET TO A POINT, THENCE RUN S-2°47'41"-W, 610.32 FEET TO THE POINT OF BEGINNING, CONTAINING 4.62 ACRES±.

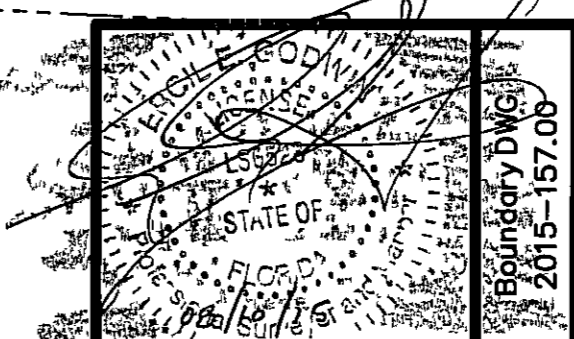
I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA ADMINISTRATIVE CODE CHAPTER 61G17-8 TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

ERIC E. GODWIN, PSM  
FLORIDA PSM LICENSE NUMBER 6528  
FLORIDA LB NUMBER 7997

08/10/15  
DATE



5535 Business Parkway, Theodore, AL 36582 Phone (251) 544-7900  
www.SawgrassLLC.com Fax (251) 544-7918



<b>BOUNDARY SURVEY</b>				
4536 SAUFLEY FIELD RD., PENSACOLA, FLORIDA				
<b>D.R. HORTON</b>				
SCALE	DATE	DRAWN BY	CHECKED BY	SHEET
1"=40'	AUGUST 10, 2015	Q.L.M	E.E.G	1 OF 1



## **Comprehensive Plan Amendment Staff Analysis**

### **General Data**

**Project Name:** SSA 2015-06  
**Location:** 4536 Saufley Field Road  
**Parcel #s:** 39-1S-31-4305-000-000  
**Acreage:** 4.62 (+/-) acres  
**Request:** From Commercial (C) to Mixed-Use Urban (MU-U)  
**Agent:** Escambia County

**Meeting Dates:** Planning Board September 1, 2015  
BCC October 8, 2015

### **Summary of Proposed Amendment:**

The proposed amendment is for a parcel totaling 4.62 (+/-) acres, accessed from Saufley Field Road. The agent has requested a future land use (FLU) map amendment to change the FLU category from Commercial (C) to Mixed-Use Urban (MU-U). The zoning designation for the referenced parcel is High Density Mixed-Use District (HDMU).

The proposed small scale amendment meets the following conditions in order to be classified as a small scale comprehensive plan amendment:

- a) The parcel is 4.62 (+/-) acres which is under the 10 acres or fewer as stated in 163.3187(1)(a).
- b) This amendment is the fifth small scale amendment for this calendar year; therefore, it will not exceed the maximum of 120 acres in a calendar year as stated in F.S 163.3187(1)(b).
- c) The proposed amendment is not located within a designated area of critical state concern.

### **Land Use Impacts:**

#### **Residential Impact**

**Comprehensive Plan Policy (CPP) 1.3.1**, the current Commercial FLU category has a density 25 du/acre. Residential development may be permitted only if secondary to a primary commercial development. The non-residential standards also provide for a maximum intensity of 1.0 FAR. The range of allowable uses is intended for a mix of

residential, retail and services, professional office, light Industrial, recreational facilities and public and civic.

The proposed amendment to Mixed-Use Urban (MU-U) FLU category has a residential Maximum Density of 25 du/acre and a Non-Residential Maximum Intensity of 2.0 Floor Area Ratio (FAR). The MU-U FLU category is designated for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowed uses encompass residential, retail and services, professional office, light industrial, recreational facilities, Public and Civic uses.

**Staff Analysis:** The property is located along Saufley Field Road which serves as a commercial strip and to the north the surrounding parcels serves as a mixed-use urban area. The subject property is served by one minor arterial road, Saufley Field Road and one major arterial road Mobile Highway, and within one and a quarter miles of Mobile Highway, a principal arterial hub. The location and intensity of allowed uses is compatible to the existing zoning and the current conditions of nearby parcels.

#### **Infrastructure Availability:**

##### **FLU 1.5.1 New Development and Redevelopment in Built Areas**

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

##### **GOAL CMS 1 Concurrency Management System**

Escambia County will adopt a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. The Concurrency Management System will be determined by the provisions of the LDC.

#### **Potable Water**

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

#### **Sanitary Sewer**

The adopted level of service standards for sanitary sewer established in Comprehensive Plan Policy INF 1.1.7 are an average of 210 gallons per residential connection per day and a peak of 350 gallons per residential connection per day. The policy also states that the LOS requirements for non-residential uses shall be based upon an equivalent residential connection calculated by the provider and on the size of the non-residential water meter.

### **Solid Waste Disposal**

As established in Comprehensive Plan policy INF 2.1.4, the adopted LOS standard for solid waste disposal in the county is six pounds per capita per day.

### **Stormwater Management**

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

### **Transportation System**

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

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

MOB 1.2.1 **Consistency.** All plans and proposals for development and redevelopment as well as all land use decisions will be reviewed for consistency with the FLUM.

**Staff Analysis:** The location's proximity to minor arterial and collector roadways promote the efficient use of existing public roads and infrastructure. On-site traffic, access management, roadway capacity allocation, LOS and availability for potable water, wastewater, solid waste and storm water management shall be determined at the time of Site Plan Review. Any new development on the parcel must meet all current LOS requirements.

### **Impact on Wellheads, Historically Significant Sites and the Natural Environment:**

#### **Wellheads:**

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

### **Historically Significant Sites:**

FLU 1.2.1 **State Assistance.** Escambia County shall utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County. The County will utilize guidance, direction and technical assistance received from this agency to develop provisions and regulations for the preservation and protection of such sites and structures. In addition, the County will utilize assistance from this agency together with other sources, such as the University of West Florida, in identifying newly discovered historic or archaeological resources. The identification will include an analysis to determine the significance of the resource.

### **Wetlands:**

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

**Staff Analysis:** The parcel is not located within well-head area protection area, ECUA will further review as part of the Site Plan Review process.

The applicant provided a document signed by April A. Holmes, Archeological Data Analyst, Florida Master Site File which states that there are no previously recorded cultural resources in that section of Escambia County. (Letter on File). From a review of the available National Wetland Inventory maps, there appears to be no environmentally sensitive lands on the subject parcel. Any future development shall be analyzed for environmental compliance with regulations prior to the issuance of any site plan approval.

Any proposed project within the parcel shall avoid any potential impacts to environmentally sensitive areas and should preserve the natural function of wetlands and natural resources on the subject parcel. Staff will review the proposed development at the Site Plan Review process for concurrency with existing County regulations.

### **Comprehensive Plan Consistency and Relevant Policies:**

#### **Mixed-Use Urban (MU-U) Land Use Category:**

FLU 1.3.1 Intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

**FLU 1.5.1 New Development and Redevelopment in Built Areas.** To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

**Staff Analysis:** Any proposed development will be analyzed during the Site Plan Review process, to ensure that the planned activities on site are compatible with the existing surrounding uses, allowed by the current zoning and will not have a negative impact upon existing public roads, utilities and service infrastructures.

**Summary:** If the amendment is approved, further in-depth analysis and evaluation will be accomplished by all participating agencies, once a final project application is submitted to the Development Review Committee.



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

**Planning Board-Regular**

4. F.

**Meeting Date:** 09/01/2015

**Issue:** A Public Hearing Concerning the Review of an LDC Ordinance, Chapter 3 Zoning Regulations

**From:** Horace Jones, Director

**Organization:** Development Services

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**RECOMMENDATION:**

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Zoning Regulations

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, to create Section 3-1.8 "Density and Uses Savings Clause" to allow residential density and land uses permitted under previous zoning districts to be reinstated under specified conditions.

**BACKGROUND:**

The newly adopted Escambia County Land Development Code consolidated the number of zoning districts, thereby modifying the density restrictions and land uses permitted within the various districts of the County; and, the Board finds that reinstating density limits and land uses that were permitted under the zoning districts of the previous Land Development Code under certain circumstances serves an important public purpose and is in the best interest of the County and its citizens.

**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                                   ORDINANCE NUMBER 2015-\_\_\_\_

2  
3           **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING**  
4           **PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE**  
5           **LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS**  
6           **AMENDED; AMENDING CHAPTER 3 “ZONING REGULATIONS,”**  
7           **ARTICLE 1, “GENERAL PROVISIONS,” TO CREATE SECTION 3-1.8**  
8           **“DENSITY AND USES SAVINGS CLAUSE,” TO ALLOW RESIDENTIAL**  
9           **DENSITY AND LAND USES PERMITTED UNDER PREVIOUS ZONING**  
10           **DISTRICTS TO BE REINSTATED UNDER SPECIFIED CONDITIONS;**  
11           **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN**  
12           **THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

13  
14           **WHEREAS**, Section 125.01, Florida Statutes, authorizes the Board of County  
15           Commissioners to establish, coordinate, and enforce zoning regulations as is necessary  
16           for the protection of the public; and,

17  
18           **WHEREAS**, on April 16, 2015, the Board established new zoning regulations through  
19           the adoption of the Escambia County Land Development Code; and,

20  
21           **WHEREAS**, the newly adopted Escambia County Land Development Code  
22           consolidated the number of zoning districts, thereby modifying the density restrictions  
23           and land uses permitted within the various districts of the County; and,

24  
25           **WHEREAS**, the Board finds that reinstating density limits and land uses that were  
26           permitted under the zoning districts of the previous Land Development Code under  
27           certain circumstances serves an important public purpose and is in the best interest of  
28           the County and its citizens;

29  
30           **NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY**  
31           **COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**

32  
33           **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development  
34           Code of Escambia County, Chapter 3, Article 1, Section 3-1.8 “Density and uses  
35           savings clause” is hereby established as follows (words underlined are additions and  
36           words ~~stricken~~ are deletions):

1 **Sec. 3-1.8 Density and uses savings clause.**

2  
3 **(a) General.** The owner of any parcel of land that had the residential density of its  
4 applicable zoning district decreased or had permitted land uses of that district  
5 eliminated as a result of the April 16, 2015 adoption of the LDC, may apply to  
6 have the previous residential density or permitted land uses reinstated. Only  
7 residential density and permitted land uses on record on the date of adoption  
8 shall be eligible for reinstatement pursuant to this section. Applications shall be  
9 approved, unless reinstating the previous residential density or land uses would  
10 cause the parcel's density or uses to become inconsistent with the existing  
11 applicable future land use (FLU) category. If the density or land uses would  
12 become inconsistent with the existing applicable FLU, approval for reinstatement  
13 shall be granted only after a FLU amendment consistent with the previous  
14 density and uses has been approved and adopted according to the amendment  
15 provisions in Article 7 of Chapter 2. All applications for reinstatement and FLU  
16 amendments made pursuant to this section shall be submitted to the Planning  
17 Official and processed at no cost to the land owner.

18 **(b) Applicability.** This section is not intended to authorize density or land uses that  
19 are otherwise limited by the LDC. These limitations include, but are not limited to,  
20 the provisions of the overlay zoning districts, the airport/airfield environs,  
21 floodplain management, or location criteria.

22  
23 **Section 2. Severability.**

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

27  
28 **Section 3. Inclusion in Code.**

29  
30 It is the intention of the Board of County Commissioners that the provisions of this  
31 Ordinance shall be codified as required by F.S. § 125.68 (2015); and that the sections,  
32 subsections and other provisions of this Ordinance may be renumbered or re-lettered  
33 and the word "ordinance" may be changed to "section," "chapter," or such other  
34 appropriate word or phrase in order to accomplish such intentions.

35  
36  
37  
38  
39 **INTENTIONALLY LEFT BLANK**

1 **Section 4. Effective Date.**

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

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

6  
7 **BOARD OF COUNTY COMMISSIONERS**  
8 **OF ESCAMBIA COUNTY, FLORIDA**

9  
10 **By:** \_\_\_\_\_  
11 **Steven Barry, Chairman**

12  
13 **ATTEST: PAM CHILDERS**  
14 **Clerk of the Circuit Court**

15  
16 **By:** \_\_\_\_\_  
17 **Deputy Clerk**

18 **(SEAL)**

19  
20 **ENACTED:**  
21 **FILED WITH THE DEPARTMENT OF STATE:**  
22 **EFFECTIVE DATE:**

23