

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
December 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 Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the November 3, 2015 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for November 2015.
 - C. Planning Board 6-Month Outlook for December 2015.
4. Public Hearings.
 - A. A Public Hearing Concerning the Review of an LDC Ordinance Ch 3, Zoning Regulations, Alcohol Breweries, Distilleries, and Wineries & Ch 6, Definitions
 - B. A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3, Zoning and Future Land Use
 - C. A Public Hearing - Comprehensive Plan - Small Scale Amendment
SSA-2015-02
 - D. A Public Hearing- Comprehensive Plan - Small Scale Amendment
SSA-2015-03

5. Action/Discussion/Info Items.
 - A. Captain Hoskins - Overview of Community Partnership and Navy's participation regarding land development and compatibility.
 - B. JLUS Agreement.
6. Public Forum.
7. Director's Review.
8. County Attorney's Report.
9. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, January 5, 2016 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.

Meeting Date: 12/01/2015

Agenda Item:

Approval of Minutes.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the November 3, 2015 Planning Board Meeting.

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

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

Attachments

11-3-15 Quasi-Judicial Mtg Resume Minutes

11-3-15 Regular PB Mtg Resume Minutes

November Monthly Action Follow-Up

December Six Month Outlook

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING November 3, 2015

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:59 A.M. – 9:10 A.M.)
(9:15 A.M. – 9:21 A.M.)

Present: Wayne Briske, Chairman
Tim Tate, Vice Chairman
Rodger Lowery
Alvin Wingate
Patty Hightower, School Board (non-voting)
Timothy Pyle
Bob Cordes
Reid Rushing

Absent: Stephanie Oram, Navy (Non voting)

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

1. Call to Order.
2. Pledge of Allegiance to the Flag was given by Alvin Wingate.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Bob Cordes, Seconded by Tim Tate

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

Vote: 7 - 0 Approved

4. Quasi-judicial Process Explanation.

5. Public Hearings.

- A. Case #: Z-2015-19
Applicant: Brad McLaughlin, Agent for
Long & Moore Land
Company, LLC., Owner
Address: 1700 Block Jacks Branch
Road
Property Size: 160.93 (+/-) acres
From: Agr, Agricultural district (one
du/per 20 acres)
To: LDR, Low Density
Residential district, Detailed
Specific Area Plan Land Use
Conservation Neighborhood
(three du/acre)

Alvin Wingate and Rodger Lowery 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 Tim Tate, Seconded by Rodger Lowery

Motion was made to recommend approval from Agr to LDR within the DSAP and accept Staff Findings of Fact on all six criteria.

Vote: 7 - 0 Approved

6. Adjournment.

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD November 3, 2015

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:30 A.M. – 11:47 A.M.)

Present: Wayne Briske, Chairman
Tim Tate, Vice Chairman
Rodger Lowery
Alvin Wingate
Patty Hightower, School Board (non-voting)
Timothy Pyle
Bob Cordes
Reid Rushing

Absent: Stephanie Oram, Navy (Non voting)

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Andrew Holmer, Division Manager, Planning & Zoning
Griffin Vickery, Urban Planner, Planning & Zoning
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Karen Bohon, Sr. Office Assistant
Kayla Meador, 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 Timothy Pyle, Seconded by Tim Tate

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

Vote: 7 - 0 Approved

3. Approval of Minutes.

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

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

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

Motion by Rodger Lowery, Seconded by Tim Tate

Motion was made to approve the minutes from the October 6, 2015 Planning Board Meeting.

Vote: 7 - 0 Approved

4. Public Hearings.

A. A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapters 3, 4, and 6, Temporary Uses and Structures A Public Hearing Concerning the Review of an Ordinance Amending Chapters 3, 4, and 6, Temporary Uses and Structures

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 3-1.4, "Allowed uses," Chapter 4, Section 4-7.13, "Temporary uses and structures," and Chapter 6, "Terms defined," to establish and clarify the conditions under which temporary uses and structures are allowed.

Motion by Tim Tate, Seconded by Bob Cordes

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

Vote: 7 - 0 Approved

B. A Public Hearing Concerning the Review of an Ordinance Amending Comprehensive Plan Chapter 7, CPA-2015-08 A Public Hearing Concerning the Review of an Ordinance Amending Comprehensive Plan Chapter 7, CPA-2015-08

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal, an Ordinance to the Comprehensive Plan Chapter 7 Policy 1.3.1.

Motion by Rodger Lowery, Seconded by Bob Cordes

Motion was made to accept with format changes and recommend approval to the BCC.

Vote: 7 - 0 Approved

C. A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3, Article 5, Pensacola Beach Districts
A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Article 5, Pensacola Beach Districts

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 5, Sections 3-5.2 thru 3-5.9, "Site and Building Requirements". Eliminating "temporary structures" as a permitted use in the GR-PB, REC/R-PB, and CH-PB districts and reclassifying "temporary structures" as a conditional use in those districts.

Motion by Tim Tate, Seconded by Rodger Lowery

Motion was made to recommend approval to the BCC with changes noted; changing temporary structure with limited use permit. Update title with legal review.

Vote: 7 - 0 Approved

5. Action/Discussion/Info Items.

A. Group Living definition and permitted uses - The Board directed staff to review the state statues and look at areas to allow group homes; in more intense use areas.

B. Limited AG uses in MU-S (comp plan amendment) - The Board directed staff to work on wording without referencing the old code.

C. Adding Microbreweries to the LDC - The Board discussed the draft ordinance with suggested changes and bring back to public hearing in December.

D. Vested Rights Training - Postponed until December meeting.

E. Additional Discussion Item - Meredith Nunnari discussed the Affordable Housing Incentive Plan for informational purposes.

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, December 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: November 12, 2015
RE: Monthly Action Follow-Up Report for November 2015.

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

10-05-15 through 10-09-15 PK Charrette

COMMITTEES & WORKING GROUP MEETINGS

COMPREHENSIVE PLAN AMENDMENTS

• **Text Amendments:**

CPA-2015-07

Five-Year Schedule

09-01-15 PB recommended approval

10-08-15 BCC approved for transmittal to DEO

CPA-2015-08

Five-Year Schedule

11-03-15 PB recommended approval

12-10-15 BCC meeting

• **Map Amendments:**

SSA-2015-06

Saufley Field

09-01-15 PB recommended approval

10-08-15 BCC approved

LAND DEVELOPMENT CODE ORDINANCES

Zoning Requirements Ordinance, Chapter 2 changes

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

CRA Overlay Ordinance, Chapter 3 changes

09-01-15 PB recommended approval
10-08-15 BCC meeting
11-05-15 BCC approved

SRIA Setback, Chapter 3 changes

09-01-15 PB recommended approval
10-08-15 BCC meeting – withdrawn prior to meeting
11-03-15 PB recommended approval
12-10-15 BCC meeting

SRIA Flood Plain Management, Chapter 4 changes

09-01-15 PB recommended approval
10-08-15 BCC approved

Density & Uses Savings Clause, Chapter 3 changes

09-01-15 PB recommended approval
09-24-15 BCC approved

REZONING CASES

1. Rezoning Case Z-2015-12

06-02-15 PB recommended approval
07-07-15 BCC sent back to PB
09-01-15 PB recommended approval with changes
10-08-15 BCC approved

2. Rezoning Case Z-2015-14

06-02-15 PB recommended approval
09-03-15 BCC approved

3. Rezoning Case Z-2015-13

09-01-15 PB recommended approval
10-08-15 BCC approved

4. Rezoning Case Z-2015-15

10-06-15 PB recommended approval
11-05-15 BCC approved

5. Rezoning Case Z-2015-16

10-06-15 PB recommended approval
11-05-15 BCC approved

- 6. **Rezoning Case Z-2015-17**
10-06-15 PB recommended approval
11-05-15 BCC approved

- 7. **Rezoning Case Z-2015-18**
10-06-15 PB recommended approval
11-05-15 BCC approved

- 8. **Rezoning Case Z-2015-19**
11-03-15 PB recommended approval
12-10-15 BCC meeting

MISCELLANEOUS ITEMS

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR DECEMBER 2015

(Revised 11/17/15)

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, December 1, 2015	<ul style="list-style-type: none"> • Microbrewery • Zoning Consistency w/FLU 	<ul style="list-style-type: none"> • SSA-2015-02 • SSA-2015-03 	<ul style="list-style-type: none"> • Z-2015-20 	<ul style="list-style-type: none"> • JLUS Agreement • Captain Hoskins - Overview of Community Partnership & Navy's participation regarding land development & compatibility
Tuesday, December 8, 2015 Perdido Key Master Plan Workshop				
Tuesday, January 5, 2016	<ul style="list-style-type: none"> • PK Master Plan • Red Fish Harbor PUD 			<ul style="list-style-type: none"> • CIP Annual Report ordinance • Short-Term Vacation Rentals
Tuesday, February 2, 2016				
Tuesday, March 1, 2016				
Tuesday, April 5, 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: 12/01/2015

Issue: A Public Hearing Concerning the Review of an LDC Ordinance Ch 3, Zoning Regulations, Alcohol Breweries, Distilleries, and Wineries & Ch 6, Definitions

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, High Density Mixed-Use (HDMU), Commercial district (Com), and Heavy Commercial and Light Industrial District (HC/LI), to authorize Brewpubs, Alcohol Breweries, Distilleries and Wineries under certain circumstances and Amending Chapter 6, Definitions to Define Brewpub, Microbrewery, Microdistillery and Microwinery.

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 and Chapter 6, Definitions.

BACKGROUND:

These proposed changes are being made to add a new use type that is currently not in any zoning district, also modify the terms bar, and industry or industrial and define the terms Brewpub, Microbrewery, Microdistillery, and Microwinery.

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 Boards goal to increase citizen involvement in, access to, and approval of, County government activities.

IMPLEMENTATION/COORDINATION:

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

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

Attachments

Draft Ordinance with Legal review

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Micro-Alcohol Production

Date: 11-10-2015

Date requested back by: 11-13-2015

Requested by: John C Fisher

Phone Number: 595-4651



(LEGAL USE ONLY)

Legal Review by Kenna A. Smith

Date Received: 11/10/2015

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

1 **Sec. 3-2.9 High Density Mixed-use district (HDMU).**

2 **(a) Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate
3 areas and land use regulations for a complimentary mix of high density residential
4 uses and compatible non-residential uses within urban areas. The primary intent of
5 the district is to provide for a mix of neighborhood retail sales, services and
6 professional offices with greater dwelling unit density and diversity than the Low
7 Density Mixed-use district. Additionally, the HDMU district is intended to rely on
8 urban street connectivity and encourage vertical mixes of commercial and residential
9 uses within the same building to accommodate a physical pattern of development
10 characteristic of village main streets and older neighborhood commercial areas.
11 Residential uses within the district include all forms of single-family, two-family and
12 multi-family dwellings.

13 **(b) Permitted uses.** Permitted uses within the HDMU district are limited to the following:

14 **(1) Residential.** The following residential uses are allowed throughout the district,
15 but if within a Commercial (C) future land use category they are permitted only if
16 part of a predominantly commercial development.

- 17 a. Group living, excluding dormitories, fraternity and sorority houses, and
18 residential facilities providing substance abuse treatment, post-incarceration
19 reentry, or similar services.
- 20 b. Manufactured (mobile) homes, including manufactured home subdivisions,
21 but excluding new or expanded manufactured home parks.
- 22 c. Single-family dwellings (other than manufactured homes), detached or
23 attached, including townhouses and zero lot line subdivisions.
- 24 d. Two-family and multi-family dwellings.

25 See also conditional uses in this district.

26 **(2) Retail sales.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail sales,
27 including sales of beer and wine, but excluding sales of liquor, automotive fuels,
28 or motor vehicles, and excluding permanent outdoor storage, display, or sales.
29 See also conditional uses in this district.

30 **(3) Retail services.** The following small-scale (gross floor area 6000 sq.ft. or less
31 per lot) retail services, excluding outdoor work or permanent outdoor storage:

- 32 a. Bed and breakfast inns.
- 33 b. Boarding and rooming houses.
- 34 c. Child care facilities.
- 35 d. Personal services, including those of beauty shops, health clubs, pet
36 groomers, dry cleaners, and tattoo parlors.

- 1 e. Professional services, including those of realtors, bankers, accountants,
2 engineers, architects, dentists, physicians, and attorneys.
- 3 f. Repair services, including appliance repair, furniture refinishing and
4 upholstery, watch and jewelry repair, small engine and motor services, but
5 excluding major motor vehicle or boat service or repair.
- 6 g. Restaurants and brewpubs, including on-premises consumption of alcoholic
7 beverages, but excluding drive-in or drive-through service and brewpubs with
8 distribution of alcoholic beverages for off-site sales.

9 See also conditional uses in this district.

10 **(4) Public and civic.**

- 11 a. Preschools and kindergartens.
- 12 b. Emergency service facilities, including law enforcement, fire fighting, and
13 medical assistance.
- 14 c. Foster care facilities.
- 15 d. Places of worship.
- 16 e. Public utility structures, excluding telecommunications towers.

17 See also conditional uses in this district.

18 **(5) Recreation and entertainment.**

- 19 a. Marinas, private only.
- 20 b. Parks without permanent restrooms or outdoor event lighting.

21 See also conditional uses in this district.

22 **(6) Industrial and related.** No industrial or related uses.

23 **(7) Agricultural and related.** Agricultural production limited to food primarily for
24 personal consumption by the producer, but no farm animals.

25 **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

26 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
27 the BOA may conditionally allow the following uses within the HDMU district:

28 **(1) Residential.**

- 29 a. Dormitories.
- 30 b. Fraternity and sorority houses.
- 31 c. Manufactured (mobile) home parks.

32 **(2) Retail sales.** Medium-scale (gross floor area greater than 6000 sq.ft. per lot, but
33 no greater than 35,000 sq.ft.) retail sales, including sales of beer and wine and

1 automotive fuels, but excluding sales of motor vehicles and liquor, and excluding
2 permanent outdoor storage, display, or sales.

3 **(3) Retail services.**

4 a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no
5 greater than 35,000 sq. ft.) retail services, excluding motor vehicle service
6 and repair.

7 b. Restaurants and brewpubs with drive-in or drive-through service and
8 brewpubs with the distribution of on-premises produced alcoholic beverages
9 for off-site sales.

10 c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle
11 service and repair, excluding painting or body work and outdoor work.

12 **(4) Public and civic.**

13 a. Broadcast stations with satellite dishes and antennas, excluding towers.

14 b. Cemeteries, including family cemeteries.

15 c. Clubs, civic and fraternal.

16 d. Community service facilities, including auditoriums, libraries, museums, and
17 neighborhood centers.

18 e. Cinerators.

19 f. Educational facilities not among the permitted uses of the district.

20 g. Funeral establishments.

21 h. Hospitals.

22 i. Offices for government agencies or public utilities.

23 j. Public utility structures exceeding the district structure height limit and
24 telecommunications towers of any height, excluding any industrial uses.

25 k. Warehousing or maintenance facilities for government agencies or public
26 utilities.

27 **(5) Recreation and entertainment.**

28 a. Amusement arcade centers and bingo facilities.

29 b. Golf courses, tennis centers, swimming pools and similar active outdoor
30 recreational facilities, including associated country clubs.

31 c. Parks with permanent restrooms or outdoor event lighting.

32 **(6) Industrial and related. Microbreweries, microdistilleries, and microwineries.**

33 **~~(6)~~ (7) Agricultural and related.**

1 a. Horses or other domesticated *equines* kept on site, and stables for such
2 animals, only as a private residential accessory with a minimum lot area of
3 two acres and a maximum of one animal per acre.

4 b. Veterinary clinics.

5 **(d)(8) Other uses.**

6 a. Self-storage facilities with a maximum lot area of one acre and outdoor
7 storage limited to operable motor vehicles and boats. No vehicle rental.

8 b. Structures of permitted uses exceeding the district structure height limit,
9 excluding telecommunications towers.

10 **(e)(d) Site and building requirements.** The following site and building requirements
11 apply to uses within the HDMU district:

12 **(1) Density.** A maximum of 25 dwelling units per acre.

13 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C)
14 future land use category and 2.0 within Mixed-Use Urban (MU-U).

15 **(3) Structure height.** A maximum structure height of 150 feet above highest
16 adjacent grade.

17 **(4) Lot area.** No minimum lot area unless prescribed by use.

18 **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of
19 20 feet at the street right-of-way, the following minimum lot widths are required:

20 a. **Single-family detached.** Forty feet at both the street right-of-way and the
21 front building line for single-family detached dwellings.

22 b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front
23 building line for two-family dwellings.

24 c. **Multi-family and other.** One hundred feet at the front building line for multi-
25 family dwellings, boarding or rooming houses, or townhouse groups. No
26 minimum lot width required by zoning for other uses.

27 **(6) Lot coverage.** Minimum pervious lot coverage of 20 percent (80 percent
28 maximum semi-impervious and impervious cover) for all uses.

29 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

30 a. **Front and rear.** Twenty feet in the front and 15 feet in the rear.

31 b. **Sides.** Ten feet on each side of a group of attached townhouses. On each
32 side of all other structures, 10 feet or 10 percent of the lot width at the front
33 building line, whichever is less, but at least five feet. For structures exceeding
34 35 feet above highest adjacent grade, an additional two feet for each
35 additional 10 feet in height, but not required to exceed 15 feet.

36 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development
37 regulations and standards.

1 **(f)(e) Location criteria.** All new non-residential uses proposed within the HDMU district
2 that are not part of a predominantly residential development or a planned unit
3 development, or are not identified as exempt by district regulations, shall be on parcels
4 that satisfy at least one of the following location criteria:

5 **(1) Proximity to intersection.** Along an arterial or collector street and within 200
6 feet of an intersection with another arterial or collector.

7 **(2) Proximity to traffic generator.** Along an arterial or collector street and within a
8 one-quarter mile radius of an individual traffic generator of more than 600 daily
9 trips, such as an apartment complex, military base, college campus, hospital,
10 shopping mall or similar generator.

11 **(3) Infill development.** Along an arterial or collector street, in an area where
12 already established non-residential uses are otherwise consistent with the HDMU
13 district, and where the new use would constitute infill development of similar
14 intensity as the conforming development on surrounding parcels. Additionally,
15 the location would promote compact development and not contribute to or
16 promote strip commercial development.

17 **(4) Site design.** Along an arterial street and at the intersection with a local street
18 that serves to connect the arterial street to another arterial, and all of the
19 following site design conditions:

20 a. Any intrusion into a recorded residential subdivision is limited to a corner lot

21 b. Access and stormwater management is shared with adjoining uses or
22 properties to the extent practicable.

23 c. Adverse impacts to any adjoining residential uses are minimized by placing
24 the more intensive elements of the use, such as solid waste dumpsters and
25 truck loading/unloading areas, furthest from the residential uses.

26 **(5) Documented compatibility.** A compatibility analysis prepared by the applicant
27 provides competent substantial evidence of unique circumstances regarding the
28 parcel or use that were not anticipated by the alternative criteria, and the
29 proposed use will be able to achieve long-term compatibility with existing and
30 potential uses. Additionally, the following conditions exist:

31 a. The parcel has not been rezoned by the landowner from the mixed-use,
32 commercial, or industrial zoning assigned by the county.

33 b. If the parcel is within a county redevelopment district, the use will be
34 consistent with the district's adopted redevelopment plan, as reviewed and
35 recommended by the Community Redevelopment Agency (CRA).

36 **(g)(f) Rezoning to HDMU.** High Density Mixed-use zoning may be established only
37 within the Mixed-Use Urban (MU-U) or Commercial (C) future land use categories. The
38 district is suitable for areas where the intermixing of uses has been the custom, where
39 future uses are uncertain, and some redevelopment is probable. The district
40 inappropriate to provide transitions between areas zoned or used for medium or high

1 density residential and areas zoned or used for commercial. Rezoning to HDMU is
2 subject to the same location criteria as any new non-residential use proposed within the
3 HDMU district.

4
5 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development
6 Code of Escambia County, Chapter 3, Article 2, Section 3-2.10 “Commercial district
7 (COM),” is hereby amended as follows (words underlined are additions and words
8 ~~stricken~~ are deletions):

9 **Sec. 3-2.10 Commercial district (Com).**

10 **(a) Purpose.** The Commercial (Com) district establishes appropriate areas and land
11 use regulations for general commercial activities, especially the retailing of
12 commodities and services. The primary intent of the district is to allow more diverse
13 and intense commercial uses than the neighborhood commercial allowed within the
14 mixed-use districts. To maintain compatibility with surrounding uses, all commercial
15 operations within the Commercial district are limited to the confines of buildings and
16 not allowed to produce undesirable effects on surrounding property. To retain
17 adequate area for commercial activities, new and expanded residential development
18 within the district is limited, consistent with the Commercial (C) future land use
19 category.

20 **(b) Permitted uses.** Permitted uses within the Commercial district are limited to the
21 following:

22 **(6) Residential.** The following residential uses are allowed throughout the district,
23 but if within the Commercial (C) future land use category they are permitted only
24 if part of a predominantly commercial development:

- 25 **a.** Group living, excluding dormitories, fraternity and sorority houses, and
26 residential facilities providing substance abuse treatment, post-incarceration
27 reentry, or similar services.
- 28 **b.** Manufactured (mobile) homes, including new or expanded manufactured
29 home parks or subdivisions.
- 30 **c.** Single-family dwellings (other than manufactured homes), detached or
31 attached, including townhouses and zero lot line subdivisions.
- 32 **d.** Two-family and multi-family dwellings.

33 See also conditional uses in this district.

34 **(7) Retail sales.** Retail sales, including sales of alcoholic beverages and automotive
35 fuels, but excluding motor vehicle sales and permanent outdoor storage. See
36 also conditional uses in this district.

37 **(8) Retail services.** The following retail services, excluding permanent outdoor
38 storage:

- 1 a. Car washes, automatic or manual, full service or self-serve.
- 2 b. Child care facilities.
- 3 c. Hotels, motels and all other public lodging, including boarding and rooming
4 houses.
- 5 d. Personal services, including those of beauty shops, health clubs, pet
6 groomers, dry cleaners and tattoo parlors.
- 7 e. Professional services, including those of realtors, bankers, accountants,
8 engineers, architects, dentists, physicians, and attorneys.
- 9 f. Repair services, including appliance repair, furniture refinishing and
10 upholstery, watch and jewelry repair, small engine and motor services, but
11 excluding major motor vehicle or boat service or repair, and outdoor work.
- 12 g. Restaurants and brewpubs, including on-premises consumption of alcoholic
13 beverages and, drive-in and drive-through service, and brewpubs with the
14 distribution of on-premises produced alcoholic beverages for off-site sales.
15 The parcel boundary of any restaurant or brewpub with drive-in or drive-
16 through service shall be at least 200 feet from any LDR or MDR zoning
17 district unless separated by a 50-foot or wider street right-of-way.

18 See also conditional uses in this district.

19 **(9) Public and civic.**

- 20 a. Broadcast stations with satellite dishes and antennas, including towers.
- 21 b. Cemeteries, including family cemeteries.
- 22 c. Community service facilities, including auditoriums, libraries, museums, and
23 neighborhood centers.
- 24 d. Educational facilities, including preschools, K-12, colleges, and vocational
25 schools.
- 26 e. Emergency service facilities, including law enforcement, fire fighting, and
27 medical assistance.
- 28 f. Foster care facilities.
- 29 g. Funeral establishments.
- 30 h. Hospitals.
- 31 i. Offices for government agencies or public utilities.
- 32 j. Places of worship.
- 33 k. Public utility structures, including telecommunications towers, but excluding
34 any industrial uses.
- 35 l. Warehousing or maintenance facilities for government agencies or for public
36 utilities.

1 See also conditional uses in this district.

2 **(10) Recreation and entertainment.**

- 3 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- 4 b. Indoor recreation or entertainment facilities, including movie theaters, bowling
5 alleys, skating rinks, arcade amusement centers, bingo facilities and shooting
6 ranges, but excluding bars, nightclubs or adult entertainment facilities.
- 7 c. Marinas, private and commercial.
- 8 d. Parks without permanent restrooms or outdoor event lighting.

9 See also conditional uses in this district.

10 **(11) Industrial and related.**

- 11 a. Printing, binding, lithography and publishing.
- 12 b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

13 See also conditional uses in this district.

14 **(12) Agricultural and related.**

- 15 a. Agricultural food production primarily for personal consumption by the
16 producer, but no farm animals.
- 17 b. Nurseries and garden centers, including adjoining outdoor storage or display
18 of plants.
- 19 c. Veterinary clinics.

20 See also conditional uses in this district.

21 **(13) Other uses.**

- 22 a. Billboard structures.
- 23 b. Outdoor storage if minor and customarily incidental to the allowed principal
24 use, and if in the rear yard, covered, and screened from off-site view, unless
25 otherwise noted.
- 26 c. Parking garages and lots, commercial.
- 27 d. Self-storage facilities, excluding vehicle rental.

28 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
29 the BOA may conditionally allow the following uses within the Commercial district:

30 **(1) Residential.**

- 31 a. Group living not among the permitted uses of the district.
- 32 b. Home occupations with non-resident employees.

1 **(2) Retail sales.**

2 a. Boat sales, new and used.

3 b. Automobile sales, used autos only, excluding parcels fronting on any of the
4 following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR
5 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate
6 10 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic
7 Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than
8 one acre and provided with a permanent fence, wall, or other structural barrier
9 of sufficient height and mass along all road frontage to prevent encroachment
10 into the right-of way other than through approved site access.

11 c. Automobile rental limited to the same restrictions as used automobile sales.

12 d. Utility trailer, heavy truck (gross vehicle weight rating more than 8500 lbs),
13 and recreational vehicle sales, rental, or service limited to the same
14 restrictions as used automobile sales.

15 **(3) Retail services.** Service and repair of motor vehicles, small scale (gross floor
16 area 6000 sq. ft. or less per lot), excluding painting and body work and outdoor
17 work and storage.

18 **(4) Public and civic.**

19 a. Cemeteries, including family cemeteries.

20 b. Clubs, civic and fraternal.

21 c. Cinerators.

22 d. Homeless shelters.

23 **(5) Recreation and entertainment.**

24 a. Bars, and nightclubs.

25 b. Golf courses, tennis centers, swimming pools and similar active outdoor
26 recreational facilities, including associated country clubs.

27 c. Parks with permanent restrooms or outdoor event lighting.

28 **(6) Industrial and related.**

29 a. Borrow pits and reclamation activities 20 acres minimum and (subject to local
30 permit and development review requirements per Escambia County Code of
31 Ordinances, Part I, Chapter 42, article VIII, and land use and regulations in
32 Part III, the Land Development Code, chapter 4. *Borrow pits are prohibited
33 on land zoned GMD prior to the adoption of the Commercial (Com) zoning.

34 b. Mircobreweries, microdistilleries, microwineries,

35 **(7) Agricultural and related.** Horses or other domesticated *equines* kept on site,
36 and stables for such animals, only as a private residential accessory with a
37 minimum lot area of two acres and a maximum of one animal per acre.

1 **(8) Other uses.**

- 2 a. Outdoor sales not among the permitted uses of the district.
- 3 b. Outdoor storage not among the permitted uses of the district, including
- 4 outdoor storage of trailered boats and operable recreational vehicles, but no
- 5 repair, overhaul, or salvage activities. All such storage shall be screened
- 6 from residential uses and maintained to avoid nuisance conditions.
- 7 c. Self-storage facilities, including vehicle rental as an accessory use.
- 8 d. Structures of permitted uses exceeding the district structure height limit.

9 **(d) Site and building requirements.** The following site and building requirements apply

10 to uses within the Commercial district:

11 **(1) Density.** A maximum of 25 dwelling units per acre throughout the district.

12 Lodging unit density not limited by zoning.

13 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C)

14 future land use category and 2.0 within Mixed-Use Urban (MU-U).

15 **(3) Structure height.** A maximum structure height of 150 feet above adjacent grade.

16 **(4) Lot area.** No minimum lot area unless prescribed by use.

17 **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of

18 20 feet at the street right-of-way, the following minimum lot widths are required:

19 a. **Single-family detached.** Forty feet at both the street right-of-way and the

20 front building line for single-family detached dwellings.

21 b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front

22 building line for two-family dwellings.

23 c. **Multi-family and other.** One hundred feet at the front building line for multi-

24 family dwellings, boarding or rooming houses, or townhouse groups. No

25 minimum lot width required by zoning for other uses.

26 **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent

27 maximum semi-impervious and impervious cover) for all uses.

28 **(7) Structure setback.** For all principal structures, minimum setbacks are:

29 a. **Front and rear.** Fifteen feet in both front and rear.

30 b. **Sides.** Ten feet on each side, including any group of attached townhouses.

31 For structures exceeding 35 feet above highest adjacent grade, an additional

32 two feet for each additional 10 feet in height.

33 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development

34 regulations and standards.

35 **(e) Location criteria.** All new non-residential uses proposed within the Commercial

36 district that are not part of a planned unit development or not identified as exempt by

1 the district shall be on parcels that satisfy at least one of the following location
2 criteria:

3 **(1) Proximity to intersection.** Along an arterial or collector street and within one-
4 quarter mile of its intersection with an arterial street.

5 **(2) Proximity to traffic generator.** Along an arterial or collector street and within a
6 one-quarter mile radius of an individual traffic generator of more than 600 daily
7 trips, such as an apartment complex, military base, college campus, hospital,
8 shopping mall or similar generator.

9 **(3) Infill development.** Along an arterial or collector street, in an area where
10 already established non-residential uses are otherwise consistent with the
11 Commercial district, and where the new use would constitute infill development of
12 similar intensity as the conforming development on surrounding parcels.
13 Additionally, the location would promote compact development and not contribute
14 to or promote strip commercial development.

15 **(4) Site design.** Along an arterial or collector street, no more than one-half mile
16 from its intersection with an arterial or collector street, not abutting a single-family
17 residential zoning district (RR, LDR or MDR), and all of the following site design
18 conditions:

- 19 a. Any intrusion into a recorded subdivision is limited to a corner lot.
20 b. A system of service roads or shared access is provided to the maximum
21 extent made feasible by lot area, shape, ownership patterns, and site and
22 street characteristics.
23 c. Adverse impacts to any adjoining residential uses are minimized by placing
24 the more intensive elements of the use, such as solid waste dumpsters and
25 truck loading/unloading areas, furthest from the residential uses.

26 **(5) Documented compatibility.** A compatibility analysis prepared by the applicant
27 provides competent substantial evidence of unique circumstances regarding the
28 potential uses of parcel that were not anticipated by the alternative criteria, and
29 the proposed use, or rezoning as applicable, will be able to achieve long-term
30 compatibility with existing and potential uses. Additionally, the following
31 conditions exist:

- 32 a. The parcel has not been rezoned by the landowner from the mixed-use,
33 commercial, or industrial zoning assigned by the county.
34 b. If the parcel is within a county redevelopment district, the use will be
35 consistent with the district's adopted redevelopment plan, as reviewed and
36 recommended by the Community Redevelopment Agency (CRA).
37

1 **(f) Rezoning to Commercial.** Commercial zoning may be established only within the
2 Mixed-Use Urban (MU-U) or Commercial (C) future land use categories. The district
3 is appropriate to provide transitions between areas zoned or used as high density
4 mixed-use and areas zoned or used as heavy commercial or industrial. Rezoning to
5 Commercial is subject to the same location criteria as any new non-residential use
6 proposed within the Commercial district.

7 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land Development
8 Code of Escambia County, Chapter 3, Article 2, Section 3-2.11 “Heavy Commercial and
9 Light Industrial District (HCLI),” is hereby amended as follows (words underlined are
10 additions and words ~~stricken~~ are deletions):

11 **Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).**

12 **(a) Purpose.** The Heavy Commercial and Light Industrial (HC/LI) district establishes
13 appropriate areas and land use regulations for a complementary mix of industrial
14 uses with a broad range of commercial activities. The primary intent of the district is
15 to allow light manufacturing, large-scale wholesale and retail uses, major services,
16 and other more intense uses than allowed in the Commercial district. The variety
17 and intensity of non-residential uses within the HC/LI district is limited by their
18 compatibility with surrounding uses. All commercial and industrial operations are
19 limited to the confines of buildings and not allowed to produce undesirable effects on
20 other property. To retain adequate area for commercial and industrial activities,
21 other uses within the district are limited.

22 **(b) Permitted uses.** Permitted uses within the HC/LI district are limited to the following:

23 **(1) Residential.** Any residential uses if outside of the Industrial (I) future land use
24 category and part of a predominantly commercial development, excluding new or
25 expanded manufactured (mobile) home parks and subdivisions. See also
26 conditional uses in this district.

27 **(2) Retail sales.** Retail sales, including sales of alcoholic beverages, sales of
28 automotive fuels, and sales of new and used automobiles, motorcycles, boats,
29 and manufactured (mobile) homes.

30 **(3) Retail services.**

31 a. Car washes, automatic or manual, full service or self-serve.

32 b. Child care facilities.

33 c. Hotels, motels and all other public lodging, including boarding and rooming
34 houses.

35 d. Personal services, including those of beauty shops, health clubs, pet
36 groomers, dry cleaners and tattoo parlors.

37 e. Professional services, including those of realtors, bankers, accountants,
38 engineers, architects, dentists, physicians, and attorneys.

39 f. Rental of automobiles, trucks, utility trailers and recreational vehicles.

1 g. Repair services, including appliance repair, furniture refinishing and
2 upholstery, watch and jewelry repair, small engine and motor services, and
3 major motor vehicle and boat service and repair, but excluding outdoor work
4 or storage.

5 h. Restaurants and brewpubs, including on-premises consumption of alcoholic
6 beverages and, drive-in and drive-through service, and brewpubs with the
7 distribution of on-premises produced alcoholic beverages for off-site sales.
8 The parcel boundary of any restaurant or brewpub with drive-in or drive-
9 through service shall be at least 200 feet from any LDR or MDR zoning
10 district unless separated by a 50-foot or wider street right-of-way.

11 i. Taxi and limousine services.

12 See also conditional uses in this district.

13 **(4) Public and civic.**

14 a. Broadcast stations with satellite dishes and antennas, including towers.

15 b. Cemeteries, including family cemeteries.

16 c. Community service facilities, including auditoriums, libraries, museums, and
17 neighborhood centers.

18 d. Educational facilities, including preschools, K-12, colleges, and vocational
19 schools.

20 e. Emergency service facilities, including law enforcement, fire fighting, and
21 medical assistance.

22 f. Funeral establishments.

23 g. Homeless shelters.

24 h. Hospitals.

25 i. Offices for government agencies or public utilities.

26 j. Places of worship.

27 k. Public utility structures, including telecommunications towers, but excluding
28 industrial uses not otherwise permitted.

29 See also conditional uses in this district.

30 (Ord. No. 2015-24, § 1, 7-7-15)

31 **(5) Recreation and entertainment.**

32 a. Commercial entertainment facilities, indoor or outdoor, including movie
33 theatres, amusement parks, and stadiums, but excluding motorsports
34 facilities. Carnival-type amusements shall be at least 500 feet from any
35 residential district. Bars, nightclubs, and adult entertainment are prohibited in
36 areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1
37 prior to adoption of HC/LI zoning.

1 **b.** Commercial recreation facilities, passive or active, including those for walking,
2 hiking, bicycling, camping, recreational vehicles, swimming, skateboarding,
3 bowling, court games, field sports, and golf, but excluding of f-highway vehicle
4 uses and outdoor shooting ranges. Campgrounds and recreational vehicle
5 parks require a minimum lot area of five acres.

6 **c.** Marinas, private and commercial.

7 **d.** Parks, with or without permanent restrooms or outdoor event lighting.

8 See also conditional uses in this district.

9 **(6) Industrial and related.**

10 **a.** Light industrial uses, including research and development, printing and
11 binding, distribution and wholesale warehousing, and manufacturing, all
12 completely within the confines of buildings and without adverse off-site
13 impacts.

14 **b.** Marinas, industrial.

15 **c.** Microbreweries, microdistilleries, and microwineries, except in areas with the
16 zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption
17 of HC/LI zoning.

18 See also conditional uses in this district.

19
20 **(7) Agricultural and related.**

21 **a.** Food produced primarily for personal consumption by the producer, but no
22 farm animals.

23 **b.** Nurseries and garden centers, including adjoining outdoor storage or display
24 of plants.

25 **c.** Veterinary clinics, excluding outside kennels.

26 See also conditional uses in this district.

27 **(8) Other uses.**

28 **a.** Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to
29 adoption of HC/LI zoning.

30 **b.** Building or construction trades shops and warehouses, including on-site
31 outside storage.

32 **c.** Bus leasing and rental facilities.

33 **d.** Deposit boxes for donation of used items when placed as an accessory
34 structure on the site of a charitable organization.

35 **e.** Outdoor adjacent display of plants by garden shops and nurseries.

36 **f.** Outdoor sales.

- 1 **g.** Outdoor storage of trailered boats and operable recreational vehicles,
2 excluding repair, overhaul or salvage activities.
- 3 **h.** Parking garages and lots, commercial.
- 4 **i.** Sales and outdoor display of prefabricated storage sheds.
- 5 **j.** Self-storage facilities, including vehicle rental as an accessory use.

6 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
7 the BOA, or the BCC as noted, may conditionally allow the following uses within the
8 HC/LI district:

9 **(1) Residential.** Caretaker residences not among the permitted uses of the district
10 and for permitted non-residential uses.

11 **a. Retail services.** Restaurants not among the permitted uses of the district.

12 **b. Public and civic.** Cinerators.

13 **c. Recreation and entertainment.**

14 **a.** Motorsports facilities on lots 20 acres or larger.

15 **b.** Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.

16 **c.** Shooting ranges, outdoor.

17 **d. Industrial and related.**

18 **(a)** Asphalt and concrete batch plants if within the Industrial (I) future land use
19 category and within areas zoned GID prior to adoption of HC/LI zoning.

20 **(b)** Borrow pits and reclamation activities 20 acres minimum and (subject to local
21 permit and development review requirements per Escambia County Code of
22 Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part
23 III, the Land Development Code, chapter 4.) *Borrow pits are prohibited on
24 land zoned GBD, GID, and WMU prior to the adoption of the HC/LI zoning.

25 **(c)** Salvage yards not otherwise requiring approval as solid waste processing
26 facilities.

27 **(d)** Solid waste processing facilities, including solid waste collection points, solid
28 waste transfer facilities, materials recovery facilities, recovered materials
29 processing facilities, recycling facilities and operations, resource recovery
30 facilities and operations, and volume reduction plants.

31 The conditional use determination for any of these solid waste facilities shall
32 be made by the BCC in lieu of any hearing before the BOA. The applicant
33 shall submit a site boundary survey, development plan, description of
34 anticipated operations, and evidence that establishes each of the following
35 conditions in addition to those prescribed in Chapter 2:
36

- 1 1. Trucks have access to and from the site from adequately wide collector or
2 arterial streets and do not use local residential streets.
- 3 2. The scale, intensity, and operation of the use will not generate
4 unreasonable noise, traffic, objectionable odors, dust, or other potential
5 nuisances or hazards to contiguous properties.
- 6 3. The processing of materials will be completely within enclosed buildings
7 unless otherwise approved by the BCC.
- 8 4. The plan includes appropriate practices to protect adjacent land and
9 resources, minimize erosion, and treat stormwater; landscaping and
10 buffering for adjacent uses; hours of operation; methods to comply with
11 maximum permissible noise levels; means of access control to prevent
12 illegal dumping; and plans for materials storage

13 **e. Agricultural and related.** Kennels or animal shelters not interior to veterinary
14 clinics.

15 **f. Other uses.**

16 1. Structures of permitted uses exceeding the district structure height limit.

17 2. Heliports.

18 **(d) Site and building requirements.** The following site and building requirements apply
19 to uses within the HC/LI district:

20 **(1) Density.** Dwelling unit density limited to vested residential development.
21 Lodging unit density not limited by zoning.

22 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C)
23 and Industrial (I) future land use categories, and 2.0 within Mixed-Use Urban
24 (MU-U).

25 **(3) Structure height.** A maximum structure height of 150 feet above highest
26 adjacent grade.

27 **(4) Lot area.** No minimum lot area unless prescribed by use.

28 **(5) Lot width.** No minimum lot width required by zoning.

29 **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent
30 maximum semi-impervious and impervious cover) for all uses. A maximum 75
31 percent of lot area occupied by principal and accessory buildings on lots of non-
32 residential uses.

33 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

34 **a. Front and rear.** Fifteen feet in both front and rear.

35 **b. Sides.** Ten feet on each side, including any group of attached townhouses.
36 For structures exceeding 35 feet above highest adjacent grade, an additional
37 two feet for each additional 10 feet in height.

1 **(8) Other requirements.**

- 2 a. **Access.** For any industrial use south of Well Line Road, site access shall be
3 provided by curb cuts on an arterial or collector street. Alternatively, a private
4 or public street may link the site to an arterial or collector, provided that the
5 private or public street does not traverse a residential subdivision or
6 predominantly residential neighborhood between the site and the arterial or
7 collector street.
- 8 b. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development
9 regulations and standards.

10 **(e) Location criteria.** All new non-residential uses proposed within the HC/LI district
11 that are not part of a planned unit development or not identified as exempt by district
12 regulations shall be on parcels that satisfy at least one of the following location
13 criteria:

14 **(1) Proximity to intersection.** Along an arterial street and within one-quarter mile
15 of its intersection with an arterial street.

16 **(2) Site design.** Along an arterial street, no more than one-half mile from its
17 intersection with an arterial street, and all of the following site design conditions:

- 18 a. Not abutting a RR, LDR or MDR zoning district
- 19 b. Any intrusion into a recorded residential subdivision is limited to a corner lot
- 20 c. A system of service roads or shared access is provided to the maximum
21 extent feasible given the lot area, lot shape, ownership patterns, and site and
22 street characteristics.
- 23 d. Adverse impacts to any adjoining residential uses are minimized by placing
24 the more intensive elements of the use, such as solid waste dumpsters and
25 truck loading/unloading areas, furthest from the residential uses.
- 26 e. Location in an area where already established non-residential uses are
27 otherwise consistent with the HC/LI, and where the new use would constitute
28 infill development of similar intensity as the conforming development on
29 surrounding parcels. Additionally, the location would promote compact
30 development and not contribute to or promote strip commercial development.

31 **(3) Documented compatibility.** A compatibility analysis prepared by the applicant
32 provides competent substantial evidence of unique circumstances regarding the
33 parcel or use that were not anticipated by the alternative criteria, and the
34 proposed use will be able to achieve long-term compatibility with existing and
35 potential uses. Additionally, the following conditions exist:

- 36 a. The parcel has not been rezoned by the landowner from the mixed-use,
37 commercial, or industrial zoning assigned by the county.

1 **Base flood elevation.** The elevation of the base flood, including wave height, relative to
2 the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD)
3 or other datum specified on the Flood Insurance Rate Map (FIRM).

4 **Batch plant.** An industrial facility which produces or processes asphalt or concrete, or
5 asphalt or concrete products, for use in construction. Batch plants include facilities and
6 areas for the stockpiling of bulk materials used in production, or of finished products, but
7 not the retail sale of those products.

8 **Beach.** The area of unconsolidated geologic material that extends landward from the
9 mean low waterline to the place where there is a marked change in physiographic form
10 or material, or to the line of permanent vegetation, or to the waterward toe of the
11 primary dune, whichever is most waterward when not coterminous. The term “beach” is
12 limited to gulf, bay, sound, and estuarine shorelines.

13 **Bed and breakfast inn.** A family home structure with no more than 15 sleeping rooms
14 which has been modified to serve as a transient public lodging establishment, which
15 provides accommodations and only morning meal service to overnight guests, which is
16 typically the residence of the owner, and which is recognized as a bed and breakfast inn
17 by the hospitality industry.

18 **Billboard.** See "Off-premises sign."

19 **Bingo facility.** A facility where participants engage in lawful games of bingo in
20 compliance with Florida Statutes and any county ordinances that define or regulate
21 such games and facilities.

22 **Board of Adjustment (BOA).** The administrative board appointed by the Board of
23 County Commissioners to conduct quasi-judicial public hearings for LDC compliance
24 review of applications asserting special conditions or circumstances as prescribed in the
25 LDC; to make findings based on the evidence presented at those hearings; and to
26 approve, approve with conditions, or deny the applications.

27 **Board of County Commissioners (BCC).** The legislative body of the unincorporated
28 area of Escambia County, Florida.

29 **Boarding house or rooming house.** A public lodging establishment which provides
30 rooms to guests by prearrangement for definite periods, but not open to overnight
31 guests and not considered any other type of public lodging defined by the LDC. A
32 boarding house provides meals and rooms, as distinguished from a rooming house that
33 provides only rooms.

34 **Boardwalk.** An elevated pedestrian walkway typically constructed over or along a
35 waterfront, beach, or environmentally sensitive land, but not extending past the mean
36 high water line.

37 **Bond.** Any form of security, such as a cash deposit, surety bond, or instrument of credit,
38 in an amount and form satisfactory to the Board of County Commissioners.

39 **Borrow pit.** A site or parcel of property where soils, clays, gravel or other natural
40 deposits on or in the earth are removed, or have been removed, for use by the property
41 owner or another entity, typically with no processing except for screening to remove
42 debris. A borrow pit may also be referred to as a mining site or a mineral or resource
43 excavation or extraction site.

1 **Brewpub.** A restaurant that brews beer primarily for sale and consumption on-site at
2 the restaurant as a secondary use. A brewpub may also sell beer “to go” or sell to a
3 distributor or off-site accounts for off-site sales.

4 **Bridge.** A structure, including supports, erected over a depression or an obstruction
5 such as water or a highway or railway; having a track or roadway for carrying traffic or
6 other moving loads; and having an opening, measured along the center of the roadway,
7 of more than 20 feet between under copings of abutments, spring lines of arches, or
8 extreme ends of openings of multiple boxes or pipes (culverts) where the clear distance
9 between contiguous openings is less than half of the interior width or diameter of the
10 smallest of such contiguous openings.

11 **Broadcast station.** A facility for over-the-air, cable, or satellite transmission of radio or
12 television programs to the public and which may include studios, offices, and related
13 broadcast equipment.

14 **Buffer.** A designated area with natural or manmade features functioning to minimize or
15 eliminate adverse impacts on adjoining land uses, including environmentally sensitive
16 lands.

17 **Buildable area.** The portion of a lot, exclusive of required yards, setbacks, buffers,
18 open space, or other regulatory limits, within which a structure may be placed.

19 **Building.** Any structure having a roof supported by columns or walls.

20 **Building coverage.** The total horizontal area measured within the outside of the
21 exterior walls or columns of the ground floor of all principal and accessory buildings.

22 **Building line.** The innermost edge of any required yard or setback.

23 **Building Official.** The representative of the county appointed by the Board of County
24 Commissioners to administer applicable building codes.

25 **Building permit.** A document issued by the Building Official authorizing the erection,
26 construction, reconstruction, restoration, alteration, repair, conversion, or maintenance
27 of any building or other structure in compliance with applicable building codes.

28 **Bulk storage.** Large capacity storage, as in warehouses, silos, and tanks, for massed
29 quantities typically not divided into parts or packaged in separate units.

30 **Bulletin board/directory sign.** A sign which identifies an institution or organization on
31 the premises of which it is located and which contains the name of the institution or
32 organization or the names of individuals connected with it, and general announcements
33 of events or activities occurring at the institution or similar messages.

34 **Bus leasing/rental facility.** A facility for the transient parking, storing, repairs,
35 servicing, leasing, and/or rental of passenger buses or motor coaches.

36 **Business.** Any commercial endeavor engaged in the production, purchase, sale, lease,
37 or exchange of goods, wares, or merchandise or the provisions of services.

38 **Business day.** Any calendar day, not including Saturdays, Sundays, or legal holidays
39 observed by the county, on which the offices of Escambia County are open for regular
40 business. A business day may also be referred to as a work day or working day.

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Identification sign. A sign giving the name, and/or address of a building, business development or establishment on the premises where it is located. Also known as name plate sign.

Illuminated sign. A sign lighted by or exposed to artificial lighting either by lights on, or in the sign, or directed towards the sign.

Impervious surface. Any surface that does not allow or only minimally allows the infiltration of water. Such highly impermeable surfaces include structure roofs, regular concrete and asphaltic pavements, and other surfaces for which runoff coefficients no less than 0.90 are typically used for stormwater management calculations.

Impervious surface ratio. An objective measure of the intensity of land use determined by dividing the total area of all impervious surfaces covering a lot by the total area of the lot.

Improvement. Any manmade permanent item, fixture, or facility that becomes part of, is placed upon, or is affixed to real property, including structures, street and alley pavements, curbs and gutters, walkway pavements, water supply mains, sanitary sewers, storm sewers or drains, permanent signs, landscaping, and permanent reference monuments and control points.

Industrial-related activity. An activity in support of or accessory to industry.

Industry or industrial use. A use in which the primary activity is the manufacture of materials or products, including their fabrication, assembly, rebuilding, treatment, processing, finishing, extraction, reduction, and bulk storage. Industry or industrial use may be further characterized as either of the following:

Heavy industry. An industry primarily engaged in the basic processing of materials or products predominantly from extracted or raw materials, or an industry otherwise having significant external effects or risks due to its scale of operations, processes or materials involved, or outdoor activity or storage required. Heavy industry includes salvage yards, solid waste transfer facilities, materials recovery facilities, recovered materials processing facilities, recycling facilities, resource recovery facilities, volume reduction plants, landfills, concrete and asphalt batch plants, mineral extraction, paper mills, power plants, chemical plants, refineries, slaughter houses, rendering plants, etc.

Light industry. An industry primarily engaged in the indoor fabrication, compounding, processing, assembly, or treatment of finished or semi-finished products from previously prepared materials or components in a manner which is unlikely to cause undesirable effects outside of the building enclosing the industrial activity. Light industry includes research and development activities, printing and binding, warehousing, and the manufacture of electrical appliances and electronic equipment, apparel, food products, beverages, tools and hardware, furniture, pharmaceuticals, etc.

Infill development. The development of new housing or other land uses on vacant or underutilized land in existing developed areas, focusing on the reuse and renovation of obsolete or underutilized buildings and sites.

1 **Informational sign.** An on-premises sign commonly associated with, but not limited to,
2 information and directions necessary or convenient for visitors coming on the property,
3 including signs marking entrances and exits, parking areas, circulation direction, rest
4 rooms, and pickup and delivery areas. Also known as a directional sign.

5 **Infrastructure.** Facilities and services needed to sustain land use activities, including
6 streets, potable water service, wastewater service, solid waste facilities, stormwater
7 management facilities, power grids, telecommunication facilities, and public schools.

8 **Intensity.** An objective measurement of the extent to which land may be developed or
9 used, including the consumption or use of space above, on, or below the ground; the
10 use of or demand on natural resources; and the use of or demand on facilities or
11 services.

12 **Invasive species.** A non-indigenous or exotic species that is not native to the
13 ecosystem under consideration and that has the ability to establish self-sustaining,
14 expanding, free-living populations that may cause economic and/or environmental
15 harm, or harm to human health.

16 **-M -**

17 **Manufactured building.** A closed structure, building assembly, or system of
18 subassemblies which may include structural, electrical, plumbing, heating, ventilating, or
19 other service systems manufactured for installation or erection, with or without other
20 specified components, as a finished building or as part of a finished building.
21 Manufactured buildings include residential, commercial, institutional, storage or
22 industrial structures constructed according to state standards, but do not include
23 manufactured (mobile) homes.

24 **Manufactured (mobile) home.** A complete, factory-built, single-family dwelling
25 constructed in conformance with federal *Manufactured Housing Construction and Safety*
26 *Standards* (the HUD Code) and transportable in one or more sections on a permanent
27 chassis for site installation with or without a permanent foundation. The term “mobile
28 home” refers to any manufactured home built prior to June 15, 1976 when the HUD
29 Code became effective. Manufactured homes do not include manufactured buildings,
30 modular homes or recreational vehicles.

31 **Manufactured (mobile) home park.** A multi-family residential use of an individually
32 owned parcel of land within which lots or spaces are offered for rent or lease for the
33 placement of five or more manufactured (mobile) homes. For the purposes of floodplain
34 management, the term “manufactured home park” may apply to as few as two
35 manufactured home lots for rent on a parcel.

36 **Manufactured (mobile) home subdivision.** A residential subdivision of individually
37 owned lots created according to the provisions of the LDC for the exclusive use of
38 manufactured (mobile) homes. For the purposes of floodplain management, the term
39 “manufactured home subdivision” may apply to division into as few as two manufactured
40 home lots.

41 **Manufacturing.** The mechanical or chemical transformation of materials or substances
42 into new products, including the assembling of component parts, and the blending of
43 materials, such as lubricating oils, plastics, resins, or liquors.

1 **Marina.** A facility for the mooring, berthing, storing, or securing of watercraft, and which
2 may include other services such as sales of boat supplies and fuel, boat repair and
3 rental, and other uses incidental to the primary use. A marina may be classified as one
4 of the following:

5 **Commercial marina.** A public use marina which may include upland marina support
6 facilities for the servicing or repairing of watercraft, but does not include the activities of
7 industrial marinas.

8 **Industrial marina.** A marina which provides slips or moorings for major work on
9 watercraft, such as construction or rebuilding of boats, installations of new bottoms,
10 substantial structural additions, or alterations.

11 **Private marina.** A marina that is an amenity to a private residential development, such
12 as a subdivision or multifamily dwelling, and not for public use.

13 **Market value.** The price at which a property will change hands between a willing buyer
14 and a willing seller, neither party being under compulsion to buy or sell and both having
15 reasonable knowledge of relevant facts. For the purposes of the LDC, market value is
16 limited to the value of buildings and other structures, excluding the land and other
17 improvements on the parcel. Market value may be as established by a qualified
18 independent appraiser, "actual cash value" (replacement cost depreciated for age and
19 quality of construction), or tax assessment value adjusted to approximate market value
20 by a factor provided by the Property Appraiser.

21 **Marquee.** A permanent roofed structure attached to and supported by a building, and
22 projecting into public right-of-way, typically above an entrance to provide protection from
23 the elements.

24 **Materials recovery facility (MRF).** A solid waste management facility that provides for
25 the extraction from solid waste of recyclable materials, materials suitable for use as a
26 fuel or soil amendment, or any combination of such materials.

27 **Mausoleum.** A building or other structure that is substantially exposed above the
28 ground and used for the entombment of human remains.

29 **Mean high water (MHW).** The average height of the high waters over a 19-year period;
30 or for shorter periods of observation, the average height of the high waters after
31 corrections are applied to eliminate known variations and to reduce the result to the
32 equivalent of a mean 19-year value.

33 **Mean sea level (MSL).** The average height of the surface of the Gulf of Mexico for all
34 stages of the tide, or the mean between high and low tides as established by the North
35 American Vertical Datum (NAVD) of 1988.

36 **Medical clinic or office.** A facility, other than a hospital, providing medical diagnostic
37 and treatment services to patients not requiring an overnight stay. Such clinics and
38 offices commonly have laboratory facilities and include doctor's offices, diagnostic
39 centers, treatment centers, rehabilitation centers, and establishments providing surgical
40 and psychiatric services and emergency treatment.

41 **Medical services.** Professional services concerning human health maintenance and
42 the diagnosis and treatment of disease, injury, pain, and other adverse health
43 conditions. Medical services include the principal services provided by hospitals, clinics,
44 doctor's offices, diagnostic facilities, medical laboratories, blood donation centers, and
45 other human health care facilities.

1 **Metes and bounds.** A system of describing and identifying land by distances or
2 measures (metes) and bearings or direction (bounds) from an identifiable point of
3 reference, such as a monument or other marker or the corner of intersecting roads.

4 **Microbrewery, microdistillery, microwinery.** A facility in which beer, wine or other
5 alcoholic beverages are brewed, fermented, or distilled for distribution. Tasting rooms
6 for the consumption of on-site produced beer, wine, or distilled products are permitted
7 on the premises and must possess the appropriate license from the State of Florida.

8 **Mineral extraction.** Extraction of minerals from the earth, including rock, gravel, sand,
9 clay, oil, and gas, and any overlying materials extracted for the purpose of reaching
10 underlying minerals. The term includes all associated clearing, grading, construction,
11 processing, transportation, and reclamation on the extraction property.

12 **Mini-warehouse.** See “Self-storage facility.”

13 **Mitigation.** Methods used to alleviate, lessen, or compensate for adverse impacts.

14 **Mixed-use development.** The development of a tract of land or structure with a variety
15 of complementary and integrated uses, including residential, office, retail, entertainment,
16 recreation, and manufacturing, typically in a compact urban form.

17 **Mobile home.** See “Manufactured (mobile) home.”

18 **Mobile vending unit.** A motorized or non-motorized portable structure used to store,
19 prepare, or serve food or beverages to the public, or to store, distribute, or sell
20 merchandise, goods, or wares to the public.

21 **Model home.** A dwelling unit temporarily used for display purposes as an example of
22 the homes available or to be available for sale in a specific subdivision or offered by a
23 specific builder.

24 **Modular home.** A dwelling constructed on site in compliance with the *Florida Building*
25 *Code* and composed of components substantially assembled in a manufacturing plant
26 and transported to the building site for final assembly on a permanent foundation. A
27 modular home may also be referred to as a manufactured residential building.

28 **Motel.** A public lodging establishment which offers at least six rental units and daily or
29 weekly rates; has a central office on the property with specified hours of operation;
30 provides each rental unit with a bathroom or connecting bathroom, an exit to the
31 outside, and off-street parking; and is recognized as a motel by the hospitality industry.
32 Motels may provide facilities and services incidental and subordinate to the principal
33 public lodging use.

34 **Motorsports facility.** A closed-course speedway or racetrack designed and intended
35 for motor vehicle competition, exhibitions of speed, or other forms of entertainment
36 involving the use of motor vehicles, including motorcycles. For these purposes, a closed
37 course is a prescribed and defined route of travel that is not available at any time for
38 vehicular access by the general public and is closed to all motor vehicles other than
39 those of participants.

40 **Motor vehicle.** Any self-propelled vehicle not operated upon rails or a guideway and
41 designed primarily for the transportation of persons or property along public streets.
42 Motor vehicles include automobiles, vans, motorcycles, buses, trucks, and recreational
43 vehicles, but do not include bicycles, motorized scooters, mopeds, or farm and
44 construction equipment.

1 **Motor vehicle service and repair, major.** General repair, rebuilding or reconditioning
2 of motor vehicles, engines, or trailers, including body work, frame work, welding, and
3 painting.

4 **Motor vehicle service and repair, minor.** The repair, servicing or replacement of any
5 part of an automobile, van, light truck (gross vehicle weight rating no more than 8500
6 lbs), motorcycle, recreational vehicle or other consumer vehicle that does not require
7 the removal of the engine, engine head or pan, transmission, or differential, and does
8 not include painting and body work. Minor services and repairs include cooling,
9 electrical, fuel and exhaust systems; suspensions, brakes, wheels and tires; oil and
10 lubrication; and upholstery, trim and accessories.

11 **Moving or animated sign.** Any sign or part of a sign which changes physical position
12 by any movement or rotation.

13 **Multi-faced sign.** A sign composed of sections which rotate to display a series of
14 advertisements, each advertisement being displayed for at least five seconds
15 continuously without movement and the movement of the sections between displays
16 being not more than two seconds.

17 **Multi-tenant development.** Any shopping center, office complex, business park or
18 other non-residential development in which two or more occupancies abut each other or
19 share common parking facilities or driveways or are otherwise related on a development
20 parcel.

21 **Mural.** A painting or other graphic art displayed on the facade of a building generally for
22 the purposes of decoration or artistic expression.

23
24 **Section 5. Severability.**

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

28
29 **Section 6. Inclusion in Code.**

30
31 It is the intention of the Board of County Commissioners that the provisions of this
32 Ordinance shall be codified as required by F.S. § 125.68 (2015); and that the sections,
33 subsections and other provisions of this Ordinance may be renumbered or re-lettered
34 and the word “ordinance” may be changed to “section,” “chapter,” or such other
35 appropriate word or phrase in order to accomplish such intentions.

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38 **INTENTIONALLY LEFT BLANK**

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Section 7. Effective Date.

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

DONE AND ENACTED this _____ day of _____, 2015.

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

By: _____
Grover C. Robinson, IV,

Chairman

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

By: _____
Deputy Clerk

(SEAL)

**ENACTED:
FILED WITH THE DEPARTMENT OF STATE:
EFFECTIVE DATE:**



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

4. B.

Meeting Date: 12/01/2015

Issue: A Public Hearing Concerning the Review of an LDC Ordinance Amending Chapter 3, Zoning and Future Land Use

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Zoning and Future Land Use

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 3-1.3, "Zoning and future land use," Section 3-2.8, "High Density Residential district (HDR)," Section 3-2.9, "High Density Mixed-use district (HDMU)," Section 3-2.10, "Commercial district (Com)," and Section 3-2.11, "Heavy Commercial and Light Industrial district (HC/LI)" to establish consistency of Future Land Use residential densities with densities of implementing zoning districts.

BACKGROUND:

The Board of County Commissioners adopted Ordinance 2015-45 on October 8, 2015, amending the Escambia County Comprehensive Plan to remove all residential minimum densities from the Future Land Use (FLU) categories. Implementing zoning districts within the LDC require amendment to maintain consistency with FLU categories.

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:

This Ordinance, amending the LDC, will be filed with the Department of State following adoption by the board.

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

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

Attachments

Draft Ordinance w legal review

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Zoning consistency with FLU

Date: 11/3/15

Date requested back by: 11/6/15

Requested by: Griffin Vickery

Phone Number: 595-3471



(LEGAL USE ONLY)

Legal Review by Kenna A. Smith

Date Received: 11/3/15

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses								
	AG max 1du/20ac max 0.25 FAR	RC max 2du/ac max 0.25 FAR	MU-S min 2du/ac max 25du/ac max 1.0 FAR	MU-U min 3.5du/ac max 25du/ac max 2.0 FAR	C Limited res max 25du/ac max 1.0 FAR	I No res allowed max 1.0 FAR	P No res allowed	REC No res allowed max 0.5 FAR	CON No res allowed
Agr max 1du/20ac	Yes	Yes	No, min density <u>uses</u>	No, min density <u>uses</u>	No, uses	No, uses	No, uses	No, uses	No, uses
RR max 1du/4ac	No, max density	Yes	No, min density <u>uses</u>	No, min density <u>uses</u>	No, uses	No, uses	No, uses	No, uses	No, uses
RMU max 2du/ac	No, max density	Yes	No, min density <u>uses</u>	No, min density <u>uses</u>	No, uses	No, uses	No, uses	No, uses	No, uses
LDR max 4du/ac	No, max density	No, max density	Yes	No, min density <u>uses</u>	No, uses	No, uses	No, uses	No, uses	No, uses
LDMU max 7du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
MDR max 10du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDR max 18du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDMU FLU-limited max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
Com FLU-limited max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses
HC/LI FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	Yes	Yes	Yes	No, uses	No, uses	No, uses
Ind No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses
Rec No res allowed	Yes	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses
Con No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pub No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	Yes	No, uses	No, uses

1 For every combination of zoning district and FLU category represented by the table, “Yes”
2 indicates the zoning is consistent with the FLU. “No” indicates zoning inconsistency with the FLU,
3 primarily for the reason noted.

4

1 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development Code of
2 Escambia County, Chapter 3, Section 3-2.8, "High Density Residential district (HDR)," is hereby
3 amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

4 **Sec. 3-2.8 High Density Residential district (HDR).**

5 **(a) Purpose.** The High Density Residential (HDR) district establishes appropriate areas and land use
6 regulations for residential uses at high densities within urban areas. The primary intent of the
7 district is to provide for residential neighborhood development in an efficient urban pattern of well-
8 connected streets and at greater dwelling unit density and diversity than the Medium Density
9 Residential district. Residential uses within the HDR district include most forms of single-family,
10 two-family and multi-family dwellings. Residential subdivision is subject to a minimum density
11 consistent with urban development patterns and infrastructure. On residential uses within the
12 district are limited to those that are compatible with urban residential neighborhoods.

13 **(b) Permitted uses.** Permitted uses within the HDR district are limited to the following:

14 **(1) Residential.**

- 15 a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities
16 providing substance abuse treatment, post-incarceration reentry, or similar services.
- 17 b. Manufactured (mobile) homes only within existing manufactured home parks or
18 subdivisions. No new or expanded manufactured home parks or subdivisions.
- 19 c. Single-family dwellings (other than manufactured homes), attached or detached, including
20 townhouses and zero lot line subdivisions.
- 21 d. Two-family and multi-family dwellings.

22 See also conditional uses in this district.

23 **(2) Retail sales.** No retail sales, except as conditional uses in this district.

24 **(3) Retail services.**

- 25 a. Boarding and rooming houses.
- 26 b. Child care facilities.

27 See also conditional uses in this district.

28 **(4) Public and civic.** Public utility structures, excluding telecommunications towers.

29 See also conditional uses in this district.

30 **(5) Recreation and entertainment.**

- 31 a. Marina, private.
- 32 b. Parks without permanent restrooms or outdoor event lighting.

33 See also conditional uses in this district.

34 **(6) Industrial and related.** No industrial or related uses.

35 **(7) Agricultural and related.** Agricultural production limited to food primarily for personal
36 consumption by the producer, but no farm animals. See also conditional uses in this district.

37 **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

1 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA may
2 conditionally allow the following uses within the HDR district:

3 **(1) Residential.**

- 4 a. Dormitories.
- 5 b. Fraternity or sorority houses.
- 6 c. Home occupations with non-resident employees.

7 **(2) Retail sales.** Retail sales only within a predominantly residential multi-story building.

8 **(3) Retail services.** Retail services only within a predominantly residential multi-story building.

9 **(4) Public and civic.**

- 10 a. Clubs, civic and fraternal.
- 11 b. Educational facilities, excluding preschools or kindergartens independent of other
12 elementary grades.
- 13 c. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- 14 d. Hospitals.
- 15 e. Offices for government agencies or public utilities, small scale (gross floor area 6000 sq.ft. or
16 less per lot).
- 17 f. Places of worship.
- 18 g. Public utility structures exceeding the district structure height limit, excluding
19 telecommunications towers.

20 **(5) Recreation and entertainment.**

- 21 a. Golf courses, tennis centers, swimming pools and similar active outdoor recreational
22 facilities, including associated country clubs.
- 23 b. Parks with permanent restrooms or outdoor event lighting.

24 **(6) Agricultural and related.** Horses or other domesticated *equines* kept on site, and stables for
25 such animals, only as a private residential accessory with a minimum lot area of two acres and
26 a maximum of one animal per acre.

27 **(d) Site and building requirements.** The following site and building requirements apply to uses
28 within the HDR district:

29 **(1) Density.** A maximum density of 18 dwelling units per acre.

30 **(2) Floor area ratio.** A maximum floor area ratio of 2.0 for all uses.

31 **(3) Structure height.** A maximum structure height of 120 feet above highest adjacent grade.

32 **(4) Lot area.** No minimum lot area unless prescribed by use.

33 **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the
34 street right-of-way, the following minimum lot widths are required:

- 35 a. **Single-family detached.** Forty feet at both the street right-of-way and front building line for
36 single-family detached dwellings.

- 1 **b. Two-family.** Fifty feet at the street right-of-way and 80 feet at the front building line for two-
2 family dwellings.
- 3 **c. Multi-family and other.** One hundred feet at the front building line for multi-family
4 dwellings, boarding or rooming houses, and townhouse groups. No minimum lot width
5 required by zoning for other uses.

6 **(6) Lot coverage.** Minimum pervious lot coverage of 20 percent (80 percent maximum semi-
7 impervious and impervious cover) for all uses.

8 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

9 **a. Front and rear.** Twenty feet in the front and 15 feet in the rear.

10 **b. Sides.** Ten feet on each side of a group of attached townhouses. On each side of all other
11 structures, 10 feet or 10 percent of the lot width at the front building line, whichever is less,
12 but at least five feet. For structures exceeding 35 feet above highest adjacent grade, an
13 additional two feet for each additional 10 feet in height, but not required to exceed 15 feet.

14 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development regulations and
15 standards.

16 **(e) Location criteria.** All non-residential uses within the HDR district shall be located to avoid
17 nuisance, hazard, and other adverse impacts to surrounding residential uses.

18 **(f) Rezoning to HDR.** High Density Residential zoning may be established only within the Mixed-Use
19 Suburban (MU-S) or Mixed-Use Urban (MU-U) future land use categoryies. The district is suitable
20 for urban areas with central water and sewer and developed street networks. The district is
21 appropriate to provide transitions between areas zoned or used for medium density residential and
22 areas zoned or used for high density mixed-use or commercial.

23 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land Development Code of
24 Escambia County, Chapter 3, Section 3-2.9, "High Density Mixed-use district (HDMU)," is hereby
25 amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

26 **Sec. 3-2.9 High Density Mixed-use district (HDMU).**

27 **(a) Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate areas and land use
28 regulations for a complimentary mix of high density residential uses and compatible non-residential
29 uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood
30 retail sales, services and professional offices with greater dwelling unit density and diversity than
31 the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban
32 street connectivity and encourage vertical mixes of commercial and residential uses within the
33 same building to accommodate a physical pattern of development characteristic of village main
34 streets and older neighborhood commercial areas. Residential uses within the district include all
35 forms of single-family, two-family and multi-family dwellings.

36 **(b) Permitted uses.** Permitted uses within the HDMU district are limited to the following:

37 **(1) Residential.** The following residential uses are allowed throughout the district, but if within a
38 Commercial (C) future land use category they are permitted only if part of a predominantly
39 commercial development.

40 **a.** Group living, excluding dormitories, fraternity and sorority houses, and residential facilities
41 providing substance abuse treatment, post-incarceration reentry, or similar services.

- b. Manufactured (mobile) homes, including manufactured home subdivisions, but excluding new or expanded manufactured home parks.
- c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
- d. Two-family and multi-family dwellings.

See also conditional uses in this district.

(2) Retail sales. Small-scale (gross floor area 6000 sq.ft. or less per lot) retail sales, including sales of beer and wine, but excluding sales of liquor, automotive fuels, or motor vehicles, and excluding permanent outdoor storage, display, or sales.

See also conditional uses in this district.

(3) Retail services. The following small-scale (gross floor area 6000 sq.ft. or less per lot) retail services, excluding outdoor work or permanent outdoor storage:

- a. Bed and breakfast inns.
- b. Boarding and rooming houses.
- c. Child care facilities.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners, and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair.
- g. Restaurants, including on-premises consumption of alcoholic beverages, but excluding drive-in or drive-through service.

See also conditional uses in this district.

(4) Public and civic.

- a. Preschools and kindergartens.
- b. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- c. Foster care facilities.
- d. Places of worship.
- e. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Marinas, private only.
- b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

1 **(6) Industrial and related.** No industrial or related uses.

2 **(7) Agricultural and related.** Agricultural production limited to food primarily for personal
3 consumption by the producer, but no farm animals.

4 **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

5 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA may
6 conditionally allow the following uses within the HDMU district:

7 **(1) Residential.**

8 a. Dormitories.

9 b. Fraternity and sorority houses.

10 c. Manufactured (mobile) home parks.

11 **(2) Retail sales.** Medium-scale (gross floor area greater than 6000 sq.ft. per lot, but no greater
12 than 35,000 sq.ft.) retail sales, including sales of beer and wine and automotive fuels, but
13 excluding sales of motor vehicles and liquor, and excluding permanent outdoor storage,
14 display, or sales.

15 **(3) Retail services.**

16 a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000
17 sq. ft.) retail services, excluding motor vehicle service and repair.

18 b. Restaurants with drive-in or drive-through service.

19 c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle service and
20 repair, excluding painting or body work and outdoor work.

21 **(4) Public and civic.**

22 a. Broadcast stations with satellite dishes and antennas, excluding towers.

23 b. Cemeteries, including family cemeteries.

24 c. Clubs, civic and fraternal.

25 d. Community service facilities, including auditoriums, libraries, museums, and neighborhood
26 centers.

27 e. Cinerators.

28 f. Educational facilities not among the permitted uses of the district.

29 g. Funeral establishments.

30 h. Hospitals.

31 i. Offices for government agencies or public utilities.

32 j. Public utility structures exceeding the district structure height limit and telecommunications
33 towers of any height, excluding any industrial uses.

34 k. Warehousing or maintenance facilities for government agencies or public utilities.

35 **(5) Recreation and entertainment.**

36 a. Amusement arcade centers and bingo facilities.

- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

(6) Agricultural and related.

- a. Horses or other domesticated *equines* kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- b. Veterinary clinics.

(d)(7) Other uses.

- a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.
- b. Structures of permitted uses exceeding the district structure height limit, excluding telecommunications towers.

(e) (d) Site and building requirements. The following site and building requirements apply to uses within the HDMU district:

- (1) Density.** A maximum density of 25 dwelling units per acre.
- (2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C) future land use category and 2.0 within Mixed-Use Urban (MU-U).
- (3) Structure height.** A maximum structure height of 150 feet above highest adjacent grade.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the street right-of-way, the following minimum lot widths are required:
 - a. **Single-family detached.** Forty feet at both the street right-of-way and the front building line for single-family detached dwellings.
 - b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front building line for two-family dwellings.
 - c. **Multi-family and other.** One hundred feet at the front building line for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses.
- (6) Lot coverage.** Minimum pervious lot coverage of 20 percent (80 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. **Front and rear.** Twenty feet in the front and 15 feet in the rear.
 - b. **Sides.** Ten feet on each side of a group of attached townhouses. On each side of all other structures, 10 feet or 10 percent of the lot width at the front building line, whichever is less, but at least five feet. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height, but not required to exceed 15 feet.
- (8) Other requirements.** Refer to chapters 4 and 5 for additional development regulations and standards.

1 **(f) (e) Location criteria.** All new non-residential uses proposed within the HDMU district that are not
2 part of a predominantly residential development or a planned unit development, or are not
3 identified as exempt by district regulations, shall be on parcels that satisfy at least one of the
4 following location criteria:

5 **(1) Proximity to intersection.** Along an arterial or collector street and within 200 feet of an
6 intersection with another arterial or collector.

7 **(2) Proximity to traffic generator.** Along an arterial or collector street and within a one-quarter
8 mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment
9 complex, military base, college campus, hospital, shopping mall or similar generator.

10 **(3) Infill development.** Along an arterial or collector street, in an area where already established
11 non-residential uses are otherwise consistent with the HDMU district, and where the new use
12 would constitute infill development of similar intensity as the conforming development on
13 surrounding parcels. Additionally, the location would promote compact development and not
14 contribute to or promote strip commercial development.

15 **(4) Site design.** Along an arterial street and at the intersection with a local street that serves to
16 connect the arterial street to another arterial, and all of the following site design conditions:

- 17 a. Any intrusion into a recorded residential subdivision is limited to a corner lot
- 18 b. Access and stormwater management is shared with adjoining uses or properties to the
19 extent practicable.
- 20 c. Adverse impacts to any adjoining residential uses are minimized by placing the more
21 intensive elements of the use, such as solid waste dumpsters and truck loading/unloading
22 areas, furthest from the residential uses.

23 **(5) Documented compatibility.** A compatibility analysis prepared by the applicant provides
24 competent substantial evidence of unique circumstances regarding the parcel or use that were
25 not anticipated by the alternative criteria, and the proposed use will be able to achieve long-
26 term compatibility with existing and potential uses. Additionally, the following conditions exist:

- 27 a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or
28 industrial zoning assigned by the county.
- 29 b. If the parcel is within a county redevelopment district, the use will be consistent with the
30 district's adopted redevelopment plan, as reviewed and recommended by the Community
31 Redevelopment Agency (CRA).

32 **(g) (f) Rezoning to HDMU.** High Density Mixed-use zoning may be established only within the Mixed-
33 Use Suburban (MU-S), Mixed-Use Urban (MU-U), or Commercial (C) future land use categories.
34 The district is suitable for areas where the intermixing of uses has been the custom, where future
35 uses are uncertain, and some redevelopment is probable. The district inappropriate to provide
36 transitions between areas zoned or used for medium or high density residential and areas zoned or
37 used for commercial. Rezoning to HDMU is subject to the same location criteria as any new non-
38 residential use proposed within the HDMU district.

1 **Section 4.** Part III of the Escambia County Code of Ordinances, the Land Development Code of
2 Escambia County, Chapter 3, Section 3-2.10, "Commercial district (Com)," is hereby amended as
3 follows (words underlined are additions and words ~~stricken~~ are deletions):

4 **Sec. 3-2.10 Commercial district (Com).**

5 **(a) Purpose.** The Commercial (Com) district establishes appropriate areas and land use regulations
6 for general commercial activities, especially the retailing of commodities and services. The primary
7 intent of the district is to allow more diverse and intense commercial uses than the neighborhood
8 commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses,
9 all commercial operations within the Commercial district are limited to the confines of buildings and
10 not allowed to produce undesirable effects on surrounding property. To retain adequate area for
11 commercial activities, new and expanded residential development within the district is limited,
12 consistent with the Commercial (C) future land use category.

13 **(b) Permitted uses.** Permitted uses within the Commercial district are limited to the following:

14 **(1) Residential.** The following residential uses are allowed throughout the district, but if within the
15 Commercial (C) future land use category they are permitted only if part of a predominantly
16 commercial development:

- 17 a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities
18 providing substance abuse treatment, post-incarceration reentry, or similar services.
- 19 b. Manufactured (mobile) homes, including new or expanded manufactured home parks or
20 subdivisions.
- 21 c. Single-family dwellings (other than manufactured homes), detached or attached, including
22 townhouses and zero lot line subdivisions.
- 23 d. Two-family and multi-family dwellings.

24 See also conditional uses in this district.

25 **(2) Retail sales.** Retail sales, including sales of alcoholic beverages and automotive fuels, but
26 excluding motor vehicle sales and permanent outdoor storage. See also conditional uses in this
27 district.

28 **(3) Retail services.** The following retail services, excluding permanent outdoor storage:

- 29 a. Car washes, automatic or manual, full service or self-serve.
- 30 b. Child care facilities.
- 31 c. Hotels, motels and all other public lodging, including boarding and rooming houses.
- 32 d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners
33 and tattoo parlors.
- 34 e. Professional services, including those of realtors, bankers, accountants, engineers,
35 architects, dentists, physicians, and attorneys.
- 36 f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and
37 jewelry repair, small engine and motor services, but excluding major motor vehicle or boat
38 service or repair, and outdoor work.
- 39 g. Restaurants, including on-premises consumption of alcoholic beverages and drive-in and
40 drive-through service. The parcel boundary of any restaurant with drive-in or drive-through

1 service shall be at least 200 feet from any LDR or MDR zoning district unless separated by
2 a 50-foot or wider street right-of-way.

3 See also conditional uses in this district.

4 **(4) Public and civic.**

5 a. Broadcast stations with satellite dishes and antennas, including towers.

6 b. Cemeteries, including family cemeteries.

7 c. Community service facilities, including auditoriums, libraries, museums, and neighborhood
8 centers.

9 d. Educational facilities, including preschools, K-12, colleges, and vocational schools.

10 e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.

11 f. Foster care facilities.

12 g. Funeral establishments.

13 h. Hospitals.

14 i. Offices for government agencies or public utilities.

15 j. Places of worship.

16 k. Public utility structures, including telecommunications towers, but excluding any industrial
17 uses.

18 l. Warehousing or maintenance facilities for government agencies or for public utilities.

19 See also conditional uses in this district.

20 **(5) Recreation and entertainment.**

21 a. Campgrounds and recreational vehicle parks on lots five acres or larger.

22 b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating
23 rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars,
24 nightclubs or adult entertainment facilities.

25 c. Marinas, private and commercial.

26 d. Parks without permanent restrooms or outdoor event lighting.

27 See also conditional uses in this district.

28 **(6) Industrial and related.**

29 a. Printing, binding, lithography and publishing.

30 b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

31 See also conditional uses in this district.

32 **(7) Agricultural and related.**

33 a. Agricultural food production primarily for personal consumption by the producer, but no farm
34 animals.

35 b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.

- 1 c. Veterinary clinics.
- 2 See also conditional uses in this district.

3 **(8) Other uses.**

- 4 a. Billboard structures.
- 5 b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the
- 6 rear yard, covered, and screened from off-site view, unless otherwise noted.
- 7 c. Parking garages and lots, commercial.
- 8 d. Self-storage facilities, excluding vehicle rental.

9 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA may

10 conditionally allow the following uses within the Commercial district:

11 **(1) Residential.**

- 12 a. Group living not among the permitted uses of the district.
- 13 b. Home occupations with non-resident employees.

14 **(2) Retail sales.**

- 15 a. Boat sales, new and used.
- 16 b. Automobile sales, used autos only, excluding parcels fronting on any of the following streets:
- 17 Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR 292); Blue Angel Parkway (SR
- 18 173); Pine Forest Road, south from Interstate 10 to State Road 173; Navy Boulevard (SR
- 19 295 and US 98); and Scenic Highway (SR 10A and US 90). Additionally, the parcel shall be
- 20 no larger than one acre and provided with a permanent fence, wall, or other structural
- 21 barrier of sufficient height and mass along all road frontage to prevent encroachment into
- 22 the right-of way other than through approved site access.
- 23 c. Automobile rental limited to the same restrictions as used automobile sales.
- 24 d. Utility trailer, heavy truck (gross vehicle weight rating more than 8500 lbs), and recreational
- 25 vehicle sales, rental, or service limited to the same restrictions as used automobile sales.

26 **(3) Retail services.** Service and repair of motor vehicles, small scale (gross floor area 6000 sq. ft.

27 or less per lot), excluding painting and body work and outdoor work and storage.

28 **(4) Public and civic.**

- 29 a. Cemeteries, including family cemeteries.
- 30 b. Clubs, civic and fraternal.
- 31 c. Cinerators.
- 32 d. Homeless shelters.

33 **(5) Recreation and entertainment.**

- 34 a. Bars and nightclubs.
- 35 b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational
- 36 facilities, including associated country clubs.
- 37 c. Parks with permanent restrooms or outdoor event lighting.

1 **(6) Industrial and related.** Borrow pits and reclamation activities 20 acres minimum and (subject
2 to local permit and development review requirements per Escambia County Code of
3 Ordinances, Part I, Chapter 42, article VIII, and land use and regulations in Part III, the Land
4 Development Code, chapter 4. *Borrow pits are prohibited on land zoned GMD prior to the
5 adoption of the Commercial (Com) zoning.

6 **(7) Agricultural and related.** Horses or other domesticated *equines* kept on site, and stables for
7 such animals, only as a private residential accessory with a minimum lot area of two acres and
8 a maximum of one animal per acre.

9 **(8) Other uses.**

10 a. Outdoor sales not among the permitted uses of the district.

11 b. Outdoor storage not among the permitted uses of the district, including outdoor storage of
12 trailered boats and operable recreational vehicles, but no repair, overhaul, or salvage
13 activities. All such storage shall be screened from residential uses and maintained to avoid
14 nuisance conditions.

15 c. Self-storage facilities, including vehicle rental as an accessory use.

16 d. Structures of permitted uses exceeding the district structure height limit.

17 **(d) Site and building requirements.** The following site and building requirements apply to uses within
18 the Commercial district:

19 **(1) Density.** A maximum density of 25 dwelling units per acre throughout the district. Lodging unit
20 density not limited by zoning.

21 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C) future land use
22 category and 2.0 within Mixed-Use Urban (MU-U).

23 **(3) Structure height.** A maximum structure height of 150 feet above adjacent grade.

24 **(4) Lot area.** No minimum lot area unless prescribed by use.

25 **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the
26 street right-of-way, the following minimum lot widths are required:

27 a. **Single-family detached.** Forty feet at both the street right-of-way and the front building line
28 for single-family detached dwellings.

29 b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front building line for two-
30 family dwellings.

31 c. **Multi-family and other.** One hundred feet at the front building line for multi-family
32 dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width
33 required by zoning for other uses.

34 **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-
35 impervious and impervious cover) for all uses.

36 **(7) Structure setback.** For all principal structures, minimum setbacks are:

37 a. **Front and rear.** Fifteen feet in both front and rear.

38 b. **Sides.** Ten feet on each side, including any group of attached townhouses. For structures
39 exceeding 35 feet above highest adjacent grade, an additional two feet for each additional
40 10 feet in height.

1 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development regulations and
2 standards.

3 **(e) Location criteria.** All new non-residential uses proposed within the Commercial district that are
4 not part of a planned unit development or not identified as exempt by the district shall be on
5 parcels that satisfy at least one of the following location criteria:

6 **(1) Proximity to intersection.** Along an arterial or collector street and within one-quarter mile of
7 its intersection with an arterial street.

8 **(2) Proximity to traffic generator.** Along an arterial or collector street and within a one-quarter
9 mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment
10 complex, military base, college campus, hospital, shopping mall or similar generator.

11 **(3) Infill development.** Along an arterial or collector street, in an area where already established
12 non-residential uses are otherwise consistent with the Commercial district, and where the new
13 use would constitute infill development of similar intensity as the conforming development on
14 surrounding parcels. Additionally, the location would promote compact development and not
15 contribute to or promote strip commercial development.

16 **(4) Site design.** Along an arterial or collector street, no more than one-half mile from its
17 intersection with an arterial or collector street, not abutting a single-family residential zoning
18 district (RR, LDR or MDR), and all of the following site design conditions:

19 a. Any intrusion into a recorded subdivision is limited to a corner lot.

20 b. A system of service roads or shared access is provided to the maximum extent made
21 feasible by lot area, shape, ownership patterns, and site and street characteristics.

22 c. Adverse impacts to any adjoining residential uses are minimized by placing the more
23 intensive elements of the use, such as solid waste dumpsters and truck loading/unloading
24 areas, furthest from the residential uses.

25 **(5) Documented compatibility.** A compatibility analysis prepared by the applicant provides
26 competent substantial evidence of unique circumstances regarding the potential uses of parcel
27 that were not anticipated by the alternative criteria, and the proposed use, or rezoning as
28 applicable, will be able to achieve long-term compatibility with existing and potential uses.
29 Additionally, the following conditions exist:

30 a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or
31 industrial zoning assigned by the county.

32 b. If the parcel is within a county redevelopment district, the use will be consistent with the
33 district's adopted redevelopment plan, as reviewed and recommended by the Community
34 Redevelopment Agency (CRA).

35 **(f) Rezoning to Commercial.** Commercial zoning may be established only within the Mixed-Use
36 Suburban (MU-S), Mixed-Use Urban (MU-U),¹ or Commercial (C) future land use categories. The
37 district is appropriate to provide transitions between areas zoned or used as high density mixed-
38 use and areas zoned or used as heavy commercial or industrial. Rezoning to Commercial is
39 subject to the same location criteria as any new non-residential use proposed within the
40 Commercial district.

41 **Section 5.** Part III of the Escambia County Code of Ordinances, the Land Development Code of
42 Escambia County, Chapter 3, Section 3-2.11, "Heavy Commercial and Light Industrial district

1 (HC/LI),” is hereby amended as follows (words underlined are additions and words ~~stricken~~ are
2 deletions):

3 **Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).**

4 **(a) Purpose.** The Heavy Commercial and Light Industrial (HC/LI) district establishes appropriate areas
5 and land use regulations for a complementary mix of industrial uses with a broad range of
6 commercial activities. The primary intent of the district is to allow light manufacturing, large-scale
7 wholesale and retail uses, major services, and other more intense uses than allowed in the
8 Commercial district. The variety and intensity of non-residential uses within the HC/LI district is
9 limited by their compatibility with surrounding uses. All commercial and industrial operations are
10 limited to the confines of buildings and not allowed to produce undesirable effects on other
11 property. To retain adequate area for commercial and industrial activities, other uses within the
12 district are limited.

13 **(b) Permitted uses.** Permitted uses within the HC/LI district are limited to the following:

14 **(1) Residential.** Any residential uses if outside of the Industrial (I) future land use category and
15 part of a predominantly commercial development, excluding new or expanded manufactured
16 (mobile) home parks and subdivisions. See also conditional uses in this district.

17 **(2) Retail sales.** Retail sales, including sales of alcoholic beverages, sales of automotive fuels,
18 and sales of new and used automobiles, motorcycles, boats, and manufactured (mobile)
19 homes.

20 **(3) Retail services.**

21 **a.** Car washes, automatic or manual, full service or self-serve.

22 **b.** Child care facilities.

23 **c.** Hotels, motels and all other public lodging, including boarding and rooming houses.

24 **d.** Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners
25 and tattoo parlors.

26 **e.** Professional services, including those of realtors, bankers, accountants, engineers,
27 architects, dentists, physicians, and attorneys.

28 **f.** Rental of automobiles, trucks, utility trailers and recreational vehicles.

29 **g.** Repair services, including appliance repair, furniture refinishing and upholstery, watch and
30 jewelry repair, small engine and motor services, and major motor vehicle and boat service
31 and repair, but excluding outdoor work or storage.

32 **h.** Restaurants, including on-premises consumption of alcoholic beverages and drive-in and
33 drive-through service. The parcel boundary of any restaurant with drive-in or drive-through
34 service shall be at least 200 feet from any LDR or MDR zoning district unless separated by
35 a 50-foot or wider street right-of-way.

36 **i.** Taxi and limousine services.

37 See also conditional uses in this district.

38

39 **(4) Public and civic.**

- 1 a. Broadcast stations with satellite dishes and antennas, including towers.
- 2 b. Cemeteries, including family cemeteries.
- 3 c. Community service facilities, including auditoriums, libraries, museums, and neighborhood
- 4 centers.
- 5 d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- 6 e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- 7 f. Funeral establishments.
- 8 g. Homeless shelters.
- 9 h. Hospitals.
- 10 i. Offices for government agencies or public utilities.
- 11 j. Places of worship.
- 12 k. Public utility structures, including telecommunications towers, but excluding industrial uses
- 13 not otherwise permitted.

14 See also conditional uses in this district.

15 **(5) Recreation and entertainment.**

- 16 a. Commercial entertainment facilities, indoor or outdoor, including movie theatres, amusement
- 17 parks, and stadiums, but excluding motorsports facilities. Carnival-type amusements shall
- 18 be at least 500 feet from any residential district. Bars, nightclubs, and adult entertainment
- 19 are prohibited in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1
- 20 prior to adoption of HC/LI zoning.
- 21 b. Commercial recreation facilities, passive or active, including those for walking, hiking,
- 22 bicycling, camping, recreational vehicles, swimming, skateboarding, bowling, court games,
- 23 field sports, and golf, but excluding of f-highway vehicle uses and outdoor shooting ranges.
- 24 Campgrounds and recreational vehicle parks require a minimum lot area of five acres.
- 25 c. Marinas, private and commercial.
- 26 d. Parks, with or without permanent restrooms or outdoor event lighting.

27 See also conditional uses in this district.

28 **(6) Industrial and related.**

- 29 a. Light industrial uses, including research and development, printing and binding, distribution
- 30 and wholesale warehousing, and manufacturing, all completely within the confines of
- 31 buildings and without adverse off-site impacts.

- 32 b. Marinas, industrial.

33 See also conditional uses in this district.

34 **(7) Agricultural and related.**

- 35 a. Food produced primarily for personal consumption by the producer, but no farm animals.
- 36 b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- 37 c. Veterinary clinics, excluding outside kennels.

1 See also conditional uses in this district.

2 **(8) Other uses.**

- 3 a. Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to adoption of HC/LI
- 4 zoning.
- 5 b. Building or construction trades shops and warehouses, including on-site outside storage.
- 6 c. Bus leasing and rental facilities.
- 7 d. Deposit boxes for donation of used items when placed as an accessory structure on the site
- 8 of a charitable organization.
- 9 e. Outdoor adjacent display of plants by garden shops and nurseries.
- 10 f. Outdoor sales.
- 11 g. Outdoor storage of trailered boats and operable recreational vehicles, excluding repair,
- 12 overhaul or salvage activities.
- 13 h. Parking garages and lots, commercial.
- 14 i. Sales and outdoor display of prefabricated storage sheds.
- 15 j. Self-storage facilities, including vehicle rental as an accessory use.

16 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA, or the

17 BCC as noted, may conditionally allow the following uses within the HC/LI district:

18 **(1) Residential.** Caretaker residences not among the permitted uses of the district and for

19 permitted non-residential uses.

20 **(2) Retail services.** Restaurants not among the permitted uses of the district.

21 **(3) Public and civic.** Cinerators.

22 **(4) Recreation and entertainment.**

23 a. Motorsports facilities on lots 20 acres or larger.

24 b. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.

25 c. Shooting ranges, outdoor.

26 **(5) Industrial and related.**

27 **(a) a.** Asphalt and concrete batch plants if within the Industrial (I) future land use category and

28 within areas zoned GID prior to adoption of HC/LI zoning.

29 **(b) b.** Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and

30 development review requirements per Escambia County Code of Ordinances, Part I,

31 Chapter 42, article VIII, and land use regulations in Part III, the Land Development Code,

32 chapter 4.) *Borrow pits are prohibited on land zoned GBD, GID, and WMU prior to the

33 adoption of the HC/LI zoning.

34 **(c) c.** Salvage yards not otherwise requiring approval as solid waste processing facilities.

35 **(d) d.** Solid waste processing facilities, including solid waste collection points, solid waste

36 transfer facilities, materials recovery facilities, recovered materials processing facilities,

37 recycling facilities and operations, resource recovery facilities and operations, and volume

38 reduction plants.

1 The conditional use determination for any of these solid waste facilities shall be made by the
2 BCC in lieu of any hearing before the BOA. The applicant shall submit a site boundary
3 survey, development plan, description of anticipated operations, and evidence that
4 establishes each of the following conditions in addition to those prescribed in Chapter 2:

5 1. Trucks have access to and from the site from adequately wide collector or arterial streets
6 and do not use local residential streets.

7 2. The scale, intensity, and operation of the use will not generate unreasonable noise,
8 traffic, objectionable odors, dust, or other potential nuisances or hazards to contiguous
9 properties.

10 3. The processing of materials will be completely within enclosed buildings unless otherwise
11 approved by the BCC.

12 4. The plan includes appropriate practices to protect adjacent land and resources, minimize
13 erosion, and treat stormwater; landscaping and buffering for adjacent uses; hours of
14 operation; methods to comply with maximum permissible noise levels; means of access
15 control to prevent illegal dumping; and plans for materials storage

16 **(6) Agricultural and related.** Kennels or animal shelters not interior to veterinary clinics.

17 **(7) Other uses.**

18 a. Structures of permitted uses exceeding the district structure height limit.

19 b. Heliports.

20 **(d) Site and building requirements.** The following site and building requirements apply to uses
21 within the HC/LI district:

22 **(1) Density.** ~~Dwelling unit density limited to vested residential development. A maximum density~~
23 of 25 dwelling units per acre. Lodging unit density is not limited by zoning.

24 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C) and Industrial (I)
25 future land use categories, and 2.0 within Mixed-Use Urban (MU-U).

26 **(3) Structure height.** A maximum structure height of 150 feet above highest adjacent grade.

27 **(4) Lot area.** No minimum lot area unless prescribed by use.

28 **(5) Lot width.** No minimum lot width required by zoning.

29 **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-
30 impervious and impervious cover) for all uses. A maximum 75 percent of lot area occupied by
31 principal and accessory buildings on lots of non-residential uses.

32 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

33 a. **Front and rear.** Fifteen feet in both front and rear.

34 b. **Sides.** Ten feet on each side, including any group of attached townhouses. For structures
35 exceeding 35 feet above highest adjacent grade, an additional two feet for each additional
36 10 feet in height.

37 **(8) Other requirements.**

38 a. **Access.** For any industrial use south of Well Line Road, site access shall be provided by
39 curb cuts on an arterial or collector street. Alternatively, a private or public street may link
40 the site to an arterial or collector, provided that the private or public street does not traverse

1 a residential subdivision or predominantly residential neighborhood between the site and
2 the arterial or collector street.

3 **b. Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development regulations and
4 standards.

5 **(e) Location criteria.** All new non-residential uses proposed within the HC/LI district that are not part
6 of a planned unit development or not identified as exempt by district regulations shall be on parcels
7 that satisfy at least one of the following location criteria:

8 **(1) Proximity to intersection.** Along an arterial street and within one-quarter mile of its
9 intersection with an arterial street.

10 **(2) Site design.** Along an arterial street, no more than one-half mile from its intersection with an
11 arterial street, and all of the following site design conditions:

12 **a.** Not abutting a RR, LDR or MDR zoning district

13 **b.** Any intrusion into a recorded residential subdivision is limited to a corner lot

14 **c.** A system of service roads or shared access is provided to the maximum extent feasible
15 given the lot area, lot shape, ownership patterns, and site and street characteristics.

16 **d.** Adverse impacts to any adjoining residential uses are minimized by placing the more
17 intensive elements of the use, such as solid waste dumpsters and truck loading/unloading
18 areas, furthest from the residential uses.

19 **e.** Location in an area where already established non-residential uses are otherwise consistent
20 with the HC/LI, and where the new use would constitute infill development of similar
21 intensity as the conforming development on surrounding parcels. Additionally, the location
22 would promote compact development and not contribute to or promote strip commercial
23 development.

24 **(3) Documented compatibility.** A compatibility analysis prepared by the applicant provides
25 competent substantial evidence of unique circumstances regarding the parcel or use that were
26 not anticipated by the alternative criteria, and the proposed use will be able to achieve long-
27 term compatibility with existing and potential uses. Additionally, the following conditions exist:

28 **a.** The parcel has not been rezoned by the landowner from the mixed-use, commercial, or
29 industrial zoning assigned by the county.

30 **b.** If the parcel is within a county redevelopment district, the use will be consistent with the
31 district's adopted redevelopment plan, as reviewed and recommended by the Community
32 Redevelopment Agency (CRA).

33 **(f) Rezoning to HC/LI.**

34 **(1) Generally.** Heavy Commercial and Light Industrial zoning may be established only within the
35 Mixed-Use Urban (MU-U), Commercial (C), or Industrial (I) future land use categories. The
36 district is appropriate to provide transitions between areas zoned or used for commercial and
37 areas zoned or used for industrial. The district is suitable for areas able to receive bulk
38 deliveries by truck in locations served by major transportation networks and able to avoid
39 undesirable effects on nearby property and residential uses. Rezoning to HC/LI is subject to the
40 same location criteria as any non-residential use proposed within the HC/LI district.

41 **(2) HC/LI-NA designation.** Any applicant for rezoning to the HC/LI zoning district may request a
42 HC/LI-NA designation prohibiting the subsequent establishment of any bars, nightclubs, or

1 adult entertainment uses on the rezoned property. The request shall be in the form of a
2 notarized affidavit that acknowledges this use restriction and affirms that it is a voluntary
3 request. Once approved according to the rezoning process of Chapter 2, the HC/LI-NA zoning
4 designation and its prohibitions shall apply to the property, regardless of ownership, unless the
5 parcel is rezoned.

6
7 **Section 6. Severability.**

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

11
12 **Section 7. Inclusion in Code.**

13 It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall
14 be codified as required by F.S. § 125.68 (2015); and that the sections, subsections and other
15 provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be
16 changed to "section," "chapter," or such other appropriate word or phrase in order to accomplish
17 such intentions.

18
19 **Section 8. Effective Date.**

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

21
22 **DONE AND ENACTED** this _____ day of _____, 2015.

23
24 **BOARD OF COUNTY COMMISSIONERS**
25 **OF ESCAMBIA COUNTY, FLORIDA**

26
27 **By:** _____
28 **Grover C. Robinson, IV, Chairman**

29 **ATTEST: PAM CHILDERS**
30 **Clerk of the Circuit Court**

31 **By:** _____
32 **Deputy Clerk**

33
34 **(SEAL)**

35 **ENACTED:**

36 **FILED WITH THE DEPARTMENT OF STATE:**

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

4. C.

Meeting Date: 12/01/2015

Issue: A Public Hearing - Comprehensive Plan - Small Scale Amendment
SSA-2015-02

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of a Small Scale Amendment SSA-2015-02

That the Board review and recommend to the Board of County Commissioner (BCC) a Small Scale Amendment SSA-2015-02; amending Part II of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.

BACKGROUND:

The applicant is requesting a Future Land Use Map amendment from Rural Community (RC) to Mixed-Use Suburban (MU-S) in order to be more consistent with the zoning designation.

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 Future land Use Map 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

Draft Ordinance w legal review

SSA-2015-02

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Draft Ordinance Small Scale Quintette West 2015-02

Date: November 6, 2015

Date requested back by: _____

Requested by: Allyson Cain

Phone Number: 595-3097

.....

(LEGAL USE ONLY)

Legal Review by: Kerra A. Smith

Date Received: November 6, 2015

Approved as to form and legal sufficiency

Not approved

Make subject to legal signoff.

Additional comments:

Please label the boundary survey (signed copy) as Exhibit A.

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

2
3 The 2030 Future Land Use Map, as adopted by reference and codified in Part II of the
4 Escambia County Code of Ordinances, the Escambia County Comprehensive Plan:
5 2030, as amended; Chapter 7, "Future Land Use Element," Policy FLU 1.1.1; and all
6 notations, references and information shown thereon, is further amended to include the
7 following future land use change.

8
9 A parcel within Section 33, Township 2N, Range 31W, parcel number 33-
10 2N-31-1102-000-001 totaling 9.69 (+/-) acres, located on Quintette Road,
11 as more particularly described by Kenneth J. Monie PSM, signed and
12 sealed by Kenneth J. Monie, in the boundary survey dated April 13, 2015,
13 attached as Exhibit A, from Rural Community (RC) to Mixed-Use
14 Suburban (MU-S).

15
16 **Section 4. Severability**

17
18 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
19 unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect
20 the validity of the remaining portions of this Ordinance.

21
22 **Section 5. Inclusion in the Code**

23
24 It is the intention of the Board of County Commissioners that the provisions of this
25 Ordinance shall be codified as required by F.S. § 125.68 (2015); and that the sections,
26 subsections and other provisions of this Ordinance may be renumbered or re-lettered
27 and the word "ordinance" may be changed to "section," "chapter," or such other
28 appropriate word or phrase in order to accomplish such intentions.

29
30
31
32
33
34 **INTENTIONALLY LEFT BLANK**
35
36

1 **Section 6. Effective Date**

2
3 Pursuant to Section 163.3187(5)(c), Florida Statutes, this Ordinance shall not become
4 effective until 31 days after adoption. If challenged within 30 days after adoption, this
5 Ordinance shall not become effective until the Department of Economic Opportunity or
6 the Administration Commission enters a final order determining the Ordinance to be in
7 compliance.
8

9
10
11 **DONE AND ENACTED** this _____ day of _____, 2015.

12
13 BOARD OF COUNTY COMMISSIONERS
14 OF ESCAMBIA COUNTY, FLORIDA

15
16 By: _____
17 Grover C. Robinson IV, Chairman

18
19 ATTEST: PAM CHILDERS
20 Clerk of the Circuit Court

21
22
23 By: _____
24 Deputy Clerk

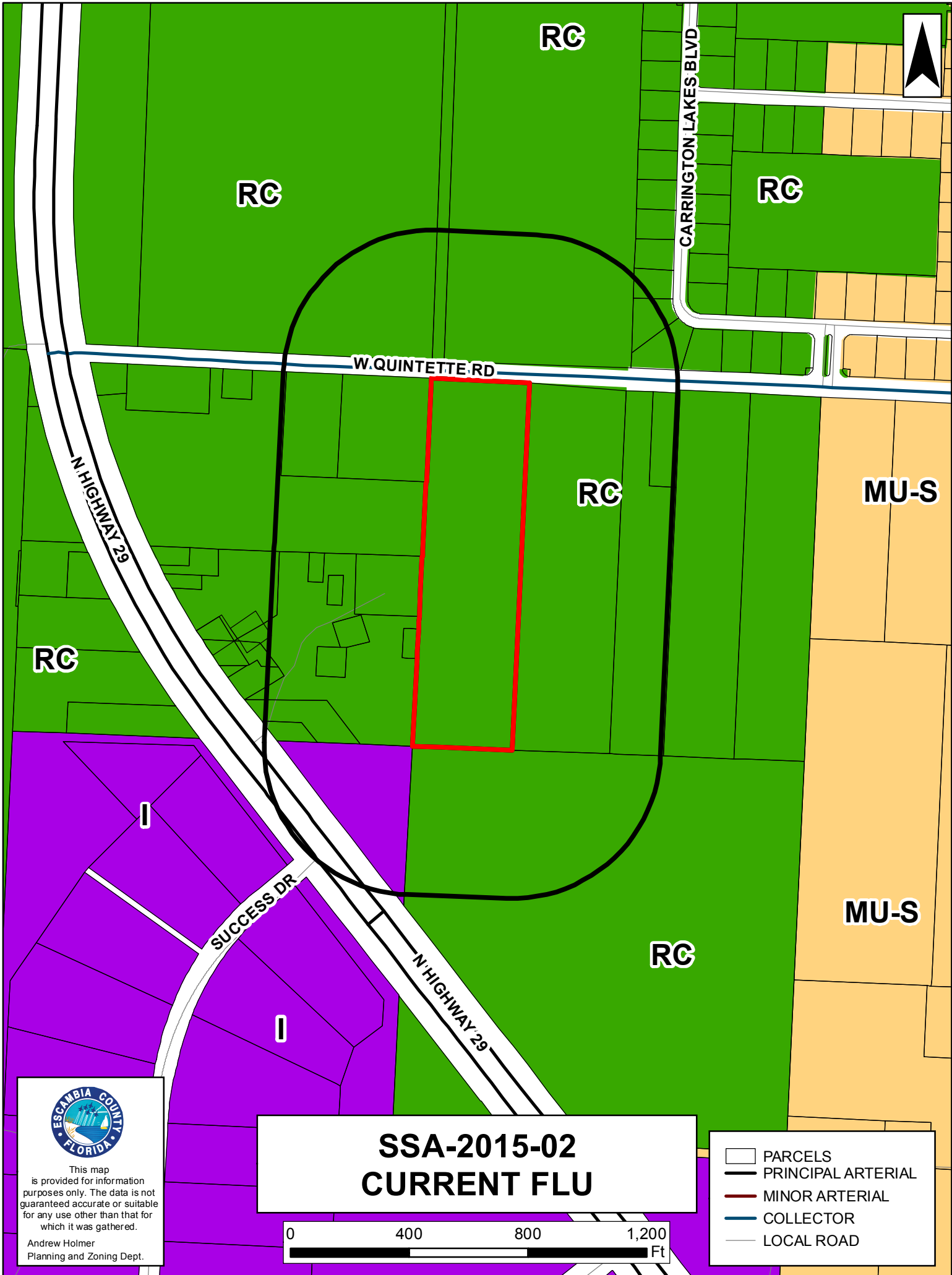
25
26
27 (SEAL)

28
29
30 ENACTED:

31
32 FILED WITH THE DEPARTMENT OF STATE:

33
34 EFFECTIVE DATE:

SSA-2015-02



RC

RC

RC

W. QUINTETTE RD

CARRINGTON LAKES BLVD

N. HIGHWAY 29

RC

MU-S

RC

I

SUCCESS DR

MU-S

N. HIGHWAY 29

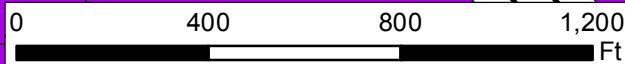
RC



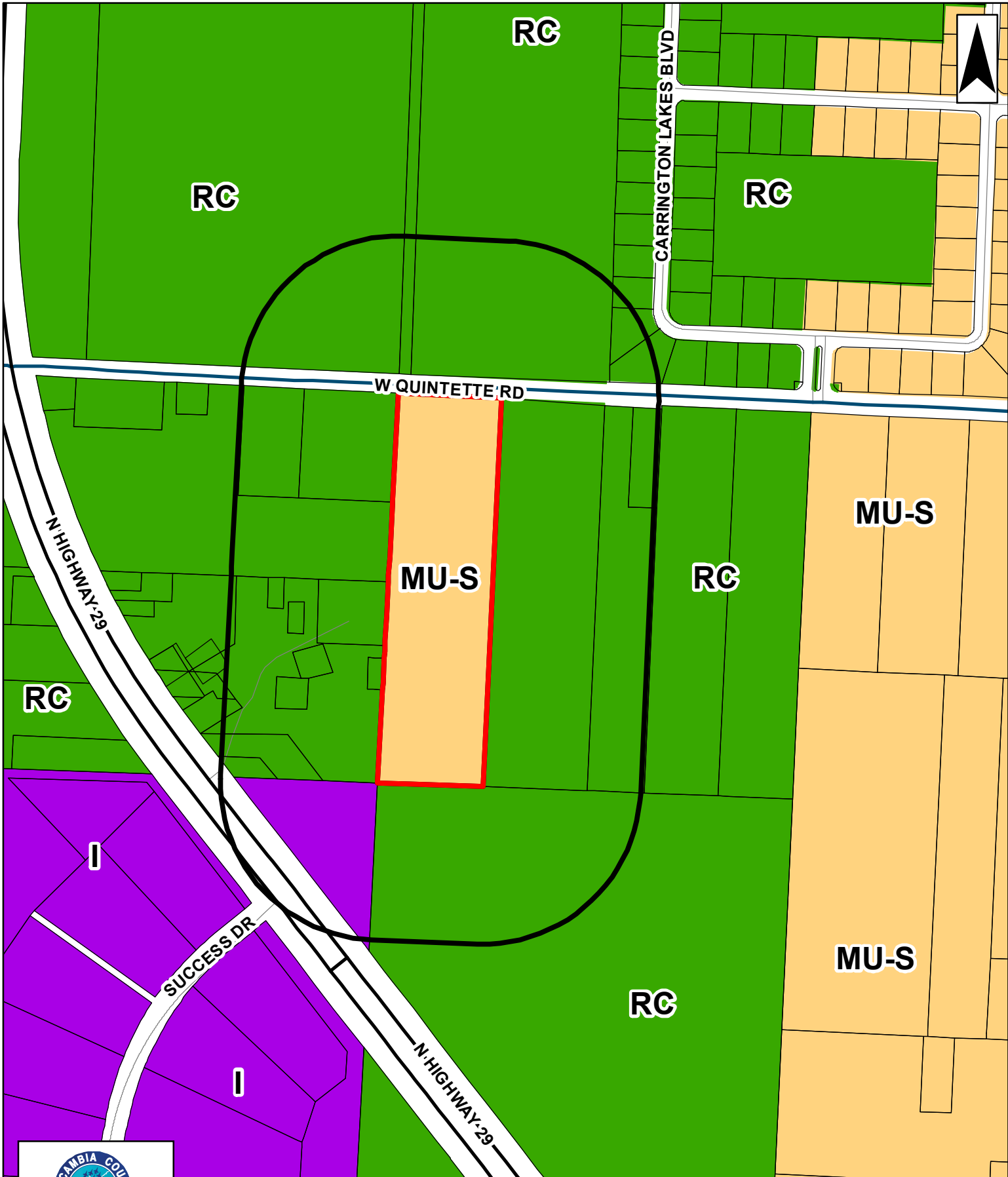

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

**SSA-2015-02
CURRENT FLU**



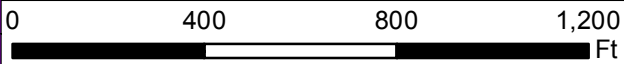
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD









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.

SSA-2015-02 PROPOSED FLU



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

David W. Fitzpatrick, P.E., P.A.

10250 North Palafox Street ♦ Pensacola, Florida 32534
Phone (850) 476-8677 ♦ Fax (850) 476-7708

Escambia County Planning Board

April 13, 2015

Ref: Letter of Request

Proposed small scale future land use amendment

Parcel location: Quintette Road 1100' east of US 29

Parcel ID#: 33-2N-31-1102-000-001

Dear Sir/ Madam,

I respectfully request that the Board grant this future land use designation change from RC rural community to MUS mixed use suburban. The reason is to align with the current zoning of the parcel, V-5. The current FLU category does not support the maximum residential density of 4 units per acre as allowed by the current zoning.

Sincerely,



David W. Fitzpatrick, P.E.
owner

FUTURE LAND USE MAP AMENDMENT APPLICATION

PB15040004

(THIS SECTION FOR OFFICE USE ONLY):

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

Current FLU: RC Desired FLU: MU-S Zoning: V-5 Taken by: A. Can

Planning Board Public Hearing, date(s): 6/2/15

BCC Public Hearing, proposed date(s): 7/9/15

Fees Paid 2,202.20 Receipt # _____ Date: 4/15/15

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

Name: David W. Fitzpatrick

Address:
4325 Crabtree Church Road

City: Molino State: Florida Zip Code: 32577

Telephone: () 850-698-7747

Email: david@fitzeng.com

DESCRIPTION OF PROPERTY:

Street address: Quintette Road

Subdivision:

Property reference number: Section 33 Township 2N Range 31

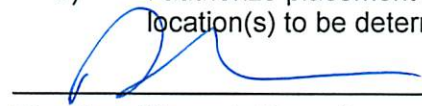
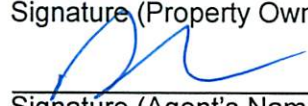
Parcel 1102 Lot 000 Block 001

Size of Property (acres) 9.69

**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.

	David W. Fitzpatrick	4-3-15
Signature (Property Owner)	Printed Name	Date
	DAVID W FITZPATRICK	4-3-15
Signature (Agent's Name (or owner if representing oneself))	Printed Name	Date

Address: 10250 North Palafox Street


City: Pensacola State: Florida Zip: 32534

Telephone () 476 - 8677 Fax # () 476 - 7708

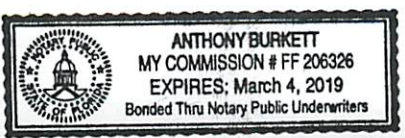
Email: david@fitzeng.com

STATE OF Florida
COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 3 day of April, year of 2015 by, David W. Fitzpatrick 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>4/3/15</u>	
Signature of Notary Public	Date	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 _____,
Pensacola, Florida, Property Reference Number(s) _____,
I hereby designate _____, 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 _____ day of _____, the year of
_____, 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.

Signature of Property Owner Date Printed Name of Property Owner

Signature of Agent Date Printed Name of Agent

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, year of
_____, by _____ 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.

Signature of Notary Public Date Printed Name of Notary Public

Commission Number _____ My Commission Expires _____

(Notary seal must be affixed)

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

Project name:

Quintette Parcel

Property reference #: Section 33 Township 2N Range

Parcel # 1102-000-001

Project Address:

Quintette Road

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 3rd DAY OF April, 2015**


Owner's signature

David W. Fitzpatrick
Owner's name (print)

Agent's signature

Agent's name (print)

Prepared by:
Stephen R. Moorhead, Esquire
McDonald Fleming Moorhead
25 West Government Street
Pensacola, Florida 32502
SRM-15-8675
Tax ID # 33-2N-31-1102-000-001

WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS: that DAVID FITZPATRICK and DIANE FITZPATRICK, husband and wife, whose address is 4325 Crabtree Church Road, Molino, FL 32577, hereinafter called Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, do grant, bargain, sell and convey the below described property, situate, lying and being in the County of Escambia, State of Florida, unto DAVID FITZPATRICK and DIANE FITZPATRICK, husband and wife, whose address is 4325 Crabtree Church Road, Molino, FL 32577, hereinafter called Grantees, their heirs, successors and assigns:

SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE

And Grantors do hereby fully warrant the title to the property and will defend the same against the lawful claims of all persons whomsoever. Subject to taxes for the current year and restrictions and reservations of record which are not hereby reimposed.

The purpose of this deed is to create a record lot with the description contained in the attachment as required by the Escambia County Department of Development Services.

(end of text – signature page to follow)

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 16 day of October, 2015.

Signed, sealed and delivered
in the presence of:

Carol Fitzpatrick
Print Name Carol Fitzpatrick

David Fitzpatrick
David Fitzpatrick

Erika Burkett
Print Name Erika Burkett

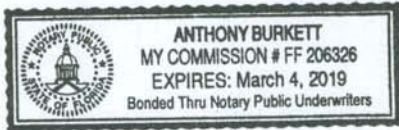
Diane Fitzpatrick
Diane Fitzpatrick

Carol Fitzpatrick
Print Name Carol Fitzpatrick

Erika Burkett
Print Name Erika Burkett

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 16 day of October, 2015, by David Fitzpatrick and Diane Fitzpatrick, husband and wife.



Anthony Burkett
Notary Public

Personally Known
or
 Produced Identification
Type of Identification Produced _____

EXHIBIT "A"

DESCRIPTION: (AS PREPARED BY UNDERSIGNED AT CLIENTS REQUEST)
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA;
THENCE GO SOUTH 86 DEGREES 54 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SECTION 33 A DISTANCE OF 1350.05 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE DEPARTING SAID NORTH SECTION LINE GO SOUTH 02 DEGREES 47 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 52.39 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF QUINTETTE ROAD (RIGHT-OF-WAY WIDTH VARIES), AND THE POINT OF BEGINNING.
THENCE DEPARTING SAID WEST LINE GO SOUTH 87 DEGREES 30 MINUTES 47 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID QUINTETTE ROAD A DISTANCE OF 329.52 FEET;
THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE GO SOUTH 02 DEGREES 29 MINUTES 13 SECONDS WEST A DISTANCE OF 1269.49 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE GO NORTH 87 DEGREES 01 MINUTES 49 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 336.22 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE GO NORTH 02 DEGREES 47 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 1266.68 FEET TO THE POINT OF BEGINNING.
CONTAINING 9.69 ACRES, MORE OR LESS.

David W. Fitzpatrick, P.E., P.A.

10250 North Palafox Street ♦ Pensacola, Florida 32534
Phone (850) 476-8677 ♦ Fax (850) 476-7708

April 13, 2015

Escambia County Planning Board

Ref: Proposed small scale future land use amendment
Parcel location: Quintette Road 1100' east of US 29
Parcel ID#: 33-2N-31-1102-000-001

Narrative:

The acreage of the subject parcel is 9.69 acres. The parcel ID number is 33-2N-31-1102-000-001. The parcel is located along the south right of way of Quintette Road approximately 1100' from SR 95/ US 29.

I wish to amend the FLUM from the current designation of RC (rural community) to MUS (mixed use suburban). The requested FLUM change would create a development pattern consistent with parcels near the subject parcel. The requested FLUM is consistent with existing infrastructure and locational criteria in the comprehensive plan and LDC. Currently the parcel is zoned V-5. The current FLUM designation is not consistent with the V-5 zoning where MUS is consistent with the zoning.

Compatibility Analysis:

Location:

The subject parcel is logically located for the requested FLUM. The parcel is bordered by residential use on its west side, a church on its east side, undeveloped land to the south, and Quintette Road to the north. It lays between existing residential subdivision developments and the intersection of US 29/ SR 95 and Quintette Road. The subject parcel is less than 1 mile from the Escambia County Central Industrial Park and less than 2 miles from other major employers to the east at CR95A. Currently there is little workforce housing, i.e. smaller lots in the area although many nearby employment opportunities therefore the subject parcel requested FLUM amendment makes logical sense.

Infrastructure:

Sewer and Water:

ECUA has issued a letter of availability concerning sanitary sewer, (see attached). A large sanitary sewer forcemain is located on Quintette Road in front of the subject parcel. ECUA also provides solid waste service for the area. Cottage Hill water has issued a letter of availability concerning potable water, (see attached). A large potable water pipe is located on Quintette Road in front of the subject parcel.

Stormwater Management:

Any development is required to be designed in accordance with the Escambia County Land Development Code, (LDC). Stormwater design regulation is a part of the LDC and will be followed. The area is atop a hill and not in an area subject to flooding.

Traffic:

Anticipated connection will be to Quintette Road. Quintette is an existing paved County road. Current traffic design techniques are required within the LDC and will be followed. According to Escambia County's traffic map Quintette Road has 440 trips available. The current parcel zoning will not result in more trips used than are currently available on Quintette Road.

Recreation and open space:

The Escambia County Quintette recreational facility is less than 1 ½ miles from the subject parcel. It is approximately 20 acres of recreational open space. Typically less than 50% of total land is covered by buildings or other impervious areas in subdivisions thereby creating open space.

Schools:

The subject parcel is within the Jim Allan Elementary School district, the Ransom Middle School district, and the JM Tate High School district.

Need:

As mentioned above the area is in between several employment opportunity areas that rely on local employees. Existing developments nearby are of medium to large lots therefore not supporting the need for workforce housing.

Because of the subject parcel's current zoning this FLUM amendment will allow for such a development.

Proximity to and impact on the following:

- A. Wellheads: Cottage Hill Water's closest well is located on Stacey Road and is approximately 1.6 miles from the subject site.
- B. Historically significant sites: See attached site specific survey. The area is in an area that is developed and has no historical significance.
- C. Natural Resources: See attached site specific survey. No environmentally sensitive or wetlands located on the site.

Consistency with the Escambia County Comp Plan with reference to applicable sections.

The proposed FLUM amendment will be consistent with the comp plan.

Chapter 8 Mobility element- the proposed amendment will place residential units on a county roadway which is not near its LOS maximum. According to the Escambia County Office of Transportation Traffic Operations Traffic Volume Level of Service Report Quintette Road is a 2 lane LOS D non hurricane evacuation route. The available pm peak hour trips remaining for the road is 440. The project zoning will allow 40 units at 40 peak hour trips an increase of 20 peak hour trips from the existing flu designation. Therefore the development of the project with the new flu designation will not exceed the current LOS of Quintette Road. In addition the development of the subject parcel will place residential units within 1100' of a major hurricane evacuation route, SR 95. An ECAT bus route passes the intersection of Quintette Road and US 29 which allows for mass transit availability for the prospective residents. All onsite development will be in accordance with the latest edition of the LDC.

Chapter 9 Housing element- The subject parcel is currently zoned and the current flu designation is for residential use therefore there are no intentions to change the prospective use other than to match current zoning with the proper future land use designation.

HOU 1.1.5. Mixed use development- the subject parcel is in a mixed use area. It is within 1 mile of the Central Commercial Park and within 2 miles of other employment centers to the east. Other employment centers and shopping centers such as grocers and retail stores are within 3 miles to the south.

Chapter 10 Infrastructure element- Goal INF 1- Provision of Wastewater Service- The subject parcel is currently served by ECUA. See attached letter of availability.

Goal INF 2 Solid Waste- The subject parcel is currently served by ECUA.

Goal INF 3 Stormwater Management- Any development of the subject parcel will include strict adherence to the Escambia County LDC which covers stormwater management. In addition all work will be in conformance to NFWFMD regulations.

Goal INF 4 Potable Water- The subject parcel will receive potable water from Cottage Hill Water, see attached letter of availability.

Goal INF 5 Aquifer Recharge Protection- The subject parcel is not located near a public water well. 1.6 miles to the nearest well.

Chapter 12 Conservation element- there are no environmentally sensitive lands on the subject parcel. See attached site specific survey.

From: mewldod@aol.com
Sent: Thursday, April 09, 2015 2:43 PM
To: David Fitzpatrick
Subject: Re: Quintette RD project

Cottage Hill Water Works has a 12" water main that starts at #4 well on the north end of Stacy Rd and extends westward to Hwy #29 and south to the Commerce Park. Therefore Cottage Hill Water has the capacity to serve your parcel located between well #4 and Hwy 29 on Quintette Rd.

William L. Dodson, Vice-Chairman
Cottage Hill Water Works

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

From: David Fitzpatrick <David@fitzeng.com>
To: mewldod <mewldod@aol.com>
Sent: Thu, Apr 9, 2015 9:46 am
Subject: RE: Quintette RD project

Thankyou for this information. I will need to ask you to add one sentence to this email. Therefore Cottage Hill Water has the capacity to serve your parcel located between well #4 and Hwy 29 on Quintette Road.

I'll print the email and use it as my water letter. Thank you thank you.

Thank you
David W. Fitzpatrick, P.E.
David W. Fitzpatrick, P.E., P.A.
10250 N. Palafox Street
Pensacola, Florida 32534
Phone: 850-476-8677
Fax: 476-7708

NOTICE: This communication is intended only for the person or entity to whom it is addressed and may contain confidential, proprietary, and / or privileged material. Unless you are the intended addressee, any review, reliance, dissemination, distribution, copying or use whatsoever of this communication is strictly prohibited. If you received this in error, please reply immediately and delete the material from all computers.

From: mewldod@aol.com [mailto:mewldod@aol.com]
Sent: Thursday, April 09, 2015 9:40 AM
To: David Fitzpatrick
Subject: Quintette RD project

Cottage Hill Water Works has a 12" water main from Well #4 on the north end of Stacy Rd going West on Quintette Rd to Hwy 29, turning South to service the Commerce Park.

Bill Dodson Vice-Chairman
Cottage Hill Water Works, Inc

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3495 / Virus Database: 4311/9487 - Release Date: 04/08/15

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3495 / Virus Database: 4311/9487 - Release Date: 04/08/15



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

DENSITY AND USES SAVINGS CLAUSE
APPLICATION FORM

Sec. 3-1.8 Density and uses savings clause.

General. The owner of any parcel of land that had the residential density of its applicable zoning district decreased or had permitted land uses of that district eliminated as a result of the April 16, 2015 adoption of the LDC, may apply to have the previous residential density or permitted land uses reinstated.

(b) Applicability. This section is not intended to authorize density or land uses that are otherwise limited by the LDC. These limitations include, but are not limited to, the provisions of the overlay zoning districts, the airport/airfield environs, floodplain management, or location criteria.

David and Diane Fitzpatrick Name of Property Owner
Quintette Road Property Address
332N311102000001 Parcel Reference Number

Current Zoning RMU Current FLU RC Previous Zoning V-5

Proof of ownership and a legal description of the property must be provided prior to approval. Attached Yes No Explain:

List density decreased from 4 units per acre to 2 units per acre

List land uses eliminated

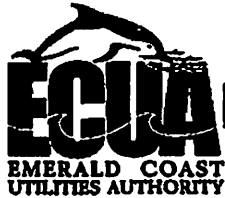
Is the current FLU consistent with the requested density or land uses Yes No

Explain: we are requesting a FLU change

I, David Fitzpatrick, owner of the above referenced property, hereby submit this application to the Planning Official (or his designee) to request an official review of the Density and Uses Savings Clause provision of the LDC with respect to my property above.

Owner Signature
DAVID FITZPATRICK

11-9-15 Date



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

April 6, 2015

Mr. David Fitzpatrick, P.E.
10250 North Palafox Street
Pensacola, FL 32534

Re: **Letter of Capacity Reservation
Quintette 20 Acres**

Dear Mr. Fitzpatrick:

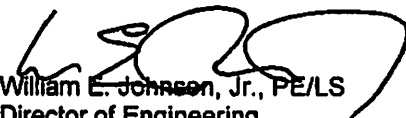
In response to your inquiry concerning availability of sewer services for the above referenced project, ECUA anticipates no problems in sewage treatment plant capacity. Our review indicates this project will not degrade ECUA's sewer systems to a degree which would cause these systems to fail to meet 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 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 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 is provided by Cottage Hill Water Service.

Sincerely,


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

WEJ/vlf

x:\tracking\concurrency-availability (tr from request for service form\2015\quintette 20 acres docx

Vicki Campbell
District One

Lois Benson
District Two

Elvin McCorvey
District Three

Dale Perkins
District Four

Larry Walker
District Five

Capacity Reservation Form



Date 4-6-15

Service Requested:

Water _____ Sewer X

Name of Project QUINETTE 20 ACRES

Area(Acres) 20

PROJECT ADDRESS – *THIS INFORMATION IS REQUIRED TO PROCESS APPLICATION (ATTACH LOCATION MAP) 332N311102000000 & 332N311102000001 PARCEL ID

Type Development: Residential X Commercial _____ Industrial _____ Other _____

(Explain) 80 +/- LOT RESEDENTIAL S/D

Number and/or Size of Units 80 +/- LOTS 1000 SF TO 1500 SF

Estimated Flow: (Average Day) Water _____ Sewer 24000 GPD Fire _____

How will water and/or sewer be provided if not from ECUA? WATER BY COTTAGE HILL WATER

Special Requirements: _____

Owner of Property: (type or print) DAVID AND DIANE FITZPATRICK

Address: 10250 NORTH PALAFOX STREET

Phone: 850-476-8677

Developer: (type or print) NOT DETERMINED

Address: _____

Phone: _____

Engineer: (type or print) DAVID W. FITZPATRICK, P.E., P.A.

Address: (type or print) 10250 NORTH PALAFOX STREET

Phone: 850-476-8677

Email: DAVID@FITZENG.COM

Submitted By: (type or print) DAVID W FITZPATRICK

Title: EOB

Signature of Submitter David Fitzpatrick

Title: EOB

FOR ECUA USE:

MAP PAGE: R-33

Nearest Water Line of Adequate Size: COTTAGE HILL WATER

Size: _____

Pressure: _____

Nearest Sewer Line of Adequate Size: QUINETTE RD

Size: 8" FM 1st L/S: #326

2nd L/S: _____

Plant: LWRF

ECUA Sanitation? _____

Prepared By Daniel Kutzner

Date 4.6.15

Reviewed By _____



April 14, 2015

Mr. David Fitzpatrick
10250 N Palafox Hwy
Pensacola, Florida 32534

RE: Site Specific Survey: Quintette Road Parcel # 33-2N-31-1102-000-001

Dear David:

Per your request, Edmisten & Associates has completed a "site-specific survey" for wetlands and protected species on the 9.69-acre property identified as parcel number 33-2N-31-1102-000-001 by the Escambia County Property Appraiser. This study was performed to satisfy requirements outlined in Escambia County's Comprehensive Plan (7.A.5.8). This report can be submitted to the county as a component of your submittal requirements.

As pertains to wetlands, Edmisten & Associates has completed an assessment of the jurisdictional status of the referenced property (see attached aerial). This assessment included an analysis of plant communities, wetland hydrology indicators and soils in accordance with federal and state procedural guidelines. These analyses resulted in the determination that the site has no wetlands under the jurisdiction of the US Army Corps of Engineers (COE), Escambia County Neighborhood Environmental Services Department (NESD) or the Florida Department of Environmental Protection (FDEP). As such, development will not require permits from these agencies wetland programs.

As pertains to protected species, Edmisten & Associates conducted a reconnaissance of the site to determine the presence of imperiled species populations and habitats. Visual inspection of the subject property failed to identify imperiled species known to inhabit Escambia County. As a result of our assessment, we conclude that no environmentally sensitive lands, either wetlands or habitat, occur on the subject property.

Respectfully,
Edmisten & Associates

A handwritten signature in black ink that reads "Sean O'Toole". The signature is written in a cursive style.

Sean O'Toole
Ecological Consultant
General Partner
2066.003



April 14, 2015

Mr. David Fitzpatrick
10250 N Palafox Hwy
Pensacola, Florida 32534

RE: State of Florida Archeological Master file report: Quintette Road Parcel # 33-2N-31-1102-000-001

Dear David:

Per your request, Biome Consulting Group has completed a preliminary Archeological master file search for your properties located on Quintette Road for SHPO listed sites or structures. I created a map in ARC-GIS to search any listed sites that may be within the project area. The properties were identified as parcel numbers 33-2N-31-1102-000-001 by the Escambia County Property Appraiser. This study was performed to satisfy requirements outlined in Escambia County's Comprehensive Plan. This report can be submitted to the county as a component of your submittal requirements.

As pertains to Archeological sites, Biome Consulting Group created a map with the SHPO Archeological overlay and failed to find a listed site within the project boundary (see attached aerial). The map does show an area shaded in yellow to the West and North that represents a Survey that was completed for FDOT for the expansion of area roads. No listed sites or structures were found within the proximity of your projects sites.

We hope this will suffice for this component of your County submittal. Please feel free to call me if you have any questions pertaining to this or any other issues associated with your property..

Respectfully,
Biome Consulting Group



A handwritten signature in black ink that reads "Sean O'Toole".

Sean O'Toole
Ecological Consultant
General Partner
2066.003 SHPO aerial lot 001



2066.003 Fitzpatrick, Quintette Road
 33-2N-31-1102-000-001
 PREPARED FOR: Fitzpatrick
 Engineering

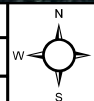
Legend

-  Escambia_Surveys
-  Inspection Area

DATE: 4-14-2015

AUTHOR: SOT

THIS IS NOT A SURVEY



0 300 Feet



biome
 Consulting Group
 1300 West Government St. Pensacola, FL 32502
 850.435.9367 www.biome.co

Escambia County Office of Transportation Traffic Operations
TRAFFIC VOLUME LEVEL OF SERVICE REPORT
Peak Hour Between 4 6 P.M.

On Street	Roadway Facility	Lane	LOS Perf Std	Date Of Count	2-Way PM PH Counted Volume	2-Way PM PH Fact. Vol.	Alloc. Trips	Total Trips	Rev. Serv. Vol.	2-Way PH Serv. Vol	% Serv. Vol. Used	Avail. Trips	1% Serv. Vol.	5% Serv. Vol.	110% Serv. Vol.	Hurricane Evac. Rt
(2)	(3)	(4)	(7)	(10)	(11)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(21)	(22)	(24)
12th Avenue	Fairfield Dr. to Bayou Blvd.	4D	E	09/09/1013	1755	1668	0	1668		3120	49%	1764	31	156	3432	No
12th Avenue / Tippin Avenue	Bayou Blvd. to Langley Ave.	4D	E	3/18/2013	2110	2006	0	2006		3120	58%	1426	31	156	3432	No
61st Avenue	Jackson St. to Tonawanda Dr.	2U	E	8/26/2013	105	100	0	100		1480	6%	1528	15	74	1628	No
61st Avenue	US 98 to Jackson St.	2U	E	3/20/2013	165	157	0	157		1480	10%	1471	15	74	1628	No
9th Avenue	Cervantes St. to Bayou Blvd.	4U	D	9/9/2013	1626	1562	0	1562		3221	48%	1659	32	161	3543	pm SR2
9th Avenue	Chase St. to Cervantes St.	4U	D	5/30/2013	1253	1228	0	1228		2955	38%	2023	30	148	3251	No
9th Avenue	Langley Ave. to Creighton Rd.	4D	D	8/22/2013	2803	2775	22	2797		3110	90%	313	31	156	3421	Yes
9th Avenue	Bayou Blvd. to Langley Ave	4D	D	9/11/2013	2304	2304	6	2310		3110	74%	800	31	156	3421	Yes
9th Avenue	Creighton Rd. to Olive Rd.	4D	D	8/22/2013	2372	2325	9	2334		3110	68%	1087	31	156	3421	NO
Airport Blvd.	Davis Hwy. to 12th Ave.	4D	D	9/16/2013	2079	2057	0	2057		2950	63%	1188	30	148	3245	No
Airport Blvd.	Pensacola Blvd. to Davis Hwy.	4D	D	3/18/2013	1428	1399	9	1408		2950	43%	1837	30	148	3245	No
Airport Blvd.	W Street to Pensacola Blvd.	4D	D	3/16/2013	1027	996	0	996		3222	31%	2249	30	148	3245	No
Alcaniz Street / MLK Jr. Dr. (SB)	Fairfield Dr. to Wright St.	2O	E	5/28/2013	252	257	0	257		950	25%	788	10	48	1045	No
Barrancas Avenue	Pace Blvd. to Garden St.	4D	E	3/18/2013	1686	1686	45	1731		3120	50%	1701	31	156	3432	No
Barrancas Avenue	Navy Blvd. to Pace Blvd.	4D	E	3/19/2013	2096	2075	199	2274		3390	67%	1116	34	170	3729	Yes
Bauer Road	Sorrento Rd. to Lillian Hwy / US 98	2U	E	5/2/2013	805	789	51	840		1420	54%	722	14	71	1562	No
Bayfront Pkwy.	Tarragona St. to Gregory St.	4D	D	9/25/2013	1801	1730	0	1730		3390	46%	1999	34	170	3729	No

Escambia County Office of Transportation Traffic Operations
TRAFFIC VOLUME LEVEL OF SERVICE REPORT
 Peak Hour Between 4 6 P.M.

9th Avenue	Chase St. to Cervantes St.	4U	D	5/30/2013	1253	1228	0	1228		2955	38%	2023	30	148	3251	No
9th Avenue	Langley Ave. to Creighton Rd.	4D	D	8/22/2013	2803	2775	22	2797		3110	90%	313	31	156	3421	Yes
9th Avenue	Bayou Blvd. to Langley Ave	4D	D	9/11/2013	2304	2304	6	2310		3110	74%	800	31	156	3421	Yes
9th Avenue	Creighton Rd. to Olive Rd.	4D	D	8/22/2013	2372	2325	9	2334		3110	68%	1087	31	156	3421	NO
Airport Blvd.	Davis Hwy. to 12th Ave.	4D	D	9/16/2013	2079	2057	0	2057		2950	63%	1188	30	148	3245	No
Nine Mile Road / US 90A	1-10 to Pine Forest Rd.	4D	D	2/14/2012	1058	1047	189	1236		3580	35%	2344	16	78	3938	Yes
Nine Mile Road / US 90A	Mobile Hwy. to 1-10	2U	D	1/8/2013	1171	1147	397	1544		3580	43%	2036	20	101	3938	Yes
Old Chemstand Road	US 29 to Chemstrand Rd.	2U	E	8/29/2013	505	505	2	507		1480	31%	1121	15	74	1628	No
Old Corry Field Road	Navy Blvd. to Lillian Hwy.	2U	E	3/20/2013	642	635	0	635		1480	39%	993	15	74	1628	No
Old Corry Field Road	Barrancas Ave. to Navy Blvd.	2U	E	3/19/2013	475	456	27	483		1480	30%	1145	15	74	1628	No
Olive Road	9th Ave. to Scenic Hwy.	2U	D	3/11/2013	928	891	29	920		1560	54%	796	16	78	1716	No
Olive Road	Davis Hwy. to 9th Ave.	2U	E	8/27/2013	1475	1460	20	1480		1610	84%	291	16	81	1771	NO
Olive Road	Palafox Hwy. to Davis Hwy.	2U	E	3/12/2013	1329	1342	33	1375		1610	78%	396	16	81	1771	NO
Pace Blvd.	Cervantes St. to Palafox St.	4D	D	3/12/2013	1223	1223	61	1284		3390	38%	2106	34	170	3729	YES
Pace Blvd.	Garden St. to Cervantes St.	4D	E	3/11/2013	1055	1055	0	1055		3270	32%	2215	33	164	3597	YES
Pace Blvd.	Barrancas Ave. to Garden St.	4D	E	3/11/2013	620	620	0	620		3270	19%	2650	33	164	3597	YES
Palafox Highway	US 29(cantonmnt) to US 29 Molino	2U	E	2/10/2013	718	725	252	977		1400	63%	563	14	70	1540	NO
Palafox Street	Pensacola Blvd to Nine Mile Rd	2U	E	3/19/2013	1217	1180	33	1213		1480	75%	415	15	74	1628	NO
Palafox Street / Hwy 95A	Nine Mile Rd. to US 29 (Cantonment)	2U	E	9/3/2013	561	544	18	562		1480	35%	1066	15	74	1628	No
Patricia Drive	Fairfield Dr. to Cerny Rd.	2U	E	8/26/2013	703	682	0	682		1480	42%	946	15	74	1628	No
Pensacola Beach Blvd.	Via De Luna to Gulf Breeze City Limit	4D	E	9/9/2014	1622	1605	14	1619		3120	52%	1501	31	156	3432	YES
Perdido Key Drive	AL State Line to West End of State Par	2U	D	6/5/2012	1066	1066	214	1280		1771	66%	668	18	89	1948	No
Perdido Key Drive	West End of State Park to River Road	3L	D	6/5/2012	1024	983	314	1297		1850	64%	738	19	93	2035	No
Perdido Key Drive	River Road to Innerarity Point Road	2U	D	5/23/2012	1125	1103	1033	2136	AP	2530	77%	647	25	127	2783	NO
Pine Forest Road	I-10 to Nine Mile Rd.	3L	D	9/5/2013	2066	2065	91	2156		2210	89%	275	22	111	2431	No
Pine Forest Road	Mobile Hwy. to I-10	4D	D	2/9/2013	1891	1871	194	2065		3390	61%	1325	34	170	3729	YES
Pine Forest Road	Nine Mile Rd. to West Roberts Rd.	2U	E	2/15/2012	1461	1446	105	1551		1480	95%	77	15	74	1628	NO
Quintette Road	US 29 to Santa Rosa County Line	2U	D	5/29/2013	485	480	708	1188		1480	73%	440	15	74	1628	No
Saufley Field Road	Saufley Field to Mobile Hwy. *	2U	D	8/28/2013	920	920	27	947		2442	39%	1495	24	122	2686	YES
Sorrento Road	Innerarity Pt. to Blue Angel Pkwy*	2U	D	5/2/2013	1306	1293	551	1844	AP	2320	79%	476	23	116	2552	Yes
Ten Mile Road	US 29 to UWF Boundary	2U	E	8/28/2013	888	879	0	879		1480	54%	749	15	74	1628	No

Comprehensive Plan Amendment Staff Analysis

General Data

Project Name: SSA- 2015-02
Location: Quintette Road W
Parcel #s: 33-2N-31-1102-000-001
Acreage: 9.69 (+/-) acres
Request: From Rural Community (RC) to Mixed-Use Suburban (MU-S)
Agent: David and Diane Fitzpatrick, owners

Meeting Dates: Planning Board December 1, 2015
BCC January 7, 2016

Summary of Proposed Amendment:

The proposed amendment is for a parcel totaling 9.69 (+/-) acres, accessed from Quintette Road. The agent has requested a future land use (FLU) map amendment to change the FLU category from Rural Community (RC) to Mixed-Use Suburban (MU-S). The zoning designation for the referenced parcel is Rural Mixed-Use District (RMU).

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 9.69 (+/-) acres which is under the 10 acres or fewer as stated in 163.3187(1)(a).
- b) This amendment is the second proposed small scale amendment for this calendar year and 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 Rural Community FLU category has a residential maximum density of 2 du/acre. The non-residential standards also provide for a maximum intensity of 0.25 Floor Area Ratio (FAR) and no Minimum Intensity for non-residential uses. The range of allowable uses is intended for a mix of agriculture, silviculture, residential, recreational facilities, public and civic and public and civic compact traditional neighborhood supportive commercial.

Staff Analysis: The proposed amendment to Mixed-Use Suburban (MU-S) FLU category has a residential Maximum Density of 25 du/acre and a Non-Residential Maximum Intensity of 1.0 Floor Area Ratio (FAR). The MU-S FLU category is designated for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. The range of allowed uses is residential, retail service, professional office, recreational facilities, public and civic uses.

The property is located along Quintette Road which serves as a collector road used to provide access to the area and its surrounding residential use. The subject property is within a quarter mile of North Highway 29, a principal arterial road. The location and intensity of allowed uses is compatible to 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

INF 4.1.7 Level of Service (LOS) Standards. 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

INF 1.1.7 Level of Service (LOS) Standards. Average LOS standard for wastewater service is 210 gallons per residential connection per day, and the peak LOS will be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County will continue to work with the water

providers to ensure that adequate capacity is available.

Solid Waste Disposal

INF 2.1.4 **Level of Service (LOS) Standards.** The LOS standard for solid waste disposal will be 6 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 principal 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 development plan approval. 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 development plan approval process.

The applicant provided a document signed by Sean O'Toole, Ecological Consultant, 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 development plan approval process for concurrency with existing County regulations.

Comprehensive Plan Consistency and Relevant Policies:

Mixed-Use Suburban (MU-S) Land Use Category:

FLU 1.3.1 Intended for mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.

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).

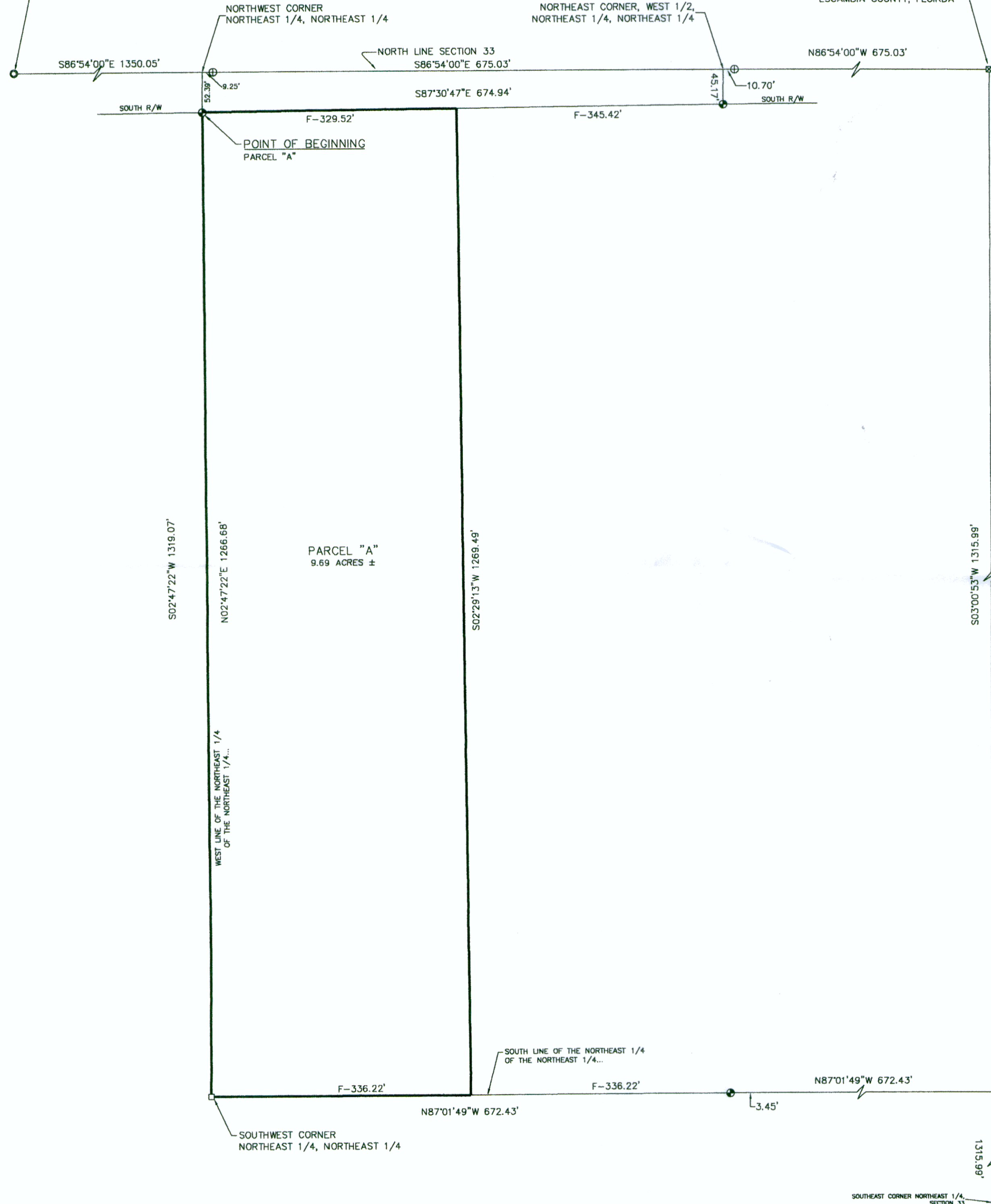
Staff Analysis: Any proposed development will be analyzed during the Site Plan Review process, to ensure that the planned activities on site are compatible with the existing surrounding uses and zoning and will not have a negative impact upon existing public roads, utilities and services.

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.

POINT OF COMMENCEMENT
NORTHWEST CORNER, NORTHEAST 1/4,
SECTION 33, TOWNSHIP 2 NORTH,
RANGE 31 WEST, ESCAMBIA
COUNTY, FLORIDA

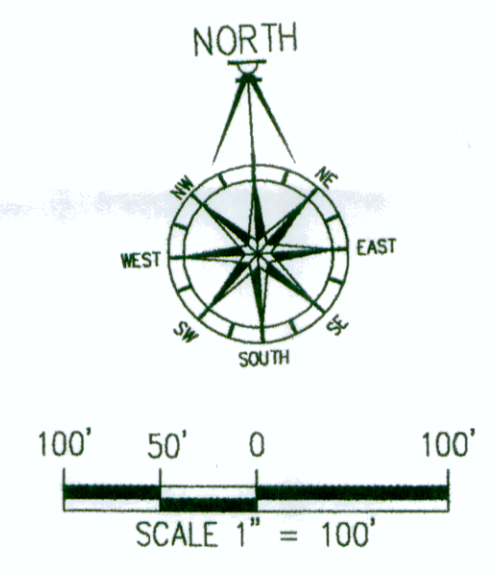
QUINETTE ROAD
(R/W WIDTH VARIES)

NORTHEAST CORNER SECTION 33,
TOWNSHIP 2 NORTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



- SURVEYOR'S NOTES:**
- THIS SURVEY WAS PREPARED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.
 - ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES STANDARD FOOT.
 - NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.
 - NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
 - NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
 - ALL BEARINGS AND DISTANCES ARE RECORDED UNLESS OTHERWISE NOTED.
 - ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS.
 - THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAT.
 - BASIS OF BEARING: N86°54'00\"/>

DESCRIPTION: (AS PREPARED BY UNDERSIGNED AT CLIENTS REQUEST)
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA;
THENCE GO SOUTH 88 DEGREES 54 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SECTION 33 A DISTANCE OF 1350.05 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE DEPARTING SAID NORTH SECTION LINE GO SOUTH 02 DEGREES 47 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 52.39 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF QUINETTE ROAD (RIGHT-OF-WAY WIDTH VARIES), AND THE POINT OF BEGINNING.
THENCE DEPARTING SAID WEST LINE GO SOUTH 87 DEGREES 30 MINUTES 47 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID QUINETTE ROAD A DISTANCE OF 329.52 FEET;
THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE GO SOUTH 02 DEGREES 29 MINUTES 13 SECONDS WEST A DISTANCE OF 1269.49 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE GO NORTH 87 DEGREES 01 MINUTES 49 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 336.22 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE GO NORTH 02 DEGREES 47 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 1266.68 FEET TO THE POINT OF BEGINNING.
CONTAINING 9.69 ACRES, MORE OR LESS.



- LEGEND**
-FOUND CAPPED IRON ROD #6499
 - ⊕FOUND CAPPED IRON ROD #7250
 -FOUND 3\"/>

ADDRESS: QUINETTE ROAD
REQUESTED BY: DAVID FITZPATRICK
TYPE: DESCRIPTION SKETCH
SECTION 33, TOWNSHIP-- 2 -- NORTH, RANGE-- 31 -- WEST, ESCAMBIA COUNTY

SCALE: 1"=100'	FIELD BOOK	PAGE	CREW	FIELD DATE	DRAWN BY:	CHECKED BY:
DATE: 04/10/15	171	21-25	TS/CR/CJ	07/01/04	JSP	<i>[Signature]</i>
NO.:	DATE:	REVISIONS:				APPROVED BY:

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS & MAPPERS IN CHAPTER 54-17.001, 54-17.001 AND 54-17.002, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

[Signature]
KENNETH J. MOORE PSM #4655
CORPORATE NO. LB 0007919
STATE OF FLORIDA

KJM
Land Planning, LLC
Kenneth J. Moore
Professional Surveyor and Mapper
2018 Member - Coast
Gulf Breeze, 32563
850-438-0202 Fax 850-438-1807

4/13/15
DRAWING NUMBER: 04-11652-A



Development Services Department

Building Inspections Division

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **633498**

Date Issued. : 04/15/2015

Cashier ID : KLHARPER

Application No. : PPB150400004

Project Name : SSA-2015-02

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	12944	\$2,202.20	App ID : PPB150400004
		\$2,202.20	Total Check

Received From : DAVID W FITZPATRICK PE PA

Total Receipt Amount : **\$2,202.20**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PPB150400004	724441	2,202.20	\$0.00	QUINTETTE RD,

Total Amount :

2,202.20

\$0.00

Balance Due on this/these
Application(s) as of 6/24/2015



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

4. D.

Meeting Date: 12/01/2015

Issue: A Public Hearing- Comprehensive Plan - Small Scale Amendment
SSA-2015-03

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of a Small Scale Amendment SSA-2015-03

That the Board review and recommend to the Board of County Commissioner (BCC) a Small Scale Amendment SSA-2015-03; amending Part II of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan, as amended; amending the Future Land Use Map designation.

BACKGROUND:

The applicant is requesting a Future Land Use Map amendment from Rural Community (RC) to Mixed-Use Suburban (MU-S) in order to be more consistent with the zoning designation.

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 Future land Use Map 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

Draft Ordinance with legal review

SSA-2015-03

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

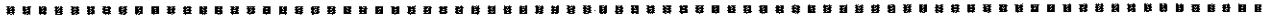
Document: Draft Ordinance Small Scale Quintette East SSA 2015-03

Date: November 6, 2015

Date requested back by: _____

Requested by: Allyson Cain

Phone Number: 595-3097



(LEGAL USE ONLY)

Legal Review by: Kerra A. Smith

Date Received: November 6, 2015

Approved as to form and legal sufficiency *as modified.*

Not approved

Make subject to legal signoff.

Additional comments:

Please label the boundary survey Exhibit A.

1
2 **Section 3. Changes to the 2030 Future Land Use Map**
3

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

10 A parcel within Section 33, Township 2N, Range 31W, parcel number 33-
11 2N-31-1102-000-000 totaling 9.94 (+/-) acres, located on Quintette Road,
12 as more particularly described by Kenneth J. Monie PSM, signed and
13 sealed by Kenneth J. Monie, in the boundary survey dated April 13, 2015,
14 attached as Exhibit A, from Rural Community (RC) to Mixed-Use
15 Suburban (MU-S).
16
17

18 **Section 4. Severability**
19

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

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

26 It is the intention of the Board of County Commissioners that the provisions of this
27 Ordinance shall be codified as required by F.S. § 125.68 (2015); and that the sections,
28 subsections and other provisions of this Ordinance may be renumbered or re-lettered
29 and the word "ordinance" may be changed to "section," "chapter," or such other
30 appropriate word or phrase in order to accomplish such intentions.
31
32
33
34

35 **INTENTIONALLY LEFT BLANK**
36
37
38
39
40
41

1 **Section 6. Effective Date**

2
3 Pursuant to Section 163.3187(5)(c), Florida Statutes, this Ordinance shall not become
4 effective until 31 days after adoption. If challenged within 30 days after adoption, this
5 Ordinance shall not become effective until the Department of Economic Opportunity or
6 the Administration Commission enters a final order determining the Ordinance to be in
7 compliance.
8

9
10
11 **DONE AND ENACTED** this _____ day of _____, 2015.

12
13 BOARD OF COUNTY COMMISSIONERS
14 OF ESCAMBIA COUNTY, FLORIDA

15
16
17 By: _____
18 Grover C. Robinson IV., Chairman

19
20 ATTEST: PAM CHILDERS
21 Clerk of the Circuit Court

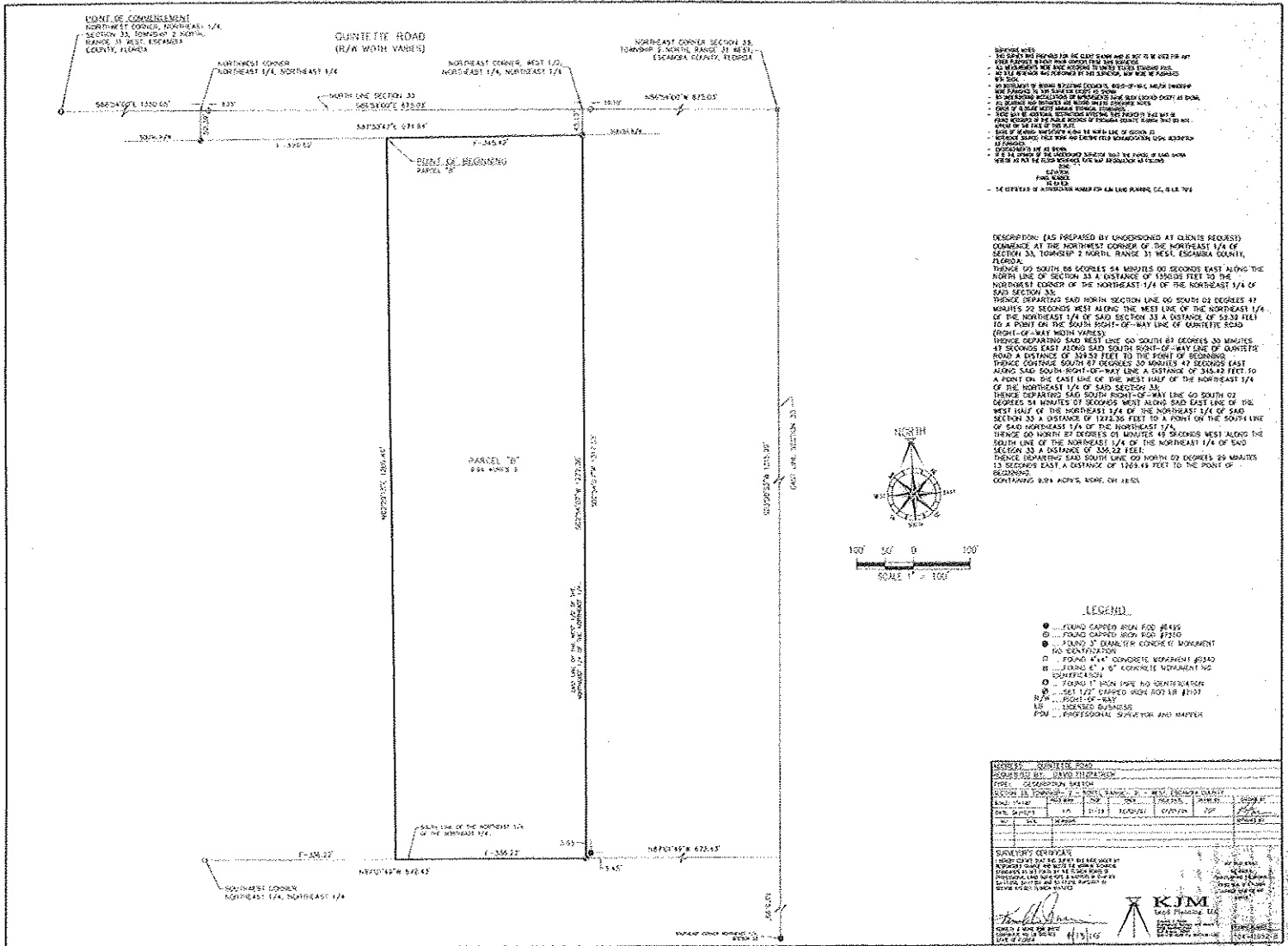
22
23
24 By: _____
25 Deputy Clerk

26
27
28 (SEAL)

29
30
31 ENACTED:

32
33 FILED WITH THE DEPARTMENT OF STATE:

34
35 EFFECTIVE DATE:



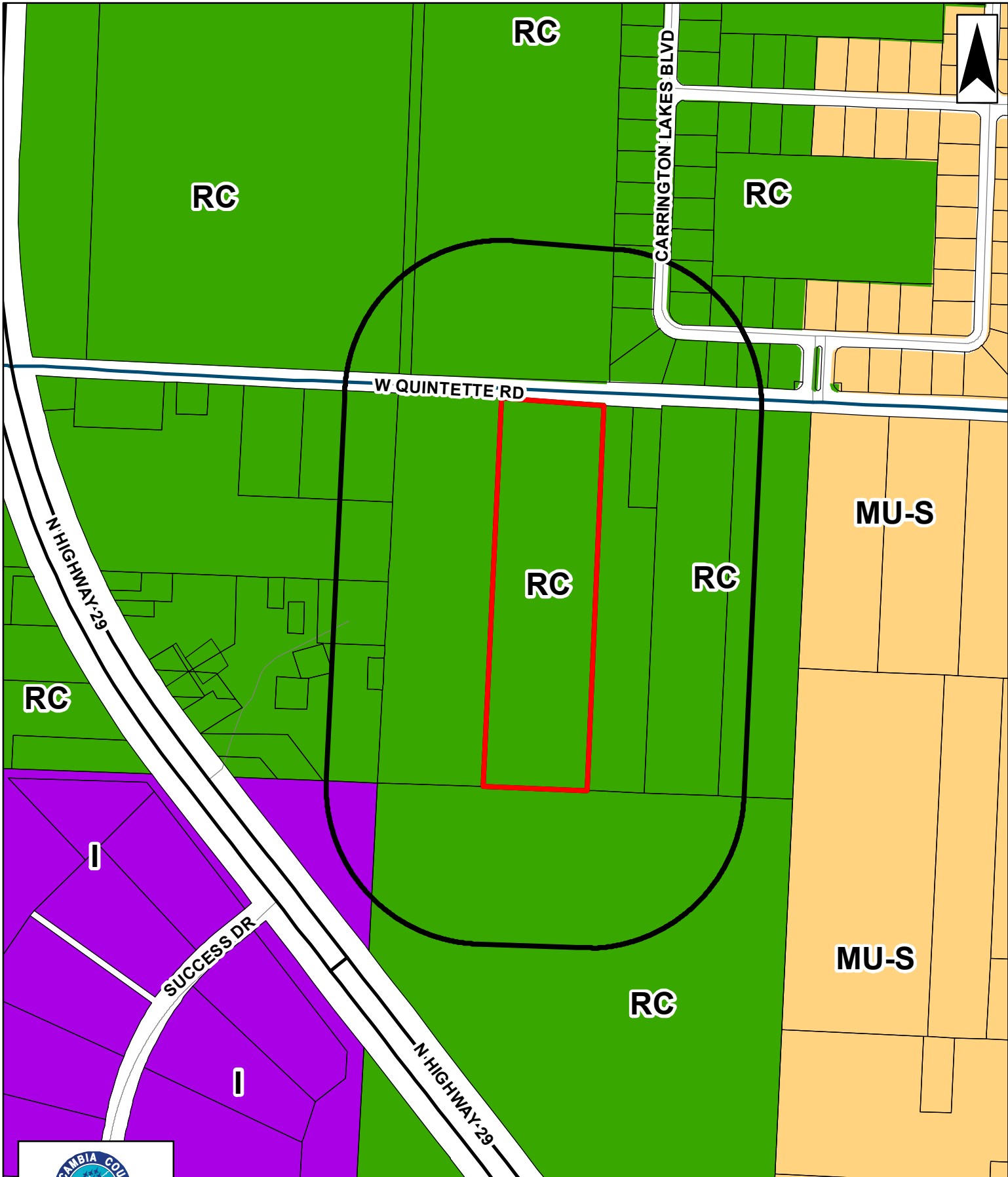

LEGEND

- FOUND CAPPED IRON PEG #445
- FOUND CAPPED IRON PEG #446
- FOUND BY GRANITE CONCRETE MONUMENT NO IDENTIFICATION
- FOUND 4" x 4" CONCRETE MONUMENT #240
- FOUND 4" x 6" CONCRETE MONUMENT #240
- FOUND 4" x 6" CONCRETE MONUMENT #240
- FOUND 1/2" IRON PIPE NO IDENTIFICATION
- SET 1/2" CAPPED IRON PEG #1007
- POINT-OF-WAY
- UNDEVELOPED QUADRANGLE
- PROFESSIONAL SURVEYOR AND MAPPER

SECTION	TOWNSHIP	RANGE	COUNTY	STATE
33	2 NORTH	31 WEST	ESCAMBA	FLORIDA

DATE OF SURVEY: 11/15/16
SCALE: 1" = 100'
PROF: KJM
DATE: 11/15/16

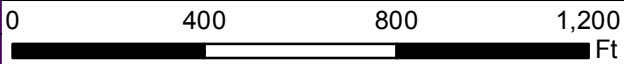
SSA-2015-03









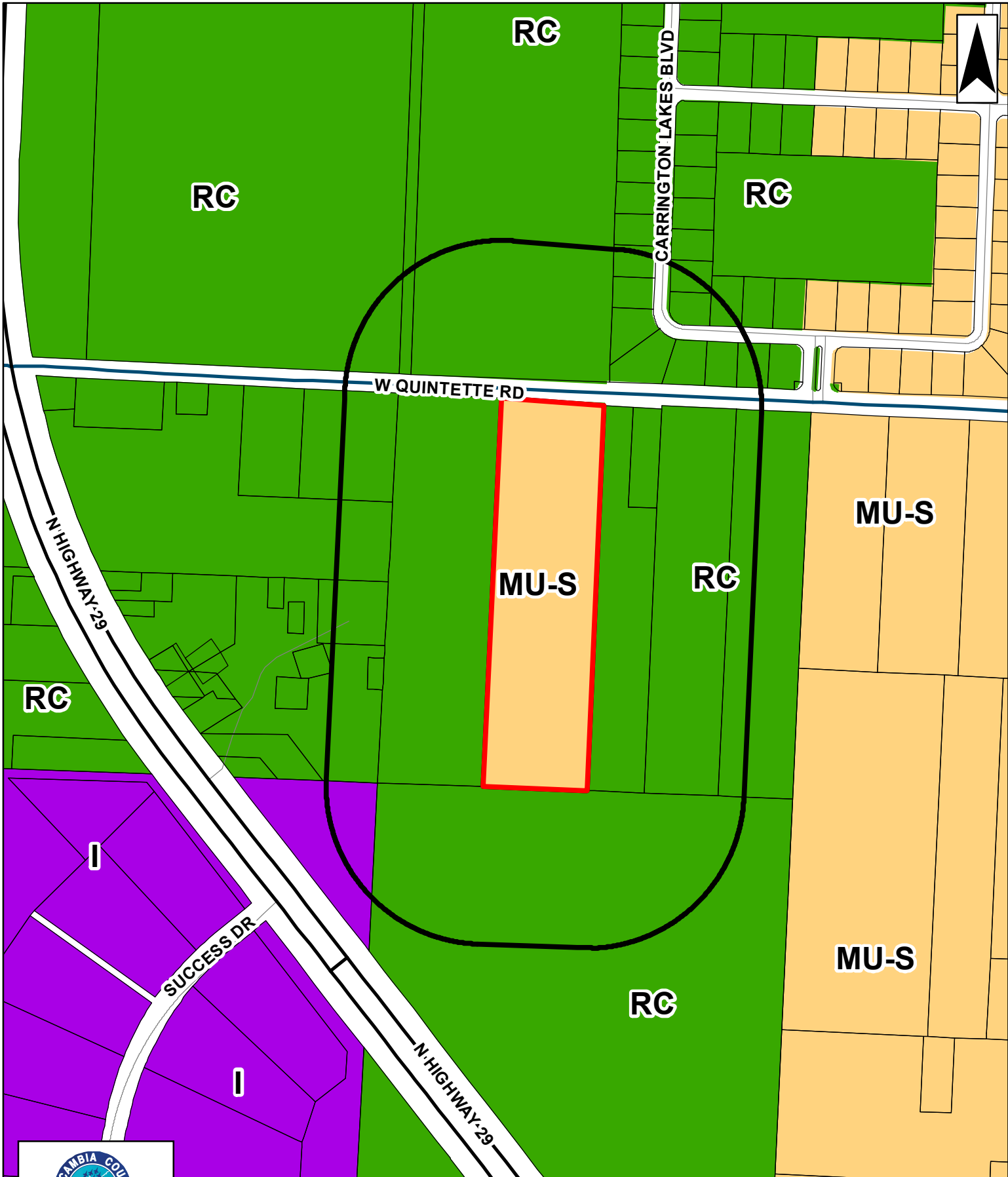

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

SSA-2015-03
CURRENT FLU



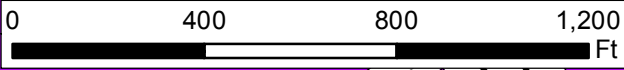
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

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.

SSA-2015-03 PROPOSED FLU



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

David W. Fitzpatrick, P.E., P.A.

10250 North Palafox Street ♦ Pensacola, Florida 32534
Phone (850) 476-8677 ♦ Fax (850) 476-7708

April 13, 2015

Escambia County Planning Board

Ref: Letter of Request

Proposed small scale future land use amendment

Parcel location: Quintette Road 1550' east of US 29

Parcel ID#: 33-2N-31-1102-000-000

Dear Sir/ Madam,

I respectfully request that the Board grant this future land use designation change from RC rural community to MUS mixed use suburban. The reason is to align with the current zoning of the parcel, V-5. The current FLU category does not support the maximum residential density of 4 units per acre as allowed by the current zoning.

Sincerely,



David W. Fitzpatrick, P.E.
owner

FUTURE LAND USE MAP AMENDMENT APPLICATION PB150400005

(THIS SECTION FOR OFFICE USE ONLY):

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

Current FLU: PC Desired FLU: MU-S Zoning: V-5 Taken by: A Cain

Planning Board Public Hearing, date(s): 6/2/2015

BCC Public Hearing, proposed date(s): 7/9/15

Fees Paid Receipt # _____ Date: 4/15/15

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

Name: David W. Fitzpatrick

Address: 4325 Crabtree Church Road

City: Molino State: Florida Zip Code: 32577

Telephone: () 850-698-7747

Email: david@fitzeng.com

DESCRIPTION OF PROPERTY:

Street address: Quintette Road

Subdivision: _____

Property reference number: Section 33 Township 2N Range 31

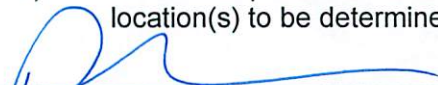

Parcel 1102 Lot 000 Block 000

Size of Property (acres) 9.94

**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.

	David W. Fitzpatrick	4-3-15
Signature (Property Owner)	Printed Name	Date
	DAVID W FITZPATRICK	4-3-15
Signature (Agent's Name (or owner if representing oneself)	Printed Name	Date

Address: 10250 North Palafox Street

City: Pensacola State: Florida Zip: 32534

Telephone () 476 - 8677 Fax # () 476 - 7708

Email: david@fitzeng.com

STATE OF Florida
COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 3 day of April, year of 2015 by, David W. Fitzpatrick 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>4/3/15</u>	_____
Signature of Notary Public	Date	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 _____,
Pensacola, Florida, Property Reference Number(s) _____,
I hereby designate _____, 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 _____ day of _____, the year of
_____, 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.

Signature of Property Owner Date Printed Name of Property Owner

Signature of Agent Date Printed Name of Agent

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, year of
_____, by _____ 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.

Signature of Notary Public Date Printed Name of Notary Public

Commission Number _____ My Commission Expires _____

(Notary seal must be affixed)

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

Project name:

Quintette Parcel

Property reference #: Section 33 Township 2N Range

Parcel # 1102-000-000

Project Address:

Quintette Road

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 14th DAY OF April, 2015


Owner's signature

David W. Fitzpatrick
Owner's name (print)

Agent's signature

Agent's name (print)

Prepared by:
Stephen R. Moorhead, Esquire
McDonald Fleming Moorhead
25 West Government Street
Pensacola, Florida 32502
SRM-15-8675
Tax ID # 33-2N-31-1102-000-000

WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS: that DAVID FITZPATRICK and DIANE FITZPATRICK, husband and wife, whose address is 4325 Crabtree Church Road, Molino, FL 32577, hereinafter called Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, do grant, bargain, sell and convey the below described property, situate, lying and being in the County of Escambia, State of Florida, unto DAVID FITZPATRICK and DIANE FITZPATRICK, husband and wife, whose address is 4325 Crabtree Church Road, Molino, FL 32577, hereinafter called Grantees, their heirs, successors and assigns:

SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE

And Grantors do hereby fully warrant the title to the property and will defend the same against the lawful claims of all persons whomsoever. Subject to taxes for the current year and restrictions and reservations of record which are not hereby reimposed.

The purpose of this deed is to create a record lot with the description contained in the attachment as required by the Escambia County Department of Development Services.

(end of text – signature page to follow)

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 16 day of October, 2015.

Signed, sealed and delivered
in the presence of:

Carolyn Fitzpatrick
Print Name Carolyn Fitzpatrick

David Fitzpatrick
David Fitzpatrick

Erika Burkett
Print Name Erika Burkett

Diane R Fitzpatrick
Diane Fitzpatrick

Carolyn Fitzpatrick
Print Name Carolyn Fitzpatrick

Erika Burkett
Print Name Erika Burkett

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 16 day of October, 2015, by David Fitzpatrick and Diane Fitzpatrick, husband and wife.



Anthony Burkett
Notary Public

Personally Known
or
 Produced Identification
Type of Identification Produced _____

EXHIBIT "A"

DESCRIPTION: (AS PREPARED BY UNDERSIGNED AT CLIENTS REQUEST)
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA;
THENCE GO SOUTH 86 DEGREES 54 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SECTION 33 A DISTANCE OF 1350.05 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE DEPARTING SAID NORTH SECTION LINE GO SOUTH 02 DEGREES 47 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 52.39 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF QUINTETTE ROAD (RIGHT-OF-WAY WIDTH VARIES);
THENCE DEPARTING SAID WEST LINE GO SOUTH 87 DEGREES 30 MINUTES 47 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF QUINTETTE ROAD A DISTANCE OF 329.52 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE SOUTH 87 DEGREES 30 MINUTES 47 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 345.42 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE GO SOUTH 02 DEGREES 54 MINUTES 07 SECONDS WEST ALONG SAID EAST LINE OF THE WEST HALF OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 1272.36 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4;
THENCE GO NORTH 87 DEGREES 01 MINUTES 49 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 336.22 FEET;
THENCE DEPARTING SAID SOUTH LINE GO NORTH 02 DEGREES 29 MINUTES 13 SECONDS EAST A DISTANCE OF 1269.49 FEET TO THE POINT OF BEGINNING.
CONTAINING 9.94 ACRES, MORE OR LESS.

David W. Fitzpatrick, P.E., P.A.

10250 North Palafox Street • Pensacola, Florida 32534
Phone (850) 476-8677 • Fax (850) 476-7708

April 13, 2015

Escambia County Planning Board

Ref: Proposed small scale future land use amendment
Parcel location: Quintette Road 1550' east of US 29
Parcel ID#: 33-2N-31-1102-000-000

Narrative:

The acreage of the subject parcel is 9.94 acres. The parcel ID number is 33-2N-31-1102-000-000. The parcel is located along the south right of way of Quintette Road approximately 1550' from SR 95/ US 29.

I wish to amend the FLUM from the current designation of RC (rural community) to MUS (mixed use suburban). The requested FLUM change would create a development pattern consistent with parcels near the subject parcel. The requested FLUM is consistent with existing infrastructure and locational criteria in the comprehensive plan and LDC. Currently the parcel is zoned V-5. The current FLUM designation is not consistent with the V-5 zoning where MUS is consistent with the zoning.

Compatibility Analysis:

Location:

The subject parcel is logically located for the requested FLUM. The parcel is bordered by residential use on its west side, a church on its east side, undeveloped land to the south, and Quintette Road to the north. It lays between existing residential subdivision developments and the intersection of US 29/ SR 95 and Quintette Road. The subject parcel is less than 1 mile from the Escambia County Central Industrial Park and less than 2 miles from other major employers to the east at CR95A. Currently there is little workforce housing, i.e. smaller lots in the area although many nearby employment opportunities therefore the subject parcel requested FLUM amendment makes logical sense.

Infrastructure:

Sewer and Water:

ECUA has issued a letter of availability concerning sanitary sewer, (see attached). A large sanitary sewer force main is located on Quintette Road in front of the subject parcel. ECUA also provides solid waste service for the area. Cottage Hill water has issued a letter of availability concerning potable water, (see attached). A large potable water pipe is located on Quintette Road in front of the subject parcel.

Stormwater Management:

Any development is required to be designed in accordance with the Escambia County Land Development Code, (LDC). Stormwater design regulation is a part of the LDC and will be followed. The area is atop a hill and not in an area subject to flooding.

Traffic:

Anticipated connection will be to Quintette Road. Quintette is an existing paved County road. Current traffic design techniques are required within the LDC and will be followed. According to Escambia County's traffic map Quintette Road has 440 trips available. The current parcel zoning will not result in more trips used than are currently available on Quintette Road.

Recreation and open space:

The Escambia County Quintette recreational facility is less than 1 ½ miles from the subject parcel. It is approximately 20 acres of recreational open space. Typically less than 50% of total land is covered by buildings or other impervious areas in subdivisions thereby creating open space.

Schools:

The subject parcel is within the Jim Allan Elementary School district, the Ransom Middle School district, and the JM Tate High School district.

Need:

As mentioned above the area is in between several employment opportunity areas that rely on local employees. Existing developments nearby are of medium to large lots therefore not supporting the need for workforce housing.

Because of the subject parcel's current zoning this FLUM amendment will allow for such a development.

Proximity to and impact on the following:

- A. Wellheads: Cottage Hill Water's closest well is located on Stacey Road and is approximately 1.6 miles from the subject site.
- B. Historically significant sites: See attached site specific survey. The area is in an area that is developed and has no historical significance.
- C. Natural Resources: See attached site specific survey. No environmentally sensitive or wetlands located on the site.

Consistency with the Escambia County Comp Plan with reference to applicable sections.

The proposed FLUM amendment will be consistent with the comp plan.

Chapter 8 Mobility element- the proposed amendment will place residential units on a county roadway which is not near its LOS maximum. According to the Escambia County Office of Transportation Traffic Operations Traffic Volume Level of Service Report Quintette Road is a 2 lane LOS D non hurricane evacuation route. The available pm peak hour trips remaining for the road is 440. The project zoning will allow 40 units at 40 peak hour trips an increase of 20 peak hour trips from the existing flu designation. Therefore the development of the project with the new flu designation will not exceed the current LOS of Quintette Road. In addition the development of the subject parcel will place residential units within 1550' of a major hurricane evacuation route, SR 95. An ECAT bus route passes the intersection of Quintette Road and US 29 which allows for mass transit availability for the prospective residents. All onsite development will be in accordance with the latest edition of the LDC.

Chapter 9 Housing element- The subject parcel is currently zoned and the current flu designation is for residential use therefore there are no intentions to change the prospective use other than to match current zoning with the proper future land use designation.

HOU 1.1.5. Mixed use development- the subject parcel is in a mixed use area. It is within 1 mile of the Central Commercial Park and within 2 miles of other employment centers to the east. Other employment centers and shopping centers such as grocers and retail stores are within 3 miles to the south.

Chapter 10 Infrastructure element- Goal INF 1- Provision of Wastewater Service- The subject parcel is currently served by ECUA. See attached letter of availability.

Goal INF 2 Solid Waste- The subject parcel is currently served by ECUA.

Goal INF 3 Stormwater Management- Any development of the subject parcel will include strict adherence to the Escambia County LDC which covers stormwater management. In addition all work will be in conformance to NFWFMD regulations.

Goal INF 4 Potable Water- The subject parcel will receive potable water from Cottage Hill Water, see attached letter of availability.

Goal INF 5 Aquifer Recharge Protection- The subject parcel is not located near a public water well. 1.6 miles to the nearest well.

Chapter 12 Conservation element- there are no environmentally sensitive lands on the subject parcel. See attached site specific survey.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

DENSITY AND USES SAVINGS CLAUSE
APPLICATION FORM

Sec. 3-1.8 Density and uses savings clause.

General. The owner of any parcel of land that had the residential density of its applicable zoning district decreased or had permitted land uses of that district eliminated as a result of the April 16, 2015 adoption of the LDC, may apply to have the previous residential density or permitted land uses reinstated.

(b) Applicability. This section is not intended to authorize density or land uses that are otherwise limited by the LDC. These limitations include, but are not limited to, the provisions of the overlay zoning districts, the airport/airfield environs, floodplain management, or location criteria.

David and Diane Fitzpatrick Name of Property Owner
Quintette Road Property Address
332N311102000000 Parcel Reference Number

Current Zoning RMU Current FLU RC Previous Zoning V-5

Proof of ownership and a legal description of the property must be provided prior to approval.

Attached Yes No Explain:

List density decreased from 4 units per acre to 2 units per acre

List land uses eliminated

Is the current FLU consistent with the requested density or land uses Yes No

Explain: we are requesting a FLU change

I, David Fitzpatrick, owner of the above referenced property, hereby submit this application to the Planning Official (or his designee) to request an official review of the Density and Uses Savings Clause provision of the LDC with respect to my property above.

Owner Signature

DAVID FITZPATRICK

11-9-15 Date



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

April 6, 2015

Mr. David Fitzpatrick, P.E.
10250 North Palafox Street
Pensacola, FL 32534

Re: **Letter of Capacity Reservation
Quintette 20 Acres**

Dear Mr. Fitzpatrick:

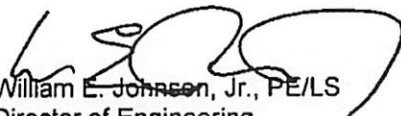
In response to your inquiry concerning availability of sewer services for the above referenced project, ECUA anticipates no problems in sewage treatment plant capacity. Our review indicates this project will not degrade ECUA's sewer systems to a degree which would cause these systems to fail to meet 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 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 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 is provided by Cottage Hill Water Service.

Sincerely,


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

WEJ/vlf

x:\tracking\concurrency-availability ltr from request for service form\2015\quintette 20 acres docx

Vicki Campbell
District One

Lois Benson
District Two

Elvin McCorvey
District Three

Dale Perkins
District Four

Larry Walker
District Five

Capacity Reservation Form



Date 4-6-15

Service Requested:

Water _____ Sewer X

Name of Project QUINETTE 20 ACRES

Area(Acres)²⁰ _____

PROJECT ADDRESS – *THIS INFORMATION IS REQUIRED TO PROCESS APPLICATION (ATTACH LOCATION MAP) 332N311102000000 & 332N311102000001 PARCEL ID

Type Development: Residential X Commercial _____ Industrial _____ Other _____

(Explain) 60 +/- LOT RESEDENTIAL S/D

Number and/or Size of Units 80 +/- LOTS 1000 SF TO 1500 SF

Estimated Flow: (Average Day) Water _____ Sewer 24000 GPD Fire _____

How will water and/or sewer be provided if not from ECUA? WATER BY COTTAGE HILL WATER

Special Requirements: _____

Owner of Property: (type or print) DAVID AND DIANE FITZPATRICK

Address: 10250 NORTH PALAFOX STREET

Phone: 850-476-8677

Developer: (type or print) NOT DETERMINED

Address: _____

Phone: _____

Engineer: (type or print) DAVID W. FITZPATRICK, P.E., P.A.

Address: (type or print) 10250 NORTH PALAFOX STREET

Phone: 850-476-8677

Email: DAVID@FITZENG.COM

Submitted By: (type or print) DAVID W FITZPATRICK

Title: EOB

Signature of Submitter David Fitzpatrick

Title: EOB

FOR ECUA USE:

MAP PAGE: Q-33

Nearest Water Line of Adequate Size: COTTAGE HILL WATER

Size: _____

Pressure: _____

Nearest Sewer Line of Adequate Size: QUINETTE RD

Size: 8" FM 1st L/S: #326

2nd L/S: _____

Plant: LWRF

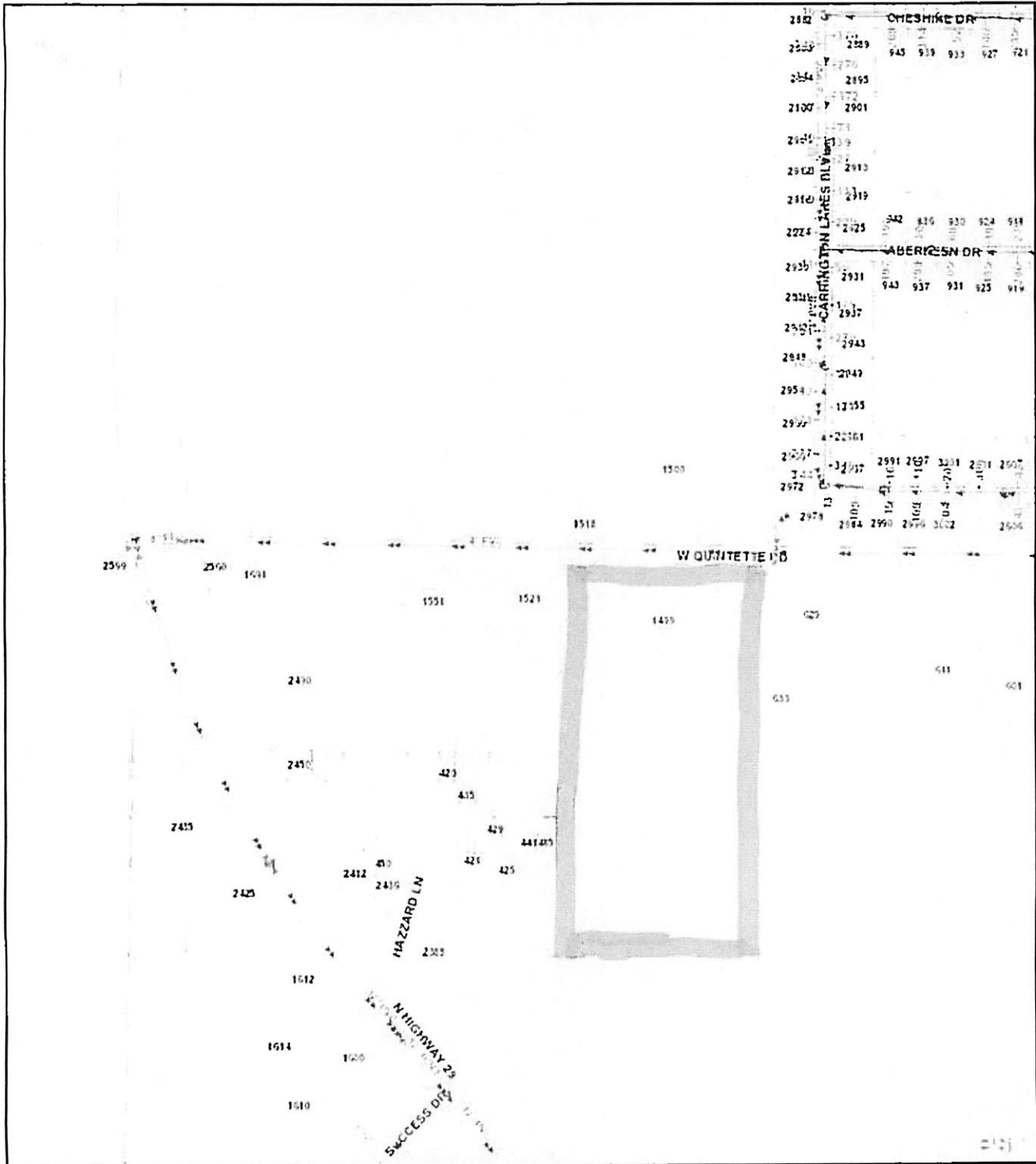
ECUA Sanitation? _____

Prepared By Daniel Kutzner

Date 4.6.15

Reviewed By _____

Quentette Rd. Sewer



Station	Oneshike Dr	Abercrombie Dr
2880		
2885	945	939
2890	933	927
2895		
2900		
2905		
2910		
2915		
2920		
2925	842	830
2930	816	804
2935	830	824
2940	818	812
2945	806	800
2950	794	788
2955	782	776
2960	770	764
2965	758	752
2970	746	740
2975	734	728
2980	722	716
2985	710	704
2990	698	692
2995	686	680
3000	674	668
3005	662	656
3010	650	644
3015	638	632
3020	626	620
3025	614	608
3030	602	596
3035	590	584
3040	578	572
3045	566	560
3050	554	548
3055	542	536
3060	530	524
3065	518	512
3070	506	500
3075	494	488
3080	482	476
3085	470	464
3090	458	452
3095	446	440
3100	434	428
3105	422	416
3110	410	404
3115	398	392
3120	386	380
3125	374	368
3130	362	356
3135	350	344
3140	338	332
3145	326	320
3150	314	308
3155	302	296
3160	290	284
3165	278	272
3170	266	260
3175	254	248
3180	242	236
3185	230	224
3190	218	212
3195	206	200
3200	194	188
3205	182	176
3210	170	164
3215	158	152
3220	146	140
3225	134	128
3230	122	116
3235	110	104
3240	98	92
3245	86	80
3250	74	68
3255	62	56
3260	50	44
3265	38	32
3270	26	20
3275	14	8
3280	2	-4
3285	-10	-16
3290	-22	-28
3295	-34	-40
3300	-46	-52
3305	-58	-64
3310	-70	-76
3315	-82	-88
3320	-94	-100
3325	-106	-112
3330	-118	-124
3335	-130	-136
3340	-142	-148
3345	-154	-160
3350	-166	-172
3355	-178	-184
3360	-190	-196
3365	-202	-208
3370	-214	-220
3375	-226	-232
3380	-238	-244
3385	-250	-256
3390	-262	-268
3395	-274	-280
3400	-286	-292
3405	-298	-304
3410	-310	-316
3415	-322	-328
3420	-334	-340
3425	-346	-352
3430	-358	-364
3435	-370	-376
3440	-382	-388
3445	-394	-400
3450	-406	-412
3455	-418	-424
3460	-430	-436
3465	-442	-448
3470	-454	-460
3475	-466	-472
3480	-478	-484
3485	-490	-496
3490	-502	-508
3495	-514	-520
3500	-526	-532
3505	-538	-544
3510	-550	-556
3515	-562	-568
3520	-574	-580
3525	-586	-592
3530	-598	-604
3535	-610	-616
3540	-622	-628
3545	-634	-640
3550	-646	-652
3555	-658	-664
3560	-670	-676
3565	-682	-688
3570	-694	-700
3575	-706	-712
3580	-718	-724
3585	-730	-736
3590	-742	-748
3595	-754	-760
3600	-766	-772
3605	-778	-784
3610	-790	-796
3615	-802	-808
3620	-814	-820
3625	-826	-832
3630	-838	-844
3635	-850	-856
3640	-862	-868
3645	-874	-880
3650	-886	-892
3655	-898	-904
3660	-910	-916
3665	-922	-928
3670	-934	-940
3675	-946	-952
3680	-958	-964
3685	-970	-976
3690	-982	-988
3695	-994	-1000

515 ft



DISCLAIMER
 This Emerald Coast Utilities Authority map/data is informational records of the approximate location of ECUA water and/or sewer facilities only. No representation is made as to its accuracy, and ECUA disclaims any and all liability with respect to any information shown. It is provided for information purposes only and it is not to be used for development of construction plans or any type of engineering services based on information depicted herein. This map/data is not guaranteed accurate or suitable for any use other than that for which it was gathered. Any use of this information by any other organization for any other purpose and any conclusions drawn from the use of this data is strictly the responsibility of the user.



From: mewldod@aol.com

Sent: Thursday, April 09, 2015 2:43 PM

To: David Fitzpatrick

Subject: Re: Quintette RD project

Cottage Hill Water Works has a 12" water main that starts at #4 well on the north end of Stacy Rd and extends westward to Hwy #29 and south to the Commerce Park. Therefore Cottage Hill Water has the capacity to serve your parcel located between well #4 and Hwy 29 on Quintette Rd.

William L. Dodson, Vice-Chairman
Cottage Hill Water Works

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

From: David Fitzpatrick <David@fitzeng.com>

To: mewldod <mewldod@aol.com>

Sent: Thu, Apr 9, 2015 9:46 am

Subject: RE: Quintette RD project

Thank you for this information. I will need to ask you to add one sentence to this email. Therefore Cottage Hill Water has the capacity to serve your parcel located between well #4 and Hwy 29 on Quintette Road.

I'll print the email and use it as my water letter. Thank you thank you.

Thank you

David W. Fitzpatrick, P.E.

David W. Fitzpatrick, P.E., P.A.

10250 N. Palafox Street

Pensacola, Florida 32534

Phone: 850-476-8677

Fax: 476-7708

NOTICE: This communication is intended only for the person or entity to whom it is addressed and may contain confidential, proprietary, and / or privileged material. Unless you are the intended addressee, any review, reliance, dissemination, distribution, copying or use whatsoever of this communication is strictly prohibited. If you received this in error, please reply immediately and delete the material from all computers.

From: mewldod@aol.com [mailto:mewldod@aol.com]

Sent: Thursday, April 09, 2015 9:40 AM

To: David Fitzpatrick

Subject: Quintette RD project

Cottage Hill Water Works has a 12" water main from Well #4 on the north end of Stacy Rd going West on Quintette Rd to Hwy 29, turning South to service the Commerce Park.

Bill Dodson Vice-Chairman
Cottage Hill Water Works, Inc

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3495 / Virus Database: 4311/9487 - Release Date: 04/08/15

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3495 / Virus Database: 4311/9487 - Release Date: 04/08/15



April 14, 2015

Mr. David Fitzpatrick
10250 N Palafox Hwy
Pensacola, Florida 32534

RE: Site Specific Survey: Quintette Road Parcel # 33-2N-31-1102-000-000

Dear David:

Per your request, Biome Consulting Group has completed a "site-specific survey" for wetlands and protected species on the 9.94-acre property identified as parcel number 33-2N-31-1102-000-000 by the Escambia County Property Appraiser. This study was performed to satisfy requirements outlined in Escambia County's Comprehensive Plan (7.A.5.8). This report can be submitted to the county as a component of your submittal requirements.

As pertains to wetlands, Biome Consulting Group has completed an assessment of the jurisdictional status of the referenced property (see attached aerial). This assessment included an analysis of plant communities, wetland hydrology indicators and soils in accordance with federal and state procedural guidelines. These analyses resulted in the determination that the site has no wetlands under the jurisdiction of the US Army Corps of Engineers (COE), Escambia County Neighborhood Environmental Services Department (NESD) or the Florida Department of Environmental Protection (FDEP). As such, development will not require permits from these agencies wetland programs.

As pertains to protected species, Biome Consulting Group conducted a reconnaissance of the site to determine the presence of imperiled species populations and habitats. Visual inspection of the subject property failed to identify imperiled species known to inhabit Escambia County. As a result of our assessment, we conclude that no environmentally sensitive lands, either wetlands or habitat, occur on the subject property.

Respectfully,
Biome Consulting Group

A handwritten signature in black ink that reads "Sean O'Toole".

Sean O'Toole
Ecological Consultant
General Partner
2066.003



April 14, 2015

Mr. David Fitzpatrick
10250 N Palafox Hwy
Pensacola, Florida 32534

RE: State of Florida Archeological Master file report: Quintette Road Parcel # 33-2N-31-1102-000-000

Dear David:

Per your request, Biome Consulting Group has completed a preliminary Archeological master file search for your properties located on Quintette Road for SHPO listed sites or structures. I created a map in ARC-GIS to search any listed sites that may be within the project area. The properties were identified as parcel numbers 33-2N-31-1102-000-000 by the Escambia County Property Appraiser. This study was performed to satisfy requirements outlined in Escambia County's Comprehensive Plan. This report can be submitted to the county as a component of your submittal requirements.

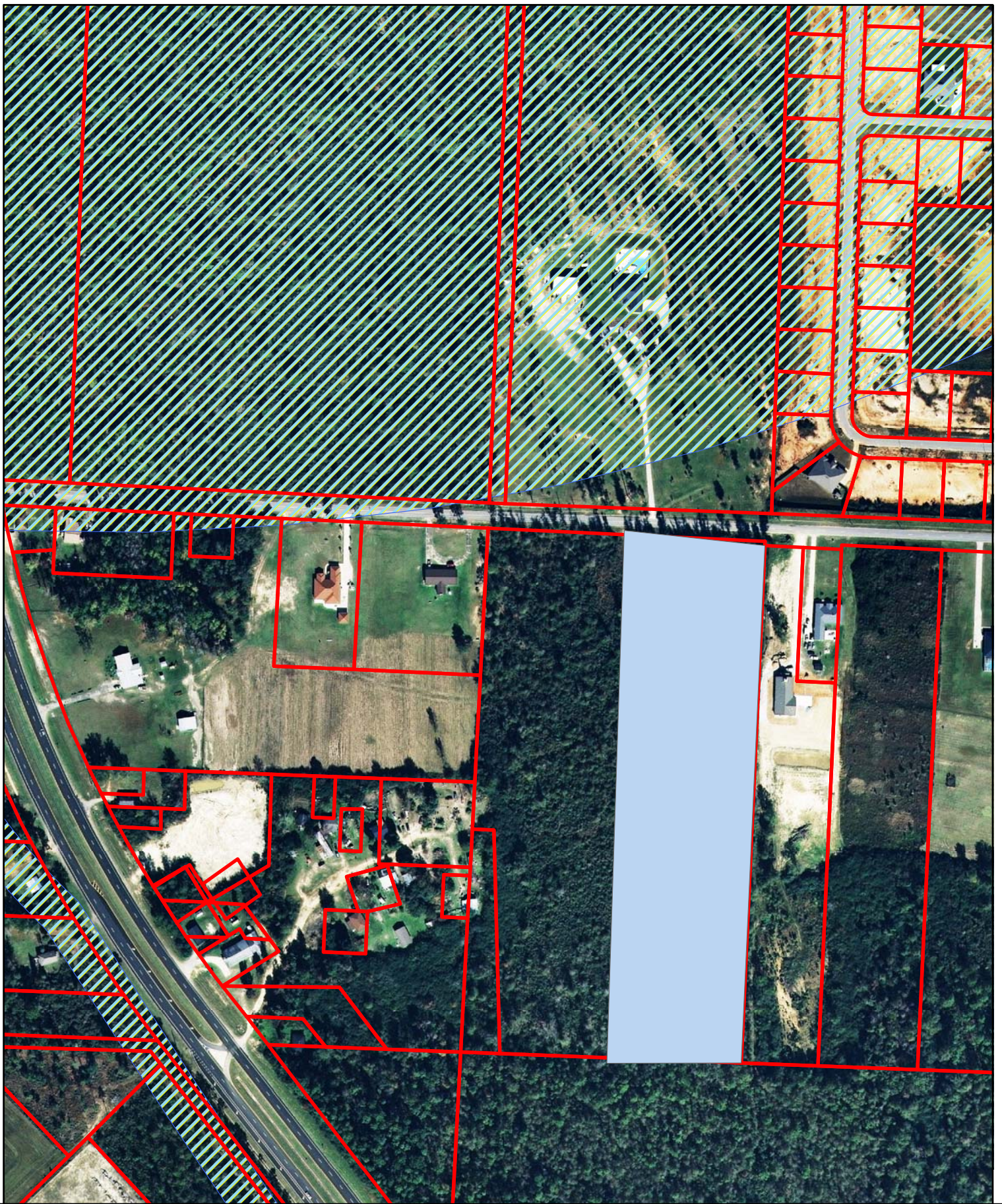
As pertains to Archeological sites, Biome Consulting Group created a map with the SHPO Archeological overlay and failed to find a listed site within the project boundary (see attached aerial). The map does show an area shaded in yellow to the West and North that represents a Survey that was completed for FDOT for the expansion of area roads. No listed sites or structures were found within the proximity of your projects sites.

We hope this will suffice for this component of your County submittal. Please feel free to call me if you have any questions pertaining to this or any other issues associated with your property..

Respectfully,
Biome Consulting Group



A handwritten signature in black ink that reads "Sean O'Toole".

Sean O'Toole
Ecological Consultant
General Partner
2066.003 SHPO aerial lot 000



2066.003 Fitzpatrick, Quintette Road
 33-2N-31-1102-000-000
 PREPARED FOR: Fitzpatrick
 Engineering

Legend

-  Escambia_Surveys
-  Inspection Area

DATE: 4-14-2015

AUTHOR: SOT

THIS IS NOT A SURVEY



0 300 Feet



biome
 Consulting Group
 1300 West Government St. Pensacola, FL 32502
 850.435.9367 www.biome.co

Escambia County Office of Transportation Traffic Operations
TRAFFIC VOLUME LEVEL OF SERVICE REPORT
Peak Hour Between 4 6 P.M.

On Street	Roadway Facility	Lane	LOS Perf Std	Date Of Count	2-Way PM PH Counted Volume	2-Way PM PH Fact. Vol.	Alloc. Trips	Total Trips	Rev. Serv. Vol.	2-Way PH Serv. Vol.	% Serv. Vol. Used	Avail. Trips	1% Serv. Vol.	5% Serv. Vol.	110% Serv. Vol.	Hurricane Evac. Rt
(2)	(3)	(4)	(7)	(10)	(11)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(21)	(22)	(24)
12th Avenue	Fairfield Dr. to Bayou Blvd.	4D	E	09/09/1013	1755	1668	0	1668		3120	49%	1764	31	156	3432	No
12th Avenue / Tippin Avenue	Bayou Blvd. to Langley Ave.	4D	E	3/18/2013	2110	2006	0	2006		3120	58%	1426	31	156	3432	No
61st Avenue	Jackson St. to Tonawanda Dr.	2U	E	8/26/2013	105	100	0	100		1480	6%	1528	15	74	1628	No
61st Avenue	US 98 to Jackson St.	2U	E	3/20/2013	165	157	0	157		1480	10%	1471	15	74	1628	No
9th Avenue	Cervantes St. to Bayou Blvd.	4U	D	9/9/2013	1626	1562	0	1562		3221	48%	1659	32	161	3543	pm SR29
9th Avenue	Chase St. to Cervantes St.	4U	D	5/30/2013	1253	1228	0	1228		2955	38%	2023	30	148	3251	No
9th Avenue	Langley Ave. to Creighton Rd.	4D	D	8/22/2013	2803	2775	22	2797		3110	90%	313	31	156	3421	Yes
9th Avenue	Bayou Blvd. to Langley Ave	4D	D	9/11/2013	2304	2304	6	2310		3110	74%	800	31	156	3421	Yes
9th Avenue	Creighton Rd. to Olive Rd.	4D	D	8/22/2013	2372	2325	9	2334		3110	68%	1087	31	156	3421	NO
Airport Blvd.	Davis Hwy. to 12th Ave.	4D	D	9/16/2013	2079	2057	0	2057		2950	63%	1188	30	148	3245	No
Airport Blvd.	Pensacola Blvd. to Davis Hwy.	4D	D	3/18/2013	1428	1399	9	1408		2950	43%	1837	30	148	3245	No
Airport Blvd.	W Street to Pensacola Blvd.	4D	D	3/16/2013	1027	996	0	996		3222	31%	2249	30	148	3245	No
Alcaniz Street / MLK Jr. Dr. (SB)	Fairfield Dr. to Wright St.	2O	E	5/28/2013	252	257	0	257		950	25%	788	10	48	1045	No
Barrancas Avenue	Pace Blvd. to Garden St.	4D	E	3/18/2013	1686	1686	45	1731		3120	50%	1701	31	156	3432	No
Barrancas Avenue	Navy Blvd. to Pace Blvd.	4D	E	3/19/2013	2096	2075	199	2274		3390	67%	1116	34	170	3729	Yes
Bauer Road	Sorrento Rd. to Lillian Hwy / US 98	2U	E	5/2/2013	805	789	51	840		1420	54%	722	14	71	1562	No
Bayfront Pkwy.	Tarragona St. to Gregory St.	4D	D	9/25/2013	1801	1730	0	1730		3390	46%	1999	34	170	3729	No

Escambia County Office of Transportation Traffic Operations
TRAFFIC VOLUME LEVEL OF SERVICE REPORT
Peak Hour Between 4 6 P.M.

9th Avenue	Chase St. to Cervantes St.	4U	D	5/30/2013	1253	1228	0	1228		2955	38%	2023	30	148	3251	No
9th Avenue	Langley Ave. to Creighton Rd.	4D	D	8/22/2013	2803	2775	22	2797		3110	90%	313	31	156	3421	Yes
9th Avenue	Bayou Blvd. to Langley Ave	4D	D	9/11/2013	2304	2304	6	2310		3110	74%	800	31	156	3421	Yes
9th Avenue	Creighton Rd. to Olive Rd.	4D	D	8/22/2013	2372	2325	9	2334		3110	68%	1087	31	156	3421	NO
Airport Blvd.	Davis Hwy. to 12th Ave.	4D	D	9/16/2013	2079	2057	0	2057		2950	63%	1188	30	148	3245	No
Nine Mile Road / US 90A	1-10 to Pine Forest Rd.	4D	D	2/14/2012	1058	1047	189	1236		3580	35%	2344	16	78	3938	Yes
Nine Mile Road / US 90A	Mobile Hwy. to 1-10	2U	D	1/8/2013	1171	1147	397	1544		3580	43%	2036	20	101	3938	Yes
Old Chemstand Road	US 29 to Chemstrand Rd.	2U	E	8/29/2013	505	505	2	507		1480	31%	1121	15	74	1628	No
Old Corry Field Road	Navy Blvd. to Lillian Hwy.	2U	E	3/20/2013	642	635	0	635		1480	39%	993	15	74	1628	No
Old Corry Field Road	Barrancas Ave. to Navy Blvd.	2U	E	3/19/2013	475	456	27	483		1480	30%	1145	15	74	1628	No
Olive Road	9th Ave. to Scenic Hwy.	2U	D	3/11/2013	928	891	29	920		1560	54%	796	16	78	1716	No
Olive Road	Davis Hwy. to 9th Ave.	2U	E	8/27/2013	1475	1460	20	1480		1610	84%	291	16	81	1771	NO
Olive Road	Palafox Hwy. to Davis Hwy.	2U	E	3/12/2013	1329	1342	33	1375		1610	78%	396	16	81	1771	NO
Pace Blvd.	Cervantes St. to Palafox St.	4D	D	3/12/2013	1223	1223	61	1284		3390	38%	2106	34	170	3729	YES
Pace Blvd.	Garden St. to Cervantes St.	4D	E	3/11/2013	1055	1055	0	1055		3270	32%	2215	33	164	3597	YES
Pace Blvd.	Barrancas Ave. to Garden St.	4D	E	3/11/2013	620	620	0	620		3270	19%	2650	33	164	3597	YES
Palafox Highway	US 29(cantonmnt) to US 29 Molino	2U	E	2/10/2013	718	725	252	977		1400	63%	563	14	70	1540	NO
Palafox Street	Pensacola Blvd to Nine Mile Rd	2U	E	3/19/2013	1217	1180	33	1213		1480	75%	415	15	74	1628	NO
Palafox Street / Hwy 95A	Nine Mile Rd. to US 29 (Cantonment)	2U	E	9/3/2013	561	544	18	562		1480	35%	1066	15	74	1628	No
Patricia Drive	Fairfield Dr. to Cerny Rd.	2U	E	8/26/2013	703	682	0	682		1480	42%	946	15	74	1628	No
Pensacola Beach Blvd.	Via De Luna to Gulf Breeze City Limit	4D	E	9/9/2014	1622	1605	14	1619		3120	52%	1501	31	156	3432	YES
Perdido Key Drive	AL State Line to West End of State Par	2U	D	6/5/2012	1066	1066	214	1280		1771	66%	668	18	89	1948	No
Perdido Key Drive	West End of State Park to River Road	3L	D	6/5/2012	1024	983	314	1297		1850	64%	738	19	93	2035	No
Perdido Key Drive	River Road to Innerarity Point Road	2U	D	5/23/2012	1125	1103	1033	2136	AP	2530	77%	647	25	127	2783	NO
Pine Forest Road	I-10 to Nine Mile Rd.	3L	D	9/5/2013	2066	2065	91	2156		2210	89%	275	22	111	2431	No
Pine Forest Road	Mobile Hwy. to I-10	4D	D	2/9/2013	1891	1871	194	2065		3390	61%	1325	34	170	3729	YES
Pine Forest Road	Nine Mile Rd. to West Roberts Rd.	2U	E	2/15/2012	1461	1446	105	1551		1480	95%	77	15	74	1628	NO
Quintette Road	US 29 to Santa Rosa County Line	2U	D	5/29/2013	485	480	708	1188		1480	73%	440	15	74	1628	No
Saufley Field Road	Saufley Field to Mobile Hwy. *	2U	D	8/28/2013	920	920	27	947		2442	39%	1495	24	122	2686	YES
Sorrento Road	Innerarity Pt. to Blue Angel Pkwy*	2U	D	5/2/2013	1306	1293	551	1844	AP	2320	79%	476	23	116	2552	Yes
Ten Mile Road	US 29 to UWF Boundary	2U	E	8/28/2013	888	879	0	879		1480	54%	749	15	74	1628	No

Comprehensive Plan Amendment Staff Analysis

General Data

Project Name: SSA- 2015-03
Location: Quintette Road E
Parcel #s: 33-2N-31-1102-000-000
Acreage: 9.94 (+/-) acres
Request: From Rural Community (RC) to Mixed-Use Suburban (MU-S)
Agent: David and Diane Fitzpatrick, owners

Meeting Dates: Planning Board December 1, 2015
BCC January 7, 2016

Summary of Proposed Amendment:

The proposed amendment is for a parcel totaling 9.69 (+/-) acres, accessed from Quintette Road. The agent has requested a future land use (FLU) map amendment to change the FLU category from Rural Community (RC) to Mixed-Use Suburban (MU-S). The zoning designation for the referenced parcel is Rural Mixed-Use District (RMU).

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 9.94 (+/-) acres which is under the 10 acres or fewer as stated in 163.3187(1)(a).
- b) This amendment is the third proposed small scale amendment for this calendar year and 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 Rural Community FLU category has a residential maximum density of 2 du/acre. The non-residential standards also provide for a maximum intensity of 0.25 Floor Area Ratio (FAR) and no Minimum Intensity for non-residential uses. The range of allowable uses is intended for a mix of agriculture, silviculture, residential, recreational facilities, public and civic and public and civic compact traditional neighborhood supportive commercial.

Staff Analysis: The proposed amendment to Mixed-Use Suburban (MU-S) FLU category has a residential Maximum Density of 25 du/acre and a Non-Residential Maximum Intensity of 1.0 Floor Area Ratio (FAR). The MU-S FLU category is designated for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. The range of allowed uses is residential, retail service, professional office, recreational facilities, public and civic uses.

The property is located along Quintette Road which serves as a collector road used to provide access to the area and its surrounding residential use. The subject property is within a 1550 feet of North Highway 29, a principal arterial road. The location and intensity of allowed uses is compatible to 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

INF 4.1.7 Level of Service (LOS) Standards. 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

INF 1.1.7 Level of Service (LOS) Standards. Average LOS standard for wastewater service is 210 gallons per residential connection per day, and the peak LOS will be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements will be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County will continue to work with the water

providers to ensure that adequate capacity is available.

Solid Waste Disposal

INF 2.1.4 **Level of Service (LOS) Standards.** The LOS standard for solid waste disposal will be 6 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 principal 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 development plan approval. 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 development plan approval process.

The applicant provided a document signed by Sean O'Toole, Ecological Consultant, 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 development plan approval process for concurrency with existing County regulations.

Comprehensive Plan Consistency and Relevant Policies:

Mixed-Use Suburban (MU-S) Land Use Category:

FLU 1.3.1 Intended for mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.

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).

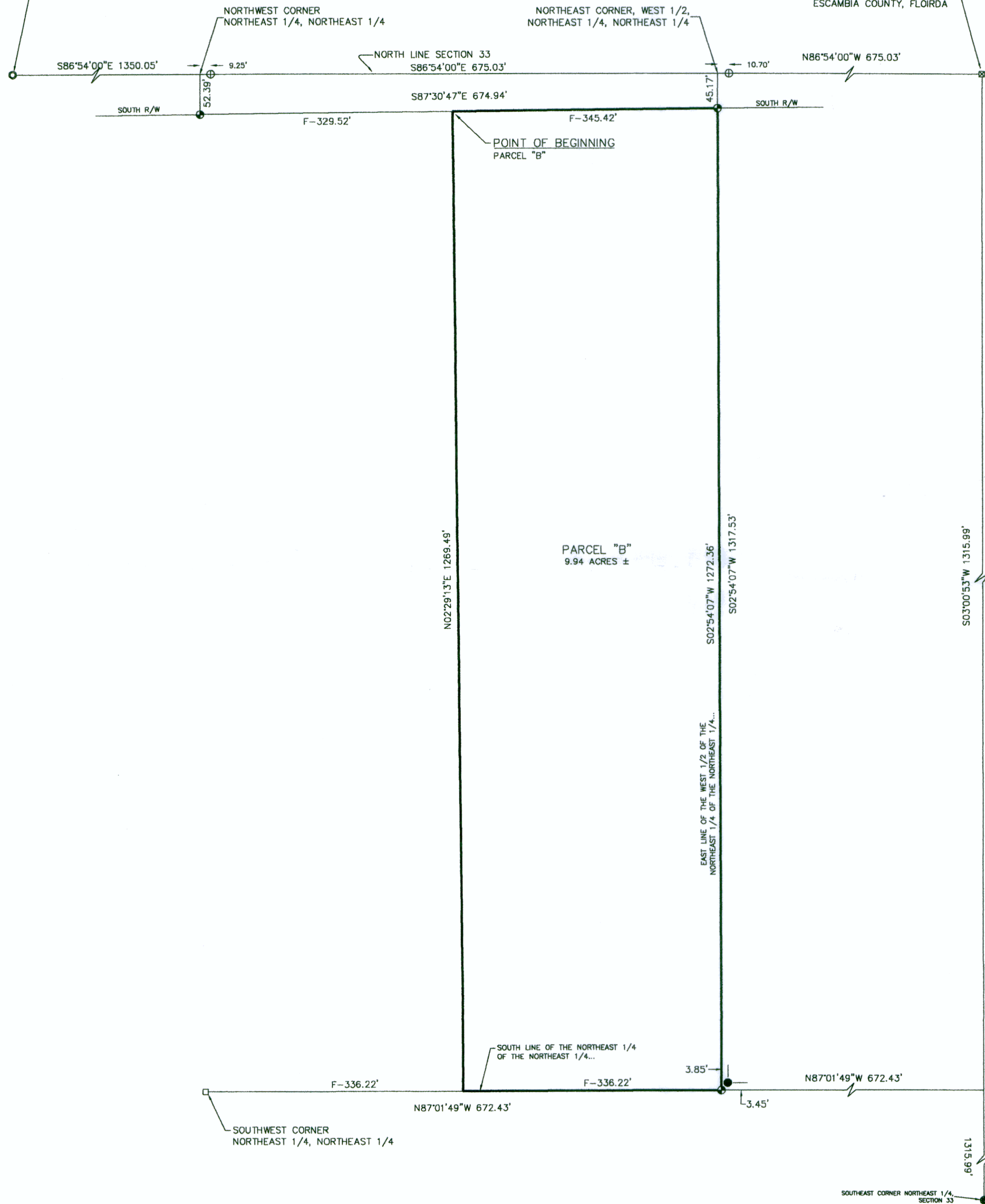
Staff Analysis: Any proposed development will be analyzed during the Site Plan Review process, to ensure that the planned activities on site are compatible with the existing surrounding uses and zoning and will not have a negative impact upon existing public roads, utilities and service infrastructures.

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.

POINT OF COMMENCEMENT
NORTHWEST CORNER, NORTHEAST 1/4,
SECTION 33, TOWNSHIP 2 NORTH,
RANGE 31 WEST, ESCAMBIA
COUNTY, FLORIDA

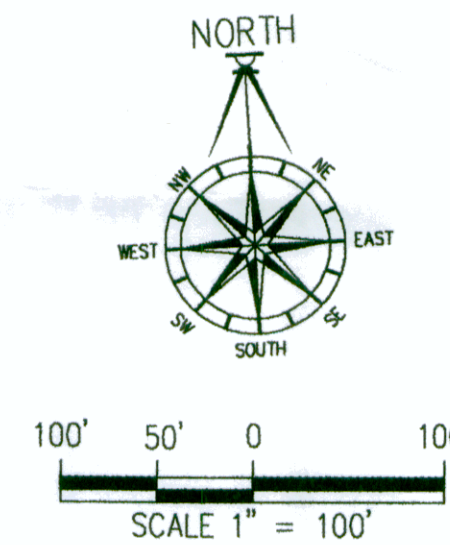
QUINETTE ROAD
(R/W WIDTH VARIES)

NORTHEAST CORNER SECTION 33,
TOWNSHIP 2 NORTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



- SURVEYOR'S NOTES:**
- THIS SURVEY WAS PREPARED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.
 - ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES STANDARD FOOT.
 - NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.
 - NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
 - NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
 - ALL BEARINGS AND DISTANCES ARE RECORDED UNLESS OTHERWISE NOTED.
 - ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS.
 - THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAT.
 - BASIS OF BEARING: 180°54'00" W ALONG THE NORTH LINE OF SECTION 33.
 - REFERENCE SOURCE: FIELD WORK AND EXISTING FIELD MONUMENTATION; LEGAL DESCRIPTION AS FURNISHED.
 - ENCROACHMENTS ARE AS SHOWN.
 - IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCEL OF LAND SHOWN HEREON AS PER THE FLOOD INSURANCE RATE MAP INFORMATION AS FOLLOWS:
ZONE: ..
ELEVATION:
PANEL NUMBER:
AS DATED:
 - THE CERTIFICATE OF AUTHORIZATION NUMBER FOR KJM LAND PLANNING, LLC, IS LB. 7019.

DESCRIPTION: (AS PREPARED BY UNDERSIGNED AT CLIENTS REQUEST)
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA;
THENCE GO SOUTH 88 DEGREES 54 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SECTION 33 A DISTANCE OF 1350.05 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE DEPARTING SAID NORTH SECTION LINE GO SOUTH 02 DEGREES 47 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 52.39 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF QUINETTE ROAD (RIGHT-OF-WAY WIDTH VARIES);
THENCE DEPARTING SAID WEST LINE GO SOUTH 87 DEGREES 30 MINUTES 47 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF QUINETTE ROAD A DISTANCE OF 329.52 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE SOUTH 87 DEGREES 30 MINUTES 47 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 345.42 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE GO SOUTH 02 DEGREES 54 MINUTES 07 SECONDS WEST ALONG SAID EAST LINE OF THE WEST HALF OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 1272.36 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4;
THENCE GO NORTH 87 DEGREES 01 MINUTES 49 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33 A DISTANCE OF 336.22 FEET;
THENCE DEPARTING SAID SOUTH LINE GO NORTH 02 DEGREES 29 MINUTES 13 SECONDS EAST A DISTANCE OF 1269.49 FEET TO THE POINT OF BEGINNING.
CONTAINING 9.94 ACRES, MORE OR LESS.



LEGEND

-FOUND CAPPED IRON ROD #6499
- ⊕FOUND CAPPED IRON ROD #7250
-FOUND 3" DIAMETER CONCRETE MONUMENT NO IDENTIFICATION
-FOUND 4"x4" CONCRETE MONUMENT #0340
- ⊠FOUND 6" x 6" CONCRETE MONUMENT NO IDENTIFICATION
-FOUND 1" IRON PIPE NO IDENTIFICATION
- ⊙SET 1/2" CAPPED IRON ROD LB #7107
- R/WRIGHT-OF-WAY
- LBLICENSED BUSINESS
- PSMPROFESSIONAL SURVEYOR AND MAPPER

ADDRESS: QUINETTE ROAD						
REQUESTED BY: DAVID FITZPATRICK						
TYPE: DESCRIPTION SKETCH						
SECTION 33, TOWNSHIP- 2 - NORTH, RANGE- 31 - WEST, ESCAMBIA COUNTY						
SCALE: 1"=100'	FIELD BOOK	PAGE	CREW	FIELD DATE	DRAWN BY:	CHECKED BY:
DATE: 04/10/15	171	21-25	TS/CR/CJ	07/01/04	JSP	<i>JSP</i>
NO.:	DATE:	REVISIONS:				APPROVED BY:

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS & MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

David Fitzpatrick
DAVID FITZPATRICK
Professional Surveyor and Mapper
3828 Veterans Court
Gulf Breeze, FL 32561
850-438-0202 Fax 850-438-1307

KENNETH J. MOSE PSM #4655
CORPORATE NO. LB 0007919
STATE OF FLORIDA

4/13/15

KJM
Land Planning, LLC

DRAWING NUMBER: 04-1652-B



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular
Meeting Date: 12/01/2015

5. B.

Agenda Item:

JLUS Agreement.

Attachments

JLUS Agreement

**INTERLOCAL AGREEMENT
TO PROVIDE FOR NAVY
PARTICIPATION IN DECISIONS
REGARDING LAND DEVELOPMENT IN ESCAMBIA COUNTY**

This Agreement is entered into between Escambia County, (hereinafter referred to as the "County"), with its administrative offices at 221 Palafox Place, Pensacola, FL 32502 and the United States Navy, Acting through its lawful instrumentalities, the Naval Air Station Pensacola, with administrative offices at 150 Hase Street, Pensacola, FL 32508-5217 and Naval Air Station Whiting Field, with administrative offices at 7550 USS Essex Street, Suite 100, Milton, FL 32570-6155 (hereinafter referred to as the "Military Installations"), as represented by their respective Commanding Officers.

WHEREAS, Section 163.3177(6)(a), Florida Statutes requires that certain counties and municipalities include criteria within the Comprehensive Plan that will be used to ensure the compatibility of uses on lands adjacent or closely proximate to Military Installation activities; and

WHEREAS, the parties to this Agreement recognize that incompatible use of land close to the Military Installations can adversely affect the ability of the Military Installations to carry out their mission and that such incompatible land uses may pose threats to public safety due to increased introduction of citizens into areas surrounding the Military Installations characterized as susceptible to aircraft accidents, noise and vibration resulting from military aircraft operation; and

WHEREAS, the County recognizes that it is desirable to cooperate with the Military Installations to achieve compatible land use near each Military Installation, which, in turn, shall facilitate the continued presence of the Military Installations; and

WHEREAS, Section 333.03, Florida Statutes, states that in order to prevent the creation or establishment of airport hazards, as defined in s.333.01(3), Florida Statutes, every political subdivision having an airport hazard area, as defined in s.333.01(4), Florida Statutes, within its territorial limits is required to adopt, administer, and enforce, under its police power and in the manner and upon the conditions prescribed therein, airport zoning regulations for such airport hazard area; and

WHEREAS, the parties to this Agreement recognize the following potential benefits of coordinating their comprehensive land use and Military Installation planning programs as each may affect the area adjacent to or in the vicinity of the Military Installations:

- (1) Avoiding or reducing threats to public safety;
- (2) Promoting land uses that are compatible with the Military Installation activities and beneficial to the County;
- (3) Greater efficiency for local governments, landowners, developers and the Military Installations in infrastructure planning; and

WHEREAS, Section 163.3194, Florida Statutes, requires development to be consistent with a County's Comprehensive Plan and s.163.3202, Florida Statutes, requires implementing land development regulations to be consistent with each such Comprehensive Plan; and

WHEREAS, Section 163.3177, Florida Statutes, requires the Future Land Use Element of each Comprehensive Plan to include criteria that will be used to achieve compatibility of land use/land development on lands adjacent or closely proximate to a Military Installation with the activities and mission of such Military installation; and

WHEREAS, Section 163.3175, Florida Statutes, requires the local governments to seek Military Installation involvement to jointly establish the specific ways in which the plans and programs of the Military Installations and the local governments will be coordinated to achieve, to the greatest degree possible, compatibility of land use/land development on lands adjacent or closely proximate to the Military Installations with the activities and mission of such Military Installations;

NOW THEREFORE, be it mutually agreed between the Military Installations and the County that, in recognition of the benefits accruing to the citizens of Escambia County and in furtherance of the Military Installations' mission accomplishment resulting from the Parties' successful resolution of land use compatibility issues and coordination of land use, the following procedures shall be used to achieve, to the greatest degree possible, compatibility of land use/land development on lands adjacent or closely proximate to the Military Installations with the activities and mission of the Military Installations:

Section 1. Appointment of Contacts

1.1. Designation of the Military Representative

Within thirty (30) days of the effective date of this Agreement, the Commanding Officers of the Military Installations shall jointly appoint a Military Representative to the Escambia County Planning Board as an ex officio, nonvoting member. The representative shall serve a term of two years. However, following the conclusion of the two year term, the representative shall continue to serve until a replacement is appointed. The representative shall act on behalf of all military installations located within Escambia County. The representative shall function as the single point of contact for the County regarding land use/development compatibility issues, by attending or sending a designee to attend any meeting at which an issue that impacts the mission of the Military Installations is deliberated.

It is further understood by both parties that this Military Representative and any Military Representative who attends meetings under this agreement serve as a liaison in accordance with the Joint Ethics Regulation, DOD 5500.7-R, section 3-201. This means that Military Representatives will serve only in an advisory capacity, will not be involved in management or control of any board or organization under this agreement, and that any opinions expressed by the Military Representatives do not bind the Department of Defense or its components to any actions.

1.2. Designation of the Escambia County Contact

Within thirty (30) days of the effective date of this Agreement, the County shall inform the Commanding Officers of the Military Installations the name of the County employee that has been designated as the Local Government Representative to function as the single point of contact for the Military Installations regarding land use/development compatibility issues. This Representative shall be the Escambia County Director of Planning and Zoning, or his designee, unless otherwise designated by the County.

1.3. Change in Representative or Contact

At the discretion of each Party, in response to personnel changes or otherwise, the designated representative of the Party, as described above, may be changed. Each Party shall notify the other of the identity of the newly appointed representative within 30 days of the appointment.

Section 2. Meetings

2.1. Agreement to Hold Periodic Coordination Meetings

The County and the Military Installations agree to periodically hold both policy level and working group level meetings to address issues of mutual concern.

2.2. Joint Policy Workshops

Annually, the County's Joint Land Use Study Implementation Oversight Committee (JLUS IOC) shall sponsor a joint policy workshop session with representatives of the Escambia County Board of County Commissioners and the Commanding Officers of the Military Installations, or their designees. A representative of the West Florida Regional Planning Council also shall be invited to attend. The sessions shall be open to the public and shall be noticed in the weekly announcement of County meetings. The JLUS IOC Joint Policy Workshops will be opportunities to hear reports on present and future activities and issues of mutual concern regarding coordination of land use planning and land development activities, as well as Military Installation planning, including population, growth and development trends, infrastructure improvements, and joint use opportunities that may impact the County's comprehensive land use plans and future land use designations. Issues of concern resulting from each such workshop will be forwarded to the Staff Working Group for execution/implementation. The Escambia County Director of Planning and Zoning, or his designee, is responsible for making meeting arrangements and providing notification.

2.3. Staff Working Group meetings

A Staff Working Group of County and Military Installation staff representatives will meet on a semi-annual basis, or as needed to discuss issues, formulate recommendations to the JLUS IOC and carry out directives resulting from the Joint Policy Workshop for formal presentation to the JLUS IOC regarding the coordination of land use planning and land development activities with the activities of the Military Installations. The West Florida Regional Planning Council staff and

JLUS IOC representative(s) shall be invited to attend the Staff Working Group session. The Director of Planning & Zoning, or his designee shall be responsible for making meeting arrangements and informing the working group members of meeting times and location.

The Staff Working Group shall include, but not be limited to, representatives from the Military Installations who normally attend Development Review Committee (DRC) meetings and comment on Development Review Projects; staff level representatives from the Escambia County Department of Planning and Zoning, including staff representatives from the DRC, the Rezoning Hearing Examiner, the Board of Adjustments and the Planning Board; staff level representatives from the Engineering Department, Building Inspections, Community Redevelopment, Neighborhood and Environmental Services Department and Emerald Coast Utilities Authority.

2.4. Information on Planning Grants

The Commanding Officers of the Military Installations, or their designees, shall inform the County of Department of Defense or other Federal programs or incentives that support communities' participation in joint planning to facilitate compatibility of community planning with the activities and mission of military installations, as they become aware of such programs and incentives. The Military Representative, i.e., the ex officio Planning Board member shall be responsible, as the designee of the Commanding Officers of the Military Installations, for ensuring that any such programs and incentives are made known to the County at the soonest Periodic Coordination Meeting after becoming aware of such programs and incentives.

Section 3. Coordinated Review of Comprehensive Plan Amendments

3.1. Transmittal of Proposed Changes for Review

The County agrees to transmit to the Military Representative, i.e., the ex officio Planning Board member, as the designee of the Commanding Officers of the Military Installations, a copy of any proposed Comprehensive Plan amendment which, if approved, would affect the density, intensity or use of land adjacent to or in close proximity to the Military Installations, or that could negatively impact upon their mission accomplishment. The transmittal will include any applicable maps depicting the adjacent and proximate areas.

3.2. Comprehensive Plan Amendments

3.2.1. Transmittal of a Proposed Plan Amendment to Military Representative

Proposed Comprehensive Plan amendments shall be transmitted to the Military Representative no less than seven (7) weeks, or as soon as available, prior to the published Planning Board meeting date at which the said amendment is on the Planning Board's agenda. The Military Representative's comments shall be considered in the County's staff analysis provided to the Planning Board, when applicable. The Military Representative's comments shall be included when the said amendment is transmitted by the County to the Florida Department of Economic Opportunity and the other state and regional review agencies, as required by Section 163.3184, Florida Statutes.

3.2.2. Timeframe for Review of Proposed Comprehensive Plan Amendment by the Military Representative

The transmittal letter which forwards the proposed Comprehensive Plan amendment to the Military Representative shall request that the proposed Comprehensive Plan amendment be reviewed and comments provided to the County's Planning and Zoning Department within two (2) weeks of the Military Representative's receipt of the proposed amendment.

3.3 Comments by Military Installations

The Military Representative shall review the proposed Comprehensive Plan amendment and provide comments to the County, including, if appropriate, a statement of "no negative impacts." The Military Representative's comments may include suggestions or options for revising the proposed amendments so that identified impacts to the Military Installations would be avoided or mitigated. The Military Representative's comments shall focus on the impact the proposed amendment may have on the mission of the Military Installation and may include, but is not limited to, the following considerations:

3.3.1. Whether such proposed Comprehensive Plan amendment will be incompatible with the safety and noise standards contained in Air Installation Compatible Use Zone (AICUZ) or Range Installation Compatible Use Zone (RAICUZ) adopted by the Military Installation for that installation;

3.3.2. Whether such Comprehensive Plan amendment is incompatible with the Military Installation Environmental Noise Management Program (IENMP) of the United States Army;

3.3.3. Whether such Comprehensive Plan amendment is incompatible with the findings of the Joint Land Use Study (JLUS); and

3.3.4. Whether the Military Installation's mission will be adversely affected by the proposed Comprehensive Plan amendment or associated County Land Development Code (LDC) changes.

3.4. Local Government Consideration of Comments

Prior to adopting any proposed Comprehensive Plan amendment or associated change to the LDC, the County shall take into consideration the comments provided by the Military Representative. The County will review the comments and respond to them in an appropriate manner and to the extent necessary as warranted by the nature of the comments. The County's response could include, for example, revising the proposed Comprehensive Plan amendment such that an identified impact is avoided, not adopting the proposed amendment, or initiating discussions with the Military Representative to arrive at a mutually acceptable option that would be reflected in the adopted amendment.

3.5. Transmittal of Adopted Change

After adopting any proposed Comprehensive Plan amendment to which the Military Representative provided comments to the County, whether or not the Military Representative has identified a possible adverse impact of the amendment, the County shall transmit a copy of the adopted amendment to the Military Representative at the same time that it is transmitted to the Florida Department of Economic Opportunity.

3.6. Comprehensive Plan Notice of Intent Notification

The Military Representative shall be included on the list completed by persons requesting that they receive a courtesy informational statement from the Department of Economic Opportunity concerning publications of the state land planning agency's notice of intent.

Section 4. Coordinated Review of Applications for Development Review, Rezoning, Variances, Conditional Use Approvals, Administrative Appeals and Land Development Code Amendments.

4.1. Military Review of Applications for Development Review, Rezoning Requests and Board of Adjustment (BOA) Cases (Variances, Conditional Use approvals and Administrative Appeals) and Land Development Code amendments.

The County agrees to transmit to the Military Representative, i.e., the ex officio Planning Board member, as the designee of the Commanding Officers of the Military Installations, a copy of any proposed amendment to the LDC (i.e. land development regulations) which, if approved, would: affect the density, intensity or use of land adjacent to or in close proximity to the Military Installations; increase encroachment pressure upon either or both of the Military Installations; or raise safety, operational or mission accomplishment concerns on the part of the Military Installations. The transmittal of the proposed LDC amendment will include any applicable maps depicting the adjacent and proximate areas to be impacted by the said amendment. The term "land development regulations" is defined in Section 163.3164(26), Florida Statutes, and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

The County agrees to transmit to the Military Representative notice of any request for a Planning Board interpretation of the LDC, or of any particular land development regulation which involves or could affect the density, intensity or use of land adjacent to or in close proximity to the Military Installations; increase encroachment pressure upon either or both of the Military Installations; or raise safety, operational or mission accomplishment concerns on the part of the Military Installations.

The Military Representative or designee will receive all applications for Development Review, Rezoning, Variance, Conditional Use or Administrative Appeal regarding land use or land development within any Airfield Influence Planning District (AIPD) 1 or 2 or that involve a building or structure height in excess of 100 feet of the applicable airfield elevation [LDC Sec. 4-4.2(c); 4-4.4(b)]. Pertinent applications would include any "development order" or

“development permit” [as defined in section 163.3164(15) and (16)], excepting building permits, that would, if approved, affect the density, intensity or use of land adjacent to or in close proximity to a military installation or would increase encroachment pressure upon either or both of the Military Installations, or raise safety, operational or mission accomplishment concerns on the part of the Military Installations. The County, at its discretion or at the request of the Military Representative, will provide notice to the Military Representative of such applications that affect land outside of the AIPD’s but which are of, or could be of, interest to the Military Installations. The Military Representative will review all applications received and submit comments pursuant to Chapter 4, Article 4 , Escambia County Land Development Code and this Agreement.

4.2. Timeframe for Military Review

The County agrees to give the Military Representative notification of applications for LDC amendments and interpretations, DRC projects, Rezoning, or BOA cases that would: affect the density, intensity or use of land adjacent to or in close proximity to a military installation; increase encroachment pressure upon either or both of the Military Installations; or raise safety, operational or mission accomplishment concerns on the part of the Military Installations. The Director of Planning and Zoning, or designee, will provide notice for consideration of such applications according to the schedules of the various processes as listed below.

4.2.1. Rezoning and Board of Adjustments Cases (Variances, Conditional Use Approvals and Administrative Appeals)

Applications for rezoning or any case to be heard by the BOA within the AIPD’s will be forwarded to the Military Representative within 10 days of the application deadline.

4.2.2. Development Review Applications

Pre-applications or applications for Development Review will be forwarded to the Military Representative within 3 days of the application deadline. This notice will invite the Military Representative to attend the Development Review meeting at which the application is to be considered, or to submit comments to the application, as the case may be.

4.3. Review comments by Military Representative

Within 10 days after notification or, in the case of Development Review projects, at the applicable meeting, the Military Representative will provide to the Director of Planning and Zoning, or his designee, written comments concerning the impacts to the Military Installations anticipated to result from the proposed land use application or development proposal. If negative impacts are not anticipated, then the Military Representative will so state in his/her written comments.

4.4. Coordination to address identified issues for Development Review Applications

The Military Representative, County, landowner and developer will endeavor to meet and discuss the development review and approval process with respect to those applications of concern to the

Military Representative, with the goal of preventing the occurrence of incompatible land uses and activities of concern to the Military Installations, thus protecting the safety of the public and military personnel engaged in aviation operations. Conventional and innovative land use techniques such as buffering, land exchange, project phasing, and developer-provided improvements or mitigation will be explored to achieve compatibility of military activities and land use and development near the Military Installations. However, any such discussions must be completed prior to the Development Review meeting at which the particular development application of concern is to be reviewed.

4.5. Issues to be considered by local government

When reviewing applications for development orders and permits, the County shall consider the following issues:

- a. Comments provided by the Military Representative;
- b. Available buffering, open spaces, and greenways; and
- c. Compatibility of land uses adjacent to the Military Installations and military operational areas.

4.6. Land Development Code (LDC) Amendments and Interpretations

4.6.1. Transmittal of Proposed LDC Amendments and Interpretations

Proposed LDC amendments and requests for LDC Interpretations shall be transmitted to the Military Representative seven (7) weeks prior to the published Planning Board meeting date at which the amendment or interpretation, as the case may be, is to be considered by the Planning Board.

4.6.2. Timeframe for Review of Proposed LDC amendments and requests for LDC interpretations

The transmittal letter shall request that the Military Representative review and provide comments on the proposed LDC amendment or interpretation, as the case may be, to the Director of Planning and Zoning, or his designee, within 20 days of the Military Representative's receipt of the amendment or request for interpretation.

4.7. Transmittal of Adopted LDC Amendment, Rezoning, or BOA action

In the case of an adopted LDC amendment or rezoning or an approved BOA case (conditional use, variance, administrative appeal), the adopted regulation, rezoning decision or BOA decision, as the case may be, shall be sent to the Military Representative within 15 days of final determination or adoption.

Section 5. Plan Amendment to Address Compatibility Criteria

5.1. On December 9, 2004, the Escambia County Board of County Commissioners adopted Comprehensive Plan Amendment (CPA) 2004-02 (Ord. No. 2004-78) and CPA 2004-03 (Ord. No. 2004-80). These plan amendment packages included ordinances that amended the County's Comprehensive Plan in compliance with the Plan Amendment Compatibility Criteria in 163.3177(6)(a), Florida Statutes and Senate Bill 1604 (2004). Escambia County Comprehensive Plan 2030, adopted April 29, 2014 (Ord. No. 2014-16), furthers the County's objectives to address compatibility with military installations, protect against encroachment of incompatible land uses, and ensure a coordinated approach to planning.

Section 6. Cooperation during the Evaluation and Appraisal Report Process

6.1. Assessing success of achieving compatibility

The County agrees to include in its Comprehensive Plan Evaluation and Appraisal Report (EAR) an assessment as to whether the criteria included in the Comprehensive Plan Future Land Use Element have been successful in achieving land use/land development compatibility with the Military Installations. The assessment will be based on a compilation and analysis of the data reported in the Comprehensive Plan Implementation Annual Report. The Annual Report data is collected and analyzed as required in Comprehensive Plan Policy MOB 4.2.8. This assessment will be included in each EAR.

6.2. Military assistance during the Evaluation

During the EAR process, the Military Representative agrees to assist the County with the assessment described in Section 6.1 of this Agreement. In addition to the criterion for compatibility evaluation as set forth in Comprehensive Plan Policy MOB 4.2.8, such assistance may include, for example: evaluating the outcomes of the cases reviewed under Sections 3 and 4 of this Agreement where the Military Representative raised compatibility issues; determining whether each outcome represents a success or failure to achieve compatible land uses and activities; and evaluating the County's Comprehensive Plan to determine whether it includes adequate criteria to achieve the desired compatibility.

Section 7. Conflicts

Escambia County adopted LDC Chapter 4, Article 4, Airport and Airfield Environs, which limits the uses, heights and densities allowed in AIPD's and areas impacted by or which exert an impact upon, the Military Installations. When there are conflicts between LDC Chapter 4, Article 4 requirements or provisions and other sections of the LDC, the County shall apply the stricter if the applicable regulations.

Section 8. Effective Date

This agreement shall become effective upon execution by each of the Parties and the filing of this Agreement with the Office of the Clerk of the Circuit Court of Escambia County, Florida. The County shall undertake the filing of this Agreement with the said Clerk as soon as is practical following both Parties' execution of this Agreement.

Section 9. Administrative

Nothing in this Agreement creates a right or benefit, procedural or substantive, enforceable at law by either Party against the other Party, or by a third party against either or both of the Parties. This Agreement does not, and is not intended to make, authorize or constitute an expenditure or obligation of funds or a contract to expend or obligate funds in order to carry out any provision of this Agreement. As to the Military Installations, the performance of any provisions pertaining to it may not involve the expenditure or obligation of funds exceeding an amount available in a Congressional appropriation or fund appropriated or made available for such purpose. All records created and maintained in conjunction with this Agreement shall be public records in accordance with the laws applicable to each of the Parties. Nothing in this Agreement constitutes, nor shall it be construed or interpreted as constituting, a waiver of sovereign immunity or of statutory limitations on liability of or applicable to either Party.

Section 10. Effect of the Agreement

This agreement supersedes any prior Interlocal Agreement to Provide Participation in Decisions Regarding Development in Escambia County entered into between the parties.

Section 11. Amendment and Termination of Agreement

Either Party may elect to withdraw from participation in this Agreement; as to the County, upon official action of its governing body, or as to the Military Installations, per the decision of the respective Commanding Officers of the Military Installations or in accordance with the directives of higher authority, each party to provide the other with at least 30 days advance notice, in writing, of its intent to do so.

Section 12. Expiration

The term of this Agreement shall be for an initial period of ten years, with automatic extensions in ten-year increments, approved by the Parties. However, either Party may request a review of or amendment to the Agreement once in any two-year period. No amendment to or modification of this Agreement shall be effective unless in writing and duly recognized by each of the Parties as is evidenced by their respective signatures affixed adjacent thereto.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of Escambia County and the Military Installations of Naval Air Station Pensacola and Naval Air Station Whiting Field on this _____ day of _____, 2015.

Escambia County Board of County Commissioners

By: _____
Grover C. Robinson, IV, Chairman

Reviewed for Legal Sufficiency

By: _____
Alison P. Rogers, County Attorney

DRAFT

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of Escambia County and the Military Installations of Naval Air Station Pensacola and Naval Air Station Whiting Field on this _____ day of _____, 2015.

Naval Air Station Pensacola

By: _____

Reviewed for Legal Sufficiency

By: _____

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of Escambia County and the Military Installations of Naval Air Station Pensacola and Naval Air Station Whiting Field on this _____ day of _____, 2015.

Naval Air Station Whiting Field

By: _____

Reviewed for Legal Sufficiency

By: _____
