

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
October 4, 2016–8:35 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. A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the September 6, 2016 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for September 2016.
 - C. Planning Board 6-Month Outlook for October 2016
4. Acceptance of Planning Board Meeting Packet.
5. Public Hearings.
 - a. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3 of the Escambia County 2030 Comprehensive Plan - CPA-2016-03

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the Comprehensive Plan, Chapter 3, Definitions, Section 3.01, to add a definition for Limited Agricultural Use.
 - b. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 12, of the Escambia County 2030 Comprehensive Plan- CPA-2016-04

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the Comprehensive Plan,

Chapter 12, Policy CON 1.5.2 Extraction and Reclamation Limitations, to add Mixed-Use Urban (MU-U) and Commercial (C) Future Land Use (FLU) categories to the exemption.

c. A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 4, 5, and 6

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Land Development Code (LDC), Chapters 4, 5, and 6, to repeal and replace all development standards for outdoor signs and modify related sign provisions.

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

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption an Ordinance amending the Land Development Code (LDC), Chapters 3, 4, and 6, to modify the permitted and conditional residential uses of the Mainland Zoning Districts and related residential use provisions.

6. Action/Discussion/Info Items.

7. Public Forum.

8. Director's Review.

9. County Attorney's Report.

10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, November 1, 2016 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.

12. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

3. a.

Meeting Date: 10/04/2016

Agenda Item:

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the September 6, 2016 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for September 2016.

C. Planning Board 6-Month Outlook for October 2016

Attachments

09-06-2016 Draft Regular Planning Board Meeting Minutes

Monthly Action Follow-up Report for October 2016

Six Month Outlook for October 2016

DRAFT

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
September 6, 2016–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes
 - a. A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 2, 2016 Planning Board Meeting.
 - B. Planning Board Monthly Action Follow-up Report for August 2016.
 - C. Planning Board 6-Month Outlook for September 2016.
5. Acceptance of Planning Board Meeting Packet.
6. Public Hearings.
 - a. A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map, LSA-2016-02

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the 2030 Future Land Use Map.
 - b. A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 3, 4, and 6

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption an Ordinance amending the Land Development Code (LDC), Chapters 3, 4, and 6, to modify the permitted and conditional residential uses of the Mainland Zoning Districts and related residential use provisions.
 - c. A Public Hearing Concerning the Review of an Ordinance Removing a Parcel From the Escambia County Mid-West Sector Plan

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance removing a parcel from the Escambia County Mid-West Sector Plan, Jacks Branch Detailed Specific Area Plan.

- d. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Sections 4-4.1, 4-4.2(d), 4-4.2(f), and 4-4.4(b)(3) by Adopting the Air Installations Compatible Use Zones Study (AICUZ) for NAS Pensacola and NOLF Saufley 2010

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 4, Article 4, Section 4-4.1 "Purpose of Article" and Section 4-4.2(d) "Source Standards", by including the "Air Installations Compatible Use Zones Study for NAS Pensacola and NOLF Saufley 2010", and Section 4-4.2(f) to change the abbreviation for the 24-hour day-night average sound level abbreviation from Ldn to DNL, and Section 4-4.4(b)(3) "Establishment".

- e. A Public Hearing Concerning the Review of Atwood Redevelopment Plan and Recommend Determination of Conformance With the Comprehensive Plan

That the Planning Board review and recommend to the Board of County Commissioners (BCC) adoption of the Atwood Redevelopment Plan and determine that the plan is in conformance with the local Comprehensive Plan.

7. Action/Discussion/Info Items.

- a. Setbacks for Corner Lots

8. Public Forum.

9. Director's Review.

10. County Attorney's Report.

- a. Sunshine Law Presentation

11. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, October 4, 2016 at 8:35 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

12. Announcements/Communications.

13. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

4. a.

Meeting Date: 09/06/2016

Agenda Item:

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 2, 2016 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for August 2016.

C. Planning Board 6-Month Outlook for September 2016.

Attachments

8-2-16 Draft Regular Planning Board Meeting Minutes

8-2-16 Draft Quasi-Judicial Planning Board Meeting Minutes

Monthly Action Follow-Up

Six Month Outlook

DRAFT

MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD August 2, 2016

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(10:03 A.M. – 10:41 A.M.)

Present: Tim Tate, Vice Chairman
Alvin Wingate
Patty Hightower, School Board (non-voting)
Stephanie Oram, Navy (Non voting)
Timothy Pyle
Reid Rushing
Bob Cordes
Edwin Howard

Absent: Wayne Briske, Chairman

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Gwen Robinson, Sr Office Assistant
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Alvin Wingate, Seconded by Timothy Pyle

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

Vote: 6 - 0 Approved

3. Approval of Minutes.

a.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 7, 2016 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for July 2016.

C. Planning Board 6-Month Outlook for August 2016.

Motion by Reid Rushing, Seconded by Bob Cordes

Motion was made to approve the minutes from the Regular Planning Board meeting held on July 7, 2016

Vote: 6 - 0 Approved

4. Acceptance of Planning Board Meeting Packet.

5. Public Hearings.

a. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 2, Development & Compliance Review, Two -Year Warranty

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) amending Chapter 2, Section 2-5.7.

Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to recommend approval. The Board requested staff to discuss with the Engineering Department the Bond language that was not included.

Vote: 6 - 0 Approved

b. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 4, Airport and Airfield Environs

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Land Development Code (LDC) Chapter 4, Article 4, Section 4-4.2.c "Applicable airports and airfields," Section 4-4.3.2.b "from airport/airfield," Section 4-4.4.b.3 "Establishment."

Motion by Bob Cordes, Seconded by Timothy Pyle

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

c. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 8 of the Escambia County 2030 Comprehensive Plan - CPA-2016-02

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the 2030 Comprehensive Plan, Chapter 8, "Mobility Element", Policy MOB 4.2.6 "Encroachment Control Planning", to remove references to Navy Outlying Field Saufley Airport.

Motion by Timothy Pyle, Seconded by Bob Cordes

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

d. A Public Hearing Concerning the Review of Ensley Redevelopment Plan and Recommend Determination of Conformance With the Comprehensive Plan

That the Planning Board review and recommend to the Board of County Commissioners (BCC) adoption of the Ensley Redevelopment Plan and determine that the plan is in conformance with the local Comprehensive Plan.

Motion by Alvin Wingate, Seconded by Reid Rushing

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

6. Action/Discussion/Info Items.
7. Public Forum.
8. Director's Review.
9. County Attorney's Report.
10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, September 6, 2016 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.
12. Adjournment.

DRAFT

MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD August 2, 2016

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(10:03 A.M. – 10:41 A.M.)

Present: Tim Tate, Vice Chairman
Alvin Wingate
Patty Hightower, School Board (non-voting)
Stephanie Oram, Navy (Non voting)
Timothy Pyle
Reid Rushing
Bob Cordes
Edwin Howard

Absent: Wayne Briske, Chairman

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Gwen Robinson, Sr Office Assistant
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Alvin Wingate, Seconded by Timothy Pyle

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

Vote: 6 - 0 Approved

3. Approval of Minutes.

a.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 7, 2016 Planning Board Meeting.

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C. Planning Board 6-Month Outlook for August 2016.

Motion by Reid Rushing, Seconded by Bob Cordes

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Vote: 6 - 0 Approved

4. Acceptance of Planning Board Meeting Packet.

5. Public Hearings.

a. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 2, Development & Compliance Review, Two -Year Warranty

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Motion by Timothy Pyle, Seconded by Reid Rushing

Motion was made to recommend approval. The Board requested staff to discuss with the Engineering Department the Bond language that was not included.

Vote: 6 - 0 Approved

b. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Article 4, Airport and Airfield Environs

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Land Development Code (LDC) Chapter 4, Article 4, Section 4-4.2.c "Applicable airports and airfields," Section 4-4.3.2.b "from airport/airfield," Section 4-4.4.b.3 "Establishment."

Motion by Bob Cordes, Seconded by Timothy Pyle

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

c. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 8 of the Escambia County 2030 Comprehensive Plan - CPA-2016-02

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the 2030 Comprehensive Plan, Chapter 8, "Mobility Element", Policy MOB 4.2.6 "Encroachment Control Planning", to remove references to Navy Outlying Field Saufley Airport.

Motion by Timothy Pyle, Seconded by Bob Cordes

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

d. A Public Hearing Concerning the Review of Ensley Redevelopment Plan and Recommend Determination of Conformance With the Comprehensive Plan

That the Planning Board review and recommend to the Board of County Commissioners (BCC) adoption of the Ensley Redevelopment Plan and determine that the plan is in conformance with the local Comprehensive Plan.

Motion by Alvin Wingate, Seconded by Reid Rushing

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

6. Action/Discussion/Info Items.
7. Public Forum.
8. Director's Review.
9. County Attorney's Report.
10. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, September 6, 2016 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

11. Announcements/Communications.
12. Adjournment.

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



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: Gwen Robinson, Board Clerk
DATE: August 24, 2016
RE: Monthly Action Follow-Up Report for August 2016.

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

PROJECTS, PLANS, & PROGRAMS

Ensley Redevelopment

08-02-16 PB recommended approved

Antietam Subdivision PUD

07-07-16 PB recommended approval
08-04-16 BCC Approved

COMMITTEES & WORKING GROUP MEETINGS

COMPREHENSIVE PLAN AMENDMENTS

- **Text Amendments:**
 - CPA-2016-02**
OLF Saufley Airport
08-02-16 PB recommended approval
09-01-16 BCC meeting

- **Map Amendments:**
 - LSA-2016-01**
Beck's Lake Road
06-07-16 PB recommended approval
07-07-16 BCC meeting for transmittal to DEO

LAND DEVELOPMENT CODE ORDINANCES

DSM Changes

07-07-16 PB recommended approval
08-04-16 BCC Approved

Lot Widths

07-07-16 PB recommended approval
08-04-16 BCC Approved

REZONING CASES

1. **Rezoning Case Z-2015-19**
11-03-15 PB recommended approval
TBD BCC meeting

2. **Rezoning Case Z-2016-05**
07-07-16 PB recommended denial
08-04-16 BCC Denied

MISCELLANEOUS ITEMS

Comp Plan Implementation Annual Report

07-07-16 PB reviewed
08-04-16 BCC Approved

Residential Uses in Zoning Districts Discussion Item

07-07-16 PB discussed

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR September 2016

(Revised 08/24/16)

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

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

Meeting Date	LDC Changes and/or Public Hearings	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Tuesday, September 6, 2016	<ul style="list-style-type: none"> • OSP-2016-01 • Residential Uses in Zoning Districts • Atwood Redevelopment • AICUZ 	<ul style="list-style-type: none"> • LSA-2016-02 		<ul style="list-style-type: none"> • Sunshine Law Presentation • Corner Lots
Tuesday, October 4, 2016		<ul style="list-style-type: none"> • CPA-2016-03 Definition for Limited Ag Uses 	<ul style="list-style-type: none"> • Z-2016-07 	<ul style="list-style-type: none"> • Signs Ordinance
Tuesday, November 1, 2016				
Tuesday, December 6, 2016				
Tuesday, January 3, 2017				
Tuesday, February 7, 2017				

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

6. a.

Meeting Date: 09/06/2016

Issue: A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map, LSA-2016-02

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending the 2030 Future Land Use Map, LSA-2016-02

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the 2030 Future Land Use Map.

BACKGROUND:

The applicant requests a Future Land Use (FLU) Map amendment to change the FLU category of a 32+/- acres parcel, as depicted in the Exhibit A, from Industrial (I) to Mixed-Use Suburban (MU-S). The current zoning designation of the referenced parcel is Heavy Commercial and Light Industrial (HC/LI). The FLU change is proposed to allow for a residential subdivision. Based on the memorandum by the Community Planner Liaison Officer, Stephanie Oram, the Outlying Landing Field Saufley Airfield is now closed and will have no aviation training.

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 Meredith Crawford, 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 Comprehensive Plan will be filed with the Department of State following adoption by the board.

Implementation of this Ordinance will consist of an amendment to the Comp Plan 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

Working Case File

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Large Scale LSA 2016-02

Date: 8/10/16

Date requested back by: when you can/ for Sept PB meeting

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by Meredith Crawford

Date Received: approved 8/16/16

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Draft #3

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ORDINANCE NUMBER 2016-____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," POLICY FLU 1.1.1, TO PROVIDE FOR AN AMENDMENT TO THE 2030 FUTURE LAND USE MAP, CHANGING THE FUTURE LAND USE CATEGORY OF A PARCEL WITHIN SECTION 02, TOWNSHIP 2S, RANGE 31W, PARCEL NUMBER 3000-002-002 TOTALING 32 (+/-) ACRES, LOCATED BETWEEN EAST FENCE ROAD AND SAUFLEY FIELD ROAD, FROM INDUSTRIAL (I) TO MIXED USE SUBURBAN (MU-S) PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, the Navy Outlying Landing Field (NOLF) Saufley Field has discontinued Navy operations, therefore Escambia County Airfield Overlay density restrictions no longer apply; and

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

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

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

Section 1. Purpose and Intent

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

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

2
3 This Comprehensive Plan amendment shall be entitled – "Large Scale Amendment
4 2016-02."

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

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

13
14
15 A parcel within Section 02, Township 2S, Range 31W, parcel number
16 3000-002-002 and totaling 32 (+/-) acres, located to the East of East
17 Fence Road and West of Saufley Field Road, as more particularly
18 described in the Boundary Survey description produced by KJM Land
19 Planning, LLC, registered land surveyor dated 7/25/16, attached as Exhibit
20 A, from Industrial (I) to Mixed Use Suburban (MU-S).

21
22 **Section 4. Severability**

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

27
28 **Section 5. Inclusion in the Code**

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

35
36
37 **Section 6. Effective Date**

38
39 Pursuant to Section 163.3184(3)(c)(4), Florida Statutes, this Ordinance shall not
40 become effective until 31 days after the Department of Economic Opportunity notifies
41 Escambia County that the plan amendment package is complete. If timely challenged,
42 this Ordinance shall not become effective until the Department of Economic Opportunity

1 or the Administration Commission enters a final order determining the Ordinance to be
2 in compliance.

3
4 **DONE AND ENACTED** this _____ day of _____, 2016.

5
6 BOARD OF COUNTY COMMISSIONERS
7 OF ESCAMBIA COUNTY, FLORIDA
8

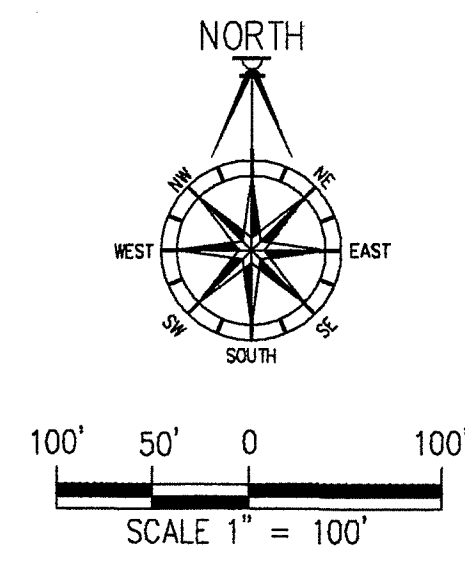
9
10 By: _____
11 Grover C. Robinson, IV, Chairman

12
13 ATTEST: PAM CHILDERS
14 CLERK OF THE CIRCUIT COURT

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16
17 By: _____
18 Deputy Clerk

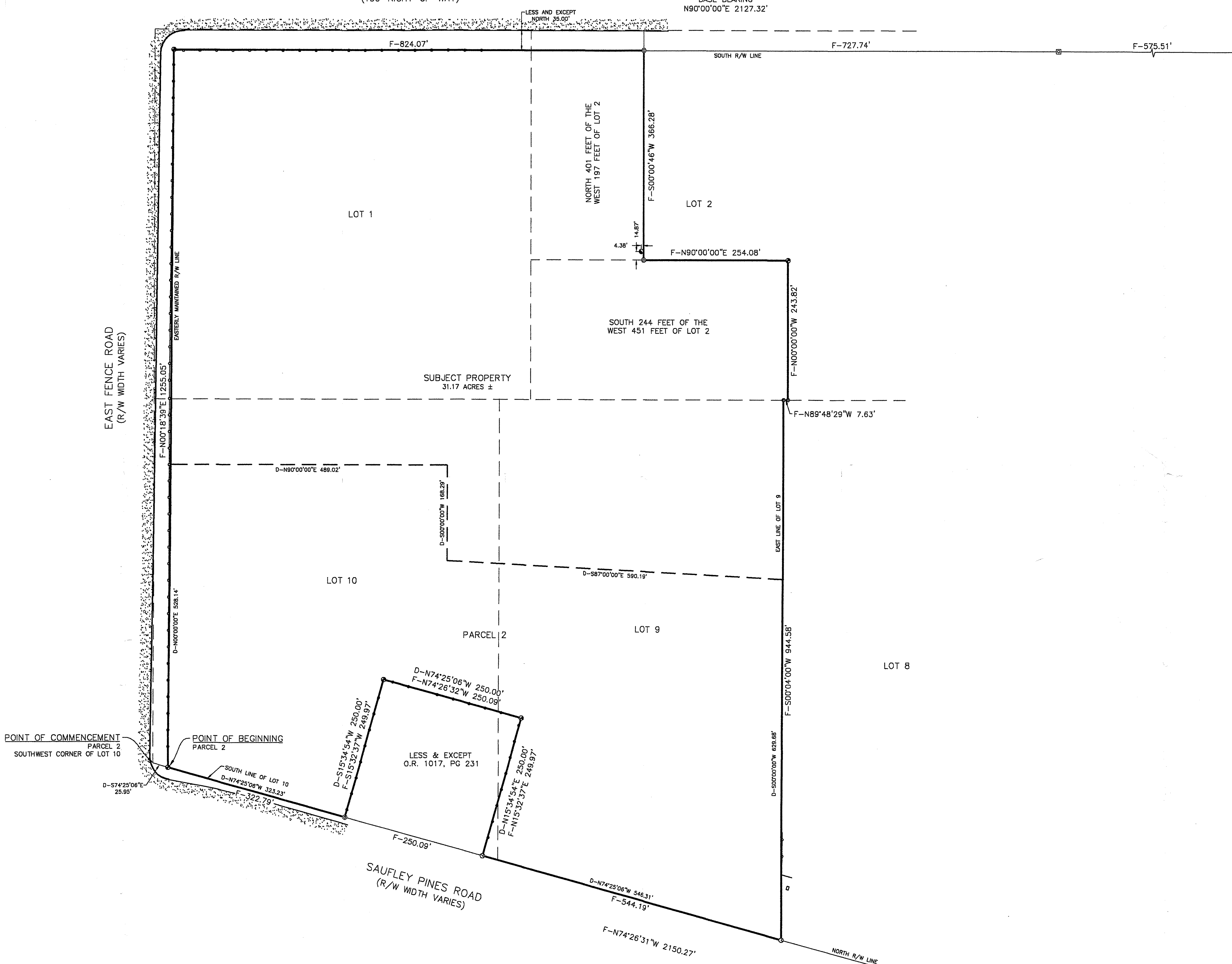
19
20 (SEAL)

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23 ENACTED:
24 FILED WITH THE DEPARTMENT OF STATE:
25 EFFECTIVE DATE:



SAUFLEY FIELD ROAD
(100' RIGHT-OF-WAY)

BASE BEARING
N90°00'00"E 2127.32'



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 LATEST STATES STANDARD PRACTICE.
- NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE HE FURNISHED WITH SIGNED INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP.
- NO UNDERGROUND UTILITIES OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.
- 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 PLAN.
- ENCROACHMENTS ARE AS SHOWN.
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCELS OF LAND SHOWN HEREON ARE FOR THE FLOOD INSURANCE RATE MAP INFORMATION AS FOLLOWS:

ZONE: "A"
ELEVATION: N/A
PANEL NUMBER: 13333C 0335 0
AS DATED: 09/29/09
- THE CERTIFICATE OF AUTHORIZATION NUMBER FOR KJM LAND PLANNING, LLC, IS L.B. 7919.

DESCRIPTION: (AS PROVIDED)

PARCEL 1
A PARCEL OF LAND IN GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 18.2394 NET ACRES, ACCORDING TO PLAT OF A SUBDIVISION OF THE SAID GOVERNMENT LOT RECORDED IN DEED BOOK 64 AT PAGE 365 OF THE PUBLIC RECORDS OF SAID COUNTY, AND DESCRIBED AS FOLLOWS:
LOT 1, AND THE NORTH 401 FEET OF THE EAST 197 FEET OF LOT 2, LESS RIGHT-OF-WAY FOR PUBLIC ROAD OVER THE NORTH 35 FEET THEREOF; THE SOUTH 244 FEET OF THE WEST 451 FEET OF LOT 2, AND ALL OF LOTS 9 AND 10;
LESS THAT PORTION OF THE SAID LOTS 1 AND 10 LYING WESTERLY OF AN EXISTING WIRE FENCE ALONG THE EAST SIDE OF AN EXISTING COUNTY MAINTAINED ROADWAY ALONG THE WEST LINE OF THE SAID GOVERNMENT LOT 3;
AND LESS THAT PORTION OF SAID PROPERTY DESCRIBED IN DEED FROM SELMA L. VILLANE, A WIDOW, TO EDWARD A. COHRON AND JOSIE B. COHRON, HUSBAND AND WIFE, DATED JULY 12, 1976, AND RECORDED IN OFFICIAL RECORDS BOOK 1017 AT PAGE 231 OF THE SAID RECORDS, THE PROPERTY HEREBY CONVEYED BEING THE SAME PROPERTY DESCRIBED ON UNRECORDED SURVEY BY NICHOL ENGINEERING ASSOCIATES, INC., REVISED APRIL 6, 1978, LESS AND EXCEPT OR BOOK 4187, PAGE 1138.

PARCEL 2
A PARCEL OF LAND IN GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 12.8765 ACRES, EXCLUSIVE OF ROAD, AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF LOT 10 OF STEPHEN LEE'S SUBDIVISION OF THE SAID GOVERNMENT LOT 3, ACCORDING TO PLAT RECORDED IN DEED BOOK 64, AT PAGE 365 OF THE PUBLIC RECORDS OF SAID COUNTY;
THENCE GO SOUTH 74°25'06" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 10 A DISTANCE OF 25.95 FEET TO THE EAST LINE OF COUNTY MAINTAINED ROADWAY AND THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE GO NORTH 00°00'00" EAST PARALLEL WITH AND 25 FEET EAST OF THE WEST LINE OF SAID LOT 10 A DISTANCE OF 528.14 FEET;
THENCE GO NORTH 00°00'00" EAST A DISTANCE OF 489.02 FEET;
THENCE GO SOUTH 00°00'00" WEST A DISTANCE OF 168.29 FEET;
THENCE GO SOUTH 87°00'00" EAST A DISTANCE OF 590.19 FEET TO THE EAST LINE OF LOT 9 OF STEPHEN LEE'S SUBDIVISION OF THE SAID GOVERNMENT LOT 3;
THENCE GO SOUTH 00°00'00" WEST ALONG THE EAST LINE OF SAID LOT 9 A DISTANCE OF 629.68 FEET;
THENCE GO NORTH 74°25'06" WEST PARALLEL WITH AND 15.00 FEET DISTANT FROM THE SOUTHERLY LINE OF THE SAID GOVERNMENT LOT 3 A DISTANCE OF 546.31 FEET;
THENCE GO NORTH 15°34'54" EAST A DISTANCE OF 250.00 FEET;
THENCE GO NORTH 74°25'06" WEST A DISTANCE OF 250.00 FEET;
THENCE GO SOUTH 15°34'54" WEST A DISTANCE OF 250.00 FEET;
THENCE GO NORTH 74°25'06" WEST A DISTANCE OF 323.23 FEET TO THE POINT OF BEGINNING.

LEGEND:

- ⊗ - FOUND 4"x4" CONCRETE MONUMENT L.B. #7107
- ⊙ - FOUND 1/2" CAPPED IRON ROD PSM #4655
- ⊙ - FOUND 1/2" CAPPED IRON ROD PSM #1035
- ⊙ - FOUND ILLEGIBLE 1/2" CAPPED IRON ROD
- ⊙ - FOUND PLAIN 1/2" IRON ROD
- ⊙ - FOUND PLAIN 1" IRON ROD
- ⊙ - FOUND PLAIN 3/4" IRON ROD
- ⊙ - SET 1/2" CAPPED IRON ROD L.B. #7919
- PSM - PROFESSIONAL SURVEYOR AND MAPPER
- L.B. - LICENSED BUSINESS
- R/W - RIGHT-OF-WAY
- F - FIELD

Certify To:
Stafford Development Group, Inc., a Florida corporation
First Community Bank
McDonald Fleming Moorhead
First American Title Insurance Company

ADDRESS: SAUFLEY FIELD ROAD					
REQUESTED BY: TODD STAFFORD					
TYPE: BOUNDARY SURVEY					
SECTION 2, TOWNSHIP - 2 - SOUTH, RANGE - 31 - WEST, ESCAMBIA COUNTY					
SCALE: 1"=100'	FIELD BOOK	PAGE	DATE	FIELD DATE	DRAWN BY
	602	47	DM	07/22/16	JSP
NO.	DATE	RECORDING	APPROVED BY:		

SURVEYOR'S CERTIFICATE

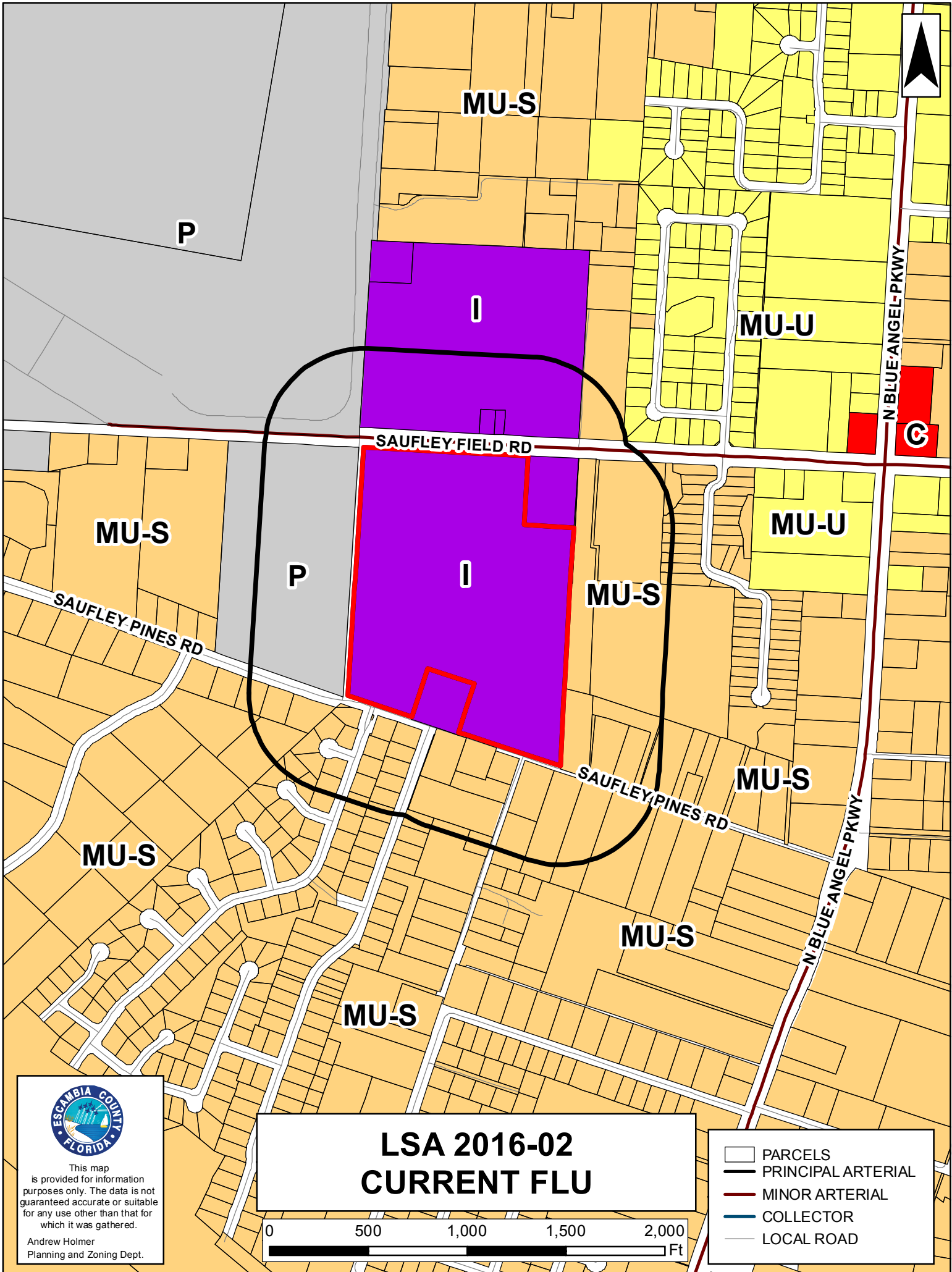
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND UNDER THE SUPERVISION OF MYSELF AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS & MAPPERS CHAPTER 463, F.S. 463.11(1) AND 463.11(2)(b), PURSUANT TO SECTION 462.002, FLORIDA STATUTES.

Signature
KIMBERLY J. MOORE
PROFESSIONAL SURVEYOR AND MAPPER
CORPORATE NO. LB 0007919
STATE OF FLORIDA

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL HARD COPY OF FLORIDA LICENSED SURVEYOR AND MAPPER

KJM
Land Planning, LLC.
16-16851

LSA-2016-02



MU-S

P

I

MU-U

G

SAUFLEY FIELD RD

MU-S

P

I

MU-S

MU-U

SAUFLEY PINES RD

SAUFLEY PINES RD

MU-S

MU-S

MU-S

MU-S

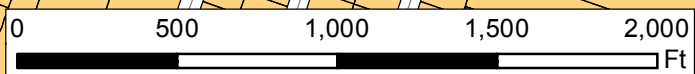
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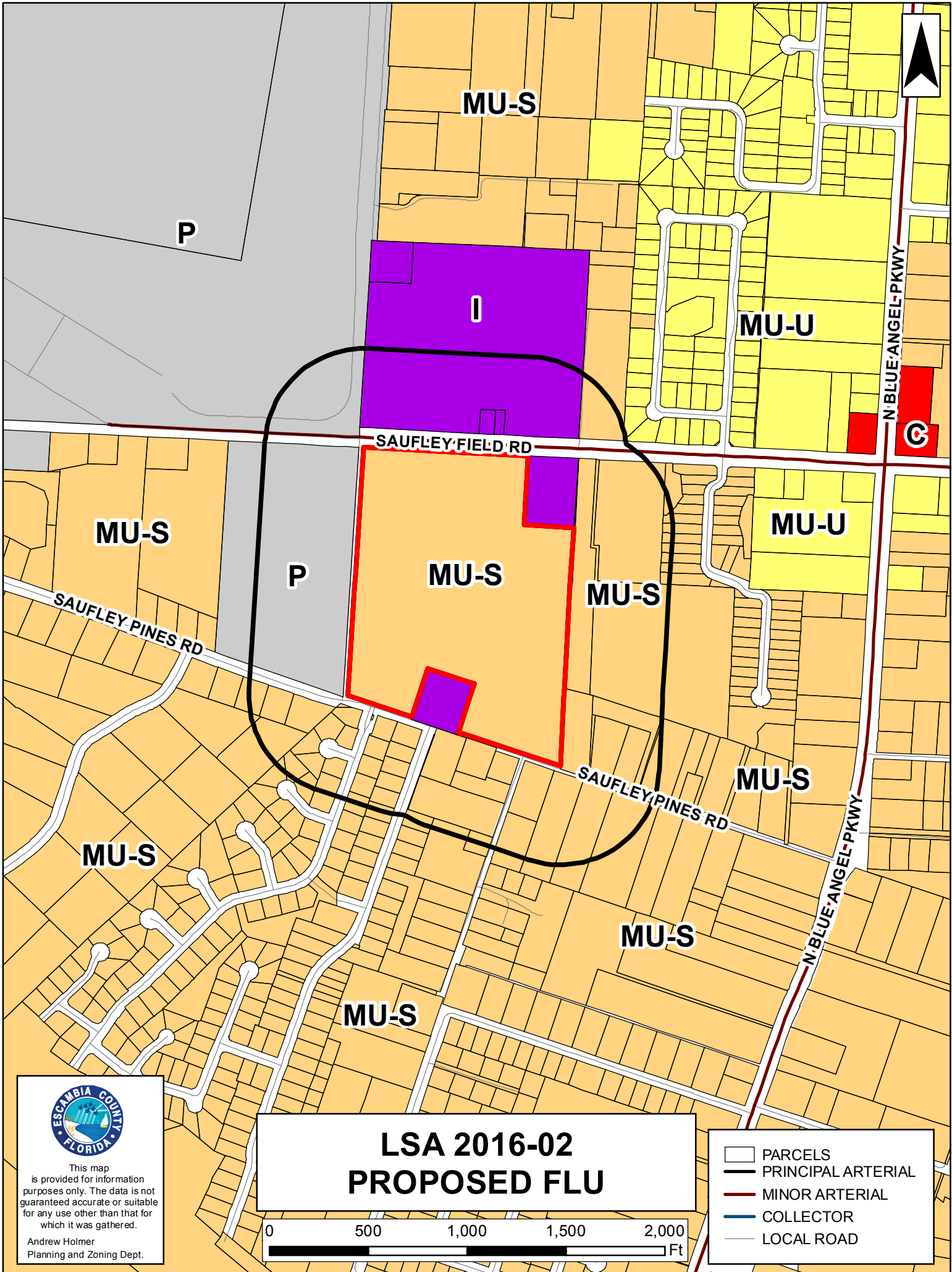
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

LSA 2016-02 CURRENT FLU



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



MU-S

P

I

MU-U

G

SAUFLEY FIELD RD

MU-S

P

MU-S

MU-S

MU-U

SAUFLEY PINES RD

MU-S

MU-S

SAUFLEY PINES RD

MU-S

MU-S

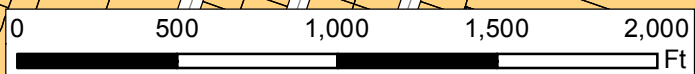
N BLUE ANGEL PKWY



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.

LSA 2016-02 PROPOSED FLU



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



GOV. PRP.

COUNTY PROP.

SF

SF

SAUFLEY FIELD RD

VACANT

GOV PROP.

VACANT

SAUFLEY PINES RD

TEXT

SF

SF

SF

SF

SF

SF

SF

SF

SF

SF

SF

SF

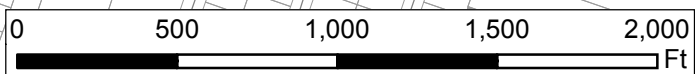
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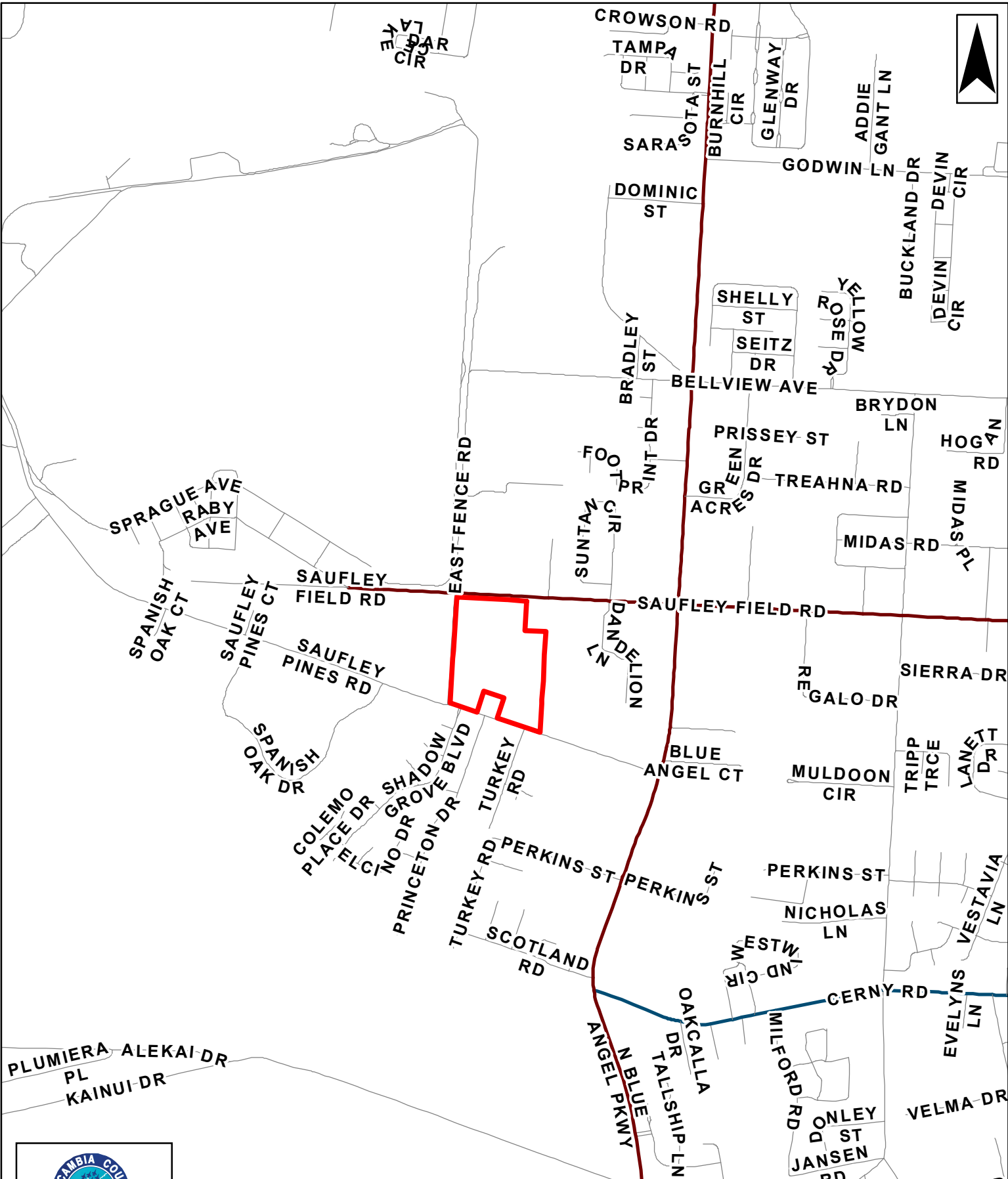
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.





LSA 2016-02 EXISTING LAND USE

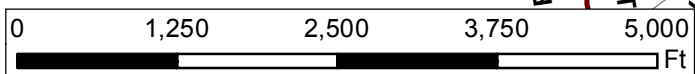



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



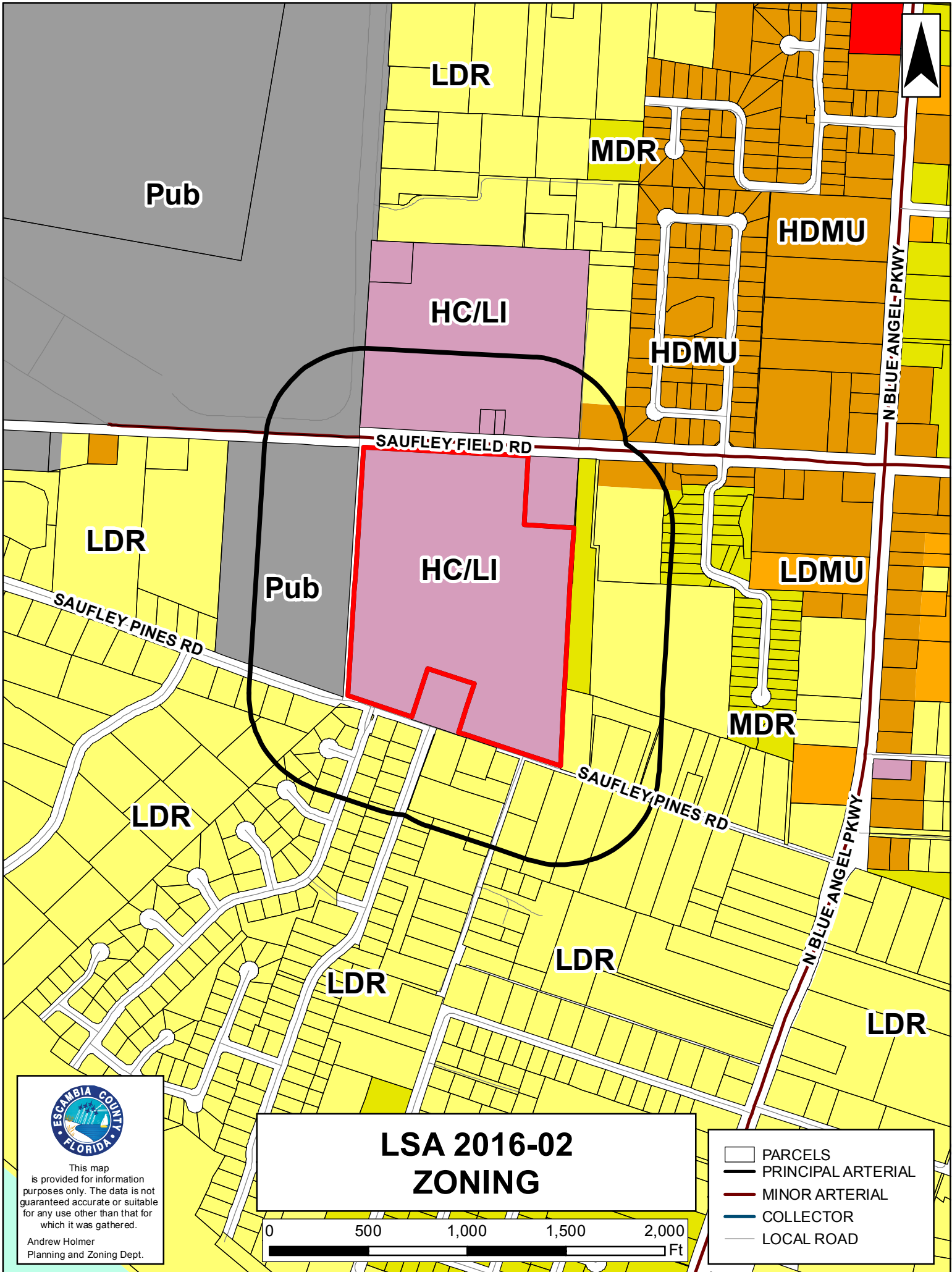
LSA 2016-02 LOCATION MAP

-  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.



LDR

Pub

MDR

HDMU

HC/LI

HDMU

SAUFLEY FIELD RD

LDR

Pub

HC/LI

LDMU

SAUFLEY PINES RD

MDR

LDR

SAUFLEY PINES RD

LDR

LDR

LDR

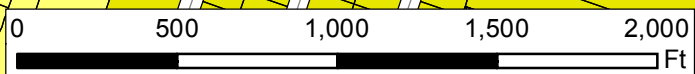
N BLUE ANGEL PKWY



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Andrew Holmer
Planning and Zoning Dept.

LSA 2016-02 ZONING



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

FUTURE LAND USE MAP AMENDMENT APPLICATION

(THIS SECTION FOR OFFICE USE ONLY):

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

Current FLU: I Desired FLU: M-U-S Zoning: _____ Taken by: AR

Planning Board Public Hearing, date(s): 9/6/16

BCC Public Hearing, proposed date(s): 10/6/16

Fees Paid 2,969.50 Receipt # _____ Date: 8/4/16

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

Name: TODD STAFFORD

Address: 357 GRAND OAKS BLVD.

City: CANTONMENT State: FL Zip Code: 32533

Telephone: () 572-3005

Email: TSTAFFORD@HEATONBROTHERSCONSTRUCTION.COM

DESCRIPTION OF PROPERTY:

Street address: 5700 BLOCK SAUFLEY FIELD ROAD

Subdivision: _____

Property reference number: Section 02 Township 2S Range 31


Parcel 3000 Lot 002 Block 002


Size of Property (acres) 32

**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.

 TODD STAFFORD 8-3-16
 Signature (Property Owner) Printed Name Date

 DAVID FITZPATRICK 8-3-16
 Signature (Agent's Name (or owner if representing oneself)) Printed Name Date

Address: 357 GRAND OAKS BLVD

City: CANTONMENT State: FL Zip: 32533

Telephone () 572 - 3005 Fax # () -

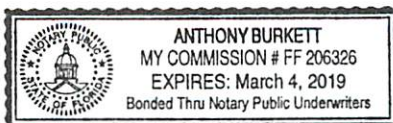
Email: TSTAFFORD@HEATONBROTHERSCONSTRUCTION.COM

STATE OF FL
COUNTY OF ESCAMBIA

The forgoing instrument was acknowledged before me this 3rd day of AUGUST, year of 2016 by , TODD STAFFORD who () did (x) did not take an oath. He/she is (x) personally known to me, () produced current Florida/Other driver's license, and/or () produced current _____ as identification.

 8-3-16 ANTHONY BURKETT
 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 5700 BLOCK SAUFLEY FIELD ROAD,
Pensacola, Florida, Property Reference Number(s) 02-2S-31-3000-002-002,
I hereby designate DAVID FITZPATRICK, 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 3 day of AUGUST, the year of
2016, and is effective until the Board of County Commissioners has rendered a decision on
this request and any appeal period has expired. The owner reserves the right to rescind this
Limited Power of Attorney at any time with a written, notarized notice to the Planning and
Engineering Department.

	<u>8-3-16</u>	<u>TODD STAFFORD</u>
Signature of Property Owner	Date	Printed Name of Property Owner
	<u>8-3-16</u>	<u>DAVID FITZPATRICK</u>
Signature of Agent	Date	Printed Name of Agent

STATE OF FL
COUNTY OF ESCAMBIA

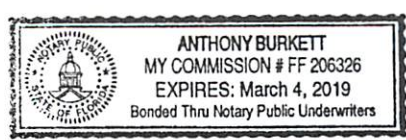
The foregoing instrument was acknowledged before me this 3 day of AUGUST, year of
2016, by TODD STAFFORD who () did () did not take an
oath.

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

	<u>8-3-2016</u>	<u>ANTHONY BURKETT</u>
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:

SAUFLEY PINES SUBDIVISION

Property reference #: Section 02 Township 2S Range 31

Parcel # 3000-002-002

Project Address:

5700 BLOCK SAUFLEY FIELD 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 3 DAY OF AUGUST, 2016**


Owner's signature

TODD STAFFORD

Owner's name (print)
DAVID FITZPATRICK

Agent's signature

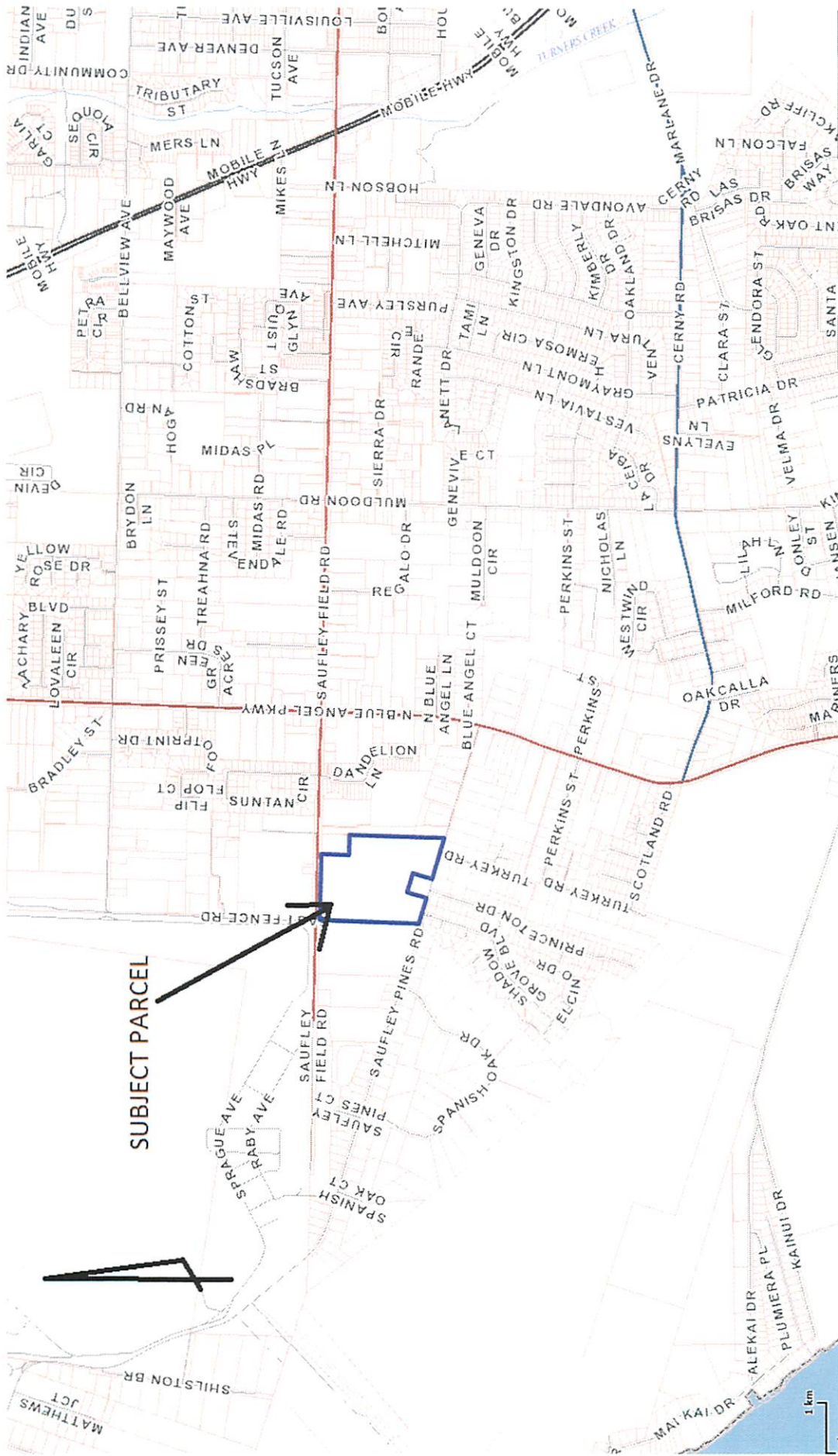
Agent's name (print)

DATA AND ANALYSIS REQUIREMENTS

1. A comparative analysis of the impact of both the current and the proposed future land use categories on the following items, presented in tabular format, based on data taken from professionally accepted existing sources, such as the US Census, State University System of Florida, National Wetland Inventory Maps, regional planning councils, water management districts, or existing technical studies. The data should show that the infrastructure is available to support the most intense development allowed under the requested Future Land Use category, regardless of what type of development is proposed.
 - A. Sanitary Sewer
 - B. Solid Waste Disposal
 - C. Potable Water
 - D. Stormwater Management
 - E. Traffic
 - F. Recreation and Open Space
 - G. Schools

The data and analysis should also support the requested future land use category by reflecting a need for that category. For example, a future land use request from Agricultural to Residential would need an analysis demonstrating the need for additional Residential acreage in the County.

2. Proximity to and impact on the following:
 - A. Wellheads (indicate distance and location to nearest wellhead)
 - B. Historically significant sites (available from University of West Florida)
 - C. Natural Resources, including wetlands (a wetlands survey is highly recommended if wetlands are located on the property)
3. An analysis of consistency with the Escambia County Comprehensive Plan, with reference to applicable sections therein



SITE MAP

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

10250 North Palafox St. Pensacola, FL 32534

Phone (850) 476-8677 Fax (850) 476-7708

fitzpatrick@fitzeng.com

Board of Professional Engineers Certification # 00008423

8/1/2016

RE: Future Land Use Amendment- parcel ID-02-2S-31-3000-002-002, 5700 Block Saufley Field Rd

Letter of request and Project discussion:

On behalf of the owner of the referenced parcel we respectfully request the parcel future land use designation be changed from I to MU-S. This change will enable the parcel owner to develop a residential subdivision. Because the proposed parcel is within existing residentially developed area ample infrastructure exists. Given the developed nature of the geographical area there is a need for new housing for residents moving into the area. This change will remove an incompatible land use designation and create a compatible use for the residential area.

1. The subject parcel future land use change request is to go from FLU I to FLU MU-S.
2. The subject parcel is 32 acres in size and located in the 5700 block of Saufley Field Road. The parcel has frontage along Saufley Field Road, East Fence Road, and Saufley Pines Road. It lies on the east side of East Fence Road. The site is wooded with approximately 20% of the site being an abandoned sand pit. There are three parcels adjacent to our east property line. A residential mobile home park and two single family residences.
3. Existing use of the parcel is abandoned sand mine/ pit. Proposed use is residential subdivision.

Data and Analysis requirements:

1. Note: a pre-application conference was held at Escambia County on June 22, 2016 where many of the below items were addressed.
 - a. Sanitary Sewer is available, see attached email from ECUA, John Seymour
 - b. Solid Waste Disposal is available, see attached email from ECUA, John Seymour
 - c. Potable Water is available, see attached email from ECUA, John Seymour
 - d. Stormwater Management, a portion of the existing onsite pit will be utilized to meet existing Escambia County and NWFWMMD stormwater management regulations. In my professional opinion as the engineer of record the site is more than capable of meeting the aforementioned stormwater management regulations. The subject parcel lies between 3 county roadways with improved drainage systems. During the design process these drainage systems will be analyzed and improved if necessary to support the infill development.
 - e. Traffic comments were issued by county access management staff. No comments were issued concerning the lack of available trips on the surrounding roads. Currently the parcel's flu would allow industrial traffic onto surrounding county roads. A proposed residential subdivision will eliminate this traffic with the temporary exception of the development of the parcel and construction of the homes. Therefore the impact of a residential development will actually be less than the current uses allowed. A review of the 2013 Escambia County congestion management table of Saufley Field Rd (attached). Saufley Field Rd alone has capacity for 13,500 more trips. The parcel has frontage on Saufley Pines Rd as well. Counts for Saufley Pines are not available however the Saufley Field Rd has ample trips available to support our development.
 - f. Recreation and open space. Typical subdivision designs contain front and back yards to be used as open space and recreation areas. The current FLU designation has no obligation to create recreation space and very little open space.
 - g. Schools will be: Elementary, Bellview. Middle, Bellview. High School, Pine Forest.
2. Proximity to and impact on the following:
 - a. Wellheads, see attached wellhead map from ECUA. The map shows the nearest well site is near the intersection of Cerny Rd and Muldoon Rd. approximately a mile away as the crow flies.
 - b. Historically significant sites. For many years the site has been used as a sand mine/ pit. Having previously gone through major disturbance and excavation it is reasonable to say the site holds no historical significance. Because of the proximity of the proposed parcel to Saufley Field there were APZ and AICUZ zones over about 2/3's of

the site. Recently the Navy has closed Saufley Field to air traffic thereby lifting the aforementioned zones. Please see attached email and letters.

- c. Natural Resources, please see attached letter from our environmental consultant BIOME. There are no significant wetlands on the site.

3. Consistency with the comp plan.

The requested flu map designation amendment is consistent with the comp plan in that it will duplicate neighboring designations and remove the designation of I from this residential area. The change will facilitate an infill development within the MU-S which meets the intention of this designation. The comp plan encourages infill development where infrastructure is sufficient to meet demands; MU-S is one of the areas so designated in the comp plan. Infrastructure is sufficient to meet demands. This change will facilitate the improvement of this existing residential neighborhood.

Additional Florida Statute requirements: Each statement is listed along with the appropriate response of how each are met.

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

REPLY: The subject parcel is within the developed area of Escambia County. Development of the Subject parcel does not propose to have an adverse impact on natural resources and ecosystems. The change of the flu category as proposed will eliminate the chance of adverse impacts to natural resources and ecosystem in that it removes the industrial element from future development of the subject parcel.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

REPLY: The subject parcel is within the developed area of Escambia County. Infrastructure is currently available and directly adjacent to the subject parcel. No infrastructure extensions or additional or additional services will be required.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

REPLY: the subject parcel is infill development within an existing developed area of Escambia County. It will be near other parent parcels of different densities and ranges of housing choices. Those choices in close proximity of the subject parcel range from mobile homes to estates on multiple acre parcels.

(IV) Promotes conservation of water and energy.

REPLY: this proposed flu change is being made so the parcel may be developed as a single family subdivision. All houses will be constructed following current building codes where water conserving fixtures are required. Pertaining to energy, new codes require energy saving fixtures as well.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

REPLY: the subject parcel is not within an agricultural, silviculture, and dormant, unique, or prime farmland or soils area.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

WATER, SEWER, SOLID WASTE AVAILABILITY

JOHN SEYMOUR IS ECUA'S MANAGER OF ENGINEERING
PROJECTS

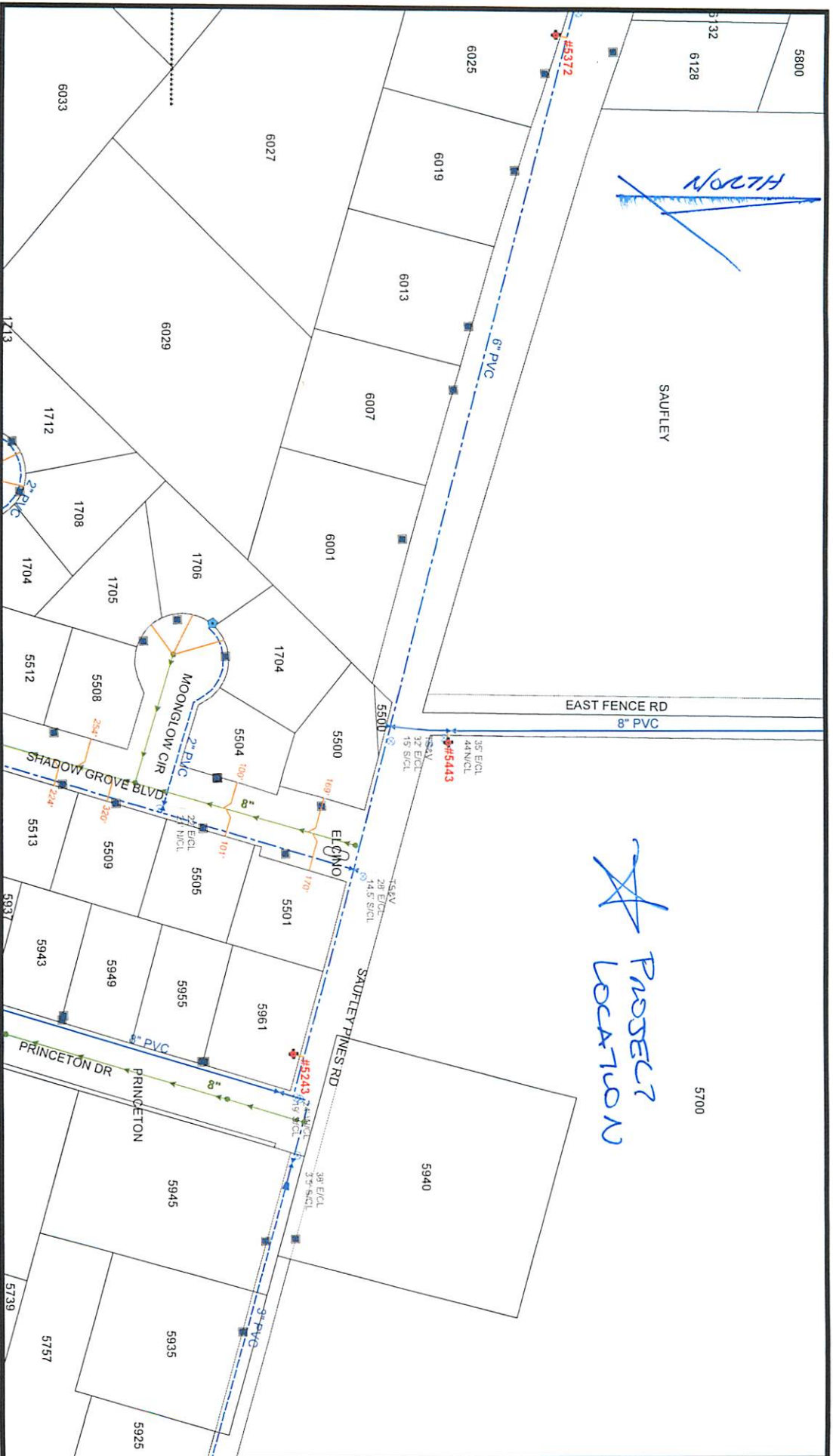
From: [John Seymour](#)
To: [David Fitzpatrick](#)
Subject: 5700 Saufley Field Rd project question
Date: Tuesday, August 02, 2016 12:45:12 PM

David,

There is adequate water service available on the west and north sides of the property, there is a force main along the north side which is adequate for sewer service, the down stream system should be adequate for this project. Sanitation services are available via ECUA Sanitation.

John

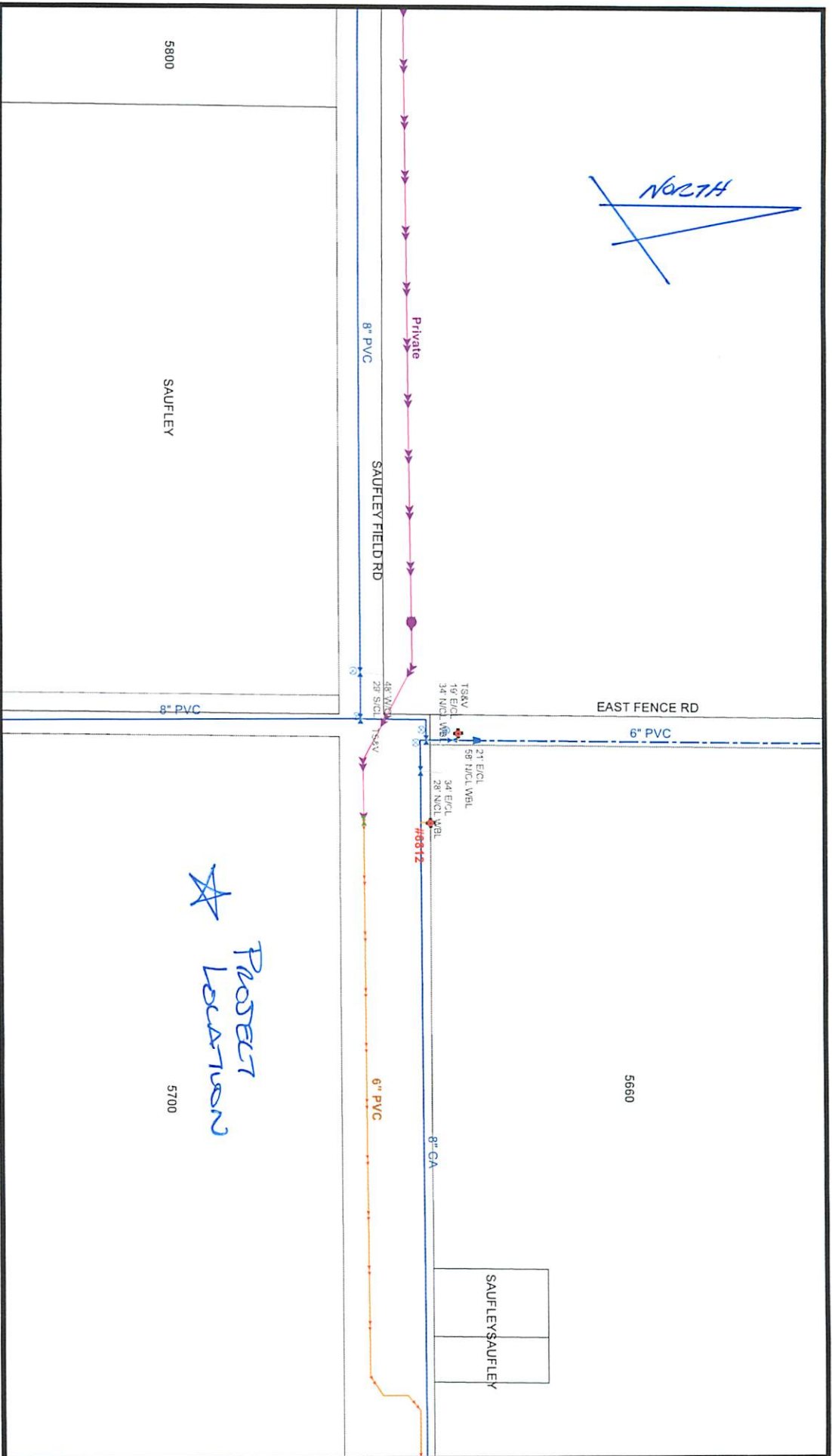
Saufley Pines @ East Fence



DISCLAIMER: The 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 informational 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.



Saufley Field @ East Fence



1 inch = 100 feet
Date: 5/9/2016

DISCLAIMER: The 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.



COUNTY ROAD AND SEGMENT	FUNC CLASS	NO. LNS	FACILITY TYPE	TOTAL # OF SIG	SIG PER MILE	SEG LTH MI.	LOS AREA	LOS (STD) & MAX VOL	FDOT COUNT STA #	2014 AADT	AADT			PK HR. / PK DIR.			
											ANALYSIS YEAR	AADT VOLUME	AADT LOS	LOS STD/ MAX VOL	VOLUME	LOS	
CR 295A (cont.)																	
Old Corry Field Road Navy Boulevard to Lillian Highway 1.217-2.650 Roadway ID: 48560000	Urban Collector	2	Undivided 35 MPH	1	0.698	1.433	Urbanized	(D) 14,800	5084 4017 5144	9,000 9,100 6,900	2004	11,000	D	(D) 750	559	D	
											2005	10,300	D		524	D	
											2006	10,500	D		534	D	
											2007	10,250	D		521	D	
											2008	9,950	D		506	D	
											2009	10,150	D		516	D	
											2010	10,850	D		552	D	
											2011	9,200	D		468	D	
											% of MV	2012	9,750		D	496	D
											56.31%	2014	8,334		D	424	D
											62.17%	2019	9,201		D	468	D
											68.64%	2024	10,159		D	517	D
CR 296																	
Saufley Field Road Saufley Field entrance to Blue Angel Parkway 0.000-0.780 Roadway ID: 48610000	Urban Collector	2	Divided 45 MPH	1	1.282	0.780	Urbanized	(D) 17,700	4073	3,600	2004	5,700	C	(D) 880	282	C	
											2005	6,000	C		297	C	
											2006	5,700	C		282	C	
											2007	5,900	C		292	C	
											2008	5,500	C		272	C	
											2009	5,200	C		257	C	
											2010	4,800	C		238	C	
											2011	4,500	C		223	C	
											% of MV	2012	4,200		C	208	C
											20.34%	2014	3,600		C	178	C
											22.46%	2019	3,975		C	197	C
											24.79%	2024	4,388		C	217	C
Mobile Highway to Blue Angel Parkway 0.780.2.182 Roadway ID: 48610000	Minor Arterial	2	Divided 45 MPH	1	0.713	1.402	Urbanized	(D) 17,700	4015	19,000	2004	19,500	F*	(D) 880	965	F*	
											2005	21,000	F*		1,040	F*	
											2006	21,500	F*		1,064	F*	
											2007	21,500	F*		1,064	F*	
											2008	20,900	F*		1,035	F*	
											2009	17,500	D		866	D	
											2010	19,500	F*		965	F*	
											2011	20,000	F*		990	F*	
											% of MV	2012	19,500		F*	965	F*
											107.34%	2014	19,000		F*	941	F*
											118.52%	2019	20,978		F*	1,038	F*
											130.85%	2024	23,161		F*	1,146	F*

Updated 2015, using 2012 FDOT LOS Tables. LOS Standards and Max Allowable Volumes are based on those established for State Roadways. "E" following the count indicates an estimated count. "T" following the Count Station number indicated a Telemetered Traffic Monitoring Site. These Tables Are For General Purposes Only. Not To Be Used For Concurency Management Purposes. Prepared for the FY 2014/15 Transportation Planning



WELL HEAD MAP

SAWLEY FIELD

EAST FEALCE

PROTECT LOCATION

NORTH

INFORMATION FOR SAUFLEY FIELD CLOSING
AIR OPERATIONS

David Fitzpatrick

From: Oram, Stephanie S CIV NAVFAC SE, PWD Pensacola [stephanie.oram@navy.mil]
Sent: Monday, June 27, 2016 5:03 PM
To: David Fitzpatrick
Subject: RE: Saufley Field Question
Signed By: There are problems with the signature. Click the signature button for details.



CNIC Outlying saufley closure
Landing Field Sa... letter.pdf

David,

As we discussed, Navy Outlying Landing Field (NOLF) Saufley Field is now a closed airfield and any restrictions associated with Avigation concerns are no longer necessary. The attached letters indicate that it is a closed field. The Escambia County Airfield Overlays are no longer needed.

Please let me know if you need anything else.
Stephanie

Stephanie Oram
Community Planner and Liaison Officer
NAS Pensacola
150 Hase Road, Room 175
Pensacola, FL 32508
Office: 850-452-8715/DSN: 459-8715
Cell: 850-619-5079
stephanie.oram@navy.mil

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

From: David Fitzpatrick [mailto:David@fitzeng.com]
Sent: Monday, June 27, 2016 3:04 PM
To: Oram, Stephanie S CIV NAVFAC SE, PWD Pensacola
Subject: [Non-DoD Source] Saufley Field Question

Thank you for returning my call today. My client is purchasing the parcel directly southeast of one of the runways at Saufley Field. Escambia County's aerial map (attached) shows a clear zone across the subject parcel. To confirm our conversation, please respond to this email with the information of the closing of Saufley Field by the Navy and FAA. And because of this closing the Navy releases Escambia County and gives authority to lift all air traffic overlay areas around Saufley Field. Thank you for your help in this matter.

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.



DEPARTMENT OF THE NAVY
COMMANDER, NAVY INSTALLATIONS COMMAND
716 SICARD STREET, SE, SUITE 1000
WASHINGTON NAVY YARD, DC 20374-5140

1440
Ser N3/160001

JAN 6 2016

From: Commander, Navy Installations Command
To: Commanding Officer, Naval Air Station Pensacola

Subj: OUTLYING LANDING FIELD SAUFLEY AIRPORT CLOSURE

Ref: (a) NAS Pensacola ltr 3700 Ser N32/0861 of 10 July 15

1. Request contained in reference (a), to close Outlying Landing Field (OLF) Saufley Airport, is approved.
2. Ensure appropriate action is taken to remove OLF Saufley Airport from all flight information publications.

A handwritten signature in black ink, appearing to read "T. G. Alexander".

T. G. ALEXANDER
By direction

Copy to:
COMNAVREG SE Jacksonville FL

FOR OFFICIAL USE ONLY



DEPARTMENT OF THE NAVY
NAVAL AIR STATION PENSACOLA
150 HASE ROAD SUITE-A
PENSACOLA, FL 32508-1051

3700
Ser N32/0861
10 July 2015

From: Commanding Officer, Naval Air Station Pensacola
To: Commander, Naval Installations Command
Via: Commander, Navy Region Southeast

Subj: OUTLYING LANDING FIELD SAUFLEY AIRPORT CLOSURE

Ref: (a) NAVAIR 00-80T-124
(b) NAS Pensacola ltr 11000 Ser N45/0498 of 21 May 14
(b) CNAF ltr 11000 Ser N8/966 of 4 Sep 14

1. Per reference (a), request to close Outlying Landing Field Saufley. Reference (b) is Naval Air Station Pensacola's request for a determination from Commander, Naval Air Forces (CNAF) on the long term viability of OLF Saufley.

2. Per reference (c), CNAF states there is "no future aviation training or operational requirements that need to be supported by the OLF."

3. Request OLF Saufley airport be removed from all flight publications and considered a closed airfield. The Federal Aviation Administration maintained VHF Omni Directional Range navigation aid remains in use.

4. My point of contact is Mr. Michael McCarthy. He can be reached at COMM: (850) 452-2547 DSN: 459-2547 or email at michael.mccarthy2@navy.mil.


K. W. HOSKINS

Copy to:
COMNAVAIRLANT N74
FAA, Eastern Service Area,
(AJR-03), Air Traffic Control Representative
NAVFIG SPAWARSYSCENT, Atlantic
(Code 525E0/N980A)

PURCHASE AND SALE AGREEMENT

This Purchase and Sale Agreement (this "*Agreement*"), dated as of May 18, 2016 (the "*Effective Date*"), is entered into between **PREFERRED MATERIALS, INC.**, a Georgia corporation, successor in interest to Oldcastle Southern Group, Inc., successor in interest to APAC-Southeast, Inc. ("*Seller*") having an address of c/o Oldcastle, Inc., 900 Ashwood Parkway, Suite 600, Atlanta, Georgia 30338 and **Stafford Development Group Inc.**, a Florida corporation ("*Buyer*") having an address of 357 Grande Oaks Blvd, Cantonment, Florida 32533.

RECITALS

WHEREAS, Seller is the owner of the land located at 5700 Saufley Field Road, Pensacola, Escambia County, Florida, which is more particularly described in Exhibit A attached to this Agreement and made a part hereof (the "*Land*"), the buildings and improvements, if any, located thereon (the "*Improvements*"; together with the Land hereinafter sometimes collectively referred to as the "*Property*"); and

WHEREAS, subject to the terms and conditions hereof, Seller desires to sell to Buyer the Property and Buyer desires to purchase the Property from Seller.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

ARTICLE I

ACCESS AND INSPECTION; EXAMINATION BY BUYER

Section 1.01 **Buyer Access to Property.** Between the date of this Agreement and the Closing, Buyer and Buyer's agents, employees, contractors, representatives and other designees (hereinafter collectively called "*Buyer's Designees*") shall have the right to enter the Property for the purposes of inspecting the Property, conducting soil tests, conducting surveys, mechanical and structural engineering studies, and conducting any other investigations, examinations, tests and inspections as Buyer may reasonably require to assess the condition of the Property; *provided however*; that

(a) any activities by or on behalf of Buyer, including, without limitation, the entry by Buyer or Buyer's Designees onto the Property, or the other activities of Buyer or Buyer's Designees with respect to the Property (hereinafter called "*Buyer's Activities*") shall not damage the Property in any manner whatsoever;

(b) in the event the Property is damaged in any manner in connection with any Buyer's Activities, Buyer shall immediately return the Property to the condition existing prior to Buyer's Activities; and

(c) Buyer shall indemnify, defend and hold Seller harmless from and against any and all claims, liabilities, damages, losses, costs and expenses of any kind or nature whatsoever (including, without limitation, attorneys' fees and expenses and court costs) suffered, incurred or sustained by Seller as a result of, by reason of, or in connection with any Buyer's Activities. Notwithstanding any provision of this Agreement to the contrary, Buyer shall not have the right to undertake any environmental studies or testing beyond the scope of a standard "Phase I" evaluation without coordinating the evaluation with Seller.

Section 1.02 **Due Diligence Date**. Buyer shall have until the date that is forty-five (45) days after the Effective Date (herein called the "***Due Diligence Date***"), to perform such investigations, examinations, tests and inspections as Buyer shall deem necessary or desirable to determine whether the Property is suitable and satisfactory to Buyer. In the event Buyer shall determine that the Property is not suitable and satisfactory to Buyer, Buyer shall have the right to terminate this Agreement by giving written notice to Seller on or before the Due Diligence Date ("***Termination Notice***"). In the event Buyer delivers the Termination Notice to Seller, all rights and obligations of the parties under this Agreement shall terminate (except those indemnity and insurance obligations set forth in this Article), and Buyer's Deposit shall be forthwith returned to Buyer. If Buyer does not deliver, or fails to timely deliver the Termination Notice in accordance with this Section 1.02, Buyer shall have no further right to terminate this Agreement pursuant to this Section 1.02.

Section 1.03 **Liability Insurance**. Prior to any entry by Buyer or any of Buyer's Designees onto the Property, Buyer shall:

(a) if Buyer does not then have such a policy in force, procure a policy of commercial general liability insurance, issued by an insurer reasonably satisfactory to Seller, covering all Buyer's Activities, with a single limit of liability (per occurrence and aggregate) of not less than \$2,000,000.00; and

(b) deliver to Seller a Certificate of Insurance, evidencing that such insurance is in force and effect, and evidencing that Seller has been named as an additional insured thereunder with respect to any Buyer's Activities (such Certificate of Insurance shall be delivered to Seller, at the address for notices set forth below Seller's execution of this Agreement). Such insurance shall be written on an "occurrence" basis, and shall be maintained in force until the earlier of:

(i) the termination of this Agreement and the conclusion of all Buyer's Activities, or;

(ii) Closing.

(c) Such insurance shall waive all rights of subrogation against the Seller, or Seller's officers, directors, employees, representatives and affiliates.

ARTICLE II
CONVEYANCE OF THE PROPERTY

Section 2.01 Subject of Conveyance. Subject to the terms and conditions of this Agreement, Seller agrees to sell to Buyer and Buyer agrees to purchase from Seller the Property, including without limitation, all of Seller's right, title and interest in:

(a) all rights appurtenant to the Land, if any, including without limitation, any strips and gores abutting the Land, and any land lying in the bed of any street, road or avenue in front of, or adjoining the Land, to the center line thereof;

(b) all (if any) easements, access easements, rights of way, privileges, licenses, appurtenances and other rights and benefits belonging to the owner of, running with, or in any way related to the Land;

(c) to the extent transferable or assumable, all permits, approvals, variances, authorizations, licenses, registrations and consents issued, granted, given or otherwise made available by or under the authority of any federal, state or local governmental body or under any federal, state or local law, or ordinance, regulation or rule together with all obligations, including but not limited to reclamation and financial security provisions thereunder as may be required (all of which are herein collectively referred to as the "Permits"); and

(d) the fixtures, building equipment and personal property owned by Seller and used in connection with the Improvements or the Land.

Section 2.02 "As-Is", "Where Is" Conveyance.

(a) Subject to this Agreement, Buyer acknowledges that Buyer has made (or will make during the due diligence period) thorough inspections and investigations of the Property and Buyer agrees to take title to the Property "AS-IS" and in the condition existing as of the date of this Agreement, subject to reasonable use, ordinary wear and tear and without any reduction in or abatement of the Purchase Price.

(b) Neither party to this Agreement is relying on any statement or representation not expressly stated in this Agreement. Buyer specifically confirms and acknowledges that in entering into this Agreement, Buyer has not been induced by, and has not relied upon, whether express or implied, warranties, guaranties, promises, statements, inducements, representations or information pertaining to the Property or its uses, the physical condition, environmental condition, state of title, income, expenses or operation of the Property, or any other matter or thing with respect thereto, written or unwritten, whether made by Seller or any agent, employee or other representative of Seller, or any broker or any other person representing (or purporting to represent) Seller, which are not expressly set forth in this Agreement. Seller shall not be liable for or

bound by any written or unwritten statements, representations, warranties, brokers' statements or other information pertaining to the Property furnished by Seller, any broker, any agent, employee or other actual (or purported) representative of Seller, or any person, unless and only to the extent the same are expressly set forth in this Agreement.

ARTICLE III PURCHASE PRICE

Section 3.01 **Purchase Price and Deposit.** The purchase price to be paid by Buyer to Seller for the Property is TWO HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$285,000.00) (the "***Purchase Price***"). The Purchase Price shall be payable as follows:

(a) the amount of FIFTEEN THOUSAND AND NO/100 DOLLARS (\$15,000.00) (the "***Deposit***") is due and payable upon the execution and delivery of this Agreement. The Deposit shall be applicable to the Purchase Price at Closing, but shall be non-refundable to Buyer except in the case of a default by Seller; and

(b) the balance of the Purchase Price is due and payable on the Closing Date, subject to any credits or apportionments as provided for under this Agreement.

Section 3.02 **Payments.** The Deposit may be paid by Buyer's certified check or official bank check, subject to collection, and it shall be made payable to First American Title Insurance Company, 50 South Main Street, Suite 709, Akron, Ohio 44308, Attention: Michael Schoenewald, as escrow agent ("***Escrow Agent***") or by wire transfer to Escrow Agent. The Escrow Agent agrees to hold the Deposit in escrow pursuant to the terms of this Agreement. The balance of the Purchase Price shall be paid, at Seller's election, either by certified or official bank checks or by one or more wire transfers of immediately available federal funds to an account, or accounts, designated in writing by Seller no later than one (1) day prior to the Closing Date.

ARTICLE IV CLOSING

Section 4.01 **Closing Date.** Unless previously terminated pursuant to an express written ability of a party to do so as provided herein, closing of the transaction contemplated by this Agreement (the "***Closing***") shall take place on that date which is thirty (30) days after the Due Diligence Date, or on such later date and time as may be mutually agreed by and among the Buyer and the Seller (the "***Closing Date***") at the offices of Buyer's counsel, McDonald Fleming Moorhead, located at 127 S. Palafox Place, Suite 500, Pensacola, FL 32502, *provided however* that in connection with the preparation of the documentation for Closing, Seller shall be responsible for such preparation, and shall cause Buyer or Buyer's counsel and the closing agent to prepare such documents sufficiently in advance so that all closing documents may be executed by

the authorized representatives of Seller at Seller's offices in advance of Closing, and attendance by the authorized representatives of Seller at Closing will not be necessary.

Section 4.02 Seller's Closing Deliverables. At the Closing, Seller shall deliver or cause to be delivered to Buyer, the items listed in this **Section 4.02**, executed, certified and acknowledged by Seller, as appropriate.

(a) Seller shall deliver to Buyer a special warranty deed, executed with the appropriate acknowledgement form and otherwise in proper form for recording so as to convey title to the Property as required by this Agreement. The Deed shall contain covenants on the part of the Buyer not to use or permit use of the Property for the (i) resale of limestone or granite aggregates, (ii) operation of an asphalt plant or asphalt-related business, (iii) operation of concrete block plant, (iv) operation of concrete batch plant (including both ready-mix plants and central-mix plants) or related business. The delivery of the deed by Seller, and the acceptance by Buyer, shall be deemed the full performance and discharge of every obligation on the part of Seller to be performed pursuant to this Agreement, except those obligations of Seller which are expressly stated in this Agreement to survive the Closing.

(b) Seller shall execute and deliver to Buyer counterparts of any required transfer tax returns, or in each instance and if available, an electronic filing of such returns, together with the required payment of applicable transfer taxes, pursuant to the requirements of the applicable state and local taxing authorities; notwithstanding the foregoing, however, at Seller's option, Seller may elect to allow Buyer a credit against the Purchase Price for the amount of transfer taxes due and payable by Seller and to have Buyer make the timely payment directly to the taxing authorities or provide payment for such amounts through the Escrow Agent or Buyer's Title Insurance Company and Buyer shall provide Seller with proof of payment at the Closing.

(c) A certification that Seller is not a "foreign person" as such term is defined in Section 1445 of the Internal Revenue Code of 1984, as amended and the regulations thereunder, which certification shall be signed under penalty of perjury.

(d) With respect to Buyer's Title Insurance Company (as hereafter defined), Seller shall deliver: (i) an original affidavit of title to the Title Insurance Company (as hereafter defined) in customary form and reasonably acceptable to Seller, stating, among other things, that there are no unpaid bills or claims (except for bills or expenses to be prorated pursuant to this Agreement as of the date immediately preceding the Closing Date) for labor performed or materials furnished in connection with the Property; and (ii) such evidence as the title company may reasonably require as to the authority of the person, or persons, executing document on behalf of Seller and a certificate of good standing for Seller.

(e) A settlement statement setting forth the distribution of the Purchase Price at the Closing, and the payments of the expenses and prorations of the real property taxes as provided in this Agreement.

(f) Such other documents or instruments as may be reasonably requested by the Buyer (provided that such other documents do not conflict with the terms expressly set forth in this Agreement) to consummate the transaction contemplated by this Agreement.

Section 4.03 Buyer's Closing Deliverables. At the Closing, Buyer shall deliver or cause to be delivered to Seller, the items listed in this **Section 4.03**, executed, certified and acknowledged by Buyer, as appropriate.

(a) Buyer shall pay the balance of the Purchase Price to Seller on the Closing Date.

(b) Buyer shall pay all costs and expenses agreed to be paid by Buyer in **Section 4.04** of this Agreement.

(c) Buyer shall, where applicable, join with Seller in the execution and delivery of the closing documents and instruments required under **Section 4.02** of this Agreement to which Buyer is a party.

(d) Such other documents or instruments as may be reasonably requested by the Seller (provided that such other documents do not conflict with the terms expressly set forth in this Agreement) to consummate the transaction contemplated by this Agreement.

Section 4.04 Costs.

(a) Seller and Buyer shall each pay the fees and expenses of its own counsel in connection with the preparation and negotiation of this Agreement. The deed and other agreements and instruments related to the transaction contemplated by this Agreement and such legal costs shall not be part of the closing costs; *provided, however*, that if any legal action is instituted under this Agreement, if the Seller prevails in such legal action, the Seller shall be entitled to recover from the Buyer reasonable attorneys' fees and costs related to such legal action, including reasonable attorneys' fees and costs in all trial, appellate, post-judgment and bankruptcy proceedings.

(b) Seller shall pay: (i) all transfer taxes and other taxes for the State of Florida and the County of Escambia payable in connection with the transaction contemplated by this Agreement; (ii) the commission owed to the Broker pursuant to **Article XII** of this Agreement; and (iii) recording fees for mortgage satisfaction or other title clearing documents.

(c) Buyer shall pay:

(i) the costs charged by Buyer's Title Insurance Company, including, without limitation, costs related to the Title Commitment, any premiums, title endorsements and affirmative insurance;

- (ii) the costs related to the Survey and any other survey or survey update;
- (iii) any other fees or costs related to Buyer's due diligence reviews;
- and
- (iv) the recording fees for the recording of the deed.

Section 4.05 **Apportionments**. All matters listed in this Section 4.05 shall be apportioned as of 11:59 p.m. of the date immediately preceding the Closing Date, unless expressly provided for otherwise.

(a) All real estate taxes based on the fiscal year for which they are assessed and assessments. If the Property shall be, or have been, affected by any assessments or special assessments payable in a lump sum or which are, or may become, payable in installments, of which the first installment is then a charge or lien, or has already been paid, then at the Closing such amounts will be paid or apportioned, as the case may be in the following manner:

(i) any such assessments or installments, or portion thereof, payable on or after the Closing Date shall be the responsibility of Buyer; and

(ii) any such assessments or installments, or portion thereof, payable prior to the Closing Date shall be the responsibility of Seller.

(b) Any other items which are customarily prorated in connection with the purchase and sale of properties similar to the Property shall be prorated as of the Closing.

ARTICLE V TITLE MATTERS AND VIOLATIONS

Section 5.01 **Acceptable Title**. Seller shall convey and Buyer shall accept fee simple title to the Property in accordance with the terms and conditions of this Agreement, and subject to:

(a) the Permitted Exceptions (as hereafter defined); and

(b) such other matters as any Title Insurance Company (as hereafter defined) shall be willing to omit as exceptions to coverage or to except with insurance against collection out of or enforcement against the Property.

Section 5.02 **Permitted Exceptions**. For the purposes of this Agreement, "good and marketable fee simple title" shall mean such title as is insurable by a title insurance company licensed to conduct business in the state of Florida (the "***Title Insurance Company***"), under its standard form of ALTA owner's policy of title insurance, 2006 Form, at its standard rates. The Property is to be conveyed subject only to the following matters (collectively, the "***Permitted Exceptions***"):

(a) any and all laws, statutes, ordinances, codes, rules, regulations, requirements or executive mandates, as the same may be amended subsequent to the date of this Agreement, affecting the Property;

(b) encroachments, if any, on any street or highway;

(c) such matters as would be disclosed by a current and accurate survey prepared by a surveyor licensed in the state of Florida to conduct surveys (the "**Survey**") or inspection of the Property, which Survey Buyer has approved or is deemed to have approved, whether or not Buyer actually conducts any inspection or Survey of the Property; and

(d) real estate taxes, assessments and water and sewer charges, that are not due and payable prior to the Closing Date, subject to any apportionments as provided for in this Agreement.

Section 5.03 Objections to Title.

(a) Buyer shall order, at its sole cost and expense, within ten (10) days following the date of execution and delivery of this Agreement a commitment for title insurance from a Title Insurance Company, together with true, legible (to the extent available) and complete copies of all instruments giving rise to any defects or exceptions to title to the Property (collectively, the "**Title Commitment**"), which Title Commitment shall be delivered to counsel for both Buyer and Seller concurrently.

(b) Buyer shall deliver to Seller any objections to the exceptions to title set forth in the Title Commitment and/or the Survey, other than the Permitted Exceptions (collectively, "**Buyer's Objections**"), by no later ten (10) days after the receipt of the Title Commitment.

(c) Seller shall thereafter have a period of ten (10) days during which time Seller shall have the right, but not the obligation, to cure Buyer's Objections. Seller shall not be required to take any action, to institute any proceeding or to incur any expense in order to remedy Buyer's Objections. If Seller shall elect not to take any action, institute any proceeding or incur any expense to remedy Buyer's Objections, Seller shall be deemed unable to convey the Property in accordance with the terms of this Agreement. Seller shall, by no later than ten (10) days after Seller's receipt of Buyer's Objections, send a response notice to Buyer and Buyer shall thereafter, by no later than ten (10) days after Buyer's receipt of Seller's response notice elect to either: (A) accept such title to the Property, in accordance with **Section 5.04** of this Agreement; or (B) terminate this Agreement in accordance with **Section 9.01(b)**.

Section 5.04 Seller's Inability to Convey. In the event Seller is unable to convey title to the Property in accordance with this Agreement, then notwithstanding Buyer's remedies in **Section 9.01(b)** of this Agreement, Buyer shall also have the right to accept such title to the Property as Seller can convey, in which event Seller shall make

the deliveries provided for in this Agreement to Buyer at the Closing, to the extent Seller is able to do so, and there shall be no reduction or credit against the Purchase Price, except as otherwise provided for in this Agreement.

**ARTICLE VI
REPRESENTATIONS AND WARRANTIES; CERTAIN DISCLAIMERS**

Section 6.01 **Seller's Representations and Warranties.** Seller represents and warrants to Buyer the following:

(a) The Seller has the requisite power and authority to execute, deliver, and perform its obligations under this Agreement and related instruments to which it is a party. This Agreement and all other agreements to be executed in connection herewith or therewith (a) have been duly authorized, executed, and delivered by the Seller and (b) are valid, binding, and enforceable against the Seller.

(b) The Seller is a corporation duly formed, validly existing, and in good standing under the laws of the State of Georgia.

(c) The execution, delivery, and performance of this Agreement and the related instruments and the consummation of the transaction contemplated hereby do not (i) violate any provision of the Seller's bylaws or other document governing the Seller's existence; or (ii) conflict with any order, arbitration award, judgment, or decree to which such Seller is a party.

(d) Seller is not a "foreign person" as such term is defined in Section 1445 of the Internal Revenue Code or any related regulations, as amended.

(e) No broker, finder or investment banker is entitled to any brokerage, finder's or other fee or commission in connection with the transaction contemplated hereby based upon arrangements made by or on behalf of Seller, except as disclosed in Section XII of the Agreement.

(f) To Seller's knowledge, there is no pending or threatened litigation or condemnation action against the Property or against Seller with respect to the Property as of the date of this Agreement.

(g) To Seller's knowledge, there are no rights of parties in possession not shown by the public records. Seller shall execute an affidavit at Closing sufficient to allow the deletion of the parties in possession exception from the Title Commitment.

Section 6.02 **Disclaimer of All of Representations and Warranties of Seller.** SELLER DOES NOT, BY THE EXECUTION AND DELIVERY OF THIS AGREEMENT, AND SELLER SHALL NOT, BY THE EXECUTION AND DELIVERY OF ANY DOCUMENT OR INSTRUMENT EXECUTED AND DELIVERED IN CONNECTION WITH CLOSING, MAKE ANY REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, OF ANY KIND OR NATURE

WHATSOEVER, WITH RESPECT TO THE PROPERTY, AND ALL SUCH WARRANTIES ARE HEREBY DISCLAIMED. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OTHER THAN AS EXPRESSLY SET FORTH IN THIS AGREEMENT, SELLER MAKES, AND SHALL MAKE, NO EXPRESS OR IMPLIED WARRANTY AS TO MATTERS OF TITLE (OTHER THAN SELLER'S WARRANTY OF TITLE SET FORTH IN THE DEED TO BE DELIVERED AT CLOSING), ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITION (INCLUDING, WITHOUT LIMITATION, LAWS, RULES, REGULATIONS, ORDERS AND REQUIREMENTS PERTAINING TO THE USE, HANDLING, GENERATION, TREATMENT, STORAGE OR DISPOSAL OF ANY TOXIC OR HAZARDOUS WASTE OR TOXIC, HAZARDOUS OR REGULATED SUBSTANCE), VALUATION, GOVERNMENTAL APPROVALS, GOVERNMENTAL REGULATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE PROPERTY, (HEREINAFTER COLLECTIVELY CALLED THE "DISCLAIMED MATTERS"). BUYER AGREES THAT, WITH RESPECT TO THE PROPERTY, BUYER HAS NOT RELIED UPON AND WILL NOT RELY UPON, EITHER DIRECTLY OR INDIRECTLY, ANY REPRESENTATION OR WARRANTY OF SELLER, BUYER WILL CONDUCT SUCH INSPECTIONS AND INVESTIGATIONS OF THE PROPERTY (INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITION THEREOF) AND RELY UPON SAME AND, UPON CLOSING, SHALL ASSUME THE RISK THAT ADVERSE MATTERS, INCLUDING, BUT NOT LIMITED TO, THE DISCLAIMED MATTERS, MAY NOT HAVE BEEN REVEALED BY BUYER'S INSPECTIONS AND INVESTIGATIONS. SUCH INSPECTIONS AND INVESTIGATIONS OF BUYER SHALL BE DEEMED TO INCLUDE AN ENVIRONMENTAL AUDIT OF THE PROPERTY, AN INSPECTION OF THE PHYSICAL COMPONENTS AND GENERAL CONDITION OF ALL PORTIONS OF THE PROPERTY, SUCH STATE OF FACTS AS AN ACCURATE SURVEY AND INSPECTION OF THE PROPERTY WOULD SHOW, PRESENT AND FUTURE ZONING AND LAND USE ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY, COUNTY AND STATE WHERE THE PROPERTY IS LOCATED AND THE VALUE AND MARKETABILITY OF THE PROPERTY. SELLER SHALL SELL AND CONVEY TO BUYER, AND BUYER SHALL ACCEPT, THE PROPERTY "AS IS", "WHERE IS", AND WITH ALL FAULTS, AND THERE ARE NO ORAL AGREEMENTS, WARRANTIES OR REPRESENTATIONS, COLLATERAL TO OR AFFECTING THE PROPERTY BY SELLER OR ANY THIRD PARTY. WITHOUT IN ANY WAY LIMITING ANY PROVISION OF THIS SECTION 6.02 BUYER SPECIFICALLY ACKNOWLEDGES AND AGREES THAT IT HEREBY WAIVES, RELEASES AND DISCHARGES ANY CLAIM IT HAS, MIGHT HAVE HAD OR MAY HAVE AGAINST SELLER WITH RESPECT TO (i) THE DISCLAIMED MATTERS, (ii) THE CONDITION OF THE PROPERTY, EITHER PATENT OR LATENT, (iii) THE PAST, PRESENT OR FUTURE CONDITION OR COMPLIANCE OF THE PROPERTY WITH REGARD TO ANY

ENVIRONMENTAL PROTECTION, POLLUTION CONTROL OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING, WITHOUT LIMITATION, CERCLA, AND (iv) ANY OTHER STATE OF FACTS THAT EXISTS WITH RESPECT TO THE PROPERTY. THE TERMS AND CONDITIONS OF THIS SECTION 6.02 SHALL EXPRESSLY SURVIVE THE CONSUMMATION OF THE PURCHASE AND SALE OF THE PROPERTY ON THE CLOSING, THE DELIVERY OF THE DEED AND THE PAYMENT OF THE PURCHASE PRICE, WITHOUT REGARD TO ANY LIMITATIONS UPON SURVIVAL SET FORTH IN THIS AGREEMENT.

Section 6.03 **Buyer's Representations and Warranties.** Buyer represents and warrants to Seller on and as of the date of this Agreement and on and as of the Closing Date as follows:

(a) The Buyer has the requisite power and authority to execute, deliver, and perform its obligations under this Agreement and related instruments to which it is a party. This Agreement and all other agreements to be executed in connection herewith or therewith (a) have been duly authorized, executed, and delivered by the Seller and (b) are valid, binding, and enforceable against the Seller.

(b) The Buyer is a corporation duly formed, validly existing, and in good standing under the laws of the State of Florida.

(c) The execution, delivery, and performance of this Agreement and the related instruments and the consummation of the transaction contemplated hereby do not (a) violate any provision of the Buyer's bylaws or other document governing the Buyer's existence or (b) conflict with any order, arbitration award, judgment, or decree to which such Buyer is a party.

(d) No broker, finder or investment banker is entitled to any brokerage, finder's or other fee or commission in connection with the transaction contemplated hereby based upon arrangements made by or on behalf of Buyer, except as disclosed in Section XII of the Agreement.

(e) Buyer has sufficient cash on hand or other sources to enable it to make payment of the Purchase Price and consummate the closing on the Closing Date.

(f) There are no actions, suits, claims, investigations or other legal proceedings pending or threatened against or by Buyer or any affiliate of Buyer that challenge or seek to prevent, enjoin or otherwise delay the consummation of the contemplated transaction.

(g) Buyer has conducted its own independent investigation, review and analysis of the Property, and acknowledges that it has been provided adequate access to the personnel, properties, assets, premises, and records, and other documents and data of Seller for such purpose. Buyer acknowledges and agrees that: (a) in making its decision to enter into this Agreement and to consummate the transaction contemplated hereby,

Buyer has relied solely upon its own investigation and the express representations and warranties of Seller set forth in Section 5 of this Agreement; and (b) neither Seller nor any other person has made any representation or warranty as to Seller or the Property, except as expressly set forth in Section 5 of this Agreement.

ARTICLE VII RISK OF LOSS

Section 7.01 **Risk of Loss**. If any portion of the Improvements are damaged or destroyed by casualty prior to Closing Date, and the cost of repair of such damage or destruction is reasonably estimated to exceed \$5,000.00, Buyer shall have the right, at Buyer's option, to terminate this Agreement by giving written notice to Seller on or before the date ten (10) days after the date upon which Seller gives Buyer written notice of such casualty, in which event the Deposit shall be refunded to Buyer promptly upon request, all rights and obligations of the parties under this Agreement shall terminate, and this Agreement shall become null and void. In the event of lesser damage or destruction prior to the Closing Date, Buyer shall have no right to terminate this Agreement by reason of such damage or destruction, nor shall it be entitled to any reduction in the Purchase Price. Buyer shall not be deemed a third party beneficiary or otherwise entitled to any insurance proceeds that Seller might obtain from its insurer, if any, as a result of casualty.

ARTICLE VIII NOTICES

Section 8.01 **Notices**.

(a) Any notice or other communication provided for hereunder will be in writing and may be (i) served by personal delivery, (ii) made by electronic mail or facsimile transmission, or (iii) sent by overnight courier service (with all fees prepaid) to the receiving parties as follows, or to any other address which either party may hereafter designate for itself in writing:

If to Seller: Preferred Materials, Inc.
c/o Midsouth Paving, Inc.
500 Riverhills Business Park, Suite 590
Birmingham, Alabama 35242
Attention: D. Lamar Forsyth
Lamar.Forsyth@midsouthpaving.com

With a Copy to: Oldcastle Law Group
900 Ashwood Parkway, Suite 600
Atlanta, Georgia 30338
Attention: General Counsel
Fax: 770-392-5305

If to Buyer: Stafford Development Group, Inc.
357 Grande Oaks Blvd
Cantonment, Florida 32533
Attention: Todd Stafford
Fax: 850-453-9293

With a Copy to: McDonald Fleming Moorhead
127 S. Palafox Place, Suite 500
Pensacola, Florida 32502
Attention: Stephen R. Moorhead
Fax: 850-477-0982

(b) Any party may, by notice given in accordance with this Article, designate a different address or person for receipt of all communications or notices.

ARTICLE IX REMEDIES

Section 9.01 Remedies

(a) If Buyer shall default in the observance or performance of any of the terms of this Agreement, the parties stipulate and agree that actual damages may be difficult, if not impossible, to compute and the Deposit plus any accrued interest thereon, if any, shall be paid to and retained by Seller as liquidated damages as its sole and exclusive remedy and not as a penalty.

(b) If Seller shall default in the observance or performance of any of the terms of this Agreement, the Buyer's remedy shall be limited to specific performance.

(c) Buyer and Seller waive all their rights to damages in excess of the liquidated damages referenced in Section 9.01(a) of this Agreement.

(d) Provided the release of the Deposit is in accordance with the termination of the Agreement, upon the release of the Deposit, and any interest accrued thereon, to either Buyer or Seller, as the case may be, this Agreement shall be deemed null and void and no party hereto shall have any obligations to, or rights against, the other hereunder, except as expressly provided herein.

(e) The provisions of this Article shall survive the Closing or termination of this Agreement.

ARTICLE X ESCROW

Section 10.01 Buyer's Delivery of the Deposit in Escrow.

(a) Simultaneously with the execution and delivery of this Agreement, Buyer shall deliver the Deposit to Escrow Agent. The Deposit shall be held in escrow and disposed of by Escrow Agent only in accordance with the provisions of this Article.

(b) The Deposit shall be held and released by Escrow Agent in accordance with the terms of this Agreement. The Deposit shall be applied to the Purchase Price at Closing (as hereinafter defined), and shall otherwise be held, refunded or disbursed in accordance with the terms of this Agreement. The Deposit shall be deposited into an account with the Escrow Agent during the pendency of this Agreement. All interest and other income from time to time earned on the Deposit shall be deemed a part of the Deposit for all purposes of this Agreement.

Section 10.02 Escrow Agent's Delivery of the Deposit.

(a) Escrow Agent shall deliver the Deposit to Seller on the Closing Date, if the Closing occurs. In no event shall any interest earned on the Deposit be applied as a credit against the Purchase Price.

(b) If, prior to the Closing, either Seller or Buyer delivers a notice to Escrow Agent with a demand for Escrow Agent's delivery of the Deposit, Escrow Agent shall promptly give notice to the other party of such demand. If a notice of objection to the proposed payment is not received from the other party within twenty-one (21) days after the receipt of notice from Escrow Agent, Escrow Agent is hereby authorized to deliver the Deposit to the party who made the demand for the Deposit. If Escrow Agent receives a notice of objection within said time period, then Escrow Agent shall continue to hold the Deposit and thereafter pay it to the party entitled to the Deposit when Escrow Agent receives: (i) a notice from the objecting party withdrawing the objection; (ii) a notice signed by both parties directing disposition of the Deposit; or (iii) a final non-appealable notice of a court of competent jurisdiction, entered in connection with a proceeding in which Seller, Buyer and the Escrow Agent are named as parties, directing the disbursement of the Deposit.

Section 10.03 Escrow Agent's Duties and Responsibilities.

(a) Escrow Agent has signed this Agreement for the sole purpose of agreeing to act as Escrow Agent in accordance with this Article. Escrow Agent shall have no duties or responsibilities except those set forth in this Agreement and Seller and Buyer agree and acknowledge that Escrow Agent shall act hereunder as a depository only.

(b) Escrow Agent shall be protected in relying upon the accuracy, acting in reliance upon the contents, and assuming the genuineness of any notice, demand, certificate, signature, instrument or other document which is given to Escrow Agent without verifying the truth or accuracy of any such notice, demand, certificate, signature, instrument or other document.

(c) Escrow Agent shall not be liable for any action taken or omitted by Escrow Agent in good faith and believed by Escrow Agent to be authorized or within its rights or powers conferred upon it by this Agreement, except for any damage caused by Escrow Agent's own gross negligence or willful default. Escrow Agent shall not have any liability or obligation for loss of all or any portion of the Deposit by reason of the insolvency or failure of the institution of depository with whom the escrow account is maintained. Upon the disbursement of the Deposit in accordance with this Agreement, Escrow Agent shall be relieved and released from any liability under this Agreement, except in connection with Escrow Agent's gross negligence or willful default.

(d) In the event that a dispute shall arise in connection with this Agreement, or as to the rights of the parties in and to, or the disposition of, the Deposit, Escrow Agent shall have the right to: (i) hold and retain all or any part of the Deposit until such dispute is settled or finally determined by litigation, arbitration or otherwise; (ii) deposit the Deposit in an appropriate court of law, following which Escrow Agent shall thereby and thereafter be relieved and released from any liability or obligation under this Agreement; (iii) institute an action in interpleader or other similar action permitted by stakeholders in the state of Florida; or (iv) interplead any of the parties in any action or proceeding which may be brought to determine the rights of the parties to all or any part of the Deposit.

(e) Escrow Agent is permitted to charge a fee for services provided in connection herewith, which will be split evenly between Buyer and Seller at Closing.

(f) All costs and expenses incurred by Escrow Agent in performing its duties as the Escrow Agent including, without limitation, reasonable attorneys' fees (whether paid to retained attorneys or amounts representing the fair value of legal services rendered to or for itself) shall be borne 50% by Seller, and 50% by Buyer, except however, if any litigation arises under this Agreement with respect to the Deposit, all costs and expenses of the litigation shall be borne by whichever of Seller or Buyer is the losing party.

Section 10.04 Indemnification of Escrow Agent. Seller and Buyer hereby agree to, jointly and severally, indemnify, defend and hold harmless Escrow Agent from and

against any liabilities, damages, losses, costs or expenses incurred by, or claims or charges made against Escrow Agent (including reasonable attorneys' fees and disbursements) by reason of Escrow Agent acting or failing to act in connection with any of the matters contemplated by this Agreement or in carrying out the terms of this Agreement, except for those matters arising as a result of Escrow Agent's gross negligence or willful misconduct.

Section 10.05 **Survival**. This Article shall survive the Closing or the termination of this Agreement.

ARTICLE XI CONFIDENTIALITY

Section 11.01 **Confidential Information**. Buyer shall not knowingly or intentionally disclose in a formal public manner the existence of this Agreement or the Confidential Information and no publicity or press release to the general public with respect to this transaction or the Confidential Information shall be made by Buyer without the prior written consent of Seller. Buyer agrees that, except as otherwise provided by applicable laws and regulations, or in connection with the evaluation or financing of the Property, Buyer (including Buyer's officers, directors, employees, representatives, brokers, attorneys and advisers) shall keep the contents of this Agreement and any information related to the Property and the transaction contemplated by this Agreement confidential, whether or not marked as "confidential" (collectively, the "***Confidential Information***"). The Confidential Information shall not include any information publicly known, or which becomes publicly known, other than through the acts of Buyer, or any of Buyer's officers, directors, employees, representatives, brokers, attorneys or advisers.

Section 11.02 **Return or Destruction of Confidential Information**. As of the Closing Date or in the event of a termination of this Agreement, if applicable, all Confidential Information in accordance with the written request of Seller shall be either promptly: (a) returned to Seller; or (b) destroyed by Buyer. Notwithstanding the foregoing, however, in the event the Closing occurs Buyer may retain possession of all or any part of the Confidential Information if such Confidential Information relates solely to the Property and the operations thereon.

Section 11.03 **Survival**. The provisions of this Article shall survive the Closing Date or termination of this Agreement.

ARTICLE XII BROKERS

Section 12.01 **Brokers**. Buyer and Seller each represent and warrant to each other that they dealt with no broker in connection with, nor has any broker had any part in

bringing about, this transaction. Seller and Buyer shall each indemnify, defend and hold harmless the other from and against any claim of any broker or other person for any brokerage commissions, finder's fees or other compensation in connection with this transaction if such claim is based in whole or in part by, though or on account of, any acts of the indemnifying party or its agents, employees or representatives and from all losses, liabilities, costs and expenses in connection with such claim, including without limitation, reasonable attorneys' fees, court costs and interest.

Section 12.02 **Survival.** The provisions of this Article shall survive the Closing, or the termination of this Agreement prior to the Closing.

ARTICLE XIII SELLER'S TAX DEFERRED EXCHANGE

Section 13.01 **Exchange.** Seller may convey the Property or any portion thereof or interest therein as part of one or more Internal Revenue Code Section 1031 Tax Deferred Exchanges for its benefit. In such event, Seller may be assigning all or some contract rights and obligations hereunder to a qualified intermediary, as a part of, and in furtherance of, such tax deferred exchange. Buyer agrees to assist and cooperate in any such exchange, and Buyer further agrees to execute any and all documents as are reasonably necessary in connection with any such exchange. Buyer shall not be obligated to incur any cost or expense in connection with any such exchange, other than that which Buyer elects to incur to have its counsel review the documents and instruments incident thereto. As part of any such exchange, Seller shall convey the Property described herein directly to Buyer and Buyer shall not be obligated to acquire or convey any other property as part of any such exchange.

ARTICLE XIV MISCELLANEOUS

Section 14.01 **Applicable Law.** This Agreement shall be governed by and construed in accordance with the internal laws of the State of Florida without giving effect to any choice or conflict of law provision or rule (whether of the State of Florida or any other jurisdiction) that would cause the application of laws of any jurisdiction other than those of the State of Florida. Venue of any proceeding filed hereunder shall be filed in the Circuit Court sitting in Escambia County, Florida.

Section 14.02 **Entire Agreement.** This Agreement sets for the complete understanding and agreement of the parties with respect to the transaction that is the subject of this Agreement. No oral statements, representations or agreements other than this Agreement shall have any force or effect and Buyer and Seller agree that they will not rely on any representations or agreements other than those contained in this Agreement.

Section 14.03 **No Survival.** Except as otherwise provided in this Agreement, no representations, warranties, covenants or other obligations of the parties set forth in this Agreement shall survive the Closing and no action based thereon shall be commenced after the Closing.

Section 14.04 **Limitation of Liability.**

(a) **Disclaimer of Consequential Damages.** IN NO EVENT SHALL SELLER BE LIABLE UNDER THIS AGREEMENT TO THE BUYER OR ANY THIRD PARTY FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, EXEMPLARY, SPECIAL OR PUNITIVE DAMAGES, INCLUDING ANY DAMAGES FOR BUSINESS INTERRUPTION, LOSS OF USE, REVENUE OR PROFIT, WHETHER ARISING OUT OF BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, REGARDLESS OF WHETHER SUCH DAMAGES WERE FORESEEABLE AND WHETHER OR NOT THE BUYER WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

(b) **Cap on all other Damages.** IN NO EVENT SHALL SELLER'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, EXCEED THE TOTAL PURCHASE PRICE TO BE PAID TO THE SELLER PURSUANT TO THIS AGREEMENT.

Section 14.05 **Modifications and Amendments.** This Agreement cannot under any circumstance be modified or amended orally and no agreement shall be effective to waive, change, modify, terminate or discharge this Agreement, in whole or in part, unless such agreement is in writing and is signed by both Seller and Buyer.

Section 14.06 **No Recording.** Neither this Agreement, nor any memorandum of this Agreement, shall be recorded. The recording of this Agreement, or any memorandum of this Agreement, by Buyer shall constitute a material default and shall entitle Seller to retain the Deposit and any interest earned thereon.

Section 14.07 **Binding Effect; Assignment.** This Agreement shall be binding upon the parties hereto and their respective successors and permitted assigns. No other person or entity shall acquire or have any right under, or by virtue of, this Agreement. Buyer shall not assign or transfer any right or delegate any obligation hereunder without the prior written consent of Seller, in its sole discretion. Notwithstanding anything herein to the contrary, Buyer may assign or transfer its rights hereunder to an affiliate of Buyer. Seller may assign or transfer its rights hereunder to any affiliate. Any purported assignment or transfer in violation of this section shall be null and void.

Section 14.08 **Severability**. Any provision of this Agreement that is found by an arbitrator or other adjudicator of competent jurisdiction to be invalid, void, or otherwise unenforceable shall in no way affect, impair, or invalidate any other provision hereof, and the remaining provisions hereof shall nevertheless remain in full force and effect. To the extent that any such provision is so found to be invalid, void, or otherwise unenforceable as written, the parties authorize the adjudicator to revise it retroactive to the effective date so that it is enforceable to the greatest extent allowed by applicable law. In the event that the adjudicator declines to exercise such authority, the parties agree to make such revision.

Section 14.09 **Further Assurances**. Each of the parties hereto shall execute and deliver such additional documents, instruments, conveyances and assurances and take such further actions as may be reasonably required to carry out the provisions of this Agreement and give effect to the transactions contemplated hereby, provided such documents are customarily delivered in real estate transactions in Florida and do not impose any material obligations upon any party hereunder except as set forth in this Agreement.

Section 14.10 **Counterparts**. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

Section 14.11 **Headings**. The headings in this Agreement are for the purposes of reference only and shall not affect or define the meanings hereof.

Section 14.12 **Waiver**. The failure of either party to insist, in any one or more instances, upon a strict performance of any of the terms and conditions of this Agreement, or to exercise or fail to exercise any option or right contained herein, shall not be construed as a waiver or a relinquishment for the future of such right or option, but the same shall continue and remain in full force and effect. The continued performance by either party of this Agreement with knowledge of the breach of any term or condition hereof shall not be deemed a waiver of such breach, and no waiver by either party of any provision hereof, shall be deemed to have been made, or operate as estoppel, unless expressed in writing and signed by such party.

Section 14.13 **Time of Essence; Calculation of Dates**. Time is of the essence of this Agreement. Anywhere a day certain is stated for payment or for performance of any obligation, the day certain so stated enters into and becomes a part of the consideration for this Agreement. If any date set forth in this Agreement shall fall on, or any time period set forth in this Agreement shall expire on, a day which is a Saturday, Sunday, federal or state holiday, or other non-business day, such date shall automatically be

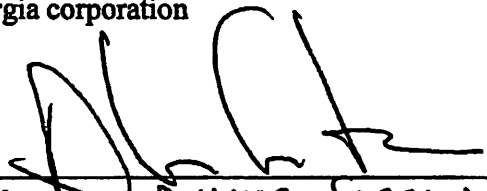
extended to, and the expiration of such time period shall automatically be extended to, the next day which is not a Saturday, Sunday, federal or state holiday or other non-business day. The final day of any time period under this Agreement or any deadline under this Agreement shall be the specified day or date, and shall include the period of time through and including such specified day or date.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute, seal and deliver this Agreement, all as of the day and year first written above.


SELLER:

PREFERRED MATERIALS, INC., a
Georgia corporation

By: 
Name: D UMAR FORSYTH
Title: AUTHORIZED OFFICER

BUYER:

STAFFORD DEVELOPMENT GROUP,
INC., a Florida corporation

By: 
Name: TODD STAFFORD
Title: PRES 5/18/16

ESCROW AGENT:

FIRST AMERICAN TITLE INSURANCE
COMPANY, a California corporation

By: _____
Name: _____
Title: _____


EXHIBIT A
Legal Description

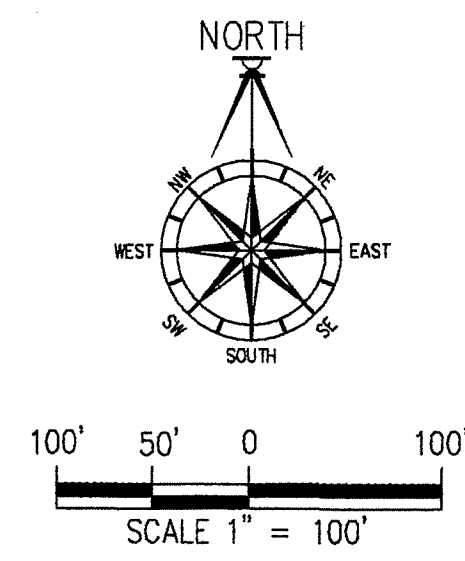
Legal Description:

022S31-3000-002-002 5700 SAUFLEY FIELD RD BLK LT 1 LESS RD R/W & S 244
FT OF W 451 FT OF LT 2 & W 197 FT OF N 401 FT OF LT 2 AND LTS 9 & 10
LESS OR 2188 P 111-DOLL S/D OF LT 3

Escambia County GEO #:

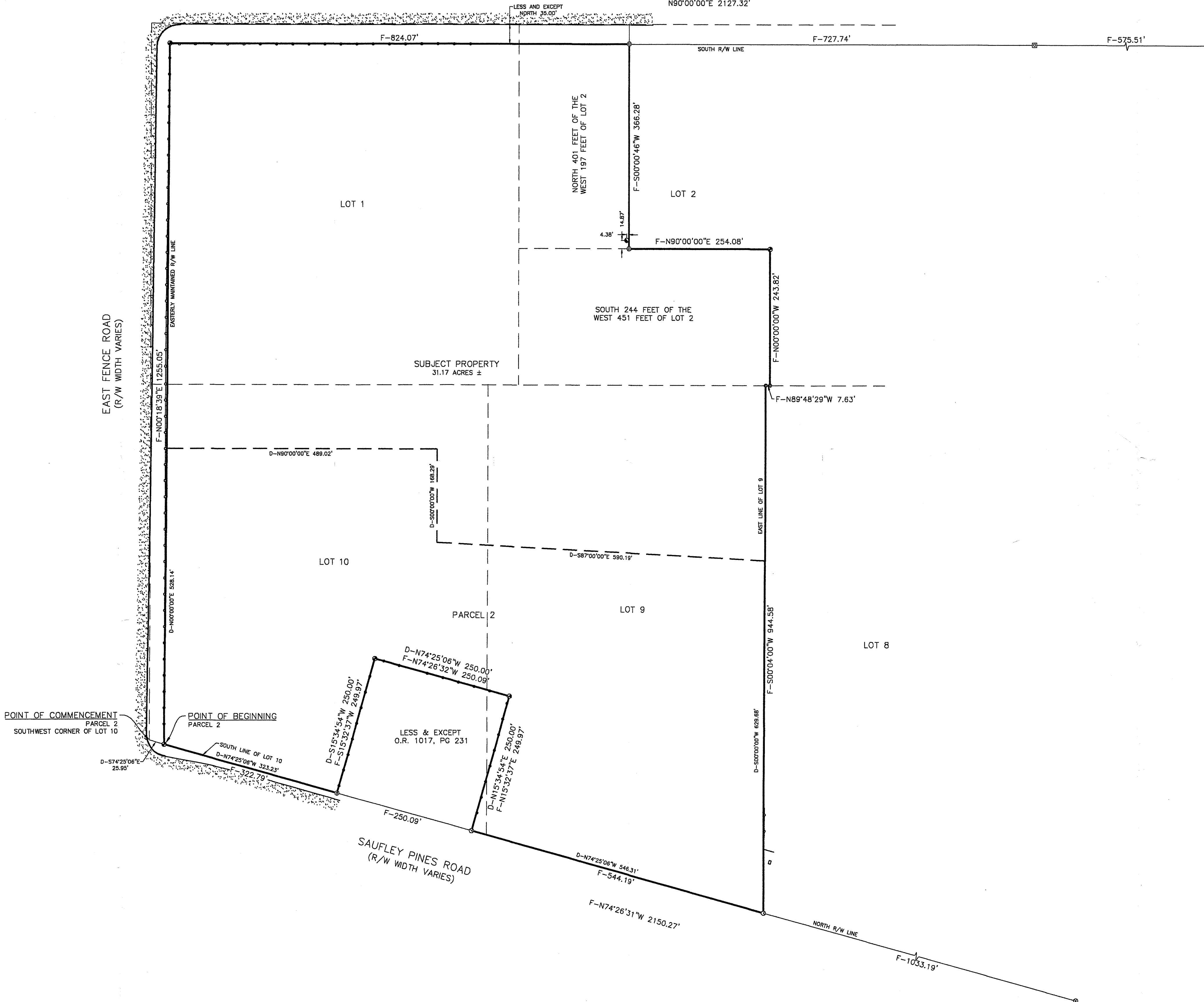
022S31-3000-002-002

 ~~Also as described in a Special Warranty Deed from Edward M. Chadbourne,
Inc., Grantor, to APAC Southeast, Inc. as Grantee, recorded in the
Public Records of Escambia County, Florida in OR Book 6232, Page 1250~~



SAUFLEY FIELD ROAD
(100' RIGHT-OF-WAY)

BASE BEARING
N90°00'00"E 2127.32'



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 LATEST STATES STANDARD PRACTICE.
- NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE HE 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 UTILITIES OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.
- ERROR OF CLOSURE MEETS STANDARDS OF PRACTICE.
- 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 PLAN.
- BASIS OF BEARING: SOUTH R/W LINE OF SAUFLEY FIELD ROAD AS HYDROGRAPHIC.
- REFERENCE SOURCE: FIELD WORK AND EXISTING FIELD MONUMENTATION; COPY OF DEED BOOK IN FILE 365.
- ENCROACHMENTS ARE AS SHOWN.
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCELS OF LAND SHOWN HEREON ARE FOR THE FLOOD INSURANCE RATE MAP INFORMATION AS FOLLOWS:
- ZONE: "A"
- EDITION: N/A
- PANEL NUMBER: 12333C 0335 0
- AS DATED: 09/29/09
- THE CERTIFICATE OF AUTHORIZATION NUMBER FOR KJM LAND PLANNING, LLC, IS L.B. 7916.

DESCRIPTION: (AS PROVIDED)

PARCEL 1
A PARCEL OF LAND IN GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 18.2394 NET ACRES, ACCORDING TO PLAT OF A SUBDIVISION OF THE SAID GOVERNMENT LOT RECORDED IN DEED BOOK 64 AT PAGE 365 OF THE PUBLIC RECORDS OF SAID COUNTY, AND DESCRIBED AS FOLLOWS:
LOT 1, AND THE NORTH 401 FEET OF THE EAST 197 FEET OF LOT 2, LESS RIGHT-OF-WAY FOR PUBLIC ROAD OVER THE NORTH 35 FEET THEREOF; THE SOUTH 244 FEET OF THE WEST 451 FEET OF LOT 2, AND ALL OF LOTS 9 AND 10;
LESS THAT PORTION OF THE SAID LOTS 1 AND 10 LYING WESTERLY OF AN EXISTING WIRE FENCE ALONG THE EAST SIDE OF AN EXISTING COUNTY MAINTAINED ROADWAY ALONG THE WEST LINE OF THE SAID GOVERNMENT LOT 3;
AND LESS THAT PORTION OF SAID PROPERTY DESCRIBED IN DEED FROM SELMA L. VILLANE, A WIDOW, TO EDWARD A. COHRON AND JOSIE B. COHRON, HUSBAND AND WIFE, DATED JULY 12, 1976, AND RECORDED IN OFFICIAL RECORDS BOOK 1017 AT PAGE 231 OF THE SAID RECORDS, THE PROPERTY HEREBY CONVEYED BEING THE SAME PROPERTY DESCRIBED ON UNRECORDED SURVEY BY NICHOL ENGINEERING ASSOCIATES, INC., REVISED APRIL 6, 1978, LESS AND EXCEPT OR BOOK 4187, PAGE 1138.

PARCEL 2
A PARCEL OF LAND IN GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 12.8765 ACRES, EXCLUSIVE OF ROAD, AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF LOT 10 OF STEPHEN LEE'S SUBDIVISION OF THE SAID GOVERNMENT LOT 3, ACCORDING TO PLAT RECORDED IN DEED BOOK 64, AT PAGE 365 OF THE PUBLIC RECORDS OF SAID COUNTY;
THENCE GO SOUTH 74°25'06" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 10 A DISTANCE OF 25.95 FEET TO THE EAST LINE OF COUNTY MAINTAINED ROADWAY AND THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE GO NORTH 00°00'00" EAST PARALLEL WITH AND 25 FEET EAST OF THE WEST LINE OF SAID LOT 10 A DISTANCE OF 528.14 FEET;
THENCE GO NORTH 00°00'00" EAST A DISTANCE OF 489.02 FEET;
THENCE GO SOUTH 00°00'00" WEST A DISTANCE OF 168.29 FEET;
THENCE GO SOUTH 87°00'00" EAST A DISTANCE OF 590.19 FEET TO THE EAST LINE OF LOT 9 OF STEPHEN LEE'S SUBDIVISION OF THE SAID GOVERNMENT LOT 3;
THENCE GO SOUTH 00°00'00" WEST ALONG THE EAST LINE OF SAID LOT 9 A DISTANCE OF 629.68 FEET;
THENCE GO NORTH 74°25'06" WEST PARALLEL WITH AND 15.00 FEET DISTANT FROM THE SOUTHERLY LINE OF THE SAID GOVERNMENT LOT 3 A DISTANCE OF 546.31 FEET;
THENCE GO NORTH 15°34'54" EAST A DISTANCE OF 250.00 FEET;
THENCE GO NORTH 74°25'06" WEST A DISTANCE OF 250.00 FEET;
THENCE GO SOUTH 15°34'54" WEST A DISTANCE OF 250.00 FEET;
THENCE GO NORTH 74°25'06" WEST A DISTANCE OF 323.23 FEET TO THE POINT OF BEGINNING.

LEGEND:

- ⊗ - FOUND 4"x4" CONCRETE MONUMENT L.B. #7107
- ⊙ - FOUND 1/2" CAPPED IRON ROD PSM #4655
- ⊙ - FOUND 1/2" CAPPED IRON ROD PSM #1035
- ⊙ - FOUND ILLEGIBLE 1/2" CAPPED IRON ROD
- ⊙ - FOUND PLAIN 1/2" IRON ROD
- ⊙ - FOUND PLAIN 1" IRON ROD
- ⊙ - FOUND PLAIN 3/4" IRON ROD
- ⊙ - SET 1/2" CAPPED IRON ROD L.B. #7919
- PSM - PROFESSIONAL SURVEYOR AND MAPPER
- L.B. - LICENSED BUSINESS
- R/W - RIGHT-OF-WAY
- F - FIELD

Certify To:
Stafford Development Group, Inc., a Florida corporation
First Community Bank
McDonald Fleming Moorhead
First American Title Insurance Company

ADDRESS: SAUFLEY FIELD ROAD					
REQUESTED BY: TODD STAFFORD					
TYPE: BOUNDARY SURVEY					
SECTION 2, TOWNSHIP - 2 - SOUTH, RANGE - 31 - WEST, ESCAMBIA COUNTY					
SCALE: 1"=100'	FIELD BOOK:	PAGE:	DATE:	DATE:	DATE:
	602	47	07/22/16	DM	JSP
NO.:	DATE:	RECORDING:			APPROVED BY:
SURVEYOR'S CERTIFICATE					
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS & MAPMEN CHAPTER 34-17.005, 34-11.001 AND 34-17.002, PURSUANT TO SECTION 472.002, FLORIDA STATUTES.					
 KENNETH J. MOORE, PLS CORPORATE NO. LB 0007919 STATE OF FLORIDA				NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL HARDY SEAL OF A LICENSED SURVEYOR AND MAPPER.	
 KJM Land Planning, LLC Professional Surveyor and Mapper 16-16851					



August 3, 2016

Fitzpatrick Engineering
Attn. Mr. David Fitzpatrick
10250 N. Palafox Street
Pensacola, FL 32534
David@fitzeng.com

**RE: Site condition survey
Parcel # 02-2S-31-3000-002-002
Saufley Pines Road**

Dear Mr. Fitzpatrick:

Biome Consulting Group, LLC (Biome) has completed an assessment of the above referenced property. Our assessment was performed to ascertain the natural community types and current ecological conditions of the site. Based upon our recent site visit, we are providing you with a brief summary of the current site conditions. The site location map is identified as exhibit 1.

CURRENT LAND USE

The site is currently vacant and appears to have been most recently a sand pit. The areas that had been mined appear to have been reclaimed and stabilized and don't appear to be in active operation. The site has been significantly modified and has many invasive plant species throughout the site. The majority of the site appears to have been disturbed at some point for the use of agricultural or sand mining activities. Salted through the site we observed many sasanqua camellias, Azaleas, and Camellias that were likely remnants from the historic land use. The aerial identified as (exhibit 2) shows the current site conditions.

PAST LAND USE

We researched the historic aerials to determine what the site looked in 1958 (exhibit 3). The site appeared to have been used as a Nursery or some other agricultural use. During the site reconnaissance we found the remains of an old aluminum and wood framed Greenhouse. Adjacent to the Greenhouse we found several depressions that will need to be studied further for potential wetlands. Piles of soil are found throughout the site and are further evidence of the management and past land use.

VEGETATIVE COMMUNITY STRUCTURE

The site vegetation has been significantly modified and has lost much of the native ecotypes that are typically found on a site of this size. The dominant canopy consists of Longleaf pine, Water oak, darlington oak, popcorn trees, and mimosa trees. The sub canopy is a mix of native and non-native shrubs such as yaupon holly, wax

myrtle, sasanqua camellia, azalea, and camellia. The herbaceous stratum is a mix of native and non-native species such as cogon grass, wire grass, woody goldenrod, torpedo grass, and bahia grass.

ENDANGERED SPECIES HABITAT

A presence and absents review was also completed for the site. This involved the study of historic and current aerials to determine if suitable habitat could be located on the site and which areas are more likely to be populated by threatened and listed species. The historic aerials indicate that the entire site had been modified and used in some form of agricultural activity. Clear cutting and tilling are considered extreme modification to Natural ecological Community types and have severely altered the potential for listed species to be present on site. Numerous state and federal listed species have known occurrence within Escambia County. An FNAI Element Occurrence Record search was used to determine if any documented occurrences of species or their habitat are known in the vicinity of the site.

Potential element occurrences identified in the database for the subject matrix units include:
Gopherus polyphemus - gopher tortoise (and commensals);
Picoides borealis - red cocaded woodpecker;
and numerous rare plants.

CONCLUSION

Based on our site visit, we have determined that the site is devoid of unique and pristine natural communities and suitable habitat for listed species. A full wetland study will likely be needed before a site plan is prepared. The wetland delineation will be an integral part of your submittal should you decide to proceed with the DRC assessment.

This report is intended for the sole use by the above listed addressee. Its contents may not be relied upon by other parties without the written consent of Biome Consulting Group, LLC.

This concludes our assessment of the above referenced site. If you require additional information, assistance, or clarification, please give us a call at 850-434-1935. We look forward to being of assistance to you in the future.

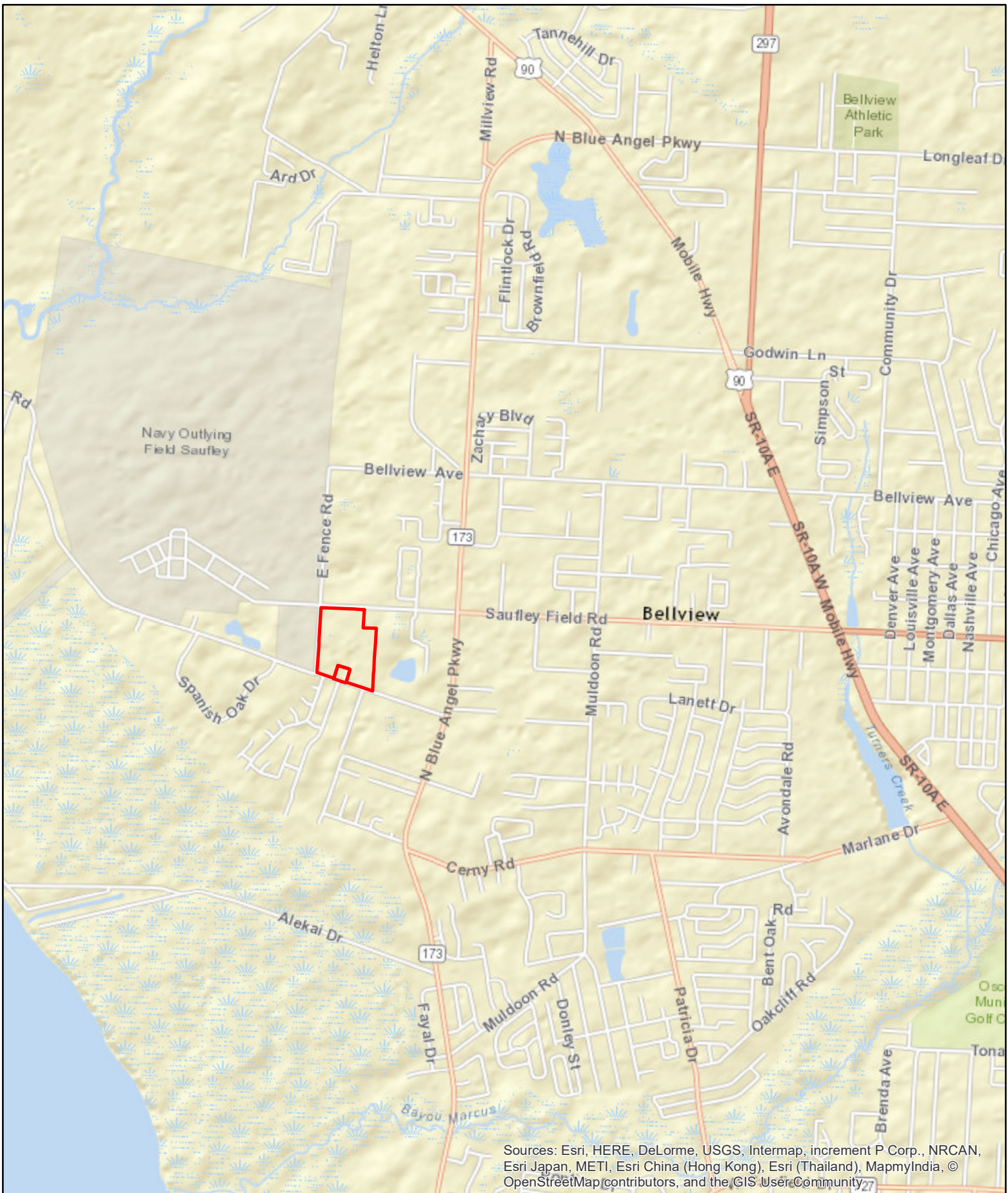
Sincerely,
Biome Consulting Group, LLC



Sean O'Toole

Ecological Consultant
Partner
2066.012 Saufley Pines Road

Attachment: Sketch



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

EXHIBIT 1. LOCATION MAP
 SAUFLEY FIELD ROAD
 ESCAMBIA COUNTY PARCELS:
 022S313000002002
 022S313000000009

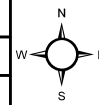
Legend

 INSPECTION
 BOUNDARY

DATE: 8-3-2016

DRAWN BY: MAR

THIS IS NOT A SURVEY



1,600 800 0 1,600 Feet



biome
 Consulting Group

1300 West Government St. Pensacola, Florida 32502
 850.435.9367 www.biome.co



EXHIBIT 2. 2013 AERIAL
 SAUFLEY FIELD ROAD
 ESCAMBIA COUNTY PARCELS:
 022S313000002002
 022S313000000009

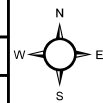
Legend

 INSPECTION
 BOUNDARY

DATE: 8-3-2016

DRAWN BY: MAR

THIS IS NOT A SURVEY



190 95 0 190 Feet



biome
 Consulting Group

1300 West Government St. Pensacola, Florida 32502
 850.435.9367 www.biome.co



EXHIBIT 3. 1958 AERIAL
 SAUFLEY FIELD ROAD
 ESCAMBIA COUNTY PARCELS:
 022S313000002002
 022S313000000009

Legend

 INSPECTION
 BOUNDARY

DATE: 8-3-2016

DRAWN BY: MAR

THIS IS NOT A SURVEY



190 95 0 190 Feet



biome
 Consulting Group

1300 West Government St. Pensacola, Florida 32502
 850.435.9367 www.biome.co

**Comprehensive Plan
Large-Scale Future Land Use Map Amendment
Staff Analysis**

General Data

Project Name: LSA 2016-02
Location: 5700 Block Saufley Field Rd
Parcel #s: 02-2S-31-3000-002-002

Acreage: 32 (+/-) acres
Request: From Industrial (I) to Mixed-Use Suburban (MU-S)
Applicant: David Fitzpatrick, Agent for Todd Stafford, owner
Meeting Dates: Planning Board, September 6, 2016
BCC, October 6, 2016

Site Description and Summary of Proposed Amendment:

The applicant requests a Future Land Use (FLU) Map amendment to change the FLU category of a 32 +/- acres parcel from Industrial (I) to Mixed-Use Suburban (MU-S). The current zoning designation of the referenced parcel is Heavy Commercial and Light Industrial (HC/LI). The FLU change is proposed to allow a residential subdivision of approximately 32 dwelling units. The current zoning is HC/LI, which will require a zoning change.

A pre-application conference was held on June 22, 2016 to discuss all issues relating to a residential subdivision. The applicant will be applying for a rezoning to Medium Density Residential (MDR), which will be compatible to the proposed FLU amendment.

The subject parcel is located on the east side of East Fence Road and to the west of Saufley Field Road. The property is primarily vacant land and a portion was an abandoned sand pit. The parcel has frontage on Saufley Field Road.

The parcel to the west is designated as Public FLU, and is no longer an operational aviation training facility. All other surrounding parcels have the FLU designation of Mixed-Use Suburban.

The availability of public facilities and services for the site of a FLUM amendment requires analysis of the general demands of its proposed use. All specific level of service (LOS) standards established by Escambia County are evaluated for compliance during the review processes prescribed by the LDC for approval of proposed development.

Sanitary Sewer Service.

CP Policy 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.

CP Policy INF 1.1.11 Required New Service Connection. *All new structures intended for human occupancy will connect to the ECUA wastewater system unless ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA wastewater system will not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.*

Analysis: The subject property is within the service area of the Emerald Coast Utility Authority (ECUA) for sanitary sewer. Connection to ECUA's system in compliance with its requirements is the responsibility of the developer. The applicant has provided an email from ECUA stating the availability of water and sewer demand capacity. If approved, based on the operations proposed, further analysis and evaluation will be conducted during development review process.

Solid Waste Disposal.

CP Policy INF 2.1.2 Perdido Landfill Operation. *Escambia County will provide and operate the Perdido Landfill so as to accommodate the municipal solid waste disposal needs of the entire County.*

CP Policy INF 2.1.4 Level of Service (LOS) Standards. *The LOS standard for solid waste disposal will be 6 pounds per capita per day.*

Analysis: The applicant provided information on solid waste disposal from ECUA. If approved, further analysis and evaluation will be conducted during the development review process. Based on population growth projections and estimated annual Class 1 municipal solid waste received, the Perdido Landfill can accommodate the development.

Potable Water Service.

CP Policy INF 4.1.4 Concurrency Management. *Escambia County will ensure the provision of potable water facilities concurrent with the demand for such facilities but no later than the certificate of occupancy, as created by development or redevelopment through the implementation of the Concurrency Management System.*

CP Policy INF 4.1.6 Developer Responsibility. *The cost of water line extensions made necessary by new development will be the responsibility of the developer unless otherwise funded by the service provider.*

CP Policy 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.

Analysis: The subject property is within the service area of ECUA for potable water. Based on the applicant's project description and narrative, there will be a need for potable water service on-site. Applicant provided a letter from ECUA stating availability of capacity for potable water. If approved, based on the operations proposed, further analysis and evaluation will be conducted during the development review process.

Stormwater Management.

CP Policy INF 3.1.5 Concurrency Management. *Escambia County will ensure the provision of stormwater management facilities concurrent with the demand for such facilities as created by development or redevelopment through implementation of the Concurrency Management System.*

CP Policy INF 3.1.6 Developer Responsibilities. *Installation of stormwater management facilities made necessary by new development will be the responsibility of the developer.*

CP Policy INF 3.1.7 Level of Service (LOS) Standards. *Stormwater management LOS will be monitored through the provisions in the LDC design standards.*

Analysis: The applicant understands that other requirements and permitting through other state agencies may be required. The property is between three roadways all having drainage systems that will be analyzed and improved during development if necessary. If approved, based on the proposed development, further analysis and evaluation will be conducted during the development review process.

Streets and Access.

CP Policy MOB 1.1.1 Level of Service (LOS) Standards. *Levels of Service (LOS) will be used to evaluate facility capacity. Escambia County will adopt LOS standards for all roadways as indicated in the LDC. The standards for SIS facilities may be revised based on changes to the federal classification of these roadways. These standards are not regulatory but provide a basis by which the County may monitor congestion and coordinate needed improvements with FDOT.*

Analysis:

The developer would pay all costs and construct all streets within the proposed subdivision, as well as proposed access to the development. The design and construction must comply with applicable Escambia County standards so that upon their construction the streets and accesses could be accepted for maintenance by the county. Development of the site may require the dedication of additional right-of-way for existing streets or the vacation of existing unopened rights-of-way. The traffic division had not comments regarding this FLUM amendment and further review will be conducted during the development review process.

Public School Facilities.

CP Policy ICE 1.3.1 Interlocal Agreement for Public School Facility Planning. *In cooperation with the School Board and the local governments within Escambia County, the County will implement the Interlocal Agreement for Public School Facility Planning (herein Interlocal Agreement) that establishes procedures for coordination and sharing of information, planning processes, and implementation.*

Analysis: The FLUM amendment application named the schools within the district and they must meet the school level of service requirement of the adopted Interlocal Agreement with Escambia County.

Analysis of Suitability of Amendment for Proposed Use:

The suitability of a FLUM amendment for its proposed use requires an analysis of the characteristics of the site and its resources relative to Comprehensive Plan (CP) goals, objectives, and policies. For these purposes, suitability is the degree to which the existing characteristics and limitations of land and water are compatible with the proposed use or development. Compliance with specific regulations and standards established by Escambia County, including those for public facilities and services, are evaluated during the development review processes prescribed by the LDC for approval of proposed development.

Impact on Land Use.

CP Policy FLU 1.3.1 Future Land Use Categories. *General descriptions, range of allowable uses, and residential densities and non-residential intensities for all future land use categories in Escambia County.*

Analysis: Under the current Industrial FLU category it allows for a mix of industrial development and ancillary office and commercial uses that are not currently compatible with adjacent or nearby properties. The FLU does not allow for residential density.

The proposed Mixed-Use Suburban FLU will be more compatible with the surrounding existing neighborhoods. MU-S is intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses. Residential density within the MU-S category is limited to 25 dwelling units per acre.

Impact on Wellheads.

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

Analysis: Based on the existing Geographical Information Systems layer and the information provided by the applicant, the subject parcel is not located within the 20 year wellhead protection area. The requirements for wellhead protection areas will be

addressed at the time of specific project submittal during the development review process; further permitting from outside agencies may be required.

Impact on Historically Significant Sites.

CP Policy FLU 1.2.1 State Assistance. *Escambia County will 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 and will utilize guidance, direction, and technical assistance received from this agency.*

Analysis: The applicant stated the parcel has previously gone through major excavation and he believes it hold no historical significance and therefore he has not provided any further documentation of historical significance. If necessary, further information may be requested at the time of development review.

Impact on the Natural Environment.

CP Policy 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.*

CP Policy CON 1.1.6 Habitat Protection. *Escambia County will coordinate with the FDEP, FFWCC, and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the County.*

CP Policy 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.*

CP Policy CON 1.3.6 Wetland Development Provisions. *Development in wetlands will not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development in wetlands will be restricted to allow residential density uses as indicated by the LDC:*

CP CON 1.5.4 Extraction and Reclamation Review. *Escambia County will subject all new or expanded resource extraction and reclamation activities to a mandatory development review process to assess technical standards for public safety, environmental protection, and engineering design.*

CP Policy CON 1.6.3 Tree Protection. *Escambia County will protect trees through LDC provisions.*

Analysis: Based on the National Inventory Map there appear to be no wetlands on the parcel. The requirements for wetland areas will again be addressed at the time of specific project submittal thru the development review process.

CP Objective FLU 1.3 Future Land Use Map Designations. *Designate land uses on the FLUM to discourage urban sprawl, promote mixed use, compact development in urban areas, and support development compatible with the protection and preservation of rural areas.”*

Analysis: The proposed Mixed-Use Suburban FLUM amendment will allow residential development and promote compatible infill development. It will eliminate the industrial uses, and prohibit the former pit from being reopened or opening as a recycling facility, both of which are incompatible with the surrounding FLU and zoning categories.

The Proposes Plan amendment discourages urban sprawl by incorporating a development pattern or urban form that achieves the following:

1. The proposed development would direct growth that will not have an adverse impact on natural resources and ecosystems.
2. The proposed development would efficiently promote the extension of the existing public infrastructure system while upgrades may be done to maximize the use.
3. The change in the FLU would allow flexibility in the mixed use land use and the residential zoning districts not currently allowed in the Industrial future land use.
4. The parcel of land is currently Industrial FLU and substantially surrounded by medium density residential. Changing the FLU to Mixed-Use Suburban would allow the residential need for the area.



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

INTEROFFICE MEMORANDUM

TO: Andrew Holmer, Development Services Manager
Development Services Department

FROM: Tommy Brown, Transportation Planner
Transportation & Traffic Operations Division

THRU: David Forte, Division Manager
Transportation & Traffic Operations Division

DATE: August 22, 2016

RE: Transportation & Traffic Operations (TTO) Comments

TTO Staff has reviewed the agenda for the upcoming Planning Board meeting scheduled for September 6, 2016. Please see staff comments below:

- OSP-2016-01 – No comments at this time
- LSA-2016-02 – No comments at this time
- Atwood Community Redevelopment Area – No comments at this time

Please note that TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. b.

Meeting Date: 09/06/2016

Issue: A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 3, 4, and 6

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

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

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption an Ordinance amending the Land Development Code (LDC), Chapters 3, 4, and 6, to modify the permitted and conditional residential uses of the Mainland Zoning Districts and related residential use provisions.

BACKGROUND:

Since the April 16, 2015, repeal and replacement of the LDC by Ordinance 2015-12, improvements and corrections to the code continue to be identified and addressed. Among the consolidated mainland zoning districts and standardized classifications of land uses, some forms of residential use require modification for improved code implementation and consistency with the purposes of the applicable district. The uses revised will remain subject to the LDC "savings clause" established by Ordinance 2015-38 on September 24, 2016, to reinstate for landowners those former residential densities and permitted uses that were consistent with the applicable future land use category but may have been eliminated through adoption of the LDC.

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 Meredith Crawford, 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:

Amendment of the LDC requires public hearing review and recommendation by the Board prior to action by the BCC. 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 BCC.

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

Supplemental Information

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: LDC Residential Uses in Mainland Zoning Districts

Date: 07-26-2016

Date requested back by: 08-08-2016

Requested by: Griffin Vickery

Phone Number: 595-3471



(LEGAL USE ONLY)

Legal Review by M. Crawford, Asst. Co Atty

Date Received: approved 8/5/2016

X Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

1 ORDINANCE NUMBER 2016-_____

2
3 AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING
4 PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE
5 LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS
6 AMENDED; AMENDING CHAPTER 3, ZONING REGULATIONS, TO
7 ESTABLISH THE ALLOWED USE OF DWELLING UNITS, AND TO
8 MODIFY PERMITTED AND CONDITIONAL RESIDENTIAL USES OF
9 THE MAINLAND ZONING DISTRICTS; AMENDING CHAPTER 4,
10 LOCATION AND USE REGULATIONS, TO MODIFY LIMITS TO
11 RESIDENTIAL ACCESSORY USES AND STRUCTURES; AND
12 AMENDING CHAPTER 6, DEFINITIONS, TO MODIFY THE TERMS
13 “GROUP HOME” AND “GROUP LIVING”; PROVIDING FOR
14 SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND
15 PROVIDING FOR AN EFFECTIVE DATE.
16

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

20 **WHEREAS**, through its Land Development Code, the Escambia County Board of
21 County Commissioners has authorized residential densities and land uses by zoning
22 districts to reasonably advance the public health, safety, and welfare; and,

23 **WHEREAS**, the Board has established within the Code a savings clause to
24 reinstate for landowners those former residential densities and permitted uses that were
25 consistent with the applicable future land use category, but may have been eliminated
26 through the adoption of the Code; and,

27 **WHEREAS**, the Board finds that clear and direct enumeration by the Code of
28 authorized land uses consistent with the stated purpose and intent of each zoning
29 district is essential to realize the intended public benefits of the districts; and,

30 **WHEREAS**, the Board further finds that, since the April 16, 2015, adoption of the
31 Code, amendments to the authorized residential uses of the mainland zoning districts
32 and their related Code provisions are necessary and beneficial;

33
34 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
35 **COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**
36

37 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development
38 Code of Escambia County, Chapter 3, Zoning Regulations, Article 1, General
39 Provisions, is hereby amended as follows (words underlined are additions and words
40 ~~stricken~~ are deletions):
41

1 **Sec. 3-1.4 Allowed uses.**

2 **(a) Generally.** The uses of land and structures are limited to those identified within the
3 applicable zoning district as “permitted uses” or “conditional uses,” and to their valid
4 accessory uses, unless other uses are secured through applicable vesting and
5 nonconformance or temporary use provisions of the LDC. Uses not so identified or
6 secured are prohibited, and the conducting of any prohibited use is a violation of the
7 LDC punishable as provided by law and ordinance. The burden is on the landowner,
8 not the county, to show that a use is allowed. Even when allowed, uses are subject
9 to the general development standards of Chapter 5 and the use and location
10 regulations established in Chapter 4.

11 **(b) Conditional uses.** The identification of a use as conditional within a zoning district
12 is an indication that, given certain existing or imposed conditions, the use may be
13 appropriate for some locations in that district. The appropriateness of the use is
14 determined through discretionary county review of an applicant’s demonstration that
15 specific conditions will assure compatibility with surrounding uses. Conditions
16 applicable to all conditional uses are established in the conditional use process
17 provisions of Chapter 2. Additional conditions applicable to a specific use may be
18 established by the LDC where the conditional use is established.

19 **(c) Accessory uses and structures.** Uses and structures accessory to permitted uses
20 and approved conditional uses are allowed as prescribed by the supplemental use
21 regulations of Chapter 4 unless otherwise prohibited by the applicable zoning
22 district. Where more than one zoning district applies to a parcel, an accessory use
23 or structure may not be established in one zoning district to serve a primary use in
24 the other district if the principal use is not allowed in the district in which the
25 accessory use is located.

26 **(d) Use of dwelling units.** Dwelling units in any form or location authorized by the
27 provisions of the LDC may be occupied by any lawful residential household use,
28 including households providing state-licensed special services, treatment, or
29 supervision, subject to applicable health and safety codes. Dwelling units are limited
30 to residential household use unless other uses are specifically authorized by law or
31 ordinance and change of use, as applicable, is authorized through the review and
32 approval processes of the LDC.

33 **(d)(e) Single-family dwellings.** A single-family dwelling as the principal use for an
34 existing lot of record is a conforming use regardless of the zoning district or future
35 land use category. A building permit may be issued for such a dwelling on any
36 nonconforming lot of record if the dwelling complies with all other applicable
37 regulations.

38 **(e)(f) Mix of uses.** Unless clearly indicated otherwise in the LDC, the identification of
39 multiple permitted or conditionally permitted uses within a zoning district allows any
40 mix of those uses within an individual development, parcel, or building, regardless of
41 any designation or other characterization of the district as mixed-use. A mix of uses
42 generally does not modify the development standards and regulations applicable to
43 any individual use within the mix.

1 **(f)(g) Classifying uses.** Classifying a particular land use is the discretionary process
2 of determining whether the use is one already identified in the LDC as allowed by
3 right (permitted use) or by special approval (conditional use).

4 **(1) Information.** The Planning Official, or Board of Adjustment (BOA) on appeal,
5 shall obtain the information necessary to accurately classify a use. At a
6 minimum, the applicant shall describe in writing the nature of the use and the
7 county shall utilize public records, site investigations and other reliable sources of
8 information, including the *Land-Based Classification Standards* of the American
9 Planning Association and the *North American Industry Classification System*
10 (NAICS) of the U.S. Department of Commerce.

11 **(2) Rules for classification.** Classifying a use is not specific to any individual site,
12 project or applicant, but shall be appropriate and valid for all occasions of the
13 use. Use classification shall be guided by Chapter 1 provisions for interpreting
14 the LDC and the following rules:

- 15 a. If a use is defined in the LDC, that definition shall be applied to the
16 classification.
- 17 b. The reviewing authority shall not read an implied prohibition of a particular
18 use into a classification.
- 19 c. Classification is limited to giving meaning to the uses already allowed within
20 the applicable zoning district. No policy determinations shall be made on
21 what types of uses are appropriate within the district.
- 22 d. When the use regulations are ambiguous, the purpose and intent of the
23 zoning district and the nature of the uses allowed within it shall be considered.
- 24 e. Classification is not based on the proximity of the proposed use to other uses.
- 25 f. The use or activity determines the classification, not property ownership,
26 persons carrying out the use or activity, or other illegitimate considerations.
- 27 g. Generally, the function rather than the form of a structure is relevant to its
28 classification.

29 **(3) Determinations.** All classifications determined by the Planning Official shall be
30 recorded to ensure consistency with future classifications. A use not determined
31 to be one specifically identified in the LDC as permitted or conditionally permitted
32 may be proposed to the Planning Board for consideration of subsequent zoning
33 district use amendment.

34 **(g)(h) Temporary uses and structures.** Temporary uses and structures are allowed
35 as prescribed by the supplemental use regulations of Chapter 4 unless otherwise
36 modified or prohibited by the applicable zoning district.

37 **(h)(i) Outdoor storage.** Outdoor storage is allowed as prescribed by the supplemental
38 use regulations of Chapter 4 unless modified or prohibited by the applicable zoning
39 district.

40 **(i)(j) Subdivision.** The subdivision of land to accommodate the permitted uses or
41 approved conditional uses of the applicable zoning district is allowed as prescribed
42 by the standards of Chapter 5 unless otherwise prohibited by the district.

1 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development
2 Code of Escambia County, Chapter 3, Zoning Regulations, Article 2, Mainland Districts,
3 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are
4 deletions):

5 **Sec. 3-2.2 Agricultural district (Agr).**

6 **(a) Purpose.** The Agricultural (Agr) district establishes appropriate areas and land use
7 regulations for the routine agricultural production of plants and animals, and such
8 related uses as silviculture and aquaculture. The primary intent of the district is to
9 avoid the loss of prime farmland to other uses, its division into smaller parcels of
10 multiple owners, and other obstacles to maintaining or assembling sufficient
11 agricultural acreage for efficient large-scale farming. Other than agricultural
12 production, non-residential uses within the Agricultural district are generally limited to
13 rural community uses that directly support agriculture, and to public facilities and
14 services necessary for the basic health, safety, and welfare of a rural population.
15 The absence of urban or suburban infrastructure is intentional. Residential uses
16 within the district are largely self-sustaining, consistent with rural land use and
17 limited infrastructure. Single-family dwellings are allowed at a very low density
18 sufficient for the needs of the district's farm-based population.

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

21 **(1) Residential.**

- 22 a. Manufactured (mobile) homes, excluding new or expanded manufactured
23 home parks or subdivisions.
- 24 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
25 ~~only. Maximum single family lot area within any proposed subdivision of 100~~
26 ~~acres or more of prime farmland shall be one and one-half acres.~~

27 Maximum lot area for these residential uses is one and one-half acres within any
28 new subdivision of 100 acres or more of prime farmland.

29 See also conditional uses in this district.

30 **(2) Retail sales.** No retail sales except as permitted agricultural and related uses in
31 this district.

32 **(3) Retail services.** No retail services except as permitted agricultural and related
33 uses or as conditional uses in this district.

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

- 35 a. Cemeteries, including family cemeteries.
- 36 b. Clubs, civic or fraternal.
- 37 c. Educational facilities, including preschools, K-12, colleges, and vocational
38 schools.
- 39 d. Emergency service facilities, including law enforcement, fire fighting, and
40 medical assistance.
- 41 e. Funeral establishments.

- 1 f. Places of worship.
- 2 g. Public utility structures 150 feet or less in height, including
- 3 telecommunications towers.

4 See also conditional uses in this district.

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

- 6 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- 7 b. Golf courses, tennis centers, swimming pools, and similar active outdoor
- 8 recreational facilities, including associated country clubs.
- 9 c. Hunting clubs and preserves.
- 10 d. Marinas, private only.
- 11 e. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.
- 12 f. Parks without permanent restrooms or outdoor event lighting.
- 13 g. Passive recreational uses, including hiking and bicycling.
- 14 h. Shooting ranges.

15 See also conditional uses in this district.

16 **(6) Industrial and related.** Borrow pit and reclamation activities 20 acres minimum

17 and subject to local permit and development review requirements per Escambia

18 County Code of Ordinances, Part I, Chapter 42, article VIII, and land use

19 regulations in Part III, the Land Development Code, chapter 4.

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

- 21 a. Agriculture, including raising livestock, storing harvested crops, and
- 22 cultivation of nursery plants. A minimum of two acres for keeping any farm
- 23 animal on site and a maximum of one horse or other domesticated *equine* per
- 24 acre.
- 25 b. Agricultural processing, minor only.
- 26 c. Agricultural research or training facilities.
- 27 d. Aquaculture, marine or freshwater.
- 28 e. Farm equipment and supply stores.
- 29 f. Kennels and animal shelters on lots two acres or larger.
- 30 g. Produce display and sales of fruit, vegetables and similar agricultural
- 31 products. All structures for such uses limited to non-residential farm
- 32 buildings.
- 33 h. Silviculture.
- 34 i. Stables, public or private, on lots two acres or larger.
- 35 j. Veterinary clinics. A minimum two acres for boarding animals.

36 **(8) Other uses.** Airports, private only, including crop dusting services.

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

38 BOA may conditionally allow the following uses within the Agricultural district:

1 **(1) Residential.** ~~Group living, limited to n~~Nursing homes, assisted living facilities,
2 hospice facilities, and other uses group living facilities providing similar services,
3 assistance, or supervision as determined by the Planning Official.

4 **(2) Retail services.**

- 5 a. Bed and breakfast inns.
6 b. Medical clinics, including those providing out-patient surgery, rehabilitation,
7 and emergency treatment.

8 **(3) Public and civic.**

- 9 a. Cinerators.
10 b. Community service facilities, including auditoriums, libraries, museums, and
11 neighborhood centers.
12 c. Hospitals.
13 d. Offices for government agencies or public utilities.
14 e. Public utility structures greater than 150 feet in height, including
15 telecommunications towers, but excluding any industrial uses.
16 f. Warehousing or maintenance facilities for government agencies or public
17 utilities.

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

- 19 a. Canoe, kayak, and float rental facilities.
20 b. Parks with permanent restrooms or outdoor event lighting.
21 c. Zoos and animal parks.

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

- 23 a. Mineral extraction, including oil and gas wells, not among the permitted uses
24 of the district.
25 b. Power plants.
26 c. Salvage yards, not including any solid waste facilities.
27 d. Solid waste collection points and transfer facilities.
28 e. Wastewater treatment plants.

29 **Sec. 3-2.3 Rural Residential district (RR).**

30 **(a) Purpose.** The Rural Residential (RR) district establishes appropriate areas and
31 land use regulations for low density residential uses and compatible non-residential
32 uses characteristic of rural land development. The primary intent of the district is to
33 provide for residential development at greater density than the Agricultural district on
34 soils least valuable for agricultural production, but continue to support small-scale
35 farming on more productive district lands. The absence of urban and suburban
36 infrastructure is intentional. Residential uses within the RR district are largely self-
37 sustaining and generally limited to detached single-family dwellings on large lots,
38 consistent with rural land use and limited infrastructure. Clustering of smaller
39 residential lots may occur where needed to protect prime farmland from
40 non-agricultural use. The district allows public facilities and services necessary for

1 the basic health, safety, and welfare of a rural population, and other non-residential
2 uses that are compatible with agricultural community character.

3 **(b) Permitted uses.** Permitted uses within the RR district are limited to the following:

4 **(1) Residential.**

- 5 a. Manufactured (mobile) homes, excluding new or expanded manufactured
6 home parks or subdivisions.
- 7 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
8 ~~only, on lots four acres or larger, or on lots a minimum of one acre if clustered~~
9 ~~to avoid prime farmland.~~

10 Minimum lot area for these residential uses is four acres, except for principal
11 single-family dwellings on existing lots of record. Minimum area may be one acre
12 if subdivision lots are clustered as prescribed by the LDC to avoid prime farmland
13 or environmentally sensitive lands.

14 See also conditional uses in this district.

15 **(2) Retail sales.** No retail sales except as permitted agricultural and related uses in
16 this district.

17 **(3) Retail services.** Bed and breakfast inns. No other retail services except as
18 permitted agricultural and related uses or as conditional uses in this district.

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

- 20 a. Cemeteries, including family cemeteries.
- 21 b. Clubs, civic or fraternal.
- 22 c. Educational facilities, K-12, on lots one acre or larger.
- 23 d. Emergency service facilities, including law enforcement, fire fighting, and
24 medical assistance.
- 25 e. Funeral establishments.
- 26 f. Places of worship on lots one acre or larger.
- 27 g. Public utility structures 150 feet or less in height, excluding
28 telecommunications towers.

29 See also conditional uses in this district.

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

- 31 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- 32 b. Golf courses, tennis centers, swimming pools and similar active outdoor
33 recreational facilities, including associated country clubs.
- 34 c. Marinas, private.
- 35 d. Parks without permanent restrooms or outdoor event lighting.
- 36 e. Passive recreational uses.

37 See also conditional uses in this district.

38 **(6) Industrial and related.** [Reserved]

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

- 1 a. Agriculture, including raising livestock, storing harvested crops, and
- 2 cultivation of nursery plants. A minimum of two acres for keeping any farm
- 3 animal on site and a maximum of one horse or other domesticated *equine* per
- 4 acre.
- 5 b. Aquaculture, marine or freshwater.
- 6 c. Farm equipment and supply stores.
- 7 d. Kennels and animal shelters on lots two acres or larger.
- 8 e. Produce display and sales of fruit, vegetables and similar agricultural
- 9 products. All structures for such use limited to non-residential farm buildings.
- 10 f. Silviculture.
- 11 g. Stables, public or private, on lots two acres or larger.
- 12 h. Veterinary clinics. A minimum of two acres for boarding animals.

13 **(8) Other uses.** [Reserved]

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

16 **(1) Residential.**

- 17 ~~a. Group living, limited to nursing homes, assisted living facilities, hospice~~
- 18 ~~facilities, and other uses providing similar services, assistance, or~~
- 19 ~~supervision.~~
- 20 ~~ba. Manufactured (mobile) home parks, new or expanded on land zoned VR-1~~
- 21 ~~prior to adoption of RR zoning.~~
- 22 ~~cb. Two-family dwellings (duplex) and multi-family dwellings up to four units per~~
- 23 ~~dwelling (triplex and quadruplex) on land zoned VR-1 prior to adoption of RR~~
- 24 ~~zoning.~~
- 25 ~~c. Nursing homes, assisted living facilities, hospice facilities, and other group~~
- 26 ~~living facilities providing similar services, assistance, or supervision as~~
- 27 ~~determined by the Planning Official, if compatible with and appropriately~~
- 28 ~~scaled for the neighborhood.~~

29 **(2) Retail services.** Medical clinics, including those providing out-patient surgery,
 30 rehabilitation, and emergency treatment.

31 **(3) Public and civic.**

- 32 a. Community service facilities, including auditoriums, libraries, museums, and
- 33 neighborhood centers.
- 34 b. Educational facilities not among the permitted uses of the district.
- 35 c. Hospitals.
- 36 d. Offices for government agencies or public utilities.
- 37 e. Public utility structures greater than 150 feet in height, and
- 38 telecommunications towers of any height, excluding any industrial uses.
- 39 f. Warehousing or maintenance facilities for government agencies or public
- 40 utilities.

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

- 2 a. Hunting clubs and preserves.
3 b. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.
4 c. Parks with permanent restrooms or outdoor event lighting.
5 d. Shooting ranges.

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

- 7 a. Borrow pit and reclamation activities 20 acres minimum and subject to local
8 permit and development review requirements per Escambia County Code of
9 Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part
10 III, the Land Development Code, chapter 4.
11 b. Mineral extraction, including oil and gas wells.
12 c. Power plants.
13 d. Salvage yards, not including any solid waste facilities.
14 e. Solid waste collection points and transfer facilities.
15 f. Wastewater treatment plants.

16 **(6) Other uses.** Airports, private only, including crop dusting facilities.

17 **Sec. 3-2.4 Rural Mixed-use district (RMU).**

18 **(a) Purpose.** The Rural Mixed-use (RMU) district establishes appropriate areas and
19 land use regulations for a mix of low density residential uses and compatible non-
20 residential uses within areas that have historically developed as rural or semi-rural
21 communities. The primary intent of the district is to sustain these communities by
22 allowing greater residential density, smaller residential lots, and a more diverse mix
23 of non-residential uses than the Agricultural or Rural Residential districts, but
24 continue to support the preservation of agriculturally productive lands. The RMU
25 district allows public facilities and services necessary for the health, safety, and
26 welfare of the rural mixed-use community, and other non-residential uses that are
27 compact, traditionally neighborhood supportive, and compatible with rural community
28 character. District communities are often anchored by arterial and collector streets,
29 but they are not characterized by urban or suburban infrastructure. Residential uses
30 are generally limited to detached single-family dwellings, consistent with existing
31 rural communities and limited infrastructure.

32 **(b) Permitted uses.** Permitted uses within the RMU district are limited to the following:

33 **(1) Residential.**

- 34 a. Manufactured (mobile) homes, excluding new or expanded manufactured
35 home parks or subdivisions.
36 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
37 ~~only, on lots one-half acre or larger.~~

38 Minimum lot area for these residential uses is one-half acre, except for principal
39 single-family dwellings on existing lots of record.

40 See also conditional uses in this district.

1 **(2) Retail sales.** The following small-scale (gross floor area 6000 sq.ft. or less per
2 lot) retail sales with no outdoor storage:

- 3 a. Automotive fuel sales.
- 4 b. Convenience stores.
- 5 c. Drugstores.
- 6 d. Grocery or food stores, including bakeries and butcher shops whose products
7 are prepared and sold on the premises.
- 8 e. Hardware stores.

9 See also permitted agricultural and related uses and conditional uses in this
10 district.

11 **(3) Retail services.** The following small scale (gross floor area 6000 sq.ft. or less
12 per lot) retail services with no outdoor work or storage.

- 13 a. Bed and breakfast inns.
- 14 b. Personal services, including those of beauty shops, health clubs, pet
15 groomers, dry cleaners, and tattoo parlors.
- 16 c. Professional services, including those of realtors, bankers, accountants,
17 engineers, architects, dentists, physicians, and attorneys.
- 18 d. Repair services, including motor vehicle repair, appliance repair, furniture
19 refinishing and upholstery, watch and jewelry repair, and small engine and
20 motor services.
- 21 e. Restaurants, excluding on-premises consumption of alcoholic beverages and
22 drive-in or drive-through service.

23 See also permitted agricultural and related uses and conditional uses in this
24 district.

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

- 26 a. Cemeteries, including family cemeteries.
- 27 b. Clubs, civic or fraternal.
- 28 c. Community service facilities, including auditoriums, libraries, museums, and
29 neighborhood centers.
- 30 d. Educational facilities, including preschools, K-12, colleges, and vocational
31 schools, on lots one acre or larger.
- 32 e. Emergency service facilities, including law enforcement, fire fighting, and
33 medical assistance.
- 34 f. Funeral establishments.
- 35 g. Offices for government agencies or public utilities, small scale (gross floor
36 area 6000 sq.ft. or less per lot).
- 37 h. Places of worship on lots one acre or larger.
- 38 i. Public utility structures 150 feet or less in height, excluding
39 telecommunications towers.

40 See also, conditional uses in this district.

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

- 2 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
3 b. Golf courses, tennis centers, swimming pools and similar active outdoor
4 recreational facilities, including associated country clubs.
5 c. Marinas, private only.
6 d. Parks, with or without permanent restrooms or outdoor event lighting.

7 See also conditional uses in this district.

8 **(6) Industrial and related.** Borrow pit and reclamation activities 20 acres minimum
9 and subject to local permit and development review requirements per Escambia
10 County Code of Ordinances, Part I, Chapter 42, article VIII, and location and use
11 regulation Part III, the Land Development Code, chapter 4. *Borrow pits require
12 conditional use on land zoned RR prior to the adoption of the RMU zoning.

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

- 14 a. Agriculture, including raising livestock, storing harvested crops, and
15 cultivation of nursery plants. A minimum of two acres for keeping any farm
16 animal on site and a maximum of one horse or other domesticated *equine* per
17 acre.
18 b. Agricultural research or training facilities.
19 c. Aquaculture, marine or freshwater.
20 d. Farm equipment and supply stores.
21 e. Produce display and sales of fruit, vegetables and similar agricultural
22 products.
23 f. Silviculture.
24 g. Stables, public or private, on lots two acres or larger.
25 h. Veterinary clinics, excluding outside kennels.

26 See also conditional uses in this district.

27 **(8) Other uses.**

- 28 a. Airports, private only, including crop dusting facilities.

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

31 **(1) Residential.**

32 ~~a. Group living, limited to nursing homes, assisted living facilities, hospice~~
33 ~~facilities, and other uses providing similar services, assistance, or~~
34 ~~supervision.~~

35 ~~ba.~~ Manufactured (mobile) home parks.

36 ~~cb.~~ Two-family dwellings (duplex) and multi-family dwellings up to four units per
37 dwelling (triplex and quadruplex).

38 c. Nursing homes, assisted living facilities, hospice facilities, and other group
39 living facilities providing similar services, assistance, or supervision as

1 determined by the Planning Official, if compatible with and appropriately
2 scaled for the neighborhood.

3 **(2) Retail sales.** Small-scale (gross floor area 6000 sq. ft. or less per lot) retail sales
4 not among the permitted uses of the district, including outdoor display of
5 merchandise, but excluding sales of liquor or motor vehicles.

6 **(3) Retail services.**

7 a. Boarding or rooming houses.

8 b. Medical clinics, including those providing out-patient surgery, rehabilitation,
9 and emergency treatment.

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

11 a. Cinerators.

12 b. Hospitals.

13 c. Offices for government agencies or public utilities with greater floor area than
14 those among the permitted uses of the district.

15 d. Public utility structures greater than 150 feet in height, and
16 telecommunications towers of any height, excluding any industrial uses.

17 e. Warehousing or maintenance facilities for government agencies or public
18 utilities.

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

20 a. Hunting clubs and preserves.

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

22 c. Shooting ranges.

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

24 a. Mineral extraction, including oil and gas wells not among the permitted uses
25 in the district.

26 b. Power plants.

27 c. Salvage yards, not including any solid waste facilities.

28 d. Solid waste collection points and transfer facilities.

29 e. Wastewater treatment plants.

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

31 a. Exotic animals, keeping or breeding.

32 b. Kennels not interior to veterinary clinics.

33 **Sec. 3-2.5 Low Density Residential district (LDR).**

34 **(a) Purpose.** The Low Density Residential (LDR) district establishes appropriate areas
35 and land use regulations for residential uses at low densities within suburban areas.
36 The primary intent of the district is to provide for large-lot suburban type residential
37 neighborhood development that blends aspects of rural openness with the benefits
38 of urban street connectivity, and at greater density than the Rural Residential district.
39 Residential uses within the LDR district are predominantly detached single-family

1 dwellings. Clustering dwellings on smaller residential lots may occur where needed
2 to protect prime farmland from non-agricultural use or to conserve and protect
3 environmentally sensitive areas. The district allows non-residential uses that are
4 compatible with suburban residential neighborhoods and the natural resources of the
5 area.

6 **(b) Permitted uses.** Permitted uses within the LDR district are limited to the following:

7 **(1) Residential.**

- 8 a. Manufactured (mobile) homes only within existing manufactured home parks
9 or one per lot within existing manufactured home subdivisions (no expansion
10 of either), or on land zoned SDD prior to adoption of LDR zoning. No new or
11 expanded manufactured home parks or subdivisions.
- 12 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
13 ~~and only one per lot, excluding accessory dwellings. Minimum lot area for an~~
14 accessory dwelling is two acres. Accessory dwellings only on lots two acres
15 or larger. Attached single-family dwellings (townhouses) and zero lot line
16 subdivision only if lots are clustered as prescribed by the LDC to avoid prime
17 farmland or environmentally sensitive lands on land zoned V-5 or SDD prior
18 to adoption of LDR zoning.
- 19 c. Two-family dwellings (duplex) with a minimum lot area of two acres and multi-
20 family dwellings up to four units per dwelling (triplex and quadruplex) only on
21 land zoned V-5 or SDD prior to adoption of LDR zoning.

22 See also conditional uses in this district.

23 **(2) Retail sales.** No retail sales.

24 **(3) Retail services.** No retail services.

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

- 26 a. Cemeteries, family only.
27 b. Public utility structures, excluding telecommunications towers.

28 See also conditional uses in this district.

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

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

32 See also conditional uses in this district.

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

34 **(7) Agricultural and related.** On land not zoned SDD prior to adoption of LDR
35 zoning, agricultural production and storage is limited to food primarily for
36 personal consumption by the producer. The following additional agricultural uses
37 are allowed on lands zoned SDD prior to LDR zoning:

- 38 a. Agriculture, but no farm animals except horses and other domesticated
39 *equines* kept on site, and stables for such animals, accessory to a private
40 residential use with a minimum lot area of two acres and a maximum of one
41 animal per acre.

- 1 **b.** Aquaculture, marine or freshwater.
- 2 **c.** Produce display and sales of fruit, vegetables and similar agricultural
- 3 products.
- 4 **d.** Silviculture.

5 See also conditional uses in this district.

6 **(8) Other uses.** [reserved].

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

8 the BOA may conditionally allow the following uses within the LDR district:

9 **(1) Residential.**

10 **a.** Manufactured (mobile) homes outside of manufactures home parks or

11 manufactured home subdivisions.

12 **ab.** Accessory dwellings or two-family dwellings on lots less than two acres.

13 **bc.** Home occupations with non-resident employees.

14 **(2) Public and civic.**

15 **a.** Clubs, civic and fraternal.

16 **b.** Educational facilities, excluding preschools or kindergartens independent of

17 other elementary grades.

18 **c.** Emergency service facilities, including law enforcement, fire fighting, and

19 medical assistance.

20 **d.** Offices for government agencies or public utilities, small scale (gross floor

21 area 6000 sq.ft. or less per lot).

22 **e.** Places of worship.

23 **f.** Public utility structures exceeding the district structure height limit, excluding

24 telecommunications towers.

25 **(3) Recreation and entertainment.**

26 **a.** Golf courses, tennis centers, swimming pools and similar active outdoor

27 recreational facilities, including associated country clubs.

28 **b.** Parks with permanent restrooms or outdoor event lighting.

29 **(4) Agricultural and related.** Horses and other domesticated *equines* kept on site,

30 and stables for such animals, as a private residential accessory not among the

31 permitted uses of the district, or for public riding on land zoned SDD prior to

32 adoption of LDR zoning. A minimum lot area of two acres if accessory to a

33 private residential use and a minimum 10 acres if for public riding, with a

34 maximum of one animal per acre for either use.

35 **Sec. 3-2.6 Low Density Mixed-use district (LDMU).**

36 **(a) Purpose.** The Low Density Mixed-use (LDMU) district establishes appropriate

37 areas and land use regulations for a complementary mix of low density residential

38 uses and compatible non-residential uses within mostly suburban areas. The

39 primary intent of the district is to provide for a mix of neighborhood-scale retail sales,

40 services and professional offices with greater dwelling unit density and diversity than

1 the Low Density Residential district. Additionally, the LDMU district is intended to
2 rely on a pattern of well-connected streets and provide for the separation of
3 suburban uses from more dense and intense urban uses. Residential uses within
4 the district include most forms of single-family, two-family and multi-family dwellings.

5 **(b) Permitted uses.** Permitted uses within the LDMU district are limited to the following:

6 **(1) Residential.**

7 a. Manufactured (mobile) homes only within manufactured home parks or
8 manufactured home subdivisions, including existing, new or expanded
9 ~~manufactured home parks and subdivisions.~~

10 b. Single-family dwellings (other than manufactured homes), attached
11 (townhouses) or detached, ~~including townhouses~~ and zero lot line
12 subdivisions.

13 c. Two-family dwellings (duplex) and multi-family dwellings up to four units per
14 building (triplex and quadruplex).

15 See also conditional uses in this district.

16 **(2) Retail sales.** Small-scale (gross floor area 6000 sq. ft. or less per lot) retail
17 sales, or retail sales within a neighborhood retail center no greater than 35,000
18 square feet per lot and containing a mix of retail sales and services. Retail sales
19 include sales of beer and wine, but exclude sales of liquor or motor vehicles, and
20 exclude permanent outdoor storage, display, or sales. See also conditional uses
21 in this district.

22 **(3) Retail services.** Small-scale (gross floor area 6000 sq. ft. or less per lot) retail
23 services, or retail services within a neighborhood retail center no greater than
24 35,000 square feet per lot and containing a mix of retail sales and services.
25 Retail services are limited to the following with no outdoor work or permanent
26 outdoor storage:

27 a. Bed and breakfast inns.

28 b. Personal services, including those of beauty shops, health clubs, pet
29 groomers, dry cleaners, and tattoo parlors.

30 c. Professional services, including those of realtors, bankers, accountants,
31 engineers, architects, dentists, physicians, and attorneys.

32 d. Repair services, including appliance repair, furniture refinishing and
33 upholstery, watch and jewelry repair, small engine and motor services, but
34 excluding major motor vehicle or boat service or repair.

35 e. Restaurants, including on-premises consumption of alcohol, but excluding
36 drive-in or drive-through service.

37 See also conditional uses in this district.

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

39 a. Cemeteries, including family cemeteries

40 b. Educational facilities, including preschools, K-12, colleges, and vocational
41 schools.

- c. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- d. Funeral establishments.
- e. Offices for government agencies or public utilities, small scale (gross floor area 6000 sq.ft. or less per lot).
- f. Places of worship.
- g. 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.

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

(7) Agricultural and related. Veterinary clinics, excluding outside kennels. Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

(8) Other uses. [reserved]

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

(1) Residential.

~~a. Group living, including nursing homes, assisted living facilities, dormitories and residential facilities providing substance abuse treatment and post-incarceration reentry.~~

~~ba. Manufactured (mobile) homes outside manufactured home parks or manufactured home subdivisions.~~

b. Any group living facility not providing residential substance abuse treatment, post-incarceration reentry, or similar services as determined by the Planning Official, if compatible with and appropriately scaled for the neighborhood.

(2) Retail sales.

- a. Liquor sales.
- b. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail sales, excluding sales of motor vehicles and excluding permanent outdoor storage, sales, or display.

(3) Retail services.

- a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail services, excluding outdoor work and permanent outdoor storage.
- b. Restaurants with drive-in or drive-through service.

(4) Public and civic.

- a. Clubs, civic and fraternal.

- b. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- c. Offices for government agencies or public utilities, with gross floor area greater than 6000 square feet.
- d. Public utility structures exceeding the district structure height limit, and telecommunications towers of any height, excluding any industrial uses.
- e. Warehousing or maintenance facilities for government agencies or public utilities.

(5) Recreation and entertainment.

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

(6) Other uses. Self-storage facilities with a maximum lot area of one acre and no vehicle rental or outdoor storage.

Sec. 3-2.7 Medium Density Residential district (MDR).

(a) Purpose. The Medium Density Residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses within the MDR district are generally limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

(b) Permitted uses. Permitted uses within the MDR district are limited to the following:

(1) Residential.

- a. Manufactured (mobile) homes only within existing manufactured home parks or one per lot within existing manufactured home subdivisions (no expansion of either). ~~No new or expanded manufactured home parks, and new or expanded manufactured home subdivisions only on land zoned V-4 prior to adoption of MDR zoning.~~
- b. Single-family detached dwellings (other than manufactured homes), ~~detached and only one per lot, excluding accessory dwellings. Minimum lot area for an accessory dwelling is one acre. Accessory dwellings only on lots one acre or larger. Attached single family dwellings and zero lot line subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.~~
- c. Two-family dwellings (duplex) with a minimum lot area of one acre ~~only on land zoned R-3 or V-4 prior to adoption of MDR zoning, and multi-family dwellings up to four units per dwelling (quadruplex) only on land zoned V-4 prior to MDR zoning.~~

See also conditional uses in this district.

(1) Retail sales. No retail sales.

1 **(2) Retail services.** No retail services. See conditional uses in this district.

2 **(3) Public and civic.** Public utility structures, excluding telecommunications towers.
3 See also conditional uses in this district.

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

5 a. Marinas, private.

6 b. Parks without permanent restrooms or outdoor event lighting.

7 See also conditional uses in this district.

8 **(5) Industrial and related.** No industrial or related uses.

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

12 **(7) Other uses.** [reserved]

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

15 **(1) Residential.**

16 a. Attached single-family dwellings (townhouses) and zero lot line subdivisions.
17 ~~Accessory dwellings on lots less than one acre.~~

18 b. Accessory dwellings or two-family dwellings (duplex) on lots less than one
19 acre. ~~Group living, excluding residential facilities providing substance abuse~~
20 ~~treatment, post-incarceration reentry, or similar services.~~

21 c. Home occupations with non-resident employees.

22 d. Any group living facility not providing residential substance abuse treatment,
23 post-incarceration reentry, or similar services as determined by the Planning
24 Official, if compatible with and appropriately scaled for the neighborhood.
25 ~~Townhouses not among the permitted uses of the district.~~

26 **(2) Retail services.** Boarding and rooming houses.

27 **(3) Public and civic.**

28 a. Clubs, civic and fraternal.

29 b. Educational facilities, excluding preschools or kindergartens independent of
30 other elementary grades.

31 c. Emergency service facilities, including law enforcement, fire fighting, and
32 medical assistance.

33 d. Offices for government agencies or public utilities, small scale (gross floor
34 area 6000 sq.ft. or less per lot).

35 e. Places of worship.

36 f. Public utility structures exceeding the district structure height limit, excluding
37 telecommunications towers.

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

39 a. Golf courses, tennis centers, swimming pools and similar active outdoor
40 recreational facilities, including associated country clubs.

1 **b.** Parks with permanent restrooms or outdoor event lighting.

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

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

6 **(a) Purpose.** The High Density Residential (HDR) district establishes appropriate areas
7 and land use regulations for residential uses at high densities within urban areas.

8 The primary intent of the district is to provide for residential neighborhood
9 development in an efficient urban pattern of well-connected streets and at greater
10 dwelling unit density and diversity than the Medium Density Residential district.
11 Residential uses within the HDR district include most forms of single-family, two-
12 family and multi-family dwellings. Non-residential uses within the district are limited
13 to those that are compatible with urban residential neighborhoods.

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

15 **(1) Residential.**

16 ~~a. Group living, excluding dormitories, fraternity and sorority houses, and~~
17 ~~residential facilities providing substance abuse treatment, post-incarceration~~
18 ~~reentry, or similar services.~~

19 ~~ba. Manufactured (mobile) homes only within existing manufactured home parks~~
20 ~~or manufactured home subdivisions (no expansion of either). No new or~~
21 ~~expanded manufactured home parks or subdivisions.~~

22 ~~cb. Single-family dwellings (other than manufactured homes), attached~~
23 ~~(townhouses) or detached, including townhouses and zero lot line~~
24 ~~subdivisions.~~

25 ~~dc. Two-family and multi-family dwellings.~~

26 ~~d. Nursing homes, assisted living facilities, hospice facilities, and other group~~
27 ~~living facilities providing similar services, assistance, or supervision as~~
28 ~~determined by the Planning Official.~~

29 See also conditional uses in this district.

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

31 **(3) Retail services.**

32 **a.** Boarding and rooming houses.

33 **b.** Child care facilities.

34 See also conditional uses in this district.

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

36 See also conditional uses in this district.

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

38 **a.** Marina, private.

39 **b.** Parks without permanent restrooms or outdoor event lighting.

40 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
3 personal consumption by the producer, but no farm animals. See also
4 conditional uses in this district.

5 **(8) Other uses.** [Reserved].

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

8 **(1) Residential.**

9 a. Home occupations with non-resident employees. ~~Dormitories.~~

10 b. Dormitories and ~~F~~fraternity or sorority houses.

11 c. ~~Home occupations with non-resident employees.~~

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

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

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

17 a. Clubs, civic and fraternal.

18 b. Educational facilities, excluding preschools or kindergartens independent of
19 other elementary grades.

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

22 d. Hospitals.

23 e. Offices for government agencies or public utilities, small scale (gross floor
24 area 6000 sq.ft. or less per lot).

25 f. Places of worship.

26 g. Public utility structures exceeding the district structure height limit, excluding
27 telecommunications towers.

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

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

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

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

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

36 **(a) Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate
37 areas and land use regulations for a complimentary mix of high density residential
38 uses and compatible non-residential uses within urban areas. The primary intent of
39 the district is to provide for a mix of neighborhood retail sales, services and

1 professional offices with greater dwelling unit density and diversity than the Low
2 Density Mixed-use district. Additionally, the HDMU district is intended to rely on
3 urban street connectivity and encourage vertical mixes of commercial and residential
4 uses within the same building to accommodate a physical pattern of development
5 characteristic of village main streets and older neighborhood commercial areas.
6 Residential uses within the district include all forms of single-family, two-family and
7 multi-family dwellings.

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

9 **(1) Residential.** The following residential uses ~~are allowed throughout the district,~~
10 but if within a Commercial (C) future land use category and not the principal
11 single-family dwelling on an existing lot of record, they are permitted only if as
12 part of a predominantly commercial development;

13 ~~a. Group living, excluding dormitories, fraternity and sorority houses, and~~
14 ~~residential facilities providing substance abuse treatment, post-incarceration~~
15 ~~reentry, or similar services.~~

16 ~~ba. Manufactured (mobile) homes, including manufactured home subdivisions,~~
17 ~~but no excluding new or expanded manufactured home parks.~~

18 ~~cb. Single-family dwellings (other than manufactured homes), attached~~
19 ~~(townhouses) or detached, or attached, including townhouses and zero lot~~
20 ~~line subdivisions.~~

21 ~~dc. Two-family and multi-family dwellings.~~

22 ~~d. Nursing homes, assisted living facilities, hospice facilities, and other group~~
23 ~~living facilities providing similar services, assistance, or supervision as~~
24 ~~determined by the Planning Official.~~

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.

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

39 f. Repair services, including appliance repair, furniture refinishing and
40 upholstery, watch and jewelry repair, small engine and motor services, but
41 excluding major motor vehicle or boat service or repair.

- 1 g. Restaurants, and brewpubs, including on-premises consumption of alcoholic
2 beverages, but excluding drive-in or drive-through service and brewpubs with
3 distribution of alcoholic beverages for off-site sales.

4 See also conditional uses in this district.

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

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

12 See also conditional uses in this district.

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

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

16 See also conditional uses in this district.

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

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

20 **(8) Other uses.** [Reserved]

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

23 **(1) Residential.**

- 24 a. Manufactured (mobile) home parks ~~Dormitories.~~
25 b. Group living not among the permitted uses of the district. ~~Fraternity and~~
26 ~~sorority houses.~~
27 c. ~~Manufactured (mobile) home parks.~~

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

32 **(3) Retail services.**

- 33 a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no
34 greater than 35,000 sq. ft.) retail services, excluding motor vehicle service
35 and repair.
36 b. Restaurants and brewpubs with drive-in or drive-through service and
37 brewpubs with the distribution of on-premises produced alcoholic beverages
38 for off-site sales.
39 c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle
40 service and repair, excluding painting or body work and outdoor work.

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

- 2 a. Broadcast stations with satellite dishes and antennas, excluding towers.
- 3 b. Cemeteries, including family cemeteries.
- 4 c. Clubs, civic and fraternal.
- 5 d. Community service facilities, including auditoriums, libraries, museums, and
- 6 neighborhood centers.
- 7 e. Cinerators.
- 8 f. Educational facilities not among the permitted uses of the district.
- 9 g. Funeral establishments.
- 10 h. Hospitals.
- 11 i. Offices for government agencies or public utilities.
- 12 j. Public utility structures exceeding the district structure height limit and
- 13 telecommunications towers of any height, excluding any industrial uses.
- 14 k. Warehousing or maintenance facilities for government agencies or public
- 15 utilities.

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

- 17 a. Amusement arcade centers and bingo facilities.
- 18 b. Golf courses, tennis centers, swimming pools and similar active outdoor
- 19 recreational facilities, including associated country clubs.
- 20 c. Parks with permanent restrooms or outdoor event lighting.

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

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

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

27 **(8) Other uses.**

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

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

33 **(a) Purpose.** The Commercial (Com) district establishes appropriate areas and land

34 use regulations for general commercial activities, especially the retailing of

35 commodities and services. The primary intent of the district is to allow more diverse

36 and intense commercial uses than the neighborhood commercial allowed within the

37 mixed-use districts. To maintain compatibility with surrounding uses, all commercial

38 operations within the Commercial district are limited to the confines of buildings and

39 not allowed to produce undesirable effects on surrounding property. To retain

1 adequate area for commercial activities, new and expanded residential development
2 within the district is limited, consistent with the Commercial (C) future land use
3 category.

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

6 **(1) Residential.** The following residential uses ~~are allowed throughout the district,~~
7 but if within the Commercial (C) future land use category and not the principal
8 single-family dwelling on an existing lot of record, they are permitted only if as
9 part of a predominantly commercial development:

10 ~~a. Group living, excluding dormitories, fraternity and sorority houses, and~~
11 ~~residential facilities providing substance abuse treatment, post-incarceration~~
12 ~~reentry, or similar services.~~

13 ~~ba.~~ Manufactured (mobile) homes, including new or expanded and manufactured
14 home parks or subdivisions.

15 ~~cb.~~ Single-family dwellings (other than manufactured homes), attached
16 (townhouses) or detached or attached, including townhouses and zero lot line
17 subdivisions.

18 ~~dc.~~ Two-family and multi-family dwellings.

19 d. Nursing homes, assisted living facilities, hospice facilities, and other group
20 living facilities providing similar services, assistance, or supervision as
21 determined by the Planning Official.

22 See also conditional uses in this district.

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

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

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

29 b. Child care facilities.

30 c. Hotels, motels and all other public lodging, including boarding and rooming
31 houses.

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

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

36 f. Repair services, including appliance repair, furniture refinishing and
37 upholstery, watch and jewelry repair, small engine and motor services, but
38 excluding major motor vehicle or boat service or repair, and outdoor work.

39 g. Restaurants and brewpubs, including on-premises consumption of alcoholic
40 beverages, drive-in and drive-through service, and brewpubs with the
41 distribution of on-premises produced alcoholic beverages for off-site sales.

1 The parcel boundary of any restaurant or brewpub with drive-in or drive-
2 through service shall be at least 200 feet from any LDR or MDR zoning
3 district unless separated by a 50-foot or wider street right-of-way.

4 See also conditional uses in this district.

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

- 6 a. Broadcast stations with satellite dishes and antennas, including towers.
- 7 b. Cemeteries, including family cemeteries.
- 8 c. Community service facilities, including auditoriums, libraries, museums, and
9 neighborhood centers.
- 10 d. Educational facilities, including preschools, K-12, colleges, and vocational
11 schools.
- 12 e. Emergency service facilities, including law enforcement, fire fighting, and
13 medical assistance.
- 14 f. Foster care facilities.
- 15 g. Funeral establishments.
- 16 h. Hospitals.
- 17 i. Offices for government agencies or public utilities.
- 18 j. Places of worship.
- 19 k. Public utility structures, including telecommunications towers, but excluding
20 any industrial uses.
- 21 l. Warehousing or maintenance facilities for government agencies or for public
22 utilities.

23 See also conditional uses in this district.

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

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

31 See also conditional uses in this district.

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

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

35 See also conditional uses in this district.

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

- 37 a. Agricultural food production primarily for personal consumption by the
38 producer, but no farm animals.

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

3 c. Veterinary clinics.

4 See also conditional uses in this district.

5 **(8) Other uses.**

6 a. Billboard structures.

7 b. Outdoor storage if minor and customarily incidental to the allowed principal
8 use, and if in the rear yard, covered, and screened from off-site view, unless
9 otherwise noted.

10 c. Parking garages and lots, commercial.

11 d. Self-storage facilities, excluding vehicle rental.

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

14 **(1) Residential.**

15 a. ~~Home occupations with non-resident employees. Group living not among the~~
16 ~~permitted uses of the district.~~

17 b. ~~Group living not among the permitted uses of the district. Home occupations~~
18 ~~with non-resident employees.~~

19 **(2) Retail sales.**

20 a. Boat sales, new and used.

21 b. Automobile sales, used autos only, excluding parcels fronting on any of the
22 following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR
23 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate
24 10 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic
25 Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than
26 one acre and provided with a permanent fence, wall, or other structural barrier
27 of sufficient height and mass along all road frontage to prevent encroachment
28 into the right-of way other than through approved site access.

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

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

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

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

37 a. Cemeteries, including family cemeteries.

38 b. Clubs, civic and fraternal.

39 c. Cinerators.

40 d. Homeless shelters.

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

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

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

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

12 (b) Microbreweries, microdistilleries, microwineries.

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

16 **(8) Other uses.**

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

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

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

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

36 **(1) Residential.** Any residential uses ~~if outside of the Industrial (I) future land use~~
37 ~~category and, but if within the Commercial (C) future land use category and not~~
38 the principal single-family dwelling on an existing lot of record, only as part of a
39 ~~predominantly commercial development, excluding new or expanded~~
40 ~~manufactured (mobile) home parks and subdivisions.~~ See also conditional uses
41 in this district.

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

4 **(3) Retail services.**

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

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

- 27 a. Broadcast stations with satellite dishes and antennas, including towers.
- 28 b. Cemeteries, including family cemeteries.
- 29 c. Community service facilities, including auditoriums, libraries, museums, and
30 neighborhood centers.
- 31 d. Educational facilities, including preschools, K-12, colleges, and vocational
32 schools.
- 33 e. Emergency service facilities, including law enforcement, fire fighting, and
34 medical assistance.
- 35 f. Funeral establishments.
- 36 g. Homeless shelters.
- 37 h. Hospitals.
- 38 i. Offices for government agencies or public utilities.
- 39 j. Places of worship.

- 1 k. Public utility structures, including telecommunications towers, but excluding
2 industrial uses not otherwise permitted.

3 See also conditional uses in this district.

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

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

- 11 b. Commercial recreation facilities, passive or active, including those for walking,
12 hiking, bicycling, camping, recreational vehicles, swimming, skateboarding,
13 bowling, court games, field sports, and golf, but excluding off-highway vehicle
14 uses and outdoor shooting ranges. Campgrounds and recreational vehicle
15 parks require a minimum lot area of five acres.

- 16 c. Marinas, private and commercial.

- 17 d. Parks, with or without permanent restrooms or outdoor event lighting.

18 See also conditional uses in this district.

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

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

- 24 b. Marinas, industrial.

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

28 See also conditional uses in this district.

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

- 30 a. Food produced primarily for personal consumption by the producer, but no
31 farm animals.

- 32 b. Nurseries and garden centers, including adjoining outdoor storage or display
33 of plants.

- 34 c. Veterinary clinics, excluding outside kennels.

35 See also conditional uses in this district.

36 **(8) Other uses.**

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

- 39 b. Building or construction trades shops and warehouses, including on-site
40 outside storage.

- 1 c. Bus leasing and rental facilities.
- 2 d. Deposit boxes for donation of used items when placed as an accessory
- 3 structure on the site of a charitable organization.
- 4 e. Outdoor adjacent display of plants by garden shops and nurseries.
- 5 f. Outdoor sales.
- 6 g. Outdoor storage of trailered boats and operable recreational vehicles,
- 7 excluding repair, overhaul or salvage activities.
- 8 h. Parking garages and lots, commercial.
- 9 i. Sales and outdoor display of prefabricated storage sheds.
- 10 j. Self-storage facilities, including vehicle rental as an accessory use.

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

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

16 **(1) Retail services.** Restaurants not among the permitted uses of the district.

17 **(2) Public and civic.** Cinerators.

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

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

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

21 c. Shooting ranges, outdoor.

22 **(4) Industrial and related.**

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

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

30 c. Salvage yards not otherwise requiring approval as solid waste processing
 31 facilities.

32 d. Solid waste processing facilities, including solid waste collection points, solid
 33 waste transfer facilities, materials recovery facilities, recovered materials
 34 processing facilities, recycling facilities and operations, resource recovery
 35 facilities and operations, and volume reduction plants.

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

- 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 **(5) Agricultural and related.** Kennels or animal shelters not interior to veterinary

14 clinics.

15 **(6) Other uses.**

- 16 a. Structures of permitted uses exceeding the district structure height limit.
- 17 b. Heliports.

18 **Sec. 3-2.12 Industrial district (Ind).**

19 **(a) Purpose.** The Industrial (Ind) district establishes appropriate areas and land use

20 regulations for a broad range of industrial uses. The primary intent of the district is

21 to accommodate general assembly, outdoor storage, warehousing and distribution,

22 major repair and services, manufacturing, salvage and other such uses and activities

23 that contribute to a diverse economic base but cannot satisfy the compatibility

24 requirements and higher performance standards of other districts. The Industrial

25 district is also intended to provide appropriate locations and standards that minimize

26 dangers to populations and the environment from heavy industrial activities, and to

27 preserve industrial lands for the continuation and expansion of industrial production.

28 Non-industrial uses within the district are limited to ensure the preservation of

29 adequate areas for industrial activities. New or expanded residential development is

30 generally prohibited.

31 **(b) Permitted uses.** Permitted uses within the Industrial district are limited to the

32 following:

33 **(1) Residential.** No new residential uses, ~~including accessory dwelling units,~~ except

34 principal single-family dwellings on existing lots or record and caretaker

35 residences for permitted non-residential uses. Permitted Caretaker and vested

36 ~~single-family dwellings~~ include manufactured (mobile) homes.

37 **(2) Retail sales.** No retail sales except as permitted industrial and related uses.

38 **(3) Retail services.** No retail services except as permitted industrial and related

39 uses.

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

- 41 a. Cinerators, including direct disposition.

1 **b.** Emergency service facilities, including law enforcement, fire fighting, and
2 medical assistance.

3 **c.** Public utility structures, including telecommunications towers.

4 **(5) Recreation and entertainment.** No recreation or entertainment uses.

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

6 **a.** Bulk storage.

7 **b.** Industrial uses, light and heavy, including research and development, printing
8 and binding, distribution and wholesale warehousing, processing of raw
9 materials, manufacturing of finished and semi-finished products, salvage
10 yards, solid waste transfer and processing facilities, materials recovery and
11 recovered materials processing facilities, landfills, concrete and asphalt batch
12 plants, power plants, and mineral extraction.

13 **c.** Solid waste collection points.

14 **(7) Agricultural and related.** No agricultural or related uses except as permitted
15 industrial and related uses.

16 **(8) Other uses.** [reserved]

17 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
18 the BOA or BCC as noted, may conditionally allow the following uses within the
19 Industrial district.

20 **(1)** The BOA may conditionally allow the following uses:

21 **a.** A permitted use of the industrial district to exceed the district structure height
22 limit.

23 **b.** Borrow pits and reclamation activities 20 acres minimum (subject to local
24 permit and development review requirements per Escambia County Code of
25 Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part
26 III, the Land Development Code, chapter 4.)

27 **(2)** The BCC may conditionally allow solid waste processing facilities, including solid
28 waste collection points, solid waste transfer facilities, materials recovery facilities,
29 recovered materials processing facilities, recycling facilities and operations,
30 resource recovery facilities and operations, and volume reduction plants.

31 For any of these solid waste facilities the applicant shall submit, to the Planning
32 Official or his designee, a site boundary survey, development plan, description of
33 anticipated operations, and evidence that establishes each of the following
34 conditions in addition to those prescribed in Chapter 2 to the Planning
35 department:

36 **a.** Trucks have access to and from the site from adequately wide collector or
37 arterial streets and do not use local residential streets.

38 **b.** The scale, intensity, and operation of the use will not generate unreasonable
39 noise, traffic, objectionable odors, dust, or other potential nuisances or
40 hazards to contiguous properties.

- c. The processing of materials will be completely within enclosed buildings unless otherwise approved by the BCC.
- d. The plan includes appropriate practices to protect adjacent land and resources, minimize erosion, and treat stormwater; landscaping and buffering for adjacent uses; hours of operation; methods to comply with maximum permissible noise levels; means of access control to prevent illegal dumping; and plans for materials storage.

Sec. 3-2.13 Recreation district (Rec).

(a) Purpose. The Recreation (Rec) district establishes appropriate areas and land use regulations for outdoor recreational uses and open space. The primary intent of the district is to preserve and maintain parcels of land necessary or used for a system of public and private parks providing both active and passive recreational activities and amenities. Indoor recreation facilities are allowed within the Recreational district if customarily incidental to the principal outdoor uses. Non-recreational uses are severely limited to ensure the preservation of district lands and provision of adequate areas for public recreation. New or expanded residential development is generally prohibited.

(b) Permitted uses. Permitted uses within the Recreation district are limited to the following:

(1) Residential. No new residential uses, ~~including accessory dwelling units,~~ except principal single-family dwellings on existing lots of record and caretaker residences for permitted non-residential uses. ~~Permitted Caretaker and vested single-family dwellings~~ include manufactured (mobile) homes only if allowed by ~~any~~ adjoining zoning.

(2) Retail sales. Retail sales customarily incidental to permitted recreational uses.

(3) Retail services. Retail services customarily incidental to permitted recreational uses.

(4) Public and civic.

a. Bird and wildlife sanctuaries.

b. Parks and greenbelt areas.

c. Public utility structures, including telecommunication towers.

See also conditional uses in this district.

(5) Recreation and entertainment.

a. Recreation facilities, outdoor, including parks, playgrounds, walking and hiking trails, campgrounds, off-highway vehicle trails, swimming pools, baseball fields, tennis courts, and golf courses, but excluding shooting ranges.

b. Marinas, commercial only.

See also conditional uses in this district.

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

- 1 **(7) Agricultural and related.** No agricultural or related uses.
2 **(8) Other uses.** [reserved]
3 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
4 the BOA may conditionally allow the following uses within the Recreation district:
5 **(1) Public and civic.** Emergency service facilities, including law enforcement, fire
6 fighting, and medical assistance.
7 **(2) Recreation and entertainment.** Outdoor shooting ranges.

8 **Sec. 3-2.14 Conservation district (Con).**

9 **(a) Purpose.** The Conservation (Con) district establishes appropriate areas and land
10 use regulations for the conservation of important natural resources. The primary
11 intent of the district is to conserve wetlands, marshes, watersheds, coastal dunes,
12 wildlife habitats and other environmentally sensitive lands, but allow for passive
13 recreational opportunities and amenities consistent with the Conservation future land
14 use category. Non-conservation uses are severely limited to ensure the
15 conservation of district resources and provision of appropriate areas for public
16 recreation. Non-residential uses within the Conservation district are limited to
17 activities that will have minimal impacts and where the educational benefits of the
18 uses are determined to outweigh those impacts. New or expanded residential
19 development is generally prohibited.

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

22 **(1) Residential.** No new residential uses, ~~including accessory dwelling units,~~ except
23 principal single-family dwellings on existing lots or record and caretaker
24 residences for permitted non-residential uses. Permitted Caretaker and vested
25 ~~single-family dwellings~~ include manufactured (mobile) homes only if allowed by
26 any adjoining zoning.

27 **(2) Retail sales.** No retail sales.

28 **(3) Retail services.** No retail services.

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

30 a. Bird and wildlife sanctuaries.

31 b. Educational use of natural amenities for public benefit.

32 c. Parks and trails for passive recreation only.

33 d. Preservation and conservation lands.

34 See also conditional uses in this district.

35 **(5) Recreation and entertainment.** Only passive recreation and entertainment
36 uses.

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

38 **(7) Agricultural and related.** See conditional uses in this district.

39 **(8) Other uses.** [reserved]

- 1 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
2 the BOA may conditionally allow the following uses within the Conservation district:
3 **(1) Public and civic.** Public utility structures, including telecommunication towers.
4 **(2) Agricultural and related.** The keeping of horses or other domesticated *equines*
5 on site for public riding, and stables for such animals, on lots 10 acres or more.

6 **Sec. 3-2.15 Public district (Pub).**

7 **(a) Purpose.** The Public (Pub) district establishes appropriate areas and land use
8 regulations for publicly owned parcels with public uses generally having greater
9 potential for adverse off-site impacts.

10 **(b) Permitted uses.** Permitted uses within the Public district are limited to the following:

11 **(1) Residential.** No new residential uses, ~~including accessory dwelling units,~~ except
12 principal single-family dwellings on existing lots of record and caretaker
13 residences for permitted non-residential uses. Permitted dwellings include
14 manufactured (mobile) homes only if allowed by adjoining zoning.

15 **(2) Retail sales.** No retail sales except within permitted business parks.

16 **(3) Retail services.** No retail services except within permitted business parks.

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

18 a. Correctional facilities, including detention centers, jails, and prisons.

19 b. Educational facilities.

20 c. Offices for government agencies or public utilities.

21 d. Other public institutional uses.

22 **(5) Recreation and entertainment.** No recreation or entertainment uses.

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

24 a. Borrow pits and associated reclamation activities.

25 b. Industrial uses within permitted industrial parks.

26 c. Solid waste processing facilities, including solid waste collection points, solid
27 waste transfer facilities, materials recovery facilities, recovered materials
28 processing facilities, recycling facilities and operations, resource recovery
29 facilities and operations, and volume reduction plants.

30 **(7) Agricultural and related.** No agricultural or related uses.

31 **(8) Other uses.** Conversion of suitable public lands for business or industrial park
32 development.

33 **(c) Conditional uses.** No conditional uses are available within the Public district.
34

35 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land Development
36 Code of Escambia County, Chapter 4, Location and Use Regulations, Article 7,
37 Supplemental Use Regulations, is hereby amended as follows (words underlined are
38 additions and words ~~stricken~~ are deletions):

1 **Sec. 4-7.3 Accessory uses and structures.**

2 **(a) General conditions.** Accessory uses and structures shall be allowed in compliance
3 with the provisions of the applicable zoning district and this section.

4 **(1) Subordinate.** An accessory use shall be subordinate in extent and purpose to
5 the principal use and not simply a different, alternative or additional use. Multiple
6 uses on a parcel may each be classified as a principal use, so the determination
7 of subordinate uses shall, at a minimum, consider the following:

8 **a. Area.** The area devoted to the use in relation to the principal use. However,
9 the fact that a use occupies less area does not necessarily make the use
10 accessory.

11 **b. Time.** The time devoted to the use in relation to the principal use. For
12 example, a seasonal activity may be accessory in relation to a year-round
13 primary use, but a year-round use would not be subordinate to a seasonal
14 primary use.

15 **c. Intensity.** The relative intensity of the use and the resulting impacts on the
16 land and neighboring properties.

17 **d. Employees.** The number of employees assigned to a use. However, an
18 accessory use need not always have fewer employees than the principal use.

19 **(2) Customarily incidental.** An accessory use shall be customarily incidental to the
20 principal use, having commonly, habitually, and by long practice been
21 established as reasonably associated with that use. A rare association of uses
22 does not qualify as customary, but the uses need not be joined in a majority of
23 the instances of the principal use. Additionally, an incidental use must have a
24 reasonable relationship to the principal use, being clearly associated, attendant
25 or connected. A use is customarily incidental when it is so necessary or so
26 commonly to be expected in connection with the principal use that it cannot be
27 reasonably supposed that the LDC intended to prevent it.

28 **(3) Establishment.** Unless otherwise specifically allowed by the provisions of the
29 LDC, accessory uses and structures may only be established concurrently with
30 or following the lawful establishment of a validating principal use or structure.

31 **(4) Location.** An accessory use or structure shall be located on the same lot as the
32 principal use or structure. Accessory structures are limited to locations within
33 side and rear yards, except as specifically allowed by LDC provisions, including
34 the following:

35 **a. Large residential lots.** Accessory structures, including an accessory dwelling
36 unit, on a lot ten acres in size or larger may be located within the front yard of
37 the principal dwelling if the structures are at least 60 feet from the front lot line.

38 **b. Waterfront lots.** Accessory structures may be located in the front yard of a
39 waterfront lot if the structures are at least 60 feet from the front lot line and
40 granted conditional use approval by the Board of Adjustment (BOA).

1 **c. Signs and fences.** Signs and fences as accessory structures may be located
2 within a front yard if in compliance with the sign and fence standards
3 prescribed in Chapter 5.

4 **d. Fuel pumps.** Pumps and pump islands for retail fuel sales may be located
5 within the front yard of a conforming non-residential use if the pumps and
6 islands are at least 20 feet from any street right-of-way.

7 **e. Sewage systems.** The underground components of an on-site sewage
8 treatment and disposal system (e.g., septic tank and drain field) may be
9 located within a front yard as necessary to obtain sufficient open space if the
10 components are at least five feet from any lot line.

11 **f. Deposit boxes.** Deposit boxes for the donation of used items to charitable
12 organizations may be located within the front yard of a conforming
13 non-residential use if the total area coverage by the boxes is limited to 100
14 square feet and they are placed in compliance with the sight visibility and sign
15 standards prescribed in Chapter 5.

16 **g. Automated vending.** Automated vending structures may be located within
17 the front yard of a conforming non-residential use if the vending structures are
18 at least 20 feet from any street right-of-way and in compliance with the sight
19 visibility and sign standards prescribed in Chapter 5. Such structures shall
20 also be freestanding, self-contained, and unattended; have separately metered
21 utilities; and be limited to on-demand self-service commercial activities such as
22 the retail sale of ice or the provision of banking services.

23 **(5) Size in relation to single-family dwellings.** Structures accessory to a single-
24 family dwellings, including accessory dwelling units, are subject to the following
25 size limits, excluding non-residential accessory structures on farms or within the
26 Agricultural zoning district:

27 **a. Less than two acres.** On lots smaller than two acres, no individual
28 accessory structure may exceed 50 percent of the gross floor area of the
29 principal dwelling.

30 **b. Two to five acres.** On lots two acres to five acres, no individual accessory
31 structure may exceed 75 percent of the size of the gross floor area.

32 **c. Greater than five acres.** On lots larger than five acres, no individual
33 accessory structure may exceed the size of the principal dwelling.

34 Structures larger than the limits established here shall require variance approval
35 from the BOA.

36 **(6) Structures on Pensacola Beach.** Residential accessory structures on
37 Pensacola Beach, except for signs and fences, require the approval of the SRIA
38 Board. Such private structures include garages, storage buildings, playhouses,
39 swimming pools, cabanas, uncovered decks, and screened enclosures.

40 Approval of these accessory structures is entirely at the discretion of the SRIA
41 and shall require compliance with the following:

42 **a.** The design of the structure is compatible with the design of the residence.

- 1 **b.** If on a waterfront lot, the structure does not extend further seaward than
2 residences on adjoining lots.
- 3 **c.** If the structure is a detached elevated deck, it is no greater than 200 square
4 feet in area and does not exceed 35 feet in height or the height of the
5 residence, whichever height is less.
- 6 **d.** No variance to established structure setback lines is necessary.
- 7 **e.** No wall of the structure is closer than six feet to any wall of the residence, and
8 no part of the structure is closer than four feet to any part of the residence.
- 9 **f.** If the structure includes a walkway cover between the residence and the
10 structure, the cover is no more than six feet wide.
- 11 **g.** If the structure is a swimming pool or gazebo type structure, it does not
12 extend seaward of the state's 1975 Coastal Construction Control Line or a
13 line 50 feet landward of the crest of the primary dune line, whichever setback
14 from the shoreline is more restrictive.
- 15 **h.** The structure complies with all other LDC and Florida Building Code
16 requirements.

17 **(b) Specific uses and structures.**

18 **(1) Accessory dwelling units.** Accessory dwelling units are allowed on the lots of
19 single-family dwellings, but a second dwelling unit on a lot is not subject to the
20 limitations of accessory structures if the lot area and applicable zoning district
21 would otherwise allow the additional dwelling. Accessory dwelling units shall
22 comply with the following conditions:

- 23 **a.** The applicable zoning is a mainland district, but is not Industrial (Ind),
24 Recreation (Rec), Conservation (Con), or Public (Pub).
- 25 **b.** The principal dwelling and accessory dwelling unit are the only dwellings on
26 the lot and the lot provides the minimum area required by the applicable
27 zoning.
- 28 **c.** The resulting residential density on the lot may exceed the gross density limit
29 of the applicable zoning, but complies with all other applicable density limits
30 (e.g., airfield environs).
- 31 **d.** The form of accessory dwelling (~~e.g., manufactured home~~) is an allowed use
32 of the applicable zoning, except that no manufactured home may be an
33 accessory dwelling to another manufactured home.
- 34 **e.** The accessory dwelling complies with the setbacks applicable to the principal
35 dwelling unless otherwise allowed by the LDC.

36 **(2) Carports.** All carports, attached or detached, are allowed as accessory
37 structures regardless of their construction material, but shall comply with the
38 following conditions:

- 39 **a.** The structure setbacks of the applicable zoning district are not exceeded,
40 except that a carport may encroach into the required front yard provided it is
41 not less than ten feet from the front property line.
- 42 **b.** The carport is not prohibited by private deed restrictions.

- c. Minor site development approval is obtained for the structure and it complies with applicable building codes.
- d. A building permit is obtained for the structure unless it is a portable carport covering less than 400 square feet.
- e. The structure is not attached to a mobile home.

(3) Chickens and single-family dwellings. The ownership, possession, and raising of live chickens (*Gallus gallus domesticus*) is an allowed accessory use for any single-family dwelling principal use, except on Perdido Key and Santa Rosa Island, regardless of any prohibition of farm animals or minimum lot area for farm animals established by the applicable zoning district. However, such keeping of chickens shall comply with the following standards:

- a. **Limit by lot area.** No more than eight chickens shall be kept on any lot that is one quarter acre or less in size.
- b. **Roosters.** No rooster shall be kept less than 100 yards from any inhabited residence other than the dwelling of the person keeping the rooster.
- c. **Security.** Chickens may roam freely in the fenced rear yard of the principal dwelling from sunrise to sunset. During all other times the chickens shall be kept in secure coops, pens or enclosures that prevent access by predators.
- d. **Enclosure setbacks.** All chicken pens, coops, or enclosures shall be a minimum of 10 feet from rear and side property lines, and a minimum of 20 feet from any residence located on an adjacent lot.

(4) Columbaria. Columbaria are allowed as accessory uses to places of worship.

(5) Docks and piers. As an exception to the establishment of a principal use or structure for any accessory use or structure, docks and piers may be permitted as accessory structures on lots exclusively for single-family dwellings regardless of the establishment of any dwellings on the lots.

~~**(6) Family day care or foster homes.** A family day care home or family foster home is allowed as an accessory use wherever the host dwelling unit is allowed unless prohibited by the applicable zoning district.~~

(7)(6) Home occupations and home-based businesses. Home occupations and home-based businesses are limited to the residents of a dwelling unit other than a manufactured (mobile) home, and allowed only as an accessory use to the residential use. A home occupation, or employment at home, is allowed wherever the host dwelling unit is allowed, but shall generally be unnoticeable to adjoining land uses. A home-based business, which is at a greater scale or intensity than a home occupation, is limited to the rural zoning districts (Agr, RR, RMU) and only allowed if impacts to adjoining land uses are minimal. Home occupations and home-based businesses shall comply with each of the following requirements:

- a. **Licenses.** All required business, professional, or occupational licenses are obtained prior to commencement of the occupation or business and are maintained for the duration of the activity.

1 **b. Exterior evidence.** For home occupations, there is no evidence visible from
2 outside of the dwelling or accessory building that any part of a building is
3 utilized for an occupation. For home-based businesses, any evidence visible
4 from outside of the dwelling or accessory building that any part of a
5 building is utilized for a business is minimal. Such exterior evidence includes
6 any storage, display, or signage associated with the occupation or business.
7 Signage is limited for both uses according to the signage provisions of
8 Chapter 5.

9 **c. Off-site impacts.** Occupations or business activities shall not create
10 nuisances or adverse off-site impacts, including but not limited to noise,
11 vibration, smoke, dust or other particulates, odors, heat, light or glare, or
12 electromagnetic interference. In a residential neighborhood, no activities are
13 allowed to alter the character of the neighborhood.

14 **d. Structural alterations.** No structural alterations are made that would be
15 inconsistent with the use of the dwelling exclusively as a residence or that
16 would not customarily be associated with dwellings or their accessory
17 buildings.

18 **e. Employees.** Employment in a home occupation is limited to residents of the
19 dwelling unit unless the applicable zoning district allows BOA conditional use
20 approval of non-resident employees. Employment in a home-based business
21 may include no more than two non-resident employees.

22 **f. Customers.** No customers shall visit the house and there shall not be any
23 additional traffic or an increase in demand for parking due to trucks or other
24 service vehicles coming to the house.

25 **g. Motor vehicles.** The manufacture or repair of motor vehicles or other
26 transportation equipment is prohibited.

27 **(8)(7) Small wind energy systems.** For the purposes of this section, a small wind
28 energy system is an accessory use consisting of a wind turbine, structural
29 support, and associated control or conversion electronics design to supply some
30 of the on-site electrical power demands of a home, farm, or small business. A
31 small wind energy system is allowed only if constructed and operated in
32 compliance with each of the following requirements:

33 **a. System Height.** The height of the system is the minimum necessary to
34 reliably provide the required power.

35 **b. Prohibited use.** To protect the unique scenic view, the system is not
36 installed within the Scenic Highway Overlay District.

37 **c. Airport and military review.** If the installation of the system or additional
38 turbines is within the Pensacola International Airport Planning District
39 (PNSPD) or any military Airfield Influence Planning District (AIPD), the
40 applicant has notified and obtained a response from the respective
41 airport/airfield authority. If the authority has objections to the installation, the
42 Planning Official shall consider them in any final determination and may
43 impose approval conditions on the installation to address the objections.

1 **d. Setback.** The center of the system tower base is no closer to any part of a
2 dwelling outside of the system installation parcel than the total height of the
3 system. Additionally, no part of the system structure, including any guy wires
4 or anchors, is closer than five feet to the property boundary of the installation
5 parcel.

6 **e. Appearance.**

7 **1. Design and Location.** Towers are designed and located to minimize
8 visual impacts. Colors and surface treatment of system components
9 minimize visual distraction.

10 **2. Signs.** Signs on system components are limited to the manufacturer's or
11 installer's identification and appropriate warnings.

12 **3. Lighting.** System structures are not lighted except to the extent required
13 by the Federal Aviation Administration or other applicable authority.

14 **(9)(8) Swimming pool enclosures.** Screened enclosures for swimming pools may
15 be erected no closer than five feet from the rear or side property line. No pool
16 enclosure shall be allowed on any easement unless authorized by the grantee of
17 the easement through an encroachment agreement.

18
19 **Section 4.** Part III of the Escambia County code of Ordinances, the Land Development
20 Code of Escambia County, Chapter 6, Definitions, is hereby amended as follows (words
21 underlined are additions and words ~~stricken~~ are deletions):

22 **Sec. 6-0.3 Terms defined.**

23 **Group home facility.** A state licensed residential facility for persons with
24 developmental disabilities which provides a family living environment for at least four,
25 but not more than 15 residents, including supervision and personal care necessary to
26 meet the physical, emotional, and social needs of the residents.

27 **Group living.** Residential occupancy of a building other than a dwelling by a non-
28 household group, with individual tenancy usually arranged on a monthly or longer basis.
29 Group living includes group occupancy of dormitories, fraternity or sorority houses, and
30 facilities that provide special services, treatment, or supervision ~~such as nursing homes,~~
31 ~~assisted living facilities, and residential substance abuse treatment and hospice~~
32 ~~facilities.~~ Group living does not include any public lodging, or any community residential
33 home or other household living arrangement, ~~any or~~ occupancy of a dwelling, ~~or any~~
34 ~~public lodging.~~

35
36 **Section 5. Severability.**

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

1 **Section 6. Inclusion in Code.**

2 It is the intention of the Board of County Commissioners that the provisions of this
3 Ordinance shall be codified as required by F.S. § 125.68 (2015); and that the sections,
4 subsections and other provisions of this Ordinance may be renumbered or re-lettered
5 and the word "ordinance" may be changed to "section," "chapter," or such other
6 appropriate word or phrase in order to accomplish such intentions.
7

8 **Section 7. Effective Date.**

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

11 **DONE AND ENACTED** this _____ day of _____, 2016.
12

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

15
16 **By:** _____

17
18 **Grover C. Robinson, IV, Chairman**
19

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

22
23 **By:** _____
24 **Deputy Clerk**

25 **(SEAL)**
26

27 **ENACTED:**

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

29 **EFFECTIVE DATE:**
30

The term “group living” as used in the Land Development Code

After further review and discussion among those who administer LDC provisions, the term “group living” remains in use among the proposed revisions to permitted and conditional residential uses. The identification of both broad land use categories and specific uses is essential in the function of each zoning district to identify its allowed uses.

The broad category of residential use is most commonly represented by dwelling units, but group living is a necessary and practical identification of those remaining residential uses that are not the household living of dwelling units – residential uses that are often institutional.

Currently three subsets are used to indicate either allowed or prohibited exceptions to the full extent of group living. The subsets are loosely identified by listed examples because they were not created to be, and together are not considered to be, inclusive of all group living.

Regardless of the subsets’ inclusion of “other facilities providing similar services, assistance, or supervision,” or even if the subsets were amenable to definition, they do not include or define all non-household residential use. That is, they do not classify the whole of group living.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. c.

Meeting Date: 09/06/2016

Issue: A Public Hearing Concerning the Review of an Ordinance Removing a Parcel From the Escambia County Mid-West Sector Plan

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Removing a Parcel From the Escambia County Mid-West Sector Plan

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance removing a parcel from the Escambia County Mid-West Sector Plan, Jacks Branch Detailed Specific Area Plan.

BACKGROUND:

The applicant requested the 8.67+/- acre parcel be removed from the Sector Plan. The current underlying zoning for the parcel is HC/LI and the Future Land Use (FLU) is MU-S. The applicant has stated that at this time, the parcel will maintain the existing zoning and FLU categories. The applicant also stated that there is no immediate proposed development for the site.

The existing Land Use derived from the adopted DSAP Final Land Use Plan, identifies the parcel under the Conservation Neighborhood 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 Meredith D. Crawford, 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 Land Use Plan Map which is a part of the Mid-West Sector Plan and will be filed with the Department of State following adoption by the board.

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

Working Case File

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Opting Out Sector Plan

Date: 8/19/2016

Date requested back by: _____

Requested by: JC Lemos

Phone Number: 595-3467



(LEGAL USE ONLY)

Legal Review by Meredith Crawford, AEA

approved
Date Received: 8/22/16

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

ORDINANCE NUMBER 2016-___

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY MID-WEST SECTOR PLAN, DETAILED SPECIFIC AREA PLANS (DSAP), FINAL LAND USE PLAN, FIGURE 2.01.A, REMOVING PARCEL WITHIN SECTION 3, TOWNSHIP 1N, RANGE 31W, PARCEL NUMBER 1302-000-003 TOTALING 8.67 (+/-) ACRES, LOCATED NORTH OF NEAL ROAD, FROM THE ESCAMBIA COUNTY MID-WEST OPTIONAL SECTOR PLAN, JACKS BRANCH DSAP; PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Chapter 16, FLU 16.6.1.V of the Escambia County Comprehensive Plan provides guidelines for removing properties from an approved DSAP; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to approve changes (amendments) to the boundaries of the Escambia County Mid-West Sector Plan, Jacks Branch DSAP, Final Land Use Plan, Figure 2.01.A, Attachment A; and

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

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

Section 1. Purpose and Intent

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

Section 2. Title of Map Amendment

This Final Land Use Plan map amendment shall be entitled – "Opting-Out Escambia County Mid-West Sector Plan OSP 2016-01."

1 **Section 3. Changes to the Final Land Use Plan Map**

2
3 The Final Land Use Plan Map, as adopted in the Escambia County Mid-West Sector
4 Plan, Land Use Plan and Development Program, and all notations, references and
5 information shown thereon, is further amended to remove the following parcel:

6
7 A parcel within Section 3, Township 1N, Range 31W, parcel number 1302-
8 000-003 and totaling 8.67 (+/-) acres, located North of Neal Road, as more
9 particularly described in the Boundary Survey description produced by
10 Leland M. Empie, registered professional surveyor and mapper from
11 Empire Land Surveying, Inc., dated 1/30/08, included as Attachment C.

12 The amended Final Land Use Plan Map boundary is reflected in Attachment B.

13 **Section 4. Severability**

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

18
19 **Section 5. Effective Date**

20
21 Pursuant to Section 163.3184(3)(c)(4), Florida Statutes, this Ordinance shall not
22 become effective until 31 days after the Department of Economic Opportunity notifies
23 Escambia County that the plan amendment package is complete. If timely challenged,
24 this Ordinance shall not become effective until the Department of Economic Opportunity
25 or the Administration Commission enters a final order determining the Ordinance to be
26 in compliance.

27
28 **DONE AND ENACTED** this _____ day of _____, 2016.

29
30 BOARD OF COUNTY COMMISSIONERS
31 OF ESCAMBIA COUNTY, FLORIDA

32
33
34 By: _____
35 Grover C. Robinson, IV, Chairman

36 ATTEST: PAM CHILDERS
37 CLERK OF THE CIRCUIT COURT

38
39
40 By: _____
41 Deputy Clerk

42 (SEAL)

1
2 ENACTED:
3 FILED WITH THE DEPARTMENT OF STATE:
4 EFFECTIVE DATE:

DRAFT

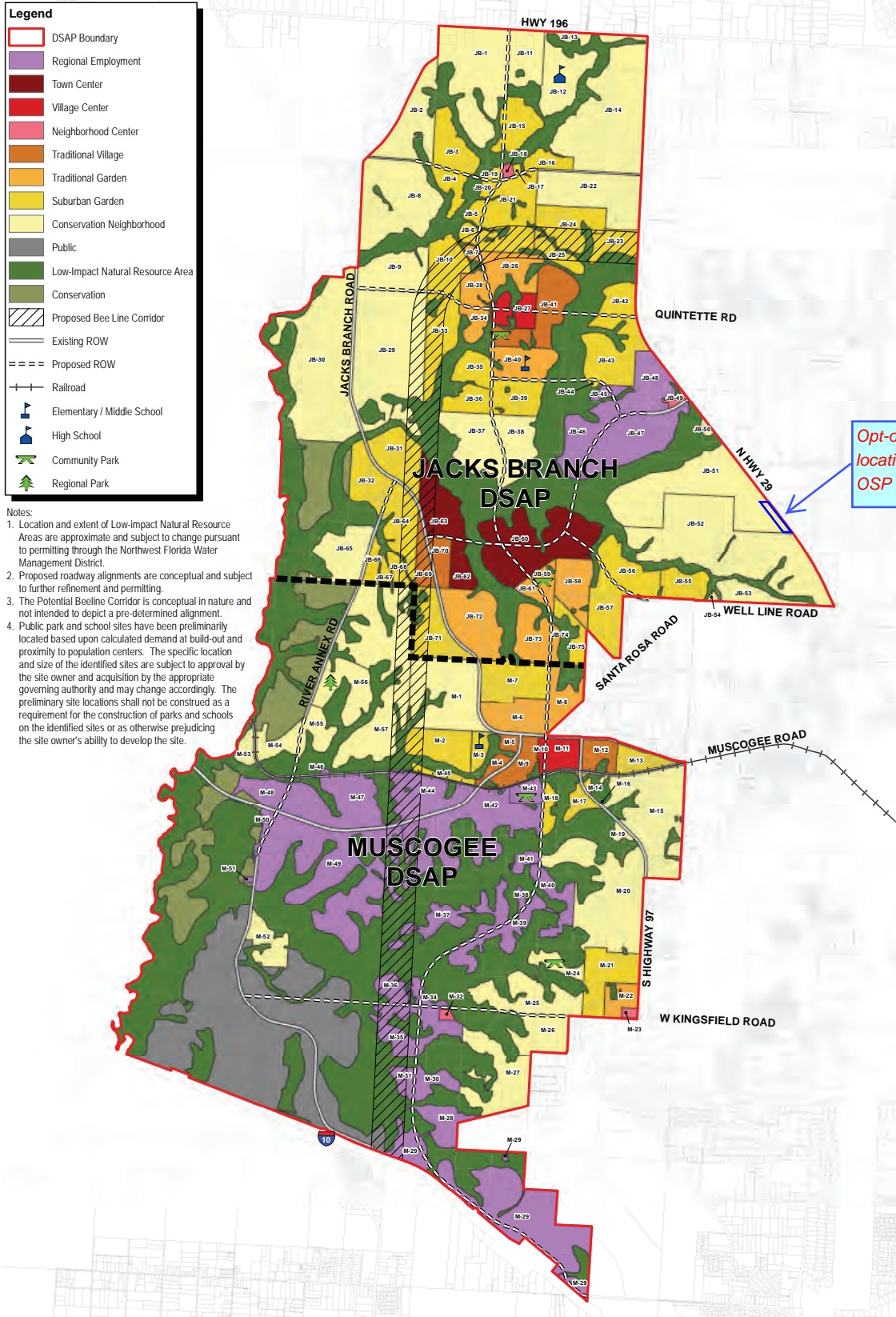


Figure 2.01.A Final Land Use Plan

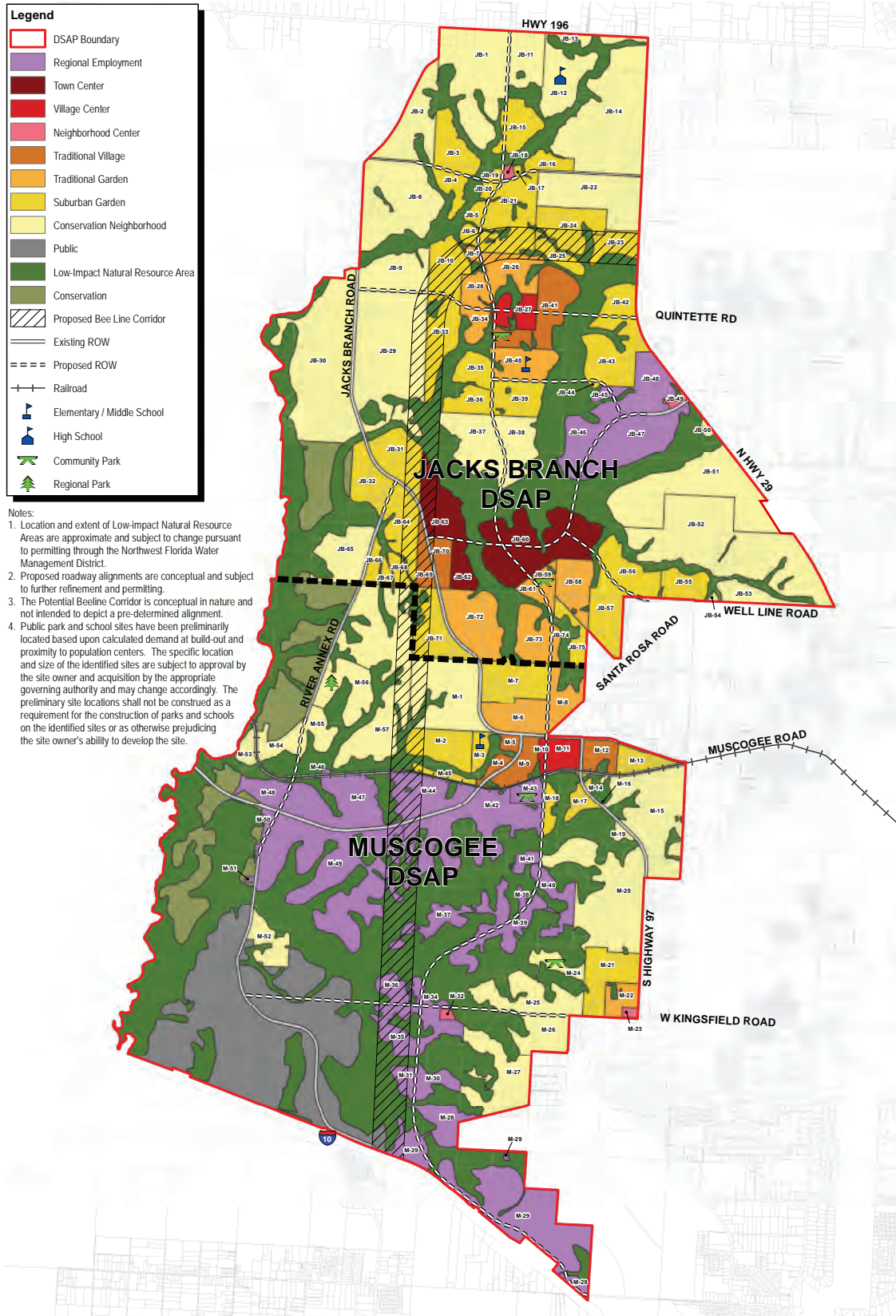


Figure 2.01.A Final Land Use Plan

BOUNDARY SURVEY NEAL ROAD A PORTION OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

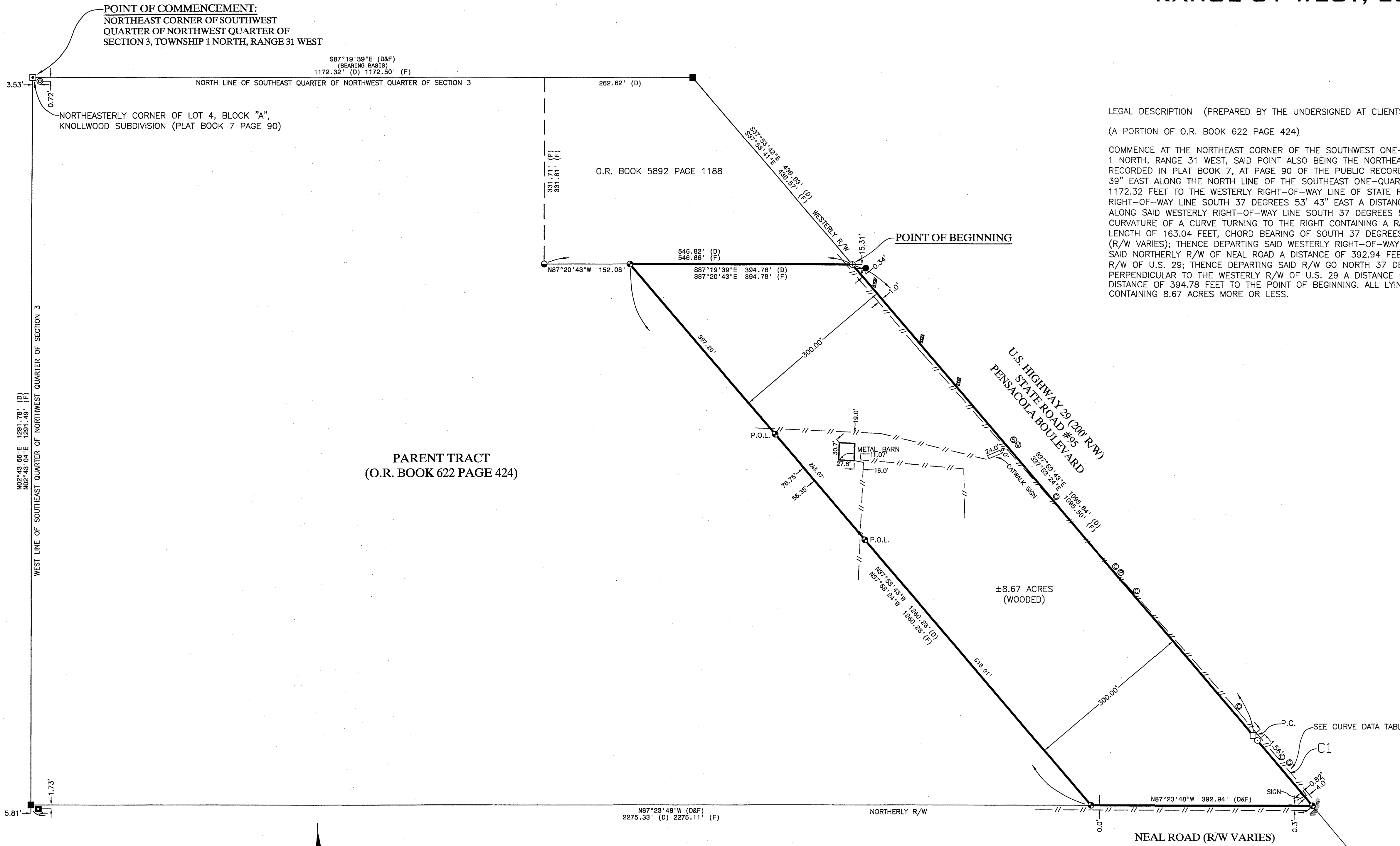
CLIENT ROBERTSON-COTTON, INC.

BEARING BASIS NORTH LINE OF SOUTHEAST QUARTER OF SECTION 3 - S87°19'39" E (D)

TYPE OF SURVEY: BOUNDARY WITH IMPROVEMENTS

SOURCE OF INFORMATION:
FIELD EVIDENCE
DEEDS OF RECORD
O.R. BOOK 622 PAGE 424
PRIOR SURVEYS/DRAWINGS

GENERAL NOTES:
1. Fence locations as drawn are not to scale.
2. Jurisdiction (Wetlands) boundary lines not located unless shown on drawing.
3. Footings, foundations, or any other subsurface structures were not located.
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D); Actual Field Measurement = (F); Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown meet the standards required in the appropriate land area.
6. No Title Search of the Public Records has been performed by this firm and lands shown hereon were not abstracted by this firm for ownership, easements or right-of-way. The parcel shown hereon may be subject to setbacks, easements, zoning and restrictions that may be found in the Public Records of said County.



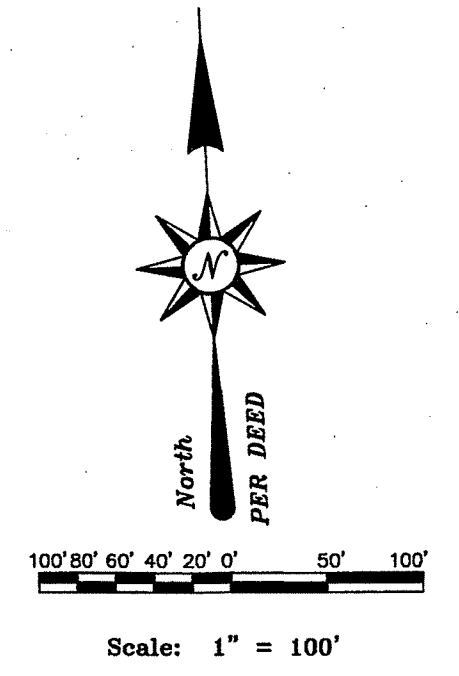
LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED AT CLIENTS' REQUEST)
(A PORTION OF O.R. BOOK 622 PAGE 424)

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 31 WEST, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF LOT 4, BLOCK "A", KNOLLWOOD SUBDIVISION, AS RECORDED IN PLAT BOOK 7, AT PAGE 90 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 87 DEGREES 19' 39" EAST ALONG THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 3 A DISTANCE OF 1172.32 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 95 (U.S. 29, 200' R/W); THENCE GO ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 37 DEGREES 53' 43" EAST A DISTANCE OF 436.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 37 DEGREES 53' 43" EAST A DISTANCE OF 1095.64 FEET TO THE POINT OF CURVATURE OF A CURVE TURNING TO THE RIGHT CONTAINING A RADIUS OF 11391.20 FEET AND AN ARC LENGTH OF 163.04 FEET (CHORD LENGTH OF 163.04 FEET, CHORD BEARING OF SOUTH 37 DEGREES 29' 07" EAST) TO THE NORTHERLY RIGHT-OF-WAY LINE OF NEAL ROAD (R/W VARIES); THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY OF STATE ROAD NO. 95 GO NORTH 87 DEGREES 23' 48" WEST ALONG SAID NORTHERLY R/W OF NEAL ROAD A DISTANCE OF 392.94 FEET TO A POINT WHICH IS 300.00 FEET PERPENDICULAR TO THE WESTERLY R/W OF U.S. 29; THENCE DEPARTING SAID R/W GO NORTH 37 DEGREES 53' 43" WEST ALONG A LINE WHICH IS 300.00 FEET PERPENDICULAR TO THE WESTERLY R/W OF U.S. 29 A DISTANCE OF 1260.28 FEET; THENCE GO SOUTH 87 DEGREES 19' 39" EAST A DISTANCE OF 394.78 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 3, TOWNSHIP 1 NORTH, RANGE 31 WEST AND CONTAINING 8.67 ACRES MORE OR LESS.

LEGEND

- O.R. OFFICIAL RECORD BOOK
- R/W RIGHT OF WAY
- A.P.D. A PORTION OF ...
- P.C. POINT OF CURVATURE
- P.O.L. POINT ON LINE
- 4" WIRE FIELD FENCE
- COVERED (ROOFED) AREA
- ASPHALT
- DIRT
- FOUND 1/2" IRON ROD
- FOUND 1" IRON PIPE
- FOUND 1/2" CAPPED IRON ROD - #4082
- FOUND 1/2" CAPPED IRON ROD - #7312
- FOUND 1/2" CAPPED IRON ROD - FOOT R/W
- FOUND 5" x 5" CONCRETE MONUMENT - DISTURBED
- FOUND 4" x 4" CONCRETE MONUMENT - #1835
- FOUND 4" x 4" CONCRETE MONUMENT - BROKEN
- FOUND 4" ROUND CONCRETE MONUMENT
- SET 1/2" CAPPED IRON ROD LICENSED BUSINESS #6993
- SEWER MANHOLE
- SEWER VALVE
- FLORIDA PERMIT SIGN
- SEWER VALVE

CURVE DATA TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1 (D)	11391.20'	163.04'	163.04'	S37°29'07"E	
C1 (F)	11391.20'	163.33'	163.33'	S37°28'45"E	00°49'17"



THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY:

THE PURPOSE OF THIS SURVEY IS FOR TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE. THIS MAP IS CERTIFIED AS MEETING THE FLORIDA MINIMUM TECHNICAL STANDARDS TO THE FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S) AND COMPANIES:

ROBERTSON-COTTON INC.
WHITNEY BANK
WILSON, HARRELL, FARRINGTON & FORD, P.A. and
FIRST AMERICAN TITLE INSURANCE COMPANY

NOT VALID WITHOUT THE ORIGINAL BLUE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA
8720 N. PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 -- FAX: 850-477-3705
LICENSED BUSINESS #6993, STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE
R1) REVISE LEGAL DESCRIPTION ALONG WEST PROPERTY LINE	NONE	1/28/08
POSSIBLE ENCROACHMENTS: FENCES		

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED; THAT THIS SURVEY WAS COMPLETED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY RULE 61G17 FLORIDA ADMINISTRATIVE CODE; THAT THIS SURVEY ALSO COMPLIES WITH CHAPTERS 177 AND 472 FLORIDA STATUTES.

PROFESSIONAL SURVEYOR AND MAPPER, NO. 5786, STATE OF FLORIDA
DATE: JANUARY 30, 2008 LELAND M. EMPLE, P.S.M.

SCALE: 1" = 100'
FIELD DATE: 2/02/07
ORDER NO: 039-07-R1
FIELD BOOK: 109/35-36

OSP-2016-01

Wiley C. "Buddy" Page, MPA, APA
PROFESSIONAL GROWTH MANAGEMENT SERVICES, LLC
5337 Hamilton Lane • Pace, Florida 32571
CELL (850) 232-9853
budpage1@att.net

June 21, 2016
VIA HAND DELIVERY

Mr. Horace Jones, Director
Development Services Department
1363 Park Place Central Complex
Pensacola, Florida 32505

**RE: Application for Sector Plan Overlay Designation
Change for Parcel No. 03-1N-31-1302-000-003**

Dear Mr. Jones:

The attached amendment application, combined with our earlier (Opt-out) letter sent to you, requests consideration to remove the referenced property from the Conservation Neighborhood classification on the Sector Plan Overlay Map.

The application contains responses to those items listed in your outline dated June 21, 2016. We are seeking to revert to those previous classifications allowing HC-LI as a viable category. This will include a Future Land Use category of Mixed Use- Urban and a DSAP overlay of the appropriate Village or Regional Employment center category.

Please contact me if you require additional information.

Sincerely yours,



Wiley C. "Buddy" Page

copy: Robertson Cotton, Inc.

Wiley C. "Buddy" Page, MPA, APA
PROFESSIONAL GROWTH MANAGEMENT SERVICES, LLC
5337 Hamilton Lane • Pace, Florida 32571
CELL (850) 232-9853
budpage1@att.net

November 3, 2015
VIA HAND DELIVERY

Mr. Horace Jones, Director
Development Services Department
3363 West Park Place
Pensacola, Florida 32505

RE: Request to Opt-Out of DSAP
Property Parcel No. 03-1N-31-1302-000-003
Address: 1400 Hwy 29 North - Cantonment

Dear Mr. Jones:

I represent Mr. Wilson Robertson, owner of the property referenced above. This letter requests that the referenced property be allowed to "**opt-out**" of the recently adopted Escambia Detailed Specific Area Plan (DSAP).

This comes about as the result of the DSAP overlay map designating the property as Conservation greatly eliminating any commercial development on the property. You will recall that the Planning Board and County Commission approved upgrading of the zoning to the commercial Gateway Business District (GBD) category in 2007 only to recently learn the new DSAP map strips the property of any commercial development potential it was previously given.

We contacted the Florida Department of Economic Opportunity (FDEO) and during the discussion learned that all landowners within the DSAP boundary area must consent to having their land included in a sector plan. Mr. Robertson maintains that at no time was he ever approached or notified that inclusion and approval of DSAP would severely impact/restrict his ability to commercially develop his property. Moreover, the DSAP map depicts hundreds of other acres that have been similarly classified/impacted with the likelihood that those owners too, are without knowledge as to these new development restrictions.

We understand that you and your staff will send/discuss this request with FDEO and advise us in writing as to the next steps as we move through this "opt-out" process.

Please contact me if you have any questions or need anything further.

Sincerely yours,



Wiley C. "Buddy" Page

copy: Wilson Robertson
Wayne Cotton
Jack Brown

* KEEP EXISTING FEE
* KEEP UNDERLYING ZONING

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

OPT OUT SECTOR PLAN (ONLY).
FUTURE LAND USE MAP AMENDMENT APPLICATION

(THIS SECTION FOR OFFICE USE ONLY):

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

Current FLU: MU-S Desired FLU: NONE Zoning: HC-15 Taken by: _____

Planning Board Public Hearing, date(s): 6 SEP 16

BCC Public Hearing, proposed date(s): 6 OCT 16 (TRANSMITTAL)

Fees Paid 0 Receipt # _____ Date: _____

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

Name: Robertson - Cotton Inc.

Address: Hwy 29 32514

City: Pensacola State: Florida Zip Code: 32514

Telephone: () _____

Email: _____

DESCRIPTION OF PROPERTY:

Street address: Highway 29 - North West corner of Hwy 29 and Neal Road

Subdivision: N/A

Property reference number: Section 03 Township 1N Range 1N
Parcel 1302 Lot 000 Block 003

Size of Property (acres) 08.67 Sewer X Septic Tank _____

**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.

Wilson B Robertson Robertson - Cotton Inc. JULY 5, 2016
Signature (Property Owner) Printed Name Date

Wiley C. "Buddy" Page
Signature (Agent's Name (or owner if representing oneself)) Printed Name Date

Address: 5337 Hamilton Lane Pace, Florida 32571

City: Pace State: FL Zip: 32571

Telephone (850) 232 - 9853 Fax # () _____ - _____

Email: budpage1@att.net

STATE OF Florida
COUNTY OF Escambia

The forgoing instrument was acknowledged before me this 5 day of July, year of 2016 by, Wilson B Robertson who () did () did not take an oath. He/she is (X) personally known to me, () produced current Florida/Other driver's license, and/or () produced current _____ as identification.


Wilson B Robertson 7/5/16 Diana Davis
Signature of Notary Public Date Printed Name of Notary

My Commission Expires _____ Commission No. Diana Davis
(Notary seal must be affixed)

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As owner of the property located at Hwy 29 32514,
Pensacola, Florida, Property Reference Number(s) 03-1N-31-1302-000-003,
I hereby designate Wiley C. "Buddy" Page, 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.

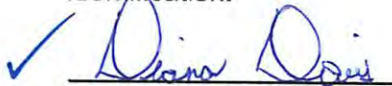
This Limited Power of Attorney is granted on this 5th day of JULY, the year of
2016 and is effective until the Board of County Commissioners has rendered a decision on
this request and any appeal period has expired. The owner reserves the right to rescind this
Limited Power of Attorney at any time with a written, notarized notice to the Planning and
Engineering Department.

		<u>Robertson - Cotton Inc.</u>
Signature of Property Owner	Date	<u>Printed Name of Property Owner</u>
		<u>Wiley C. "Buddy" Page</u>
		<u>Printed Name of Agent</u>

STATE OF Florida
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 5 day of July, year of
2016, by Wilson B Robertson 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>7/5/16</u>	<u>Diana Davis</u>
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:

Robertson - Cotton Inc.

Property reference #: Section 03 Township 1N Range

Parcel # 1302-000-003

Project Address:

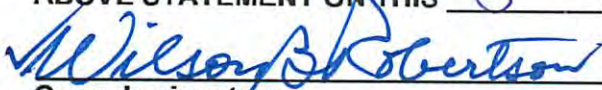
North west corner of Hwy 29 and Neal Road

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 5 DAY OF July, 202016


Owner's signature

Robertson - Cotton Inc.

Owner's name (print)

Agent's signature

Agent's name (print)

DATA AND ANALYSIS

Robertson - Cotton Development

As part of the review process, data and analysis of the most intense development allowed under the Future Land Use category must be selected, regardless of any proposed use by owners/developers. This 8.67 acres has a FLU category of Mixed Use Suburban MU-S which allows a government use building, which produces more intense trip generation than other potential uses (see attached trip generation spread sheet). The following narrative then, is based upon a potential 45,000sf governmental building constructed on the site.

A. The data and analysis for A-Sanitary Sewer, B-Solid Waste and C-Potable Water capacities references a site that is presently undeveloped and vacant, so base line usage data is non-existent, thus presumed zero. An attached letter to ECUA requests confirmation that sufficient capacity is available in each of the above categories to support development of a conceptual 45,000sf governmental office building.

D. Stormwater Management - The collection, containment and treatment for on-site stormwater will be designed and submitted to all appropriate regulatory offices for review and approval once site plans are available. The 8.67 acre site has sufficient area to locate a containment area(s) for this purpose.

E. Traffic - The attached spread sheet, **Trip Generation Rates from the 8th Edition ITE Trip Generation Report**, suggests that a 45,000sf government office building will generate some 3,102 daily trips onto the area road network. This site faces Hwy 29, which is a 4 lane facility and Neal Road, a two lane county maintained local roadway. The current FDOT traffic count is 22,000ADT from a counter located just south of the site (see attached map).

F. Recreation and Open Space - This proposed development will be designed addressing recreation as required by the Land Development Code for a commercial development. Open Space requirements will be determined by the appropriate lot coverage standards for a commercial developments.

G. Schools - This site is fronting an a major 4 land roadway whose highest and best use is commercial rather than residential. As such, impacts on any school facility would likely be little or none.

Wellhead Proximity - The site is located at the northwest corner of Hwy. 29 and Neal Road. Well Line Road is located approximately one mile south of Neal Road. Several well head pumping sites are located along Well Line Road as shown on the attached site location map. Given this one-half mile distance between the site and the well head location(s), no adverse impact is anticipated.

Historically Significant Site Determination - A letter (copy attached) has been forwarded to the University of West Florida Archeology Department requesting determination as to whether this site has any historical significance.

Natural Resources - The site contains a large number of trees, some of which could be heritage oaks and several less, but still protected species. The site contains a high slope toward the middle suggesting no presence of wetlands. A tree inventory will be required as part of a site plan to concisely determine the presence and extent of any significant natural resource material(s).

Consistency with the Escambia County Comprehensive Plan

The following is a compliance review of the proposed development to relevant requirements of the adopted Comprehensive Plan.

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County will be consistent with the Plan and the FLUM. The 2030 FLUM is attached herein to this Plan as Exhibit B.

RESPONSE - The proposed development is allowed under the uses for the designated Mixed Use- Suburban category, thus being otherwise consistent.

FLU 1.2.1 State Assistance. Escambia County will 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, and will utilize guidance, direction, and technical assistance received from this agency.

RESPONSE - The applicant has requested the Archeology Department at the University of West Florida to advise if they have any listing that indicates if the site is included/classified as having any historical significant characteristics.

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 the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

RESPONSE - This site is located within the Mixed Use - Suburban FLUM category and will produce efficient use of the listed infrastructure items.

FLU 2.1.2 Compact Development. To promote compact development, FLUM amendments and residential re-zonings to allow for higher residential densities to be allowed in the MU-U and MU-S future land use categories.

OBJ FLU 2.3 Infill Development Encourage infill development in appropriate urbanized areas where infrastructure is sufficient to meet demands, such as in MU-U and MU-S.

RESPONSE - Again, this site is located within the MU-S category, responding and being consistent with this objective.

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.

RESPONSE - Once detailed preliminary site plans regarding on-site traffic flow are developed, they will be submitted to the county Development Review Committee for review and approval.

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.

RESPONSE - Although preliminary, it is anticipated that a single ingress point will be provided at the northerly end of the site while a second ingress/egress point will be located by way of Neal Road at the southerly end of the site.

INF 3.1.6 Developer Responsibilities. Installation of stormwater management facilities made necessary by new development will be the responsibility of the developer.

RESPONSE - Once the stormwater facility(s) are approved, it is understood that the facility will be constructed to County standards and paid for by the developer.

INF 4.1.6 Developer Responsibility. The cost of water line extensions made necessary by new development will be the

responsibility of the developer unless otherwise funded by the service provider.

RESPONSE - Should any modifications or extensions of water lines be required to support the proposed FLUM change, the resulting costs will be paid by the developer.

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 FFWCC Land Satellite (LANDSAT) imagery as indicators of the potential presence of wetlands or listed wildlife habitat in the review of applications for development approval. The Escambia County Hydric Soils Map is attached to this Plan as Exhibit N.

CON 1.1.6 Habitat Protection. Escambia County will coordinate with the FDEP, FFWCC, and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the County.

RESPONSE - The site fronts on Hwy. 29 while a residential subdivision is located on the westerly side and Neal Road to the south. It is not presently known if the site contains any protected wildlife habitat. If any are discovered during the site plan development or construction phase, the developer will notify the County for guidance.

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.

RESPONSE - All stormwater management plans will be presented to the County for review to determine consistency with rules identified in the adopted Land Development Code and the Future Land Use regulations.

CON 1.4.1 Wellhead Protection. Escambia County will provide

comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions will establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.

RESPONSE - According to the attached Well Head Protection Map, this site is located approximately one-half mile north of the nearest well head sites located along Well Line Road. At this location, it is anticipated that there will not be any adverse impacts.

FLU 2.1.1 Infrastructure Capacities. Urban uses will be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department permits where central sewer is not available.

RESPONSE - The site has existing water and sewer service available. A letter has been forwarded to ECUA requesting confirmation of availability.

Wiley C. "Buddy" Page, MPA, APA
PROFESSIONAL GROWTH MANAGEMENT SERVICES, LLC
5337 Hamilton Lane • Pace, Florida 32571
CELL (850) 232-9853
budpage1@att.net

June 21, 2016
VIA HAND DELIVERY

Mr. Tom Justice
Emerald Coast Utility Authority
9255 Sturdevant St.
Pensacola, Florida 32514

RE: Utility Services Capacity Request

Dear Mr. Justice:

A proposed commercial/retail development is proposed on a site located at the northwest corner of Hwy 29 and Neal Road (see attached map). As part of the County review process, we are required to demonstrate that is sufficient water, sanitary sewer and sanitary garbage/trash capacity to service this proposed development.

The site measures some 8.67 acres and could likely support a development containing mixed retail/commercial activities totaling some 45,000sf in size. Please review the attached and provide us with you written finding regarding available capacities in areas noted above.

Please call if you require additional information. If possible, I will be happy to pick up your response at your offices. Thank you.

Sincerely yours,

Wiley C."Buddy" Page

copy: Robertson-Cotton

Wiley C. "Buddy" Page, MPA, APA
PROFESSIONAL GROWTH MANAGEMENT SERVICES, LLC
5337 Hamilton Lane • Pace, Florida 32571
CELL (850) 232-9853
budpage1@att.net

June 21, 2016
VIA HAND DELIVERY

Archeology Department
University of West Florida
Pensacola, Florida 32501

RE: Request for Archeology Site Review

Dear Sir or Madam:

We are preparing a application for submittal to Escambia County regarding development of an 8.67 acre site located near the northwest corner of Hwy 29 and Neal Road (see attached map). As part of the County application review process, we are required to demonstrate that the site is not listed as one having any historical significance according to records maintained by the University.

This letter requests that you provide us with your written findings with regard to this site so that we can include it in our application to demonstrate compliance.

The site measures some 8.67 acres and could likely support a development containing mixed retail/commercial activities totaling some 45,000sf in size. Please review the attached and provide us with you written finding regarding available capacities in areas noted above.

Please call if you require additional information. If possible, I will be happy to pick up your response at your offices. Thank you.

Sincerely yours,

Wiley C. "Buddy" Page



Site location at northwest corner of Hwy 29 and Neal Road approximately one-half mile north of existing wellheads located along Well Line Road.

Prepared by:
William E. Farrington, II
Wilson, Harrell, Farrington & Ford, P.A.
307 South Palafox Street
Pensacola, Florida 32502

File Number: 1-42221

General Warranty Deed

Made this June 20, 2008 A.D. By David A. Zaukelles, as Trustee of the Zaukelles Family Charitable Remainder Unitrust dated November 26, 2007, hereinafter called the grantor, to Robertson-Cotton, Inc., whose post office address is: PO Box 7548, Pensacola, Florida 32514, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:

See Attached Schedule "A"

Parcel ID Number: 03-1N-31-1302-000-000

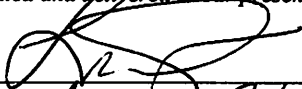
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.


And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2008.

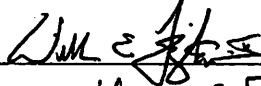
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Printed Name CONNIE G. MOORE

 (Seal)
David A. Zaukelles, as Trustee of the Zaukelles Family
Charitable Remainder Unitrust dated November 26, 2007
Address:



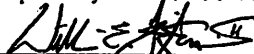
Witness Printed Name William E. Farrington II

(Seal)
Address: PO Box 388, Cantonment, Florida 32533

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 20th day of June, 2008, by David A. Zaukelles, as Trustee of the Zaukelles Family Charitable Remainder Unitrust dated November 26, 2007, who is/are personally known to me or who has produced drivers license as identification.




Notary Public
Print Name: William E. Farrington II
My Commission Expires: 11-1-10



Chris Jones Escambia County Property Appraiser

- Real Estate Search
- Tangible Property Search
- Sale List
- Amendment 1/Portability Calculations

[Back](#)

←
Navigate Mode

 Account
 Reference

→

Printer Friendly Version

General Information	Assessments																				
<p>Reference: 031N311302000003</p> <p>Account: 112526725</p> <p>Owners: ROBERTSON COTTON INC</p> <p>Mail: PO BOX 7548 PENSACOLA, FL 32514</p> <p>Situs: HIGHWAY 29 32533</p> <p>Use Code: VACANT COMMERCIAL 🔍</p> <p>Taxing Authority: COUNTY MSTU</p> <p>Tax Inquiry: Open Tax Inquiry Window</p> <p><small>Tax Inquiry link courtesy of Janet Holley Escambia County Tax Collector</small></p>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Year</th> <th style="text-align: left;">Land</th> <th style="text-align: left;">Imprv</th> <th style="text-align: left;">Total</th> <th style="text-align: left;"><u>Cap Val</u></th> </tr> </thead> <tbody> <tr> <td>2015</td> <td>\$102,956</td> <td>\$0</td> <td>\$102,956</td> <td>\$102,956</td> </tr> <tr> <td>2014</td> <td>\$102,956</td> <td>\$0</td> <td>\$102,956</td> <td>\$102,956</td> </tr> <tr> <td>2013</td> <td>\$102,956</td> <td>\$0</td> <td>\$102,956</td> <td>\$102,956</td> </tr> </tbody> </table> <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1/Portability Calculations</p>	Year	Land	Imprv	Total	<u>Cap Val</u>	2015	\$102,956	\$0	\$102,956	\$102,956	2014	\$102,956	\$0	\$102,956	\$102,956	2013	\$102,956	\$0	\$102,956	\$102,956
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Sales Data	2015 Certified Roll Exemptions																		
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Sale Date	Book	Page	Value	Type	Official Records (New Window)														
06/20/2008	6345	152	\$450,000	WD	View Instr														
06/20/2008	6345	148	\$100	WD	View Instr														

Section Map Id:
[03-1N-31](#)

Approx. Acreage:
8.6700

Zoned: 🔍
HC/LI
LDR

Evacuation & Flood Information
[Open Report](#)

[Launch Interactive Map](#)

[View Florida Department of Environmental Protection \(DEP\) Data](#)

Buildings
Image:
None

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

**Comprehensive Plan
Removal of Parcel from the Optional Sector Plan
Future Land Use Map Amendment
Staff Analysis**

General Data

Project Name: OSP 2016-01 – Hwy 29
Location: Highway 29
Parcel #s: 03-1N-31-1302-000-003
Acreage: 8.67 (+/-) acres
Request: Opt-out of the Sector Plan
Current Zoning: Heavy Commercial and Light Industrial district (HC/LI)
Future Land Use: Mixed-Use Suburban (MU-S)
DSAP Land Use: Conservation Neighborhood
Applicant: Buddy Page, Agent for Robertson Cotton, Inc., Owner
Meeting Dates: Planning Board, September 6, 2016
BCC, October 6, 2016

Site Description and Summary of Proposed Amendment:

OBJ FLU 16.6 Specific Area Plans

V. Changes to an Existing DSAP

Any addition or deletion of property or changes to the neighborhood, center or district boundaries in an approved DSAP shall follow the County's established processes. It shall include an evaluation and analysis of the impacts to the approved or planned land uses and the ability of the proposed amendment to meet the principles and guidelines outlined in this plan. Such additions or deletions shall not be designed to create remnant areas or fragmented DSAPs.

The applicant is requesting to remove the parcel from the adopted Escambia County Mid-West Sector Plan (SP), Jacks Branch Detailed Specific Area Plan (DSAP). The subject parcel is located on the eastern boundary of the SP, parallel to Highway 29, just north of Neal Road.

The current underlying zoning for the parcel is HC/LI and the Future Land Use (FLU) is MU-S. The applicant has stated that at this time, the parcel **will maintain** the existing zoning and FLU categories. The applicant also stated that there is no immediate proposed development for the site.

The existing Land Use derived from the adopted DSAP Final Land Use Plan, identifies the parcel under the *Conservation Neighborhood* designation.

Analysis:

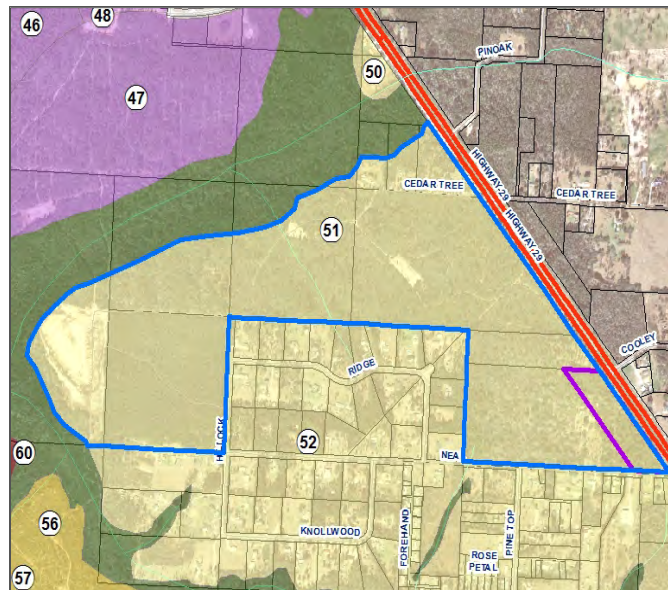
1. Introduction-

Components of the SP include aspects such as community design, environmental analysis, transportation guidance and economic development principles. The Final Land Use map, (Figure 2.01.A) identifies the overall boundaries of the SP, the distribution, extent and location of land uses. The Land Use Plan and Development Program provide specific growth data with development program calculations and assigning permissible densities and intensities for the various uses. The type of development (land use plan), and corresponding densities were assigned based on the proportionate share of the overall SP.

Section 2.02 Development Program of the SP illustrates the development calculations by individual DSAP allowances. The total developable land under the Muscogee DSAP, located in the southern section of the SP, is approximately 3,380 acres; under the Jacks Branch DSAP, located in the northern section of the SP, the total developable land is approximately 5,231.70 acres. Both of the branches are clearly identified in Figure 2.01.A. (Attachment A).

2. Evaluation of Impacts-

The applicant's parcel, approximately 8.67 +/- acres, is located within the Jacks Branch DSAP and it is specifically identified in the Land Use map, Figure 2.01.A, (Attachment A), under parcel # **JB 51**. The total developable acreage for this parcel is listed under the development calculations table (page 35 of the SP), as 238.9 total acres, shared by twelve parcels that encompass the # JB 51 designation.



The specific Land Use for parcel # JB 51 is identified as **Conservation Neighborhood** with total dwelling unit development allowances assigned as follows:

- low density x (0.1) yielding a total density of 23 dwelling units
- medium density x (1) yielding a total density of 238 dwelling units
- high density x (3) yielding a total density of 716 dwelling units

Derived from the analysis of the baseline data we can identify the following trends:

- a. the applicant's parcel represents only 3.62% of the total developable area under parcel # JB 51.
- b. removal of the applicant's 8.67 acres from the total developable acreage for parcel # JB 51 will result on a 25.31 total dwelling units reduction under the high density allocation, reflecting a 3.53% decrease.

The existing parcel is currently zoned HC/LI. If removed from the SP, the following range of permitted uses would be allowed under the existing zoning district:

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

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

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

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

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

(3) Retail services.

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

b. *Child care facilities.*

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

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

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

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

i. Taxi and limousine services.

See also conditional uses in this district.

(4) Public and civic.

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

b. Cemeteries, including family cemeteries.

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

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

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

f. Funeral establishments.

g. Homeless shelters.

h. Hospitals.

i. Offices for government agencies or public utilities.

j. Places of worship.

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

See also conditional uses in this district.

(Ord. No. 2015-24, § 1, 7-7-15)

(5) Recreation and entertainment.

a. Commercial entertainment facilities, indoor or outdoor, including movie theatres, amusement parks, and stadiums, but excluding motorsports facilities. Carnival-type amusements shall be at least 500 feet from any residential district. Bars, nightclubs, and adult

entertainment are prohibited in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning.

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

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

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

(6) Industrial and related.

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

***b.** Marinas, industrial.*

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

See also conditional uses in this district.

(7) Agricultural and related.

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

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

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

See also conditional uses in this district.

(8) Other uses.

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

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

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

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

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

***f.** Outdoor sales.*

***g.** Outdoor storage of trailered boats and operable recreational vehicles, excluding repair, overhaul or salvage activities.*

***h.** Parking garages and lots, commercial.*

***i.** Sales and outdoor display of prefabricated storage sheds.*

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

3. Conclusion-

The SP was designed to emphasize urban form and to provide protection for regionally significant resources. In order to maintain the cohesiveness of the SP, while at the same time fostering innovative planning and development strategies, County staff will continue to assess and track each request within the SP, on case by case basis, and will provide in-depth analysis of the impact of each proposal on the overall plan.

It's important to understand that in this case, this is a 'perimeter' parcel, located adjacent to a major North-South divided four-lane highway. General analysis of the surrounding area under the Land Use Plan assigns predominantly low to mid-level residential uses, with Conservation Neighborhood and Suburban Garden as the primary categories. Under the overall 8,611.80 developable acres within the SP, calculated under the Development Program, the applicant's 8.67 acres parcel represents a 0.1% of the total land area available for development. The geographical location of the parcel and the **reductions** that would result, both in available developable acreage and dwelling unit densities within the overall design of the SP, as shown in the analysis, support the concept that the removal of the parcel would have **minimal impact** on the proportionate share under the maximum residential allowances. The original SP principles and guidelines **would not be diminished** or affected for the parcels that remain within the adopted SP. The proposed removal **will not create** a fragmented DSAP.

Any future development associated with this parcel will be evaluated by the Development Review Committee, taking into account the current zoning regulations while at the same time addressing and minimizing any potential impacts that the proposed development could have on the characteristics of the existing low to mid-density residential development listed under the SP's Land Uses.

The SP boundary map will be adjusted accordingly, to reflect the removal of the parcel from the Plan. (Attachment B).



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. d.

Meeting Date: 09/06/2016

Issue: A Public Hearing Concerning the Review of an Ordinance Amending Ch. 4, Sec. 4-4.1, 4-4.2(d), 4-4.2(f) & 4-4.4(b)(3), Adopting the AICUZ Study

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Sections 4-4.1, 4-4.2(d), 4-4.2(f), and 4-4.4(b)(3) by Adopting the Air Installations Compatible Use Zones Study (AICUZ) for NAS Pensacola and NOLF Saufley 2010

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 4, Article 4, Section 4-4.1 "Purpose of Article" and Section 4-4.2(d) "Source Standards", by including the "Air Installations Compatible Use Zones Study for NAS Pensacola and NOLF Saufley 2010", and Section 4-4.2(f) to change the abbreviation for the 24-hour day-night average sound level abbreviation from Ldn to DNL, and Section 4-4.4(b)(3) "Establishment".

BACKGROUND:

In keeping with Florida Statutes and the existing interlocal agreement between Escambia County and the U.S. Navy, the county is seeking to update (LDC) references to reflect the latest compatibility study recommendations recommended by the Navy. These recommended changes are based on changes in aircraft mix and flight patterns currently in use at NAS Pensacola. Since the date of the study (2010), the Navy has removed NOLF Saufley from flight operations and the County is in the process of removing references to NOLF Saufley flight operations in the Comprehensive Plan and the LDC.

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 Meredith Crawford, 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

NOLF Saufley AICUZ

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: 2010 AICUZ adoption

Date: 08-11-2016

Date requested back by: 08-12-2016

Requested by: Andrew D. Holmer

Phone Number: 595-3466

.....
(LEGAL USE ONLY)

Legal Review by Meredith Cranford

Date Received: approved 8/11/2016

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Draft PB3

ORDINANCE NUMBER 2016-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 4, ARTICLE 4, SECTION 4-4.1 "PURPOSE OF ARTICLE", AND SECTION 4-4.2 (d) "SOURCE STANDARDS", BY INCLUDING THE "AIR INSTALLATIONS COMPATIBLE USE ZONES STUDY FOR NAS PENSACOLA AND NOLF SAUFLEY 2010", AND SECTION 4-4.2 (f) TO CHANGE THE "DAY-NIGHT AVERAGE SOUND LEVEL ABBREVIATION (Ldn) TO (DNL), AND SECTION 4-4.4 (b)(3) "ESTABLISHMENT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3175, Florida Statutes, requires that local governments 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 and land development on lands adjacent or closely proximate to the military installations with the activities and mission of such 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, incompatible development of land close to military installations can adversely affect the ability of such an installation to carry out its mission and does further find that such development also threatens the public safety due to the 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 military installations to achieve compatible land use near each military installation, which, in turn, shall facilitate the continued presence of the military installations within the County.

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

Section 1. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 4 Article 4 is hereby amended as follows (words underlined are additions and words stricken are deletions):

1
2 **Sec. 4-4.1 Purpose of article.**
3

4 This article establishes land use regulations that implement Comprehensive Plan
5 policies requiring the prevention of airport and airfield hazards and incompatible land
6 uses around those facilities. It is the intent of these regulations to ensure the continued
7 safe and efficient use of navigable airspace and operation of airports, airfields and other
8 air navigation or communication facilities within the county. Airport and airfield hazards
9 effectively reduce the size of areas available for the landing, taking off and maneuvering
10 of aircraft, tending to destroy or impair both the present and future utility of aviation
11 facilities and any public investment in them. Incompatible uses and activities have the
12 potential for being hazardous to persons and property on the ground as well as aircraft
13 operations. This article also implements and puts into regulatory effect certain
14 recommendations of the Escambia County Joint Land Use Study, September , 2003, as
15 amended through the Air Installations Compatible Use Zones (AICUZ) Study for NAS
16 Pensacola and NOLF Saufley, 2010.

17
18 **Sec 4.4-2(d) Source Standards.**

19 **(d) Source standards.** The obstruction provisions of this article are derived from
20 federal obstruction standards in *Safe, Efficient Use, and Preservation of the*
21 *Navigable Airspace*, 14 CFR pt. 77, and Unified Facilities Criteria (UFC) 3-260-01,
22 *Airfield and Heliport Planning and Design*. The land use compatibility provisions are
23 derived from *Airport Noise Compatibility Planning*, 14 CFR pt. 150, and the Air
24 Installations Compatible Use Zones (AICUZ) program, *(Air Installations Compatible*
25 *Use Zones Study for NAS Pensacola and NOLF Saufley 2010)* , as described in
26 OPNAV Instruction 11010.36C. However, whenever the provisions of this section
27 reference federal standards or recommendations, the latest version is intended
28 unless the context clearly indicates otherwise.

29 **Sec. 4-4.2(f) Interior Noise Reduction**

30 **(f) Interior noise reduction.** In areas of high noise exposure from normal airport and
31 airfield operations, interior noise reduction methods are required to maintain
32 compatibility for some uses. Anticipated high noise exposure is represented by noise
33 zones according to a FAA standard measure of the 24-hour day-night average sound
34 level (L_{dn}) (DNL). Noise reduction required by the applicable noise zone shall be
35 identified on building construction plans and accomplished according to nationally
36 accepted sound attenuation methods. For the habitable space within any new building
37 or building addition, the following noise reductions are required by exposure:

38 **(1) Below 65 L_{dn} DNL.** For noise exposures less than 65 L_{dn} (DNL), no interior noise
39 reduction is required.

1 **(2) Between 65 and 70 Ldn DNL.** For noise exposures between 65 and 70 Ldn (DNL),
2 an interior noise level reduction of at least 25 decibels (dB) is required for residential
3 uses or educational facilities, and is recommended for other noise sensitive uses.

4 **(3) Between 70 and 75 Ldn DNL.** For noise exposures between 70 and 75 Ldn (DNL),
5 an interior noise level reduction of at least 30 dB is required for residential, educational,
6 public assembly or reception, office, and other noise sensitive uses.

7 **(4) Above 75 Ldn DNL.** For noise exposures above 75 Ldn (DNL), residential and
8 educational uses are prohibited regardless of noise reduction measures, but an interior
9 noise level reduction of at least 35 dB is required for public assembly or reception,
10 office, and other noise sensitive uses.

11 **Sec. 4-4.4(b)(3) Establishment**

12 **(3) Establishment.** AIPDs and their constituent zones and areas are established
13 through their definition and adoption within the LDC. The Airfield Influence Planning
14 District Overlay maps for NAS Pensacola, NOLF Saufley, and NOLF 8, as included in
15 Air Installations Compatible Use Zones Study NAS Pensacola and NOLF Saufley 2010,
16 are specifically adopted here by reference and declared to be part of the LDC, with the
17 information shown on the maps having the same force and effect as the text of the LDC.
18 The AIPD maps are maintained digitally in the county's "Geographic Information
19 System" (GIS).

20 **Section 2. Severability.**

21
22 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
23 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
24 affect the validity of the remaining portions of this Ordinance.
25

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

27
28 It is the intention of the Board of County Commissioners that the provisions of this
29 Ordinance shall be codified as required by F.S. § 125.68; and that the sections,
30 subsections and other provisions of this Ordinance may be renumbered or re-lettered
31 and the word "ordinance" may be changed to "section," "chapter," or such other
32 appropriate word or phrase in order to accomplish such intentions.
33
34
35
36
37
38

1 **Section 4. Effective Date.**

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

4
5 **DONE AND ENACTED** this _____ day of _____, 2016.

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

9
10 By: _____
11 **Grover C. Robinson, IV, Chairman**

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

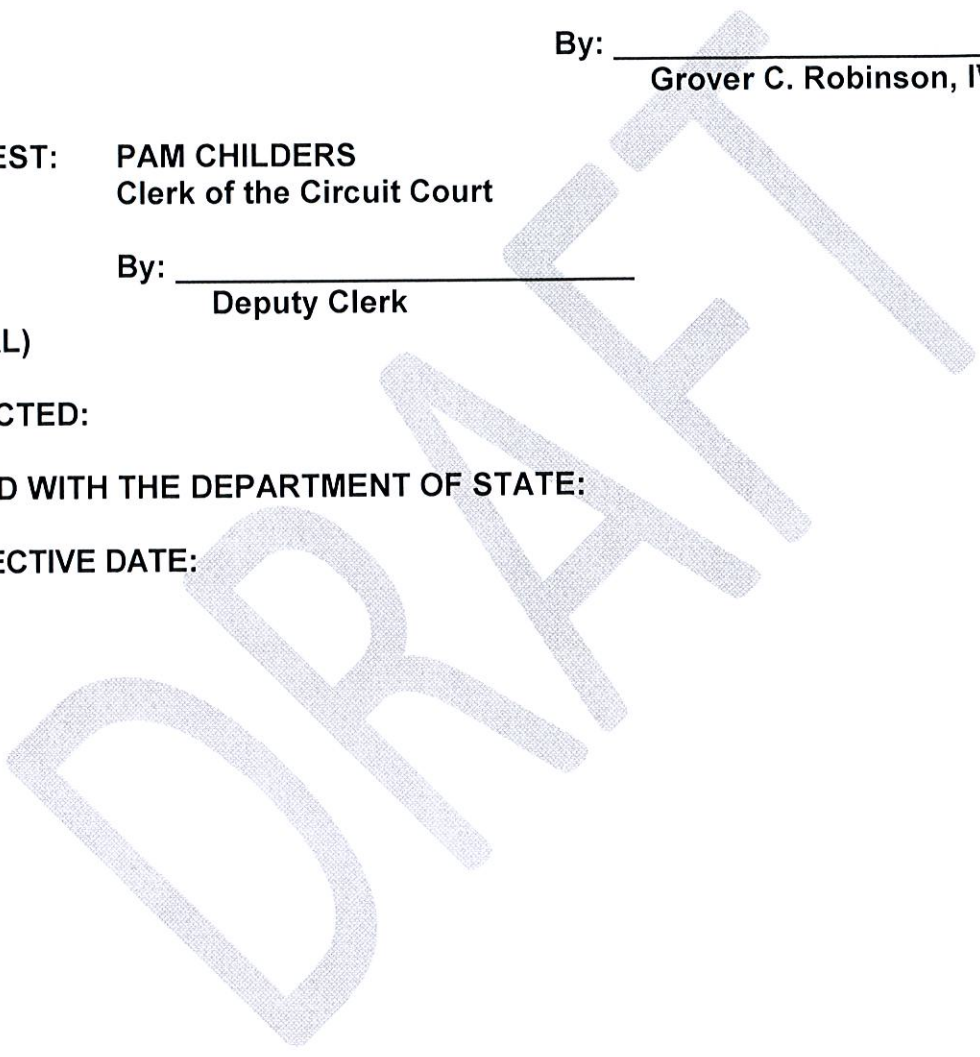
15
16 By: _____
17 **Deputy Clerk**

18 **(SEAL)**

19
20 **ENACTED:**

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

23
24 **EFFECTIVE DATE:**





Air Installations Compatible Use Zones Study

for NAS Pensacola and NOLF Saufley
2010



Prepared by:

UNITED STATES DEPARTMENT OF THE NAVY
Naval Facilities Engineering Command Southeast
Jacksonville, Florida



**Air Installations Compatible Use
Zones Study for
Naval Air Station Pensacola and
Navy Outlying Landing Field Saufley**

2010



Prepared by:

UNITED STATES DEPARTMENT OF THE NAVY
Naval Facilities Engineering Command Southeast
Jacksonville, Florida

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Acronyms, Abbreviations, and Definitions

AICUZ	Air Installations Compatible Use Zones
AIPD	Air Influence Planning District
ALF	Auxiliary Landing Field
ANSI	American National Standards Institute
APZ	Accident Potential Zone
BASH	Bird/Animal Aircraft Strike Hazard
CNEL	Community Noise Exposure Level
CNET	Chief of Naval Education and Training
CNATRA	Chief of Naval Air Training
CSO	Combat Systems Officer
CY	Calendar Year
dB	decibel
dba	A-weighted decibel
DNL	day-night average sound level
DoD	United States Department of Defense
EA	environmental assessment
EIS	environmental impact statement
EMI	electromagnetic interference
EPA	U.S. Environmental Protection Agency
EUL	Enhanced Use Lease
FAA	Federal Aviation Administration

Acronyms, Abbreviations, and Definitions, *continued*

FCLP	Field Carrier Landing Practice
FDEP	Florida Department of Environmental Protection
FEMA	Federal Emergency Management Agency
FICON	Federal Interagency Committee on Noise
FICUN	Federal Interagency Committee on Urban Noise
FTG	Flying Training Group
GCA	ground control approach
ha	hectares
HSU	Helicopter Support Unit
HUD	Housing and Urban Development
IFLOS	Improved Fresnel Lens Optical System
IFR	instrument flight rules
JLUS	Joint Land Use Study
JPATS	Joint Primary Aircraft Training System
JSF	Joint Strike Fighter
km	kilometer
LDC	Land Development Code
LSA	Logistical Staging Area
MATSG	Marine Aviation Training Support Group
MOA	Military Operating Area
MSL	Mean Sea Level
MWR	Morale, Welfare, and Recreation
NAMI	Naval Aerospace Medical Institute
NAMRL	Naval Aerospace Medical Research Laboratory
NAS	Naval Air Station
NASC	Naval Aviation Schools Command

Acronyms, Abbreviations, and Definitions, *continued*

NATC	Naval Air Training Command
NATTC	Naval Air Technical Training Center
Navy	United States Department of the Navy
NEPA	National Environmental Policy Act
NETC	Naval Education & Training Command
NETPDTCC	Naval Education & Training Program Development & Technology Center
NFO	Naval Flight Officer
NOLF	Navy Outlying Landing Field
NOMI	Naval Operational Medicine Institute
NORU	Naval Orientation Recruiting Unit
NWFWMD	North West Florida Water Management District
OLF	Outlying Landing Field
OPNAVINST	Chief of Naval Operations Instruction
SHP	shaft horsepower
STOVL	short takeoff and vertical-landing variant
SUA	Special Use Airspace
TDR	Transfer of Development Rights
TRAWING	Training Air Wing
USAF	United States Air Force
U.S.C.	United States Code
VFR	visual flight rules
WWII	World War II

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1 Introduction



The goal of the AICUZ Program is to protect military operational capabilities and the health, safety, and welfare of the public by achieving compatible land use patterns and activities in the vicinity of a military installation.

Historically, military bases were established in rural areas of the country. However, over time, many of these areas have experienced associated population growth and increased development in close proximity to the military installation. This growth can be seen immediately outside facility fence lines as well as throughout the surrounding areas, and the developments primarily take the form of new housing and commercial sites. New homes are constructed close to the installation to allow both military and civilian personnel to live near their employer. Similarly, businesses are established near the facility to take advantage of the large workforce that becomes a strong consumer base for goods and services.

As the number of residences, commercial developments, and other land uses around the military installations rise, the potential for the establishment of incompatible land uses can also increase. If the growth of a community is not controlled by local government through the use of comprehensive zoning and land use planning that takes the operational activities of a military airfield into account, both the mission of the military field and the well-being of the community can be adversely impacted.

The United States Department of Defense (DoD) initiated the Air Installations Compatible Use Zones (AICUZ) Program to help governmental entities and communities anticipate, identify, and promote compatible land use and development near military installations. The goal of this program is to protect the health, safety, and welfare of those living or working near military air installations, as well as protect the military operational capabilities of the air station. This is achieved by promoting compatible land use patterns and activities in the vicinity of a military installation.

The AICUZ Program recommends that noise levels, Accident Potential Zones (APZs), and flight clearance requirements associated with military airfield operations be incorporated into local community planning programs in order to maintain the airfield's operational requirements while minimizing the impact to residents in the surrounding community. Mutual cooperation between military airfield planners and community-based counterparts serves to increase public awareness of the importance of air installations and the need to address mission requirements and associated noise and risk factors. As the communities that surround airfields grow and develop, the United States Department of the Navy (Navy) has the responsibility to communicate and collaborate with local government on land use planning, zoning, and similar matters that could affect the installations' operations or missions.

This AICUZ study has been prepared for Naval Air Station (NAS) Pensacola and Navy Outlying Landing Field (NOLF) Saufley, both of which are located in Pensacola, Florida. This 2010 AICUZ looks comprehensively at past, present, and future operational requirements and expectations for the two fields, in association with current and proposed land use trends within Escambia County. The purpose of this document is to assist Navy and community planners in ensuring compatible development around NAS Pensacola and NOLF Saufley, while simultaneously maintaining the operational integrity of both airfields into the foreseeable future.

This study provides background on the AICUZ Program and historical data from previous AICUZ studies for both NAS Pensacola and NOLF Saufley (Section 1) and describes locations and features of these facilities (Section 2). Section 3 discusses present-day and projected aircraft operations. Section 4 presents the updated aircraft noise contours, outlining the methodology for how the noise contours were determined, what changes have occurred, and what the future expectations are for change, as well as what measures have been implemented by the Navy to mitigate any community noise concerns. Aircraft safety issues and the development of APZs are discussed in Section 5. Section 6 evaluates the compatibility of both current and

proposed land uses as provided by Escambia County. Finally, Section 7 provides recommendations to Navy installation planners for promoting land use compatibility consistent with the goals of the AICUZ Program.

1.1 AICUZ Program Requirements

In the early 1970s, the DoD established the AICUZ Program to balance the need for aircraft operations and community concerns over aircraft noise and accident potential. The AICUZ Program was developed in response to growing incompatible urban development (encroachment) around military airfields. The objectives of the AICUZ Program, according to the Chief of Naval Operations Instruction (OPNAVINST 11010.36C), are as follows:

- To protect the health, safety, and welfare of civilians and military personnel by encouraging land use which is compatible with aircraft operations;
- To protect Navy and Marine Corps installation investments by safeguarding the installations' operational capabilities;
- To reduce noise impacts caused by aircraft operations while meeting operational, training, and flight safety requirements, both on and in the vicinity of air installations; and
- To inform the public about the AICUZ Program and seek cooperative efforts to minimize noise and aircraft accident potential impacts by promoting compatible development in the vicinity of military air installations.

Noise zones and APZs are planning tools for both the air installation and local planning departments. These zones represent areas that are vital to the continuing operations of the air installation. Since they may extend beyond the “fence line” of the installation, presentation of the most current dimensions of noise zones and APZs through development of an updated AICUZ study to community-based planners is essential to fostering mutually beneficial land use.

In addition to the Navy AICUZ instruction, the Federal Aviation Administration (FAA) and DoD also have developed specific instructions and guidance to encourage local communities to restrict development or land uses that could endanger aircraft in the vicinity of

the airfield, including lighting (direct or reflected) that would impair pilot vision; towers, tall structures, and vegetation that penetrate navigable airspace or are constructed near the airfield; uses that generate smoke, steam, or dust; uses that attract birds, especially waterfowl; and electromagnetic interference (EMI) sources that may adversely affect aircraft communication, navigation, or other electrical systems. These issues are discussed in greater detail in Section 5 of this study.

Key documents that outline the authority for the establishment and implementation of the NAS Pensacola and NOLF Saufley AICUZ Programs, as well as guidance on facility requirements, are derived from:

- DoD Instruction 4165.57, “Air Installations Compatible Use Zones,” dated November 8, 1977;
- OPNAVINST 11010.36C, “Air Installations Compatible Use Zones Program,” dated October 9, 2008;
- Unified Facilities Criteria 3-260-01, “Airfield and Heliport Planning and Design,” dated May 19, 2006;
- Naval Facilities Engineering Command P-80.3, “Facility Planning Factor Criteria for Navy and Marine Corps Shore Installations: Airfield Safety Clearances,” dated January 1982; and
- United States Department of Transportation, FAA Regulations, Code of Federal Regulations, Title 14, Part 77, “Objects Affecting Navigable Airspace.”

1.2 Purpose, Scope, and Authority

The purpose of the AICUZ Program is to achieve compatibility between air installations and neighboring communities. OPNAVINST 11010.36C is the current Navy guidance document that governs the AICUZ Program. To satisfy the purpose of the AICUZ Program, the military installation must work with the local community to discourage incompatible development of lands adjacent to the installation. As development encroaches upon the airfield, more people are potentially exposed to noise and accident potential associated with aircraft operations. The scope of the AICUZ study includes an analysis of:

- Aircraft noise zones for existing conditions and future-year forecasts, as well as APZs;

The AICUZ study analyzes community development trends, land-use tools, and mission requirements to develop a recommended strategy for communities to prevent incompatible land development adjacent to the installation.

- Land use compatibility;
- Operational alternatives;
- Noise reduction strategies; and
- Possible solutions to existing and potential incompatible land use problems.

The AICUZ study uses an analysis of community development trends, land use tools, and mission requirements at the airfield to develop a recommended strategy for communities that prevents incompatible land development adjacent to the installation. AICUZ considerations are based on the impacts of noise, the safety considerations of aircraft accidents, and economic considerations relating to public funds and local economic viability. The basis for implementing AICUZ guidelines lies in the air installation commander's cooperation with the local governments to protect the installation's mission requirements while simultaneously protecting and promoting the public's health, safety, and welfare.

1.3 Responsibility for Compatible Land Use

Ensuring land use compatibility within the AICUZ is the responsibility of many organizations, including the DoD and Navy, the local naval air installation command, local planning and zoning agencies, real estate agencies, residents, developers, and builders. Military installations and local government agencies with planning and zoning authority share the responsibility for preserving land use compatibility near the military installation. Cooperative action by all parties is essential to prevent land use incompatibility and hazards to the neighboring community. Table 1-1 identifies some responsibilities for various community stakeholders residing in proximity to an installation.

Table 1-1 Responsibility for Compatible Land Uses

Navy	<ul style="list-style-type: none"> ▪ Examine air mission for operation changes that could reduce impacts. ▪ Conduct noise and APZ studies. ▪ Develop AICUZ maps. ▪ Examine local land uses and growth trends. ▪ Make land use recommendations. ▪ Release an AICUZ study. ▪ Work with local governments and private citizens. ▪ Monitor operations and noise complaints. ▪ Update AICUZ plans, as required.
Local Government	<ul style="list-style-type: none"> ▪ Incorporate AICUZ guidelines into a comprehensive development plan and zoning ordinance. ▪ Regulate height and obstruction concerns through an airport ordinance. ▪ Regulate acoustical treatment in new construction. ▪ Require fair disclosure in real estate for all buyers, renters, lessees, and developers.
Private Citizens	<ul style="list-style-type: none"> ▪ Educate oneself on the importance of the installation's AICUZ Program. ▪ Identify AICUZ considerations in all property transactions. ▪ Understand AICUZ effects before buying, renting, leasing, or developing property.
Real Estate Professionals	<ul style="list-style-type: none"> ▪ Ensure potential buyers and lessees receive and understand AICUZ information on affected properties. ▪ When working with builders/developers, ensure an understanding and evaluation of the AICUZ Program.
Builders/Developers	<ul style="list-style-type: none"> ▪ Develop properties in a manner that appropriately protects the health, safety, and welfare of the civilian population by constructing land use facilities which are compatible with aircraft operations (e.g., sound attenuation features, densities, occupations).

1.4 Previous AICUZ Efforts and Studies

The original, complete AICUZ for NAS Pensacola was approved by the Chief of Naval Operations and published in January 1976. This study was partially updated through various addenda, studies, and technical memoranda between 1983 and 1990. These addenda were developed to account for changes in aircraft that were being used at the facilities, changes in operational parameters such as revised flight tracks, and changes derived from revisions to the Navy AICUZ instructions.

The following list highlights the NAS Pensacola AICUZ timeline along with key changes which triggered the modifications to the 1976 AICUZ study:

- **1976 AICUZ Study for NAS Pensacola.** This original AICUZ was a result of exhaustive analysis of all known methods of reducing

noise impacts on the surrounding community and incorporated flight patterns, increased and modified operations, and methods for achieving compatible land uses within the impact areas. “Aircraft Noise Study Naval Station Pensacola, Florida,” from June 1972, was the source for existing composite noise rating zones and some of the flight operations.

- **1988 AICUZ Technical Memorandum for NAS Pensacola.** This memorandum was an update to the 1976 AICUZ study and provided a historical assessment of flight operations between 1976 and 1987, which validated the accuracy of prior updates. This memorandum collectively presented data that was made available in the following updates for NAS Pensacola:
 - *1983 AICUZ Noise Footprint Update.* This update was completely superseded in 1986 due to a change in flight operations and changes in aircraft.
 - *1987 AICUZ Noise Footprint Update.* Airfield field noise measurements were collected in 1986 to support this study. In addition, detailed data on numbers of operations, percent use of each arrival, departure, and pattern, aircraft power settings, speed and altitudes, and number and duration of run-ups were collected. No records summarizing this type of detailed information were collected or kept at NAS Pensacola prior to this update.
- **1990 AICUZ Addendum for NAS Pensacola.** This update to the 1976 AICUZ included the use of revised noise methodology, operations that are flown by quieter aircraft, new APZ guidelines, and changes in runway utilization. The update also included data made available from the 1987 update.

A noise study was completed for NOLF Saufley in 1986 as part of a larger study for NAS Whiting Field and several other outlying landing fields (OLFs) in Florida and Alabama. The noise study for NOLF Saufley was revised in 2000 and again in 2007 through updates that were developed to assess the impacts of replacing the T-34 “Turbomentor” aircraft with the T-6 “Texan” Joint Primary Aircraft Training System (JPATS). There is limited information for activities for NOLF Saufley prior to the 1986 noise study. Therefore, early operational activities are based on historic accounts and not necessarily AICUZ or noise study specific documents.

Previous AICUZ documents for NAS Pensacola and NOLF Saufley were examined and used as the baseline for the Escambia County 2003 JLUS.

The noise contours for NAS Pensacola (1990 AICUZ addendum) and the noise contours for NOLF Saufley (2000 noise study update) were utilized in the 2003 JLUS.

1.5 Changes that Require an AICUZ Update

AICUZ studies should be updated when an air installation has a significant change in aircraft operations (i.e., the number of takeoffs and landings), a change in the type of aircraft stationed and operating at the installation, or changes in flight paths or procedures. The history of prior AICUZ studies and the changes that resulted in revisions to earlier AICUZ documents were described in the previous section.

In accordance with OPNAVINST 11010.36C, this AICUZ update has been prepared to reflect changes in airfield operations at NAS Pensacola since the last AICUZ update (prepared in 1976) including changes in aircraft type, to incorporate NOLF Saufley into the study, to examine any reasonable projected mission changes over the next five years, and to incorporate the Joint Strike Fighter (JSF) as a transient aircraft as it is expected to be operational within this decade.

1.5.1 Changes in Operations Level

The primary mission of NAS Pensacola in 1976 was associated with aviation, naval training, and aircraft research. As a result, flight activities at NAS Pensacola were extremely varied, from student pilots making their first jet aircraft flight, to experienced pilots flying the Navy's most advanced aircraft. In 1976, NAS Pensacola also trained helicopter pilots to fly the large twin-rotor HH-46 Boeing Sea Knight aircraft. Navigation and radar training was also conducted at NAS Pensacola. Due to training missions, flight operations over this time period varied depending on the number of student aviators at NAS Pensacola. The five-year average between 1970 and 1974 was 187,539 annual flights.

Currently, NAS Pensacola conducts significant naval aviation training and serves as the home field for all Training Air Wing

(TRAWING) 6 operations. Fixed-wing and rotary-wing operations are also generated by the Blue Angels Flight Demonstration Team training, 479th Flying Training Group, fleet detachments, and transient aircraft. Touch-and-go, emergency landing practice and instrument approach practice account for the bulk of NAS Pensacola operations (Table 1-2).

Table 1-2 Annual Military and Civilian Operations by Year at NAS Pensacola

Calendar Year	Annual Operations				
	Military		Civilian		Total
	Navy	Other	Air Carrier	General Aviation	
2008	79,954	8,534	144	880	89,512
2007	77,188	7,977	8	166	85,339
2006	76,025	6,799	23	874	83,721
2005	88,025	9,100	68	1,682	98,875
2004	86,958	9,117	53	2,133	98,261
2003	119,996	8,685	74	1,200	129,955
2002	99,115	9,021	75	1,375	109,586
2001	94,203	7,342	43	1,013	102,601
2000	96,433	10,177	44	1,541	108,135
1999	89,549	13,613	119	1,138	104,419

Source: Adapted from Wyle August 2008 and NAS Pensacola 2009

Over time, the operational tempo at NOLF Saufley has fluctuated. NOLF Saufley has been redesignated several times, and most recently has been used in coordination with the Federal Emergency Management Agency (FEMA) in response to Hurricane Ivan in 2004. Additionally, NOLF Saufley has been used as a NOLF to support TRAWING 5 of NAS Whiting Field and TRAWING 6 of NAS Pensacola. Prior to Hurricane Ivan, during 2002, NOLF Saufley generated 43,093 flight operations.

1.5.2 Changes in Aircraft Mix

Aircraft mix at NAS Pensacola has changed significantly since the 1976 AICUZ. At that time, 11 types of aircraft used the airfield and, by 1985, there were 16 types. For Calendar Year (CY) 2008, there were

27 types of aircraft that utilized NAS Pensacola and NOLF Saufley. Table 1-3 outlines the mix of both permanently stationed and transient aircraft operating from the two airfields being studied.

1.5.3 Changes in Flight Tracks and Procedures

There have been notable changes that have occurred in flight tracks and procedures for NAS Pensacola since the 1976 AICUZ Study and 1990 AICUZ update were published. Flight tracks established by NAS Pensacola are dependent on aircraft mix, operational level, runway usage, and control measures. As summarized in Table 1-3, there has been a significant change in aircraft mix, which results in changes in flight tracks and procedures as each individual aircraft has specific requirements for operation. Additionally, as summarized in Table 1-2, the operational level over time has changed which, in turn, results in changes in flight tracks and procedures.

Since its designation as an OLF in 1976, NOLF Saufley has had notable changes in flight tracks and procedures due to previous inconsistent use as an OLF, changes in runway conditions, and changes in aircraft that use the field. However, today, NOLF Saufley is an established NOLF used regularly by NAS Whiting Field and NAS Pensacola.

Table 1-3 Aircraft Types at NAS Pensacola and NOLF Saufley by Year

1976	1985	2008	2012*
Permanent	Permanent	Permanent	Permanent
T-2	T-2	T-6	T-6
A-4	A-4	T-39	T-39
TA-4	TA-4	T-1	T-1
T-39	T-39	T-2	T-45
H-34	HH-46A	F/A-18A/B	F/A 18-C/D
A-6	A-6	H-60	Transient
F-14	F-14	Transient	F/A-18E/F
T-28	T-34	T-45	F-35A/B/C
F-9	T-47	TH-57	T-45
S-2	P-3	T-34	BE20
A-7	C-130	AV-8	TH-57
T-39	C-141	F-5	P-3C
F-4	C-5	P-3	H-60
VT-4	F/A-18	H-60	T-38
VT-10	UH-IN	T-38	H-3
HH-46	SH-3D	H-3	BE-9
		BE-9	F-16
		F-16	C-40
		S-3	C-130
		DC-9	B-190
		C-130	C-2
		B-190	C-560
		B-737	EA-18G
		C-2	EA-6B
		C-560	F-15
		EA-6B	F-22
		F/A-18E/F	UAVs (RQ-4, MQ-8)
		F-15	P-8
		C-40	
		BE-20	

Source: AICUZ 1976; AICUZ Addendum 1985; Wyle Noise Study August 2008

Notes:

* = All foreseeable projections out to 2012 and includes projections of the F-35 as transient aircraft which are expected to occur this decade

Bold = also at NOLF Saufley.

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2 NAS Pensacola & NOLF Saufley

2.1 Location

Naval Air Station (NAS) Pensacola and Navy Outlying Landing Field (NOLF) Saufley are located in Escambia County in the Florida Panhandle. NAS Pensacola is located on a peninsula within the Pensacola Bay system between Pensacola Bay and Bayou Grande, approximately 5 miles (8.3 kilometers [km]) from downtown Pensacola, Florida (Figure 2-1). NAS Pensacola comprises approximately 5,800 acres (2,350 hectares [ha]) and Corry Station comprises an additional 2,623 acres (1,060 ha), collectively known as the NAS Pensacola Complex. NOLF Saufley, comprises approximately 970 acres (392 ha.) and is geographically separated from, but part of, the NAS Pensacola Complex. It is located approximately 10 miles (16 km) north of NAS Pensacola and approximately 8 miles (12.8 km) west of Pensacola Regional Airport (Figure 2-1) and borders Tarklin Bayou.

2.2 Mission

NAS Pensacola supports many activities, including headquarters and staff of Chief of Naval Education and Training (CNET), Training Air Wing (TRAWING) 6, Naval Operational Medicine Institute (NOMI), Naval Aerospace Medical Institute (NAMI), Naval Aerospace Medical Research Laboratory (NAMRL), Naval Orientation Recruiting Unit (NORU), Naval Air Technical Training Center (NATTC), Naval Aviation Schools Command (NASC), Naval Computer and Telecommunications Station, Marine Aviation Training Support Group (MATSG-21), USAF 479th Flying Training Group, and the Navy Flight Demonstration Squadron (Blue Angels).

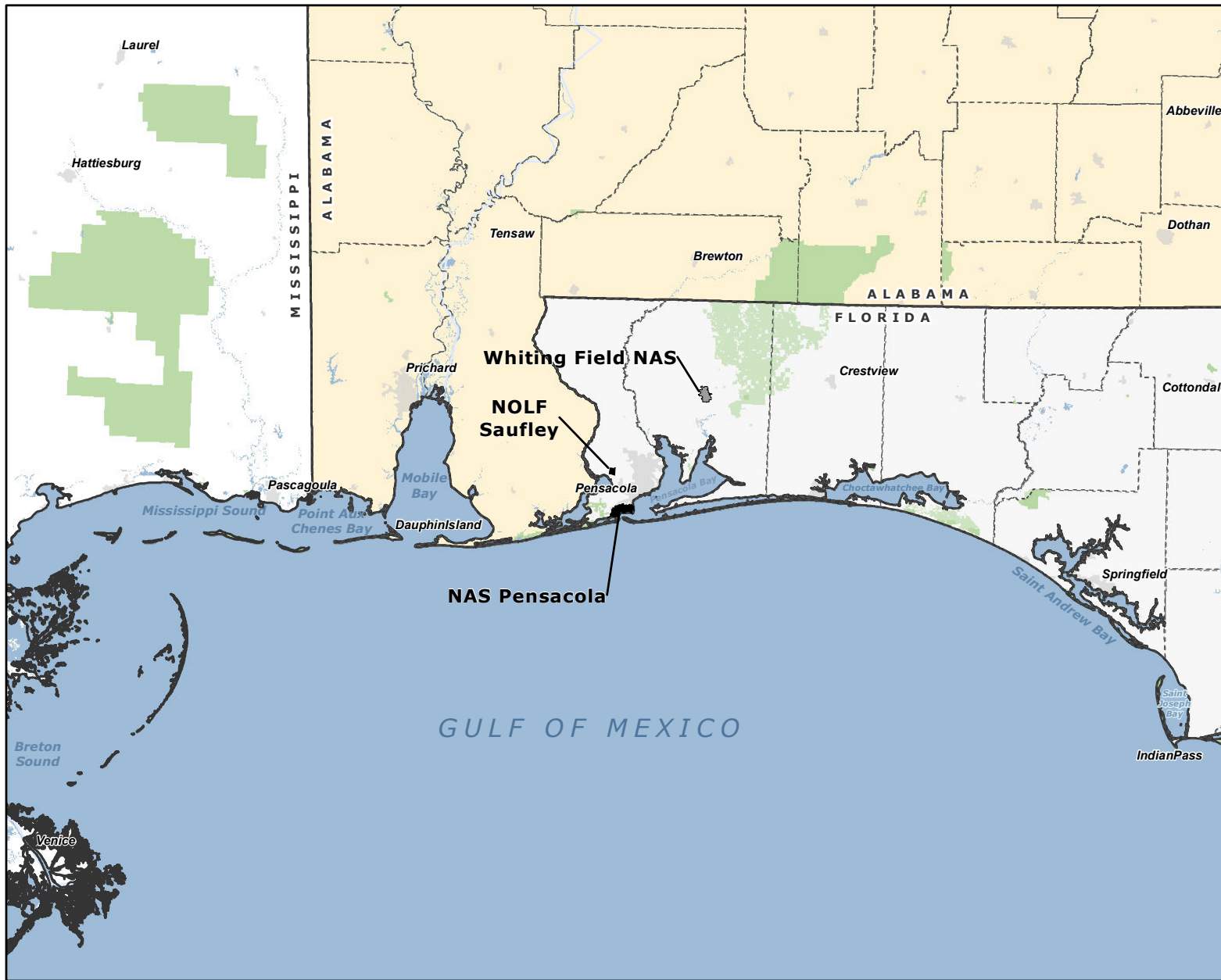






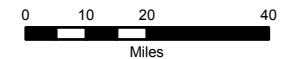


Figure 2-1
 Regional Location Map
 NAS Pensacola and
 NOLF Saufley Field

Legend

-  NAS Pensacola
-  Water Bodies
-  Parks
-  Alabama Counties
-  Florida Counties
-  State Boundary

Source:
 ESRI, 2005



NAS Pensacola also supports non-defense related tenants including the National Park Service, Barrancas National Cemetery (administered by Veterans Affairs), the Federal Aviation Administration (FAA), and the National Museum of Naval Aviation. Support services located on NAS Pensacola include bachelor officers' quarters, morale, welfare, and recreation (MWR), a family services center, security, a commissary, and exchanges.

NOLF Saufley is used for practice landings and takeoffs ("touch-and-go's") by training aircraft from NAS Pensacola and other fields. Currently, NOLF Saufley hosts the Naval Education and Training Program Development and Technology Center (NETPDTC), a subordinate command of the Naval Education & Training Command (NETC), and is also home to a minimum-security federal prison camp, a Naval Reserve Center, and NETC's Professional and Technology Center.

2.3 History

The Navy's presence was first established at the site of NAS Pensacola in 1825 when President John Quincy Adams and Secretary of the Navy, Samuel Southard, arranged to build a Navy Yard on the southern tip of Escambia County. Construction of the Pensacola Navy Yard began in 1826 and grew to be one of the best equipped naval stations in the country. The Navy Yard was decommissioned in 1911. However, in 1914, the first U.S. NAS was established on the abandoned Navy Yard site and has become the primary installation providing aviation training to the Navy. In 1971, NAS Pensacola was selected as the headquarters site for CNET, a new command that combined the direction and control of all Navy education and training. The Naval Air Basic Training Command was absorbed by the Naval Air Training Command (NATC) (which moved to Corpus Christi, Texas) and is known as Chief of Naval Air Training (CNATRA); NAS Pensacola provides support for the operation of the Chief of Naval Air Training. Known as the "Cradle of Naval Aviation," the air station serves as the launching point for the flight training of every Naval Aviator, Naval

Both NAS Pensacola and NOLF Saufley are established and recognized airfields in the Florida Panhandle region.

Flight Officer (NFO), and enlisted air crewman. In addition, it is the Navy's premier location for enlisted aviation technical training.

What was originally known as "Felton's Field," NOLF Saufley was constructed in 1933 as a satellite airfield for NAS Pensacola. Due to pre-World War II (WWII) military build-up, the Navy significantly expanded the airfield, officially opening Saufley Field in 1940. It conducted primary training, instrument training, and fighter training. Then, in 1943, Saufley Field was commissioned as a Naval Auxiliary Air Station used for a variety of training in SNJ-1 Texans and N2S Kaydet aircraft. In 1944, the number of aircraft peaked at 160 with over 2,200 personnel, and remained open following the end of WWII. Saufley Field was then redesignated as a NAS in 1968 having four active runways, was decommissioned less than 10 years later in 1976, and became a NOLF. Saufley Field was again reactivated in 1979 when NETPDTC, a subordinate command of NETC, relocated to Saufley Field and when NAS Whiting Field (TRAWING 5) began to use Saufley Field as a NOLF for pilot training.

In 2004, the United States Department of Defense (DoD) and the Federal Emergency Management Agency (FEMA) designated NOLF Saufley as a temporary Logistical Staging Area (LSA) for federal, state, and non-governmental agencies in response to Hurricane Ivan. Hundreds of 18-wheeled trucks filled with ice, food, and drinking water were staged on NOLF Saufley ramps to provide relief for victims of Hurricane Ivan. Continuing through 2006, NOLF Saufley's north/south runway was used to house FEMA trailers for victims displaced by the hurricane. Flying operations were temporarily suspended while the runways were being used by FEMA.

Today, NOLF Saufley is an active runway and spans an area of approximately 860 acres (348 ha). The site currently has 63 buildings and three aircraft hangars. As of 2008, two runways were active and serve as an NOLF for Training Air Wings 5 and 6, where the facility is used for practice landings and take-offs of T-34C and T-6A aircraft. Other flight activities include touch-and-go operations by the TH-57 aircraft.

2.4 Operational Areas

Figures 2-2 and 2-3 provide a depiction of NAS Pensacola and NOLF Saufley airfields, respectively. The landing area at NAS Pensacola, also commonly called Sherman Field, consists of three runways, Runway 01/19, Runway 07L/25R, and Runway 07R/25L. As of July 2007, the field elevation at NAS Pensacola averaged 28 feet (8.5 meters) above Mean Sea Level (MSL). The landing area at NOLF Saufley consists of two runways, Runway 05/23 and Runway 14/32, and one helicopter pad. Runways are numbered according to their magnetic heading for aircraft on approach or departure. For example, on Runway 01/19, the numbers 01 and 19 signify that this runway is most closely aligned with a compass heading of 10 and 190 degrees, respectively. Table 2-1 provides detailed information about the length and width of each runway.

Table 2-1 NAS Pensacola and NOLF Saufley Runways

NAS Pensacola Runway	Length (feet)	Width (feet)
01/19	7,137	200
07L/25R	8,000	200
07R/25L	8,000	200
NOLF Saufley Runway	Length (feet)	Width (feet)
05/23	4,000	200
14/32	4,000	200

Source: NAS Pensacola 2008

2.5 Local Economic Impacts

Similar to other areas where major military bases are located, the NAS Pensacola Complex has a significant impact on the economy in the greater Pensacola area. The jobs associated with NAS Pensacola and its tenants, the salaries paid to its workers, and the spending associated with both the workers and the facility ripple through the entire region's economy.

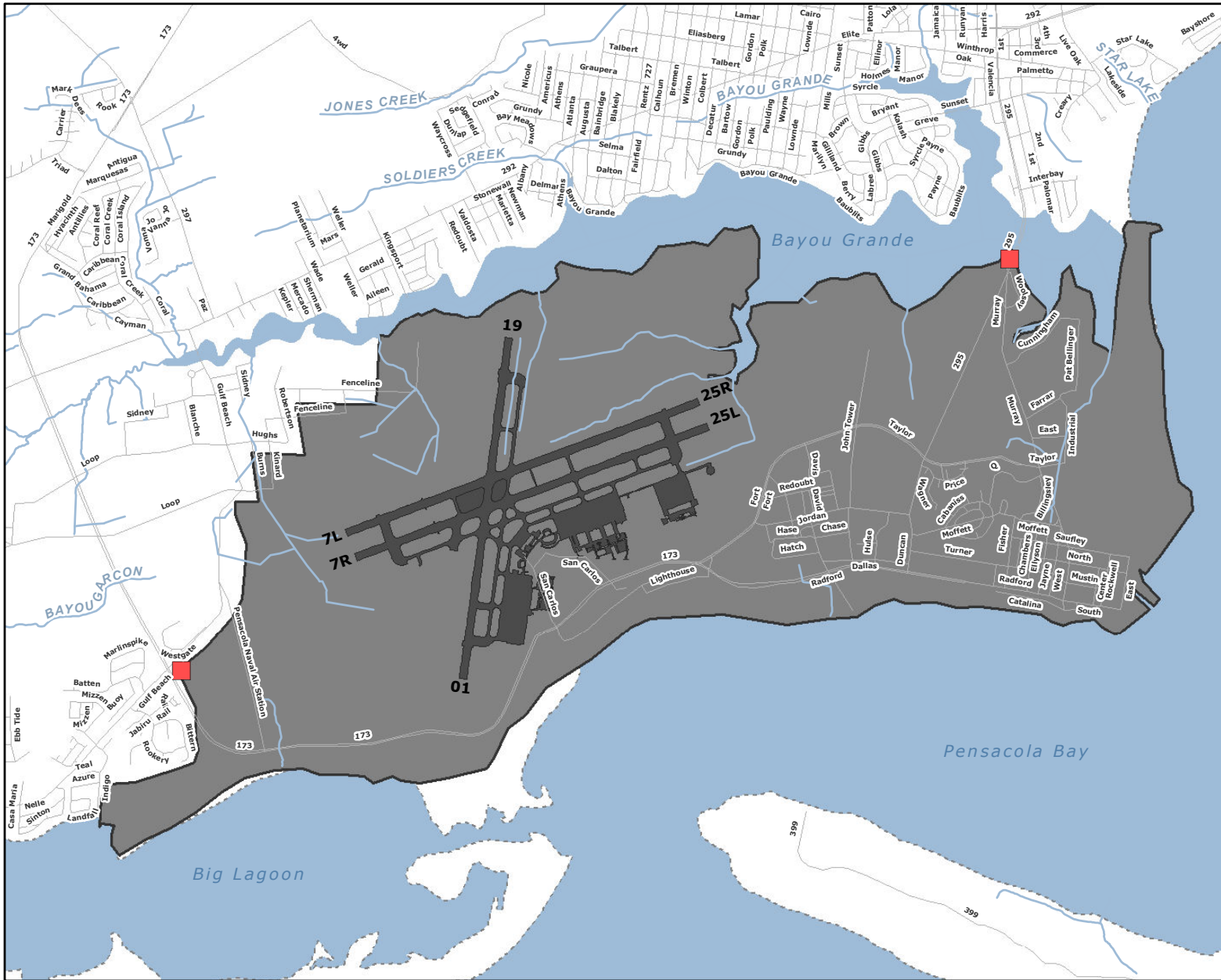
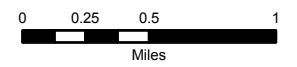


Figure 2-2
 NAS Pensacola
 Airfield Map

Legend

- Gate
- Runway
- NAS Pensacola
- County Boundary
- Water Bodies

Source:
 ESRI, 2005



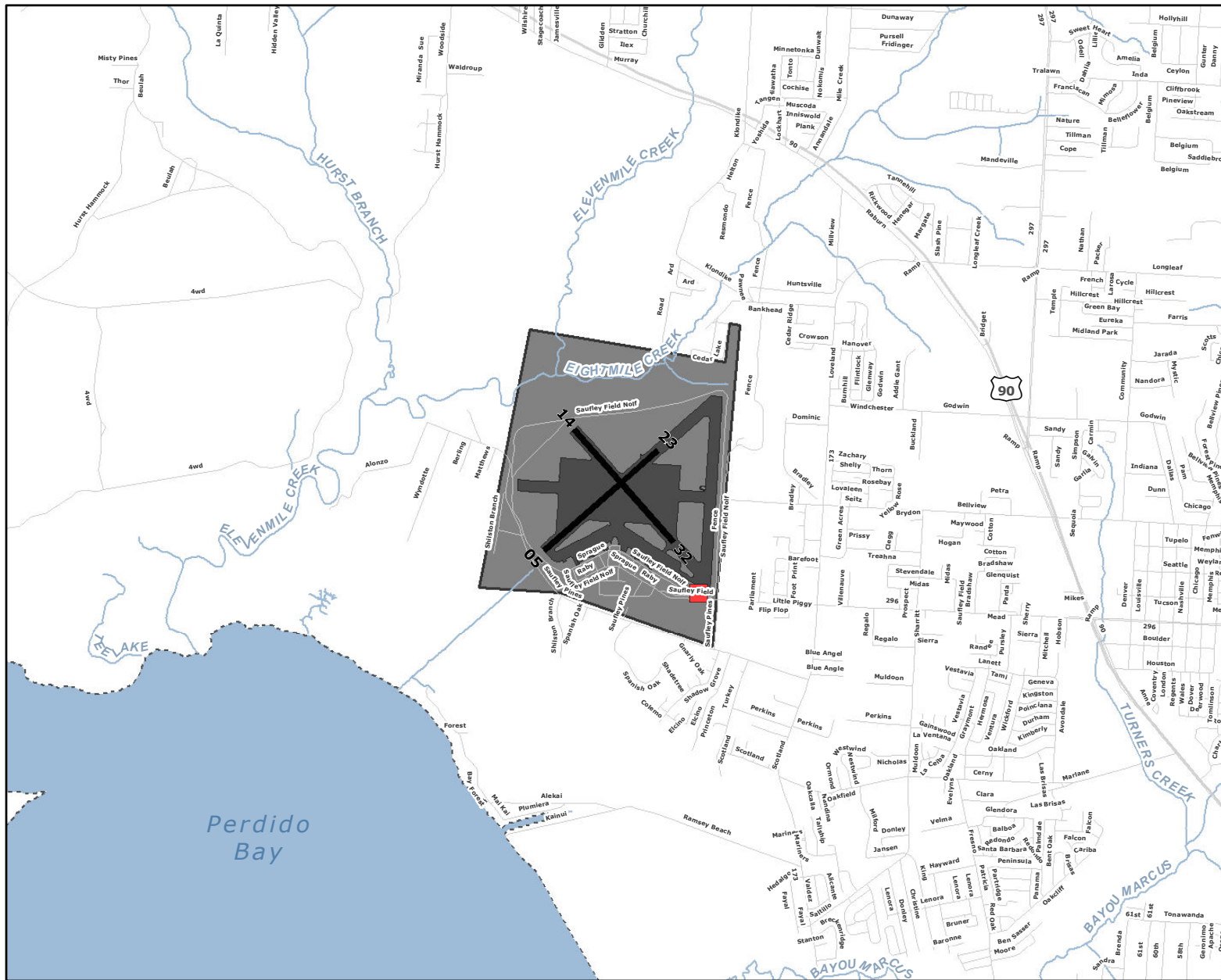
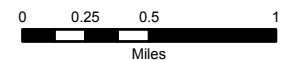


Figure 2-3
 NOLF Saufley
 Airfield Map

Legend

- Gate
- NOLF Saufley
- Runway
- County Boundary
- Water Bodies

Source:
 ESRI, 2005



NAS Pensacola is the employer of a combined workforce of approximately 23,000 military and civilian personnel (NAS Pensacola, 2008). The DoD (including NAS Pensacola) is the largest economic engine in the greater Pensacola area, with more than \$5.1 billion in salary and wages produced (Pensacola Bay Area Chamber of Commerce 2008). Specifically, the economic benefits are from the following sources:

- Jobs;
- Worker salaries or personal income;
- Local sales to workers and their families;
- Revenues to local businesses; and
- Residential property in the community owned or occupied by military personnel and employees of the facilities.

3 Aircraft Operations

Aircraft noise consists of two major sound sources: flight operations and ground engine maintenance “run-ups” which are associated with pre-flight and maintenance checks. Navy Outlying Landing Field (NOLF) Saufley does not have any ground engine maintenance “run-up” locations, since there are no aircraft permanently stationed at the airfield and maintenance is done at either Naval Air Station (NAS) Whiting Field or NAS Pensacola.

The level of noise exposure modeled is related to a number of variables including the aircraft type, engine power setting, altitude, direction of the aircraft, duration of run-ups, flight tracks, temperature, relative humidity, frequency, and time of operations. Generally, these factors fluctuate from year to year. Small fluctuations in the annual number of operations of like aircraft will not have a significant effect on community noise exposure.

NAS Pensacola primarily is utilized for pilot and navigation training for Navy and sister service pilots and navigators. NOLF Saufley is used primarily for touch-and-go operations by Whiting Field Training Air Wing (TRAWING) 5, and NAS Pensacola TRAWING 6, T-34s and T-6s. Below is a representation of the some of the more prominent aircraft that utilize NAS Pensacola and NOLF Saufley. Additionally included are some of the new aircraft that may be stationed at NAS Pensacola and NOLF Saufley in the coming months and years.

A fixed-wing aircraft is an aircraft whose lift is generated not by wing motion relative to the aircraft, but by forward motion through the air. The term is used to distinguish from rotary-wing aircraft.

3.1 Aircraft Types

Aircraft types that typically utilize NAS Pensacola and NOLF Saufley are described in the following subsections.

3.1.1 Fixed-Wing Aircraft



T-6A Texan II. The T-6A Texan II is a military, single-engine trainer used by the United States Department of the Navy (Navy) and the United States Air Force (USAF) to train pilots, Naval Flight Officers (NFOs), and Combat System Officers (CSOs). The 5,000-pound (2,268-kilogram) air craft is powered by a Pratt & Whitney PT-6A-68 turboprop engine that generates 1,100 horsepower. With a wingspan of 33 feet (10 meters) and a length of 33 feet (10 meters), this aircraft can reach speeds of 270 knots at altitudes of 31,000 feet (945 kilometers [km]). The Texan II operates with a crew of two and has a range of 850 nautical miles.



T-39N/G Sabreliners. The T-39 Sabreliner is a multi-purpose, low-wing, twin-engine, jet trainer whose mission is to train Navy and Marine Corps flight officers. The 15 T-39Ns—derivatives of the commercial Sabre model 265-40—are used for training undergraduate military flight officer students in radar navigation and airborne radar-intercept procedures. These aircraft replaced Cessna T-47As during the early 1990s. The eight T-39Gs—derivatives of the commercial Sabre model 265-60—are used for student non-radar training. These aircraft began replacing USAF T-1A Jayhawks in Navy training squadrons in mid-1999.



T-1A Jayhawks. The T-1A Jayhawk is a medium-range, twin-engine, jet trainer used in the advanced phase of specialized undergraduate pilot and navigator training for USAF students selected to fly airlift or tanker aircraft. The swept-wing T-1A is a military version of the Beech 400A. It has cockpit seating for an instructor and two students and is powered by twin turbofan engines capable of an operating speed of Mach .73. The T-1A differs from its commercial counterpart with structural enhancements that provide for a large number of landings per flight hour, increased bird strike resistance, and an additional fuselage fuel tank.



F/A-18 A/B Hornet. The F/A-18 Hornet, an all-weather aircraft, is used as an attack aircraft as well as a fighter. In its fighter mode, the F/A-18 is used primarily as a fighter escort and for fleet air defense; in its attack mode, it is used for force projection, interdiction, and close and deep air support. The Navy's Blue Angels Flight Demonstration Squadron proudly flies them. It is projected that by 2012, the F/A-18 A/B model will be replaced by the FA-18 C/D model for the Blue Angels.



T-38 Talon. The Talon is a twin-engine, high-altitude, supersonic, jet trainer used primarily for undergraduate pilot and pilot instructor training. Student pilots fly the T-38A to learn supersonic techniques, aerobatics, formation, night and instrument flying, and cross-country navigation. Advanced training for the bomber-fighter track is accomplished using the T-38 Talon and prepares pilots for the transition to fighter and bomber aircraft. The T-38 needs as little as 2,300 feet (695 meters) of runway to take off and can climb from sea level to nearly 30,000 feet (9,068 meters) in one minute.



T-45 Goshawks. The T-45A aircraft is used for intermediate and advanced portions of the Navy pilot and navigator training program for jet carrier aviation and tactical strike missions. The T-45A replaced the T-2 Buckeye trainer and the TA-4 trainer with an integrated training system that includes the T-45A Goshawk aircraft, operations and instrument fighter simulators, academics, and a training integration system.



F/A-18 E/F Super Hornet. The newest model of F/A-18, the Super Hornet (F/A-18 E/F), is highly capable across the full mission spectrum: air superiority, fighter escort, reconnaissance, aerial refueling, close air support, air defense suppression, and day/night precision strike. Compared to the original F/A-18 A through D models, the Super Hornet has longer range, an aerial refueling capability, increased survivability/ lethality, and improved carrier suitability. The F/A-18 E/F Super Hornet is a combat-proven strike fighter with built-in versatility. The Super Hornet's suite of integrated and networked systems provides enhanced interoperability and total force support for the combatant commander and

for the troops on the ground. The F/A -18 E/F uses NAS Pensacola's runways as a transient aircraft.



T-34C Turbo Mentor. The T-34C is a two-seat, tandem cockpit, turboprop, fixed-wing aircraft used to train Navy and Marine Corps pilots. The aircraft is powered by a Pratt & Whitney model PT6A-25 engine and has a wingspan of 34 feet (10 meters), length of 29 feet (8.8 meters), and weight of 4,000 pounds (1,814 kilograms). The T-34C can reach airspeeds of 280 knots, an altitude of 25,000 feet (7,620 meters), and can fly up to 740 nautical miles during a single flight.



C-12 King Air. The C-12 is a twin turboprop, fixed-wing aircraft used for flight training operations. The aircraft is powered by two Pratt & Whitney PT-6A-42 engines that produce 850 shaft horsepower (SHP) each. The C-12 is 44 feet (13 meters) long with a height of 15 feet (4.6 meters) and a maximum gross take-off weight of 15,000 pounds (6,804 kilograms). The range of the aircraft is approximately 1,974 nautical miles with a maximum airspeed of 294 knots and has a flight ceiling of 35,000 feet (10,668 meters).



C-9 Skytrain. The C-9 fleet is located throughout the continental United States, Europe, and Asia. The Navy and Marine Corps C-9 aircraft provide cargo and passenger transportation as well as forward deployment logistics support. The Air Force C-9s are used for medical evacuation, passenger transportation, and special missions.

Projected Missions



F-35 A/B/C Joint Strike Fighter, Lightning II. The F-35 has three different variants: the first is the conventional takeoff and landing variant (Air Force F-35 A); the second is a short takeoff and vertical-landing variant (STOVL) (Marine F-35 B); and the third is a carrier-based variant (Navy F-35 C). The F-35 C carrier variant will have a larger, folding wing and larger control surfaces for improved low-speed control, and stronger landing gear for the stresses of carrier landings. The F-35 B is the STOVL variant aircraft. The F-35 B is similar in size to the Air Force F-35 A, trading fuel volume for vertical



flight systems. The F-35 is not anticipated to be stationed at NAS Pensacola or NOLF Saufley; however, all three variants are expected to use NAS Pensacola's runways as a transient aircraft.

Unmanned Aerial Vehicles (UAVs). UAVs include such aircraft as RQ-2A (Pioneer), MQ-8 (Fire Scout) the MQ-1 (Predator) and (Global Hawk). A UAV is a remotely piloted or self-piloted aircraft that can carry cameras, sensors, communications equipment, weapons or other payloads. UAVs can be both fixed and rotary-wing and vary in size and range from the Global Hawk, which is approximately 44 feet in length and has a performance range of 36 hours to the small UAV such as the Pioneer, which is about 14 feet long and has a range of four to five hours. UAV missions are diverse ranging from data collection and surveillance to target acquisition support.

3.1.2 Rotary-Wing Aircraft



TH-57 Sea Ranger. The TH-57 is a derivative of the commercial Bell Jet Ranger 206. Although primarily used for training, these aircraft are also used for photo, chase, and utility missions. The TH-57 Sea Ranger provides advanced instrument flight rules (IFR) training to several hundred aviation students a year at NAS Whiting Field.



H-60 and Other Variants. The H-60 is a twin-engine, four-bladed, single-rotor helicopter. The aircraft's primary function and performance specifics vary by user. The aircraft is 64 feet (19.5 meters) long, has a height of 18 feet (5.5 meters), a rotor diameter of 54 feet (16.5 meters), and weight that varies from 21,000 to 23,000 pounds (9,525 to 10,433 kilograms), depending on variation. Its operational ceiling is 19,000 feet (5,791 meters), and it has a general operational range of approximately 380 nautical miles. The H-60 comes in many variants, including: the UH-60A/L Blackhawk; the SH-60B/F Seahawk; the MH-60R/S Multi-Mission Helicopter; and the HH-60H Jayhawk.

3.2 Airspace

The use of airspace over NAS Pensacola is dictated by the Federal Aviation Administration (FAA) National Airspace System (Figure 3-1). This system is designed to ensure the safe, orderly, and efficient flow of commercial, private, and military aircraft. NAS Pensacola is located in the airspace assigned to Jacksonville Center by the FAA. NAS Pensacola is located within Class C airspace. All visual flight rules (VFR) departures must have clearance to depart. VFR arrivals must contact Pensacola Approach prior to entering the Class C airspace for radar services and sequencing over the appropriate VFR entry points.

Pensacola Tower airspace is that airspace within a 5-nautical-mile radius of the center of the airport extending from the surface up to and including 4,200 feet (1,280 km) Mean Sea Level (MSL).

Airspace over NOLF Saufley is administrated by NAS Pensacola. NOLF Saufley is located within Class C airspace.

NAS Pensacola and NOLF Saufley have limited airspace to fulfill their mission. NAS Pensacola and NOLF Saufley's operational areas include Special Use Airspace (SUA). SUA in the region includes Alert Areas, Military Operating Areas (MOAs), Restricted Areas, and Warning Areas (Figure 3-1). NAS Pensacola and NOLF Saufley SUA includes:

- **Alert Area 292.** Located north and east of NAS Pensacola.
- **Pensacola North and South MOA.** Located over NAS Pensacola and north of NAS Whiting Field.
- **Restricted Area 7908.** Located approximately 35 nautical miles southwest of NAS Pensacola
- **Warning Areas W-155A/W-155B/W155C/W-453.** Located approximately 30, 50, and 100 nautical miles south and southwest of NAS Pensacola, respectively.

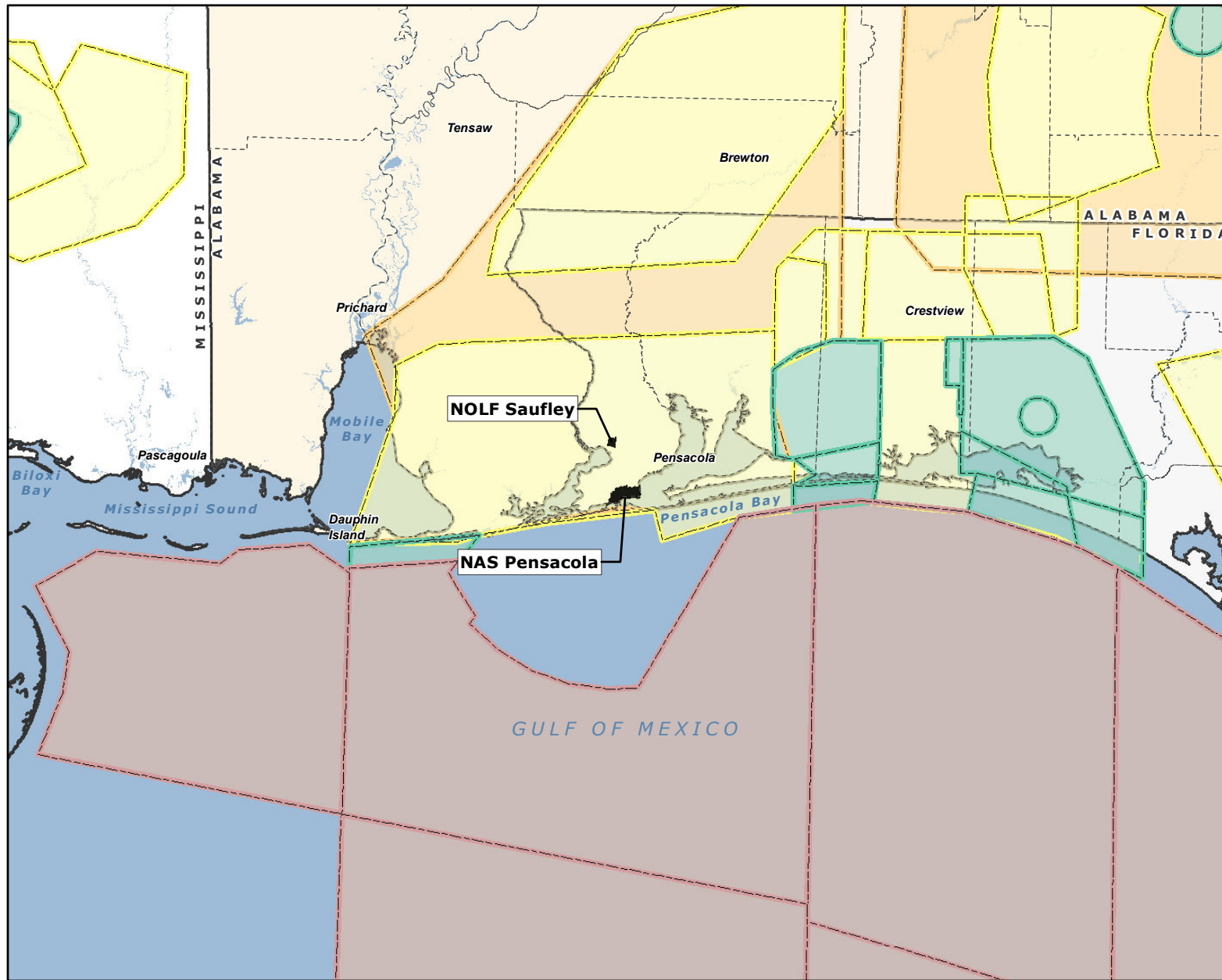









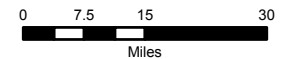


Figure 3-1
Special Use Air Space
NAS Pensacola and
NOLF Saufley

Legend

-  NAS Pensacola and NOLF Saufley Boundaries
-  Water Bodies
-  Alabama Counties
-  Florida Counties
-  State Boundary
- Special Use Airspace**
-  Alert Area
-  MOA
-  Restricted Area
-  Warning Area

Source:
ESRI, 2005



3.3 Aircraft Operations

The main noise sources at NAS Pensacola and NOLF Saufley are aircraft operations, including engine run-up operations, flight arrivals, departures, and touch-and-go patterns.

3.3.1 Engine Run-Up Locations

Engine maintenance run-up operations conducted at NAS Pensacola are associated with TRAWING 6, 479th Flying Training Group, and the Blue Angels Flight Demonstration Team (Table 3-1 and Figure 3-2). There are no engine maintenance run-up operations at NOLF Saufley.

Table 3-1 NAS Pensacola Run-Up Locations

Location ID	Run-Up Operation	Aircraft Served
HP T6	High Power Pad	T-6
BA FW	Blast Area	T-45, T-39
FL T1	South Ramp and Blast Fence (Hanger 3260)	T-1
BLUE LO	Blue Angel Low Power Turns	F/A-18 A/B
FL T2 T39	Flight Line	T-45, T-39
WR T2 T39	Wash Rack	T-45, T-39
1853 LINE	1853 Line	T-6
BLUE HI	Blue Angel High Power Turns	F/A-18 A/B
WR H3 H60	Wash Rack	H-60

3.3.2 Flight Operations

A “flight operation” refers to anytime an aircraft crosses over the runway threshold at an airfield. The takeoff and landing may be part of a training maneuver (or pattern) associated with the runway or may be associated with a departure or arrival of an aircraft to or from defense-related, special-use airspace. Certain flight operations are conducted as patterns (e.g., touch-and-go, etc.). Departures and arrivals each count as one operation and a pattern counts as two. Basic flight operations at NAS Pensacola and NOLF Saufley are:

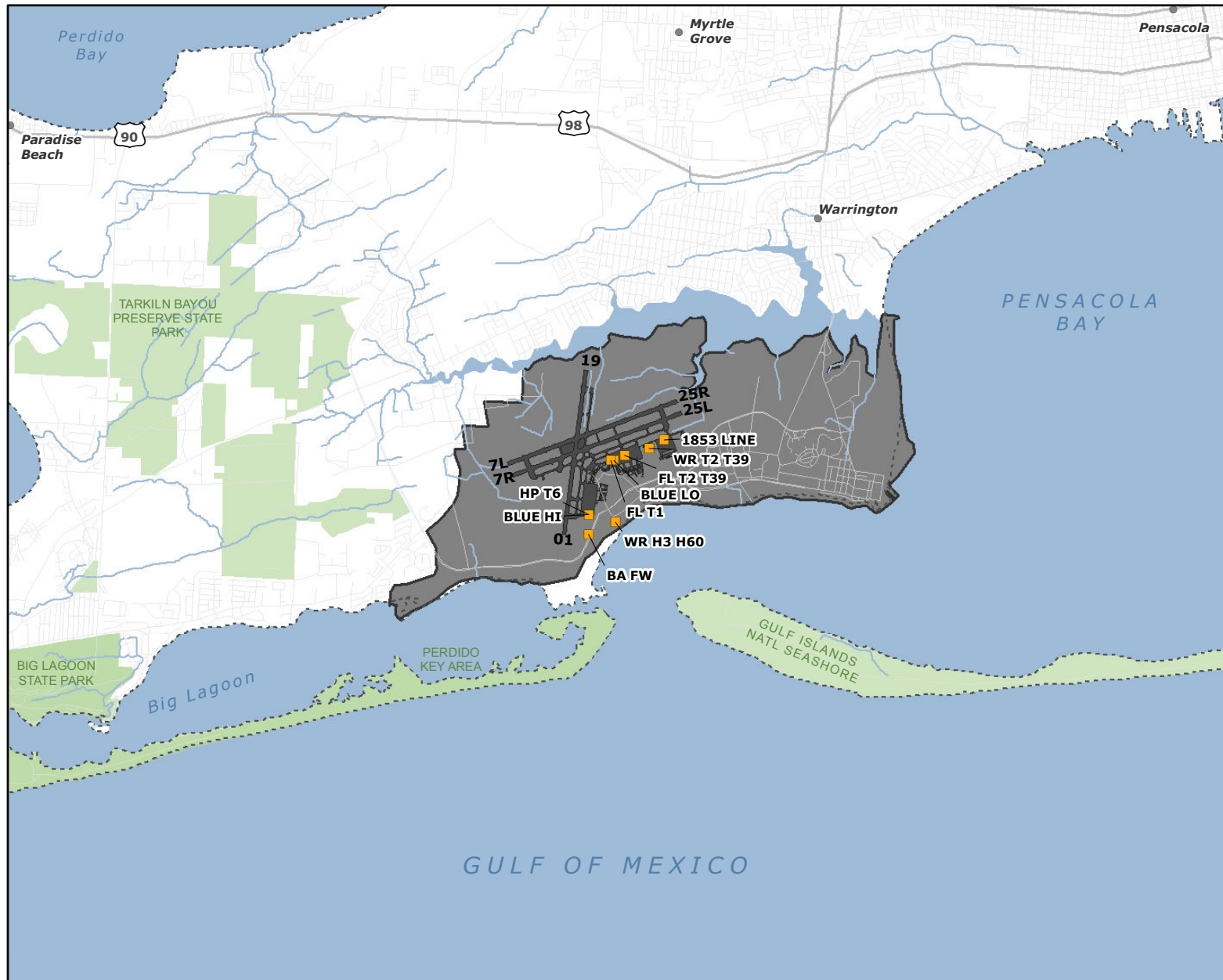








Figure 3-2
Aircraft Run-Up Locations
NAS Pensacola

Legend

-  Engine Run-Up Locations
-  County Boundary
-  Runway
-  NAS Pensacola
-  Park Boundary
-  Water Bodies

Source: Wyle Labs, 2008



- **Departure.** An aircraft taking off to a local training area, a non-local training area, or as part of a training maneuver (i.e., touch-and-go).
- **Straight-In/Full-Stop Arrival.** An aircraft lines up on the runway centerline, descends gradually, lands, comes to a full stop, and then taxis off the runway.
- **Overhead Break Arrival.** An expeditious arrival using visual flight rules. An aircraft approaches the runway 500 feet (152 meters) above the altitude of the landing pattern. Approximately halfway down the runway, the aircraft performs a 180-degree turn to enter the landing pattern. Once established in the pattern, the aircraft lowers landing gear and flaps and performs a 180-degree descending turn to land on the runway.
- **Touch-and-Go.** An aircraft lands and takes off on a runway without coming to a full stop. After touching down, the pilot immediately goes to full power and takes off again. The touch-and-go actually is counted as two operations—the landing is counted as one operation, and the takeoff is counted as another.

3.3.3 NAS Pensacola Operations

Flight operations at NAS Pensacola have generally decreased over the past nine years. Annual operations for Calendar Year (CY) 2012 were established based on assumptions provided by NAS Pensacola personnel. All foreseeable missions were projected to 2012 and include projections for the F-35 as transient aircraft, as they are expected to be operational within this decade. Within this timeframe, NAS Pensacola would be expected to experience a total of approximately 110,226 operations annually. The flight operations for 2012 are utilized in this study to develop the 2010 AICUZ Noise Contours (see Section 4, Aircraft Noise) and Accident Potential Zones (APZs) (see Section 5, Aircraft Safety). Annual operations for CY2012 include the USAF CSO Training Squadron. The USAF 479th Flying Training Group (FTG) will consist of three squadrons and, for purposes of the study, their operations are included under TRAWING 6 operations.

Table 3-2 presents the total projected annual flight operations at NAS Pensacola. Flight operations grouped by aircraft and flight track can be found in the 2008 Wyle Noise Study (WR 08-23). Departure and arrival portions of ground control approach (GCA) flight patterns at NAS

Table 3-2 Projected Annual Air Operations for NAS Pensacola

Category	Operation Type	Day	Night	Total
		0700-2200	2200-0700	
T-6*	Departure	20,300	1,364	21,664
	Arrival	20,042	1,622	21,664
	Touch-and-Go	9,094	630	9,724
	Total	49,436	3,616	53,052
T-39	Departure	4,733	207	4,940
	Arrival	4,070	870	4,940
	Touch-and-Go	578	80	658
	Total	9,381	1,157	10,538
T-1	Departure	6,479	281	6,760
	Arrival	6,301	459	6,760
	Touch-and-Go	960	80	1,040
	Total	13,740	820	14,560
T-45*	Departure	6,037	740	6,777
	Arrival	6,162	615	6,777
	Touch-and-Go	2,738	188	2,926
	Total	14,937	1,543	16,480
F/A-18 E/F	Departure	1,348	59	1,407
	Arrival	1,236	171	1,407
	Touch-and-Go	30	0	30
	Total	2,614	230	2,844
F-35 A/B/C	Departure	1,938	365	2,303
	Arrival	2,028	275	2,303
	Touch-and-Go	22	0	22
	Total	3,988	640	4,628
T-38	Departure	253	0	253
	Arrival	253	0	253
	Touch-and-Go	0	0	0
	Total	506	0	506
Other Transient Aircraft	Departure	2,684	569	3,253
	Arrival	2,796	457	3,253
	Touch-and-Go	657	455	1,112
	Total	6,137	1,481	7,618
Grand Total	Departure	43,772	3,585	47,357
	Arrival	42,888	4,469	47,357
	Touch-and-Go	14,079	1,433	15,512
	Total	100,739	9,487	110,226

Sources: Wyle Noise Study November 2008

Notes: Arrivals include both straight-in and overhead break.

Touch-and-go counted as two operations—a takeoff and a landing.

* Total of TRAWING 6 and Transient Aircraft

Pensacola are included in the departure and arrival flight tracks. Pensacola Approach's GCA box pattern is assigned to each runway at NAS Pensacola.

3.3.4 NOLF Saufley Operations

Annual operations for CY2012 were established based on assumptions provided by NAS Pensacola personnel. Within this timeframe, NOLF Saufley would be expected to experience a total of approximately 71,238 operations annually. The flight operations for 2012 are utilized in this study to develop the 2010 AICUZ Noise Contours (see Section 4, Aircraft Noise) and APZs (see Section 5, Aircraft Safety).

Table 3-3 presents the total projected annual flight operations at NOLF Saufley. Flight operations grouped by aircraft and flight track can be found in the 2008 Wyle Noise Study (WR 08-23).

Table 3-3 Projected Annual Air Operations for NOLF Saufley

Category	Operation Type	Day	Night	Total
		0700-2200	2200-0700	
T-6	Departure	4,429	0	4,429
	Arrival	4,429	0	4,429
	Touch-and-Go	41,304	0	41,304
	Total	50,162	0	50,162
TH-57	Departure	1,861	0	1,861
	Arrival	1,861	0	1,861
	Touch-and-Go	17,354	0	17,354
	Total	21,076	0	21,076
Grand Total	Departure	6,290	0	6,290
	Arrival	6,290	0	6,290
	Touch-and-Go	58,658	0	58,658
	Total	71,238	0	71,238

Sources: Wyle Noise Study November 2008
 Notes: Arrivals include both Straight-in and Overhead Break.

3.3.5 Runway and Flight Track Utilization

Aircraft approaching or departing from the air stations are assigned specific routes or flight tracks. The designated runways for the airfields are identified in Section 2.4. Flight tracks are represented as single lines, but flights vary due to aircraft performance, pilot technique, and weather conditions, such that the actual flight track is a band, often one-half to several miles wide. The flight tracks shown in this AICUZ study are idealized representations. Predominant arrival, departure, and pattern flight tracks for NAS Pensacola and NOLF Saufley are shown on Figures 3-3 through 3-8 (presented at the end of Section 3).

As discussed in Section 3.3.1, flight operations include departure, straight-in arrival, overhead break arrival, and touch-and-go operations. Abbreviations for the flight operations are:

- Departure – D
- Straight-In Arrival – A
- Overhead Break Arrival – O
- Touch-and-Go Pattern – T

The flight operations at NAS Pensacola are conducted on Runways 19, 25R, 25L, 01, 07R, or 07L. Abbreviations used to distinguish the parallel runways are:

- Left – L
- Right – R

Flight operations at NOLF Saufley are conducted on Runways 05, 23, 14, or 32. Section 2.4 provided a discussion and explanation of runway names. Individual flight track IDs are labeled according to the runway used, flight operation, and flight rules used while conducting the operation. Example flight track IDs for NAS Pensacola and NOLF Saufley are provided below and color-coded for example purposes only:

- NAS Pensacola Flight Track ID: **01D1**
Runway: 01
Flight Operation: Departure
Flight Rules: VFR (visual flight rules)

- NOLF Saufley Flight Track ID: **23T1**
 Runway: 23
 Flight Operation: Touch-and-Go Pattern
 Flight Rules: Touch-and-Go

Tables 3-4 and 3-5 identify flight tracks at NAS Pensacola and NOLF Saufley, respectively.

Table 3-4 NAS Pensacola Flight Tracks

Operation Type	Runway	Flight Track ID	Flight Track Rule
Departure	01	01D1	VFR
		01D2	IFR/Jet
	07L	7LD1	VFR
		7LD2	IFR/Jet
	07R	7RD1	VFR
		7RD2	IFR/Jet
	19	19D1	VFR
		19D2	IFR/Jet
	25L	5LD1	VFR
		5LD2	IFR/Jet
	25R	5RD1	VFR
		5RD2	IFR/Jet
Overhead Break Arrival	01	01O1	Break
		01O2	Break
		01O3	Short Break
	07R	7RO1	Break
		7RO2	Break
		7RO3	Short Break
	19	19O1	Break
		19O2	Break
		19O3	Short Break
	25L	5LO1	Break
		5LO2	Break
		5LO3	Short Break

Table 3-4 NAS Pensacola Flight Tracks

Operation Type	Runway	Flight Track ID	Flight Track Rule
Straight-In Arrival	01	01A1	IFR
		01A2	VFR
	07L	7LA1	IFR
		7LA2	VFR
	07R	7RA1	IFR
		7RA2	VFR
	19	19A1	IFR
		19A2	VFR
	25L	5LA1	IFR
		5LA2	VFR
25R	5RA2	VFR	
Touch-and-Go Pattern	01	01T1	Prop
		01T2	Jet
	07R	7RT1	Prop
		7RT2	Jet
	19	19T1	Prop
		19T2	Jet
	25L	5LT1	Prop
		5LT2	Jet

Notes:
 VFR - Visual Flight Rules
 IFR - Instrument Flight Rules
 Prop - Propeller Aircraft
 Jet - Jet Aircraft

Table 3-5 NOLF Saufley Flight Tracks

Operation Type	Runway	Flight Track ID	Flight Track Rule
Departure	05	05D1	Departure to Relay Tower - 600/900 ft
	23	23D1	Departure to Relay Tower - 600/900 ft
	14	14D1	Departure to Relay Tower - 600/900 ft
	32	32D1	Departure to Relay Tower - 600/900 ft
Arrival	05	05O1	Overhead Break Arrival from Grassy Point - 900/1200 ft entry
	23	23O1	Overhead Break Arrival from Grassy Point - 900/1200 ft entry
	14	14O1	Overhead Break Arrival from Grassy Point - 900/1200 ft entry
	32	32O1	Overhead Break Arrival from Grassy Point - 900/1200 ft entry
Touch-and-Go Pattern	05	05T1	Touch-and-Go
	23	23T1	Touch-and-Go
	14	14T1	Touch-and-Go
	32	32T1	Touch-and-Go

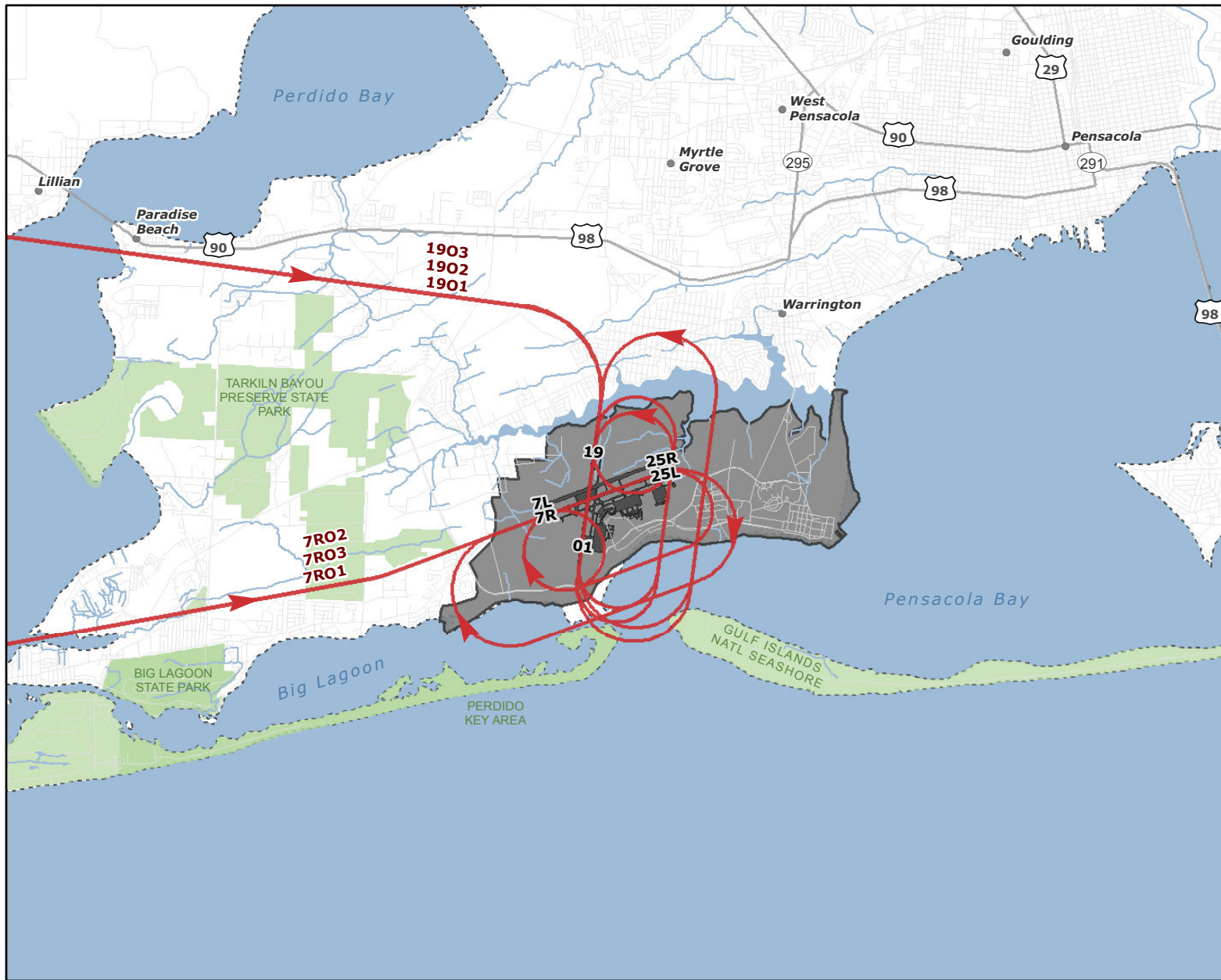


Figure 3-3a
Overhead Break
Arrival Flight Tracks
NAS Pensacola

Legend

- Overhead Break Arrival Flight Tracks
- Runway
- NAS Pensacola
- Park Boundary
- Water Bodies
- County Boundary

Source: Wyle Labs, 2008



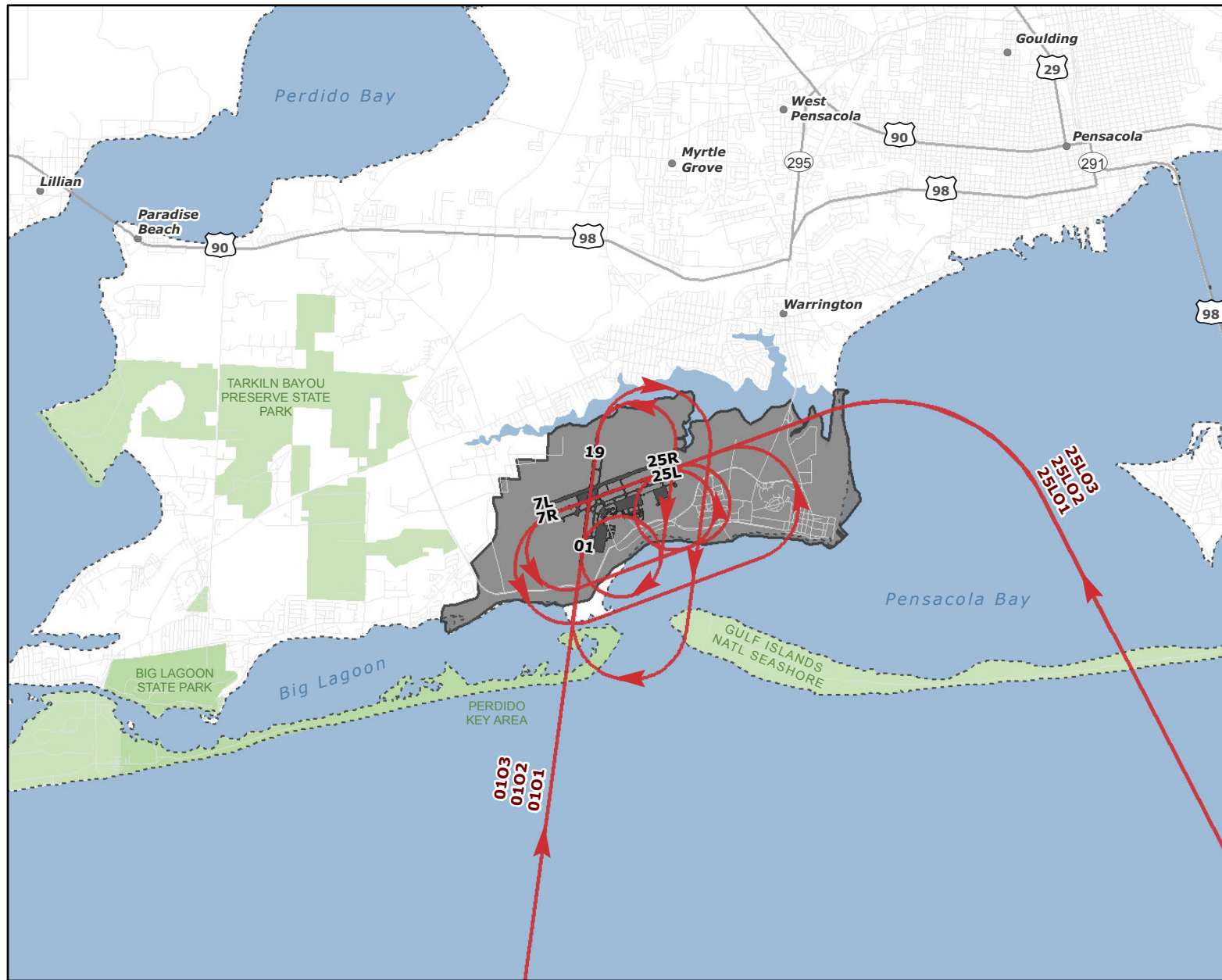







Figure 3-3b
Overhead Break
Arrival Flight Tracks
NAS Pensacola

Legend

-  Overhead Break Arrival Flight Tracks
-  Runway
-  NAS Pensacola
-  Park Boundary
-  County Boundary

Source: Wyle Labs, 2008



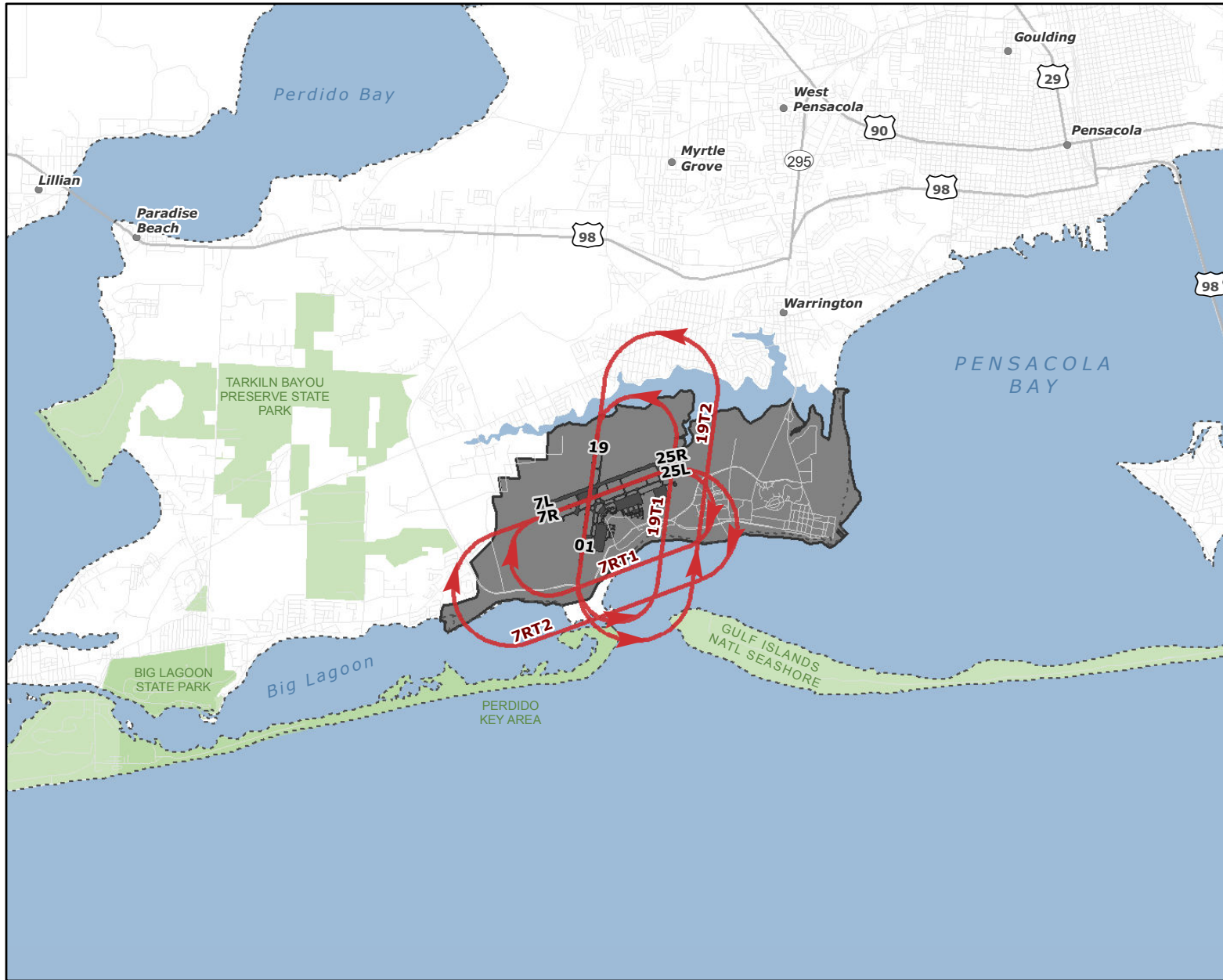








Figure 3-4a
Pattern (Touch-and-Go)
Flight Tracks
NAS Pensacola

Legend

-  Touch-and-Go Flight Tracks
-  Runway
-  NAS Pensacola
-  County Boundary
-  Park Boundary
-  Water Bodies

Source: Wyle Labs, 2008



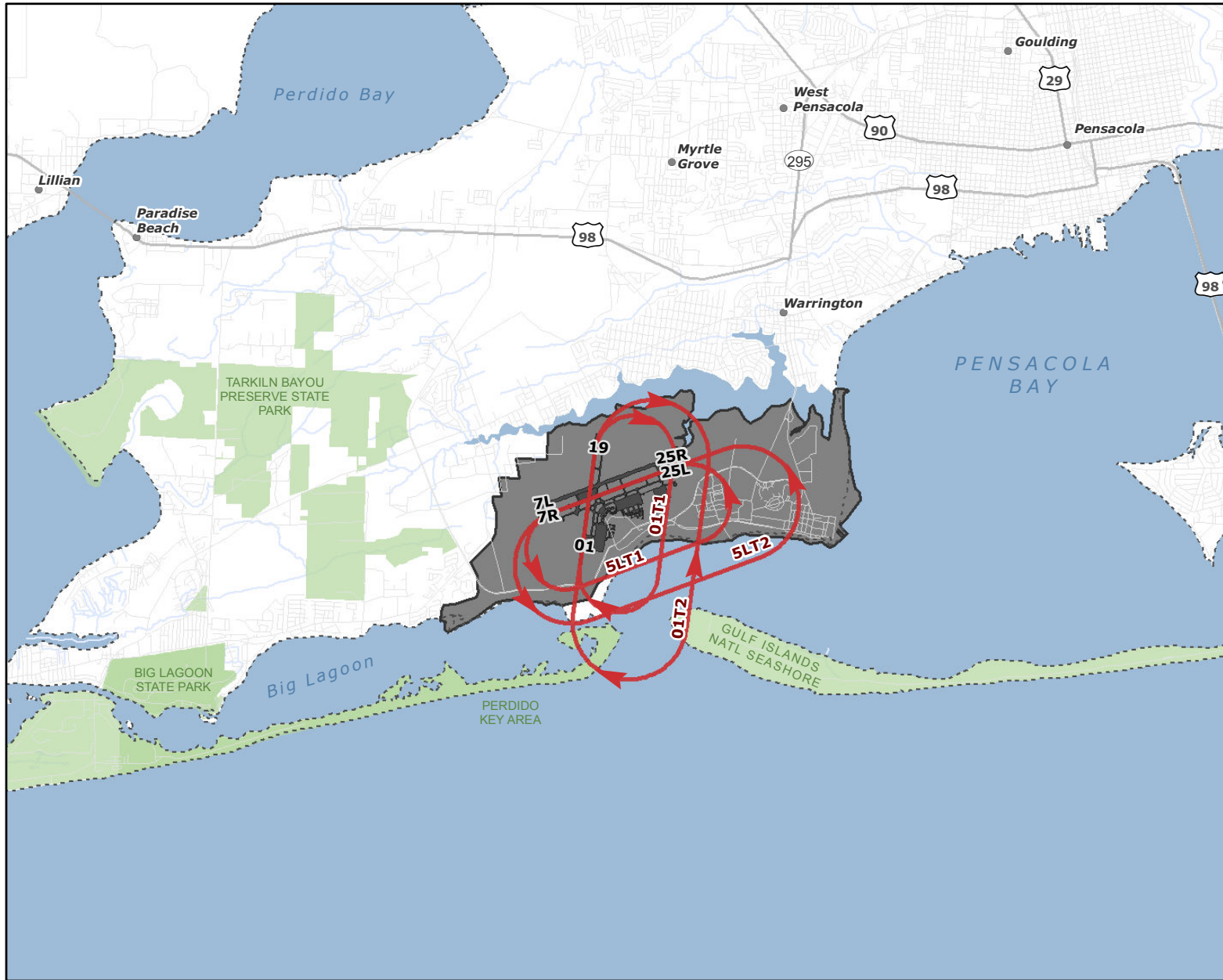








Figure 3-4b
Pattern (Touch-and-Go)
Flight Tracks
NAS Pensacola

Legend

-  Touch-and-Go Flight Tracks
-  County Boundary
-  Runway
-  NAS Pensacola
-  Park Boundary
-  Water Bodies

Source: Wyle Labs, 2008



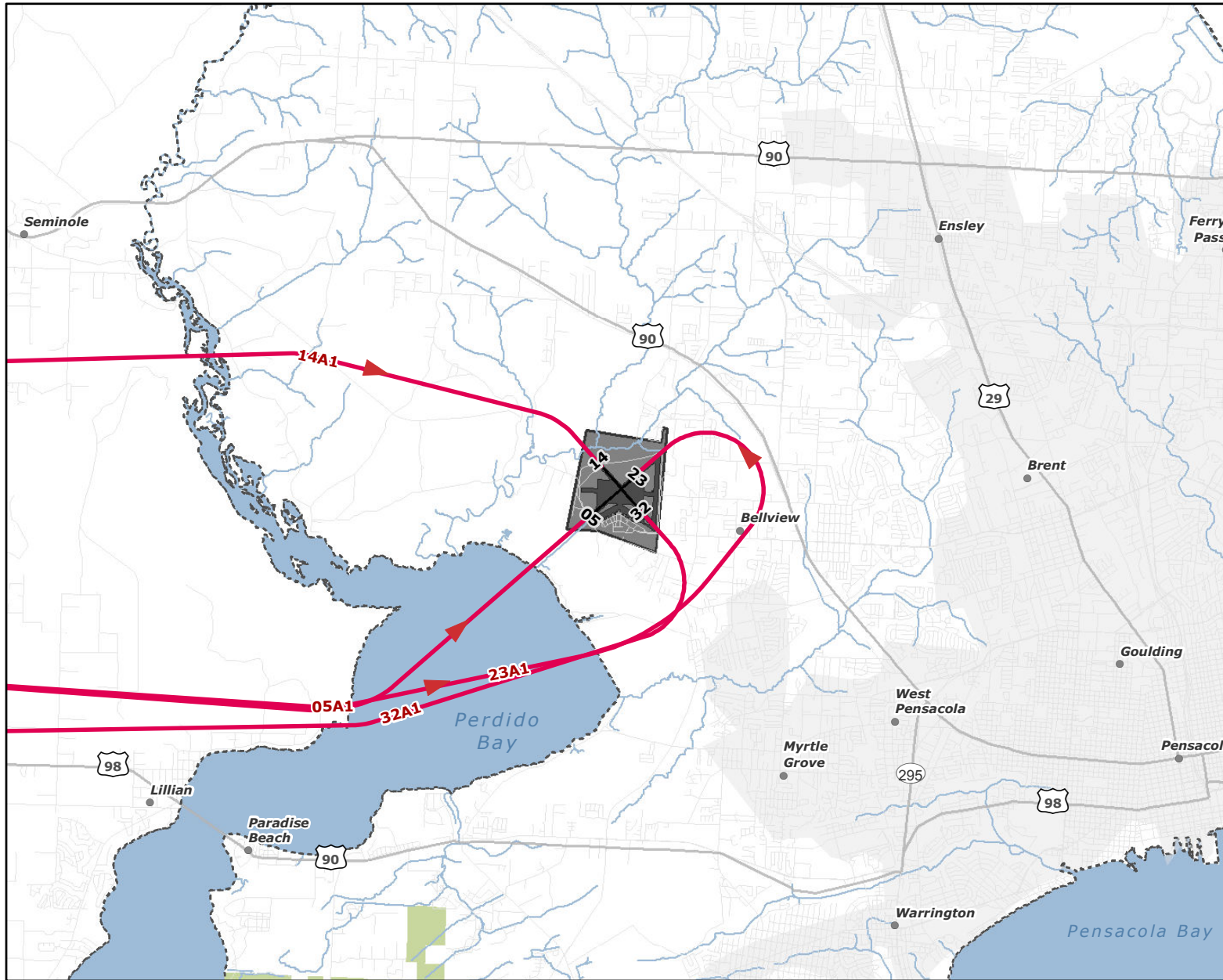


Figure 3-5
Arrival Flight Tracks
NOLF Saufley

Legend

- Arrival Flight Tracks
- Runway
- NOLF Saufley
- Park Boundary
- Water Bodies
- - - County Boundary

Source: Wyle Labs, 2008



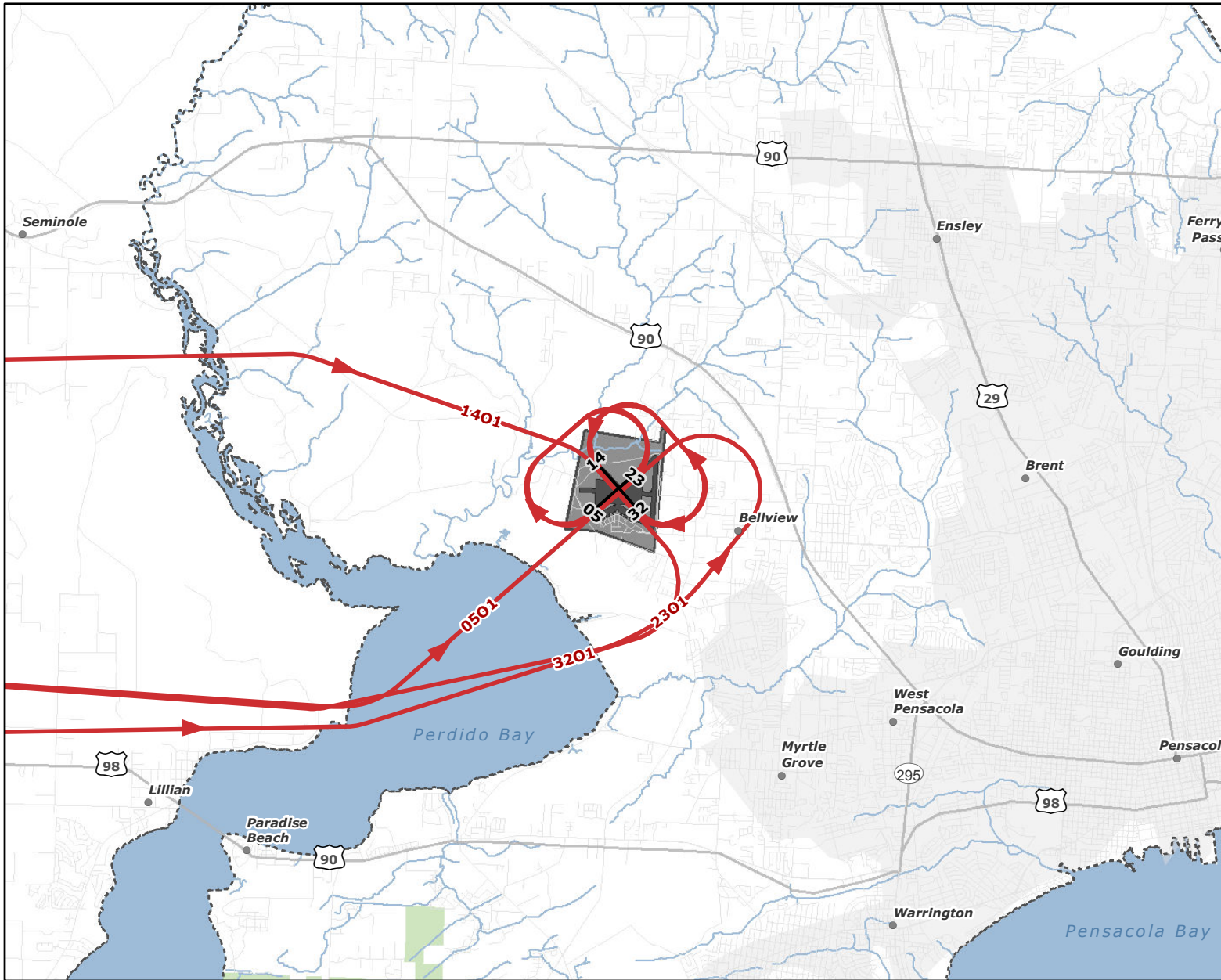
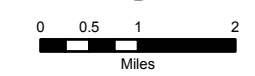


Figure 3-6
Overhead Break Arrival
Flight Tracks
NOLF Saufley

Legend

- Overhead Break Arrival Flight Tracks
- Runway
- NOLF Saufley
- Park Boundary
- Water Bodies
- County Boundary

Source: Wyle Labs, 2008



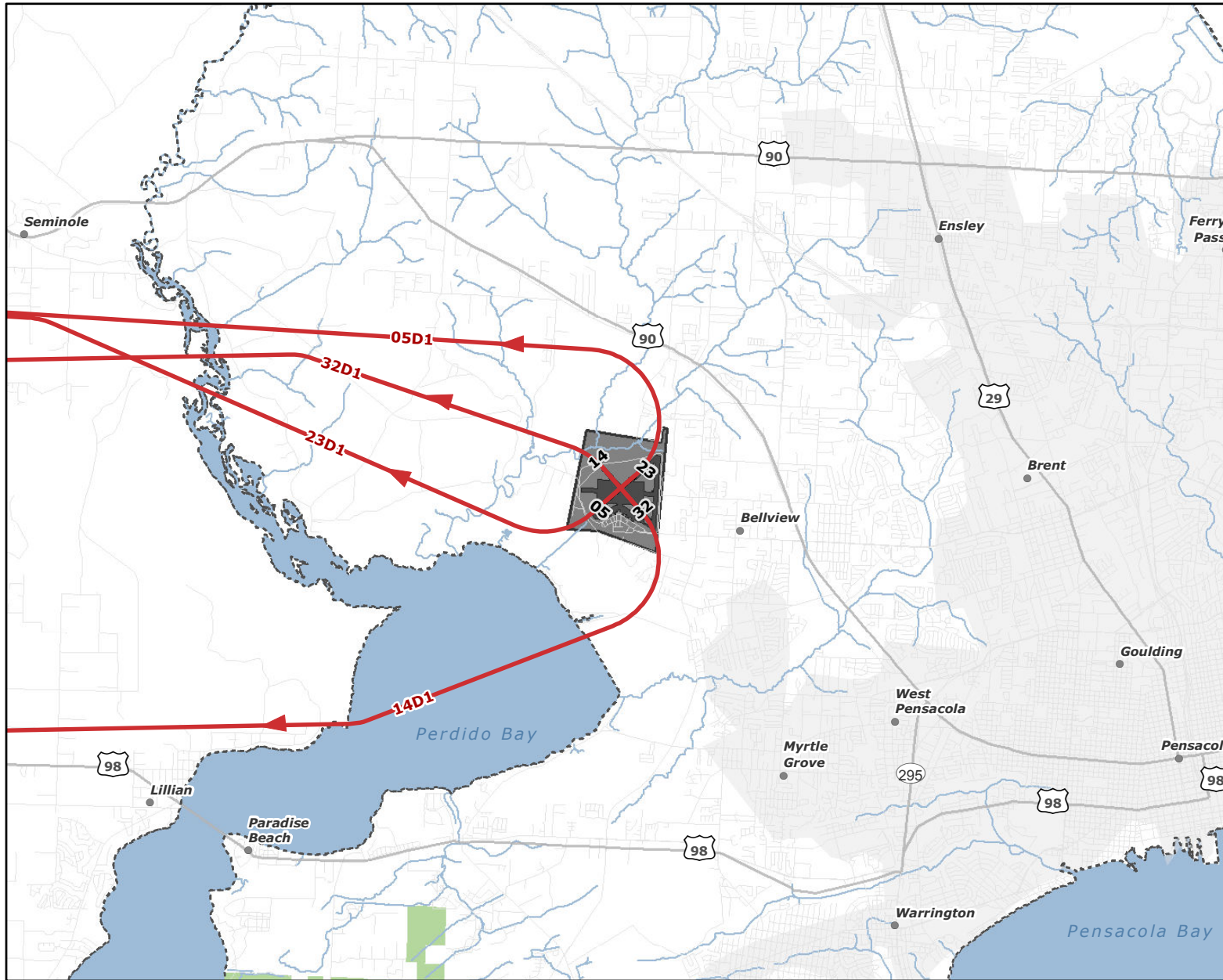


Figure 3-7
Departure Flight Tracks
NOLF Saufley

Legend

- Departure Flight Tracks
- Runway
- NOLF Saufley
- Park Boundary
- - - County Boundary

Source: Wyle Labs, 2008



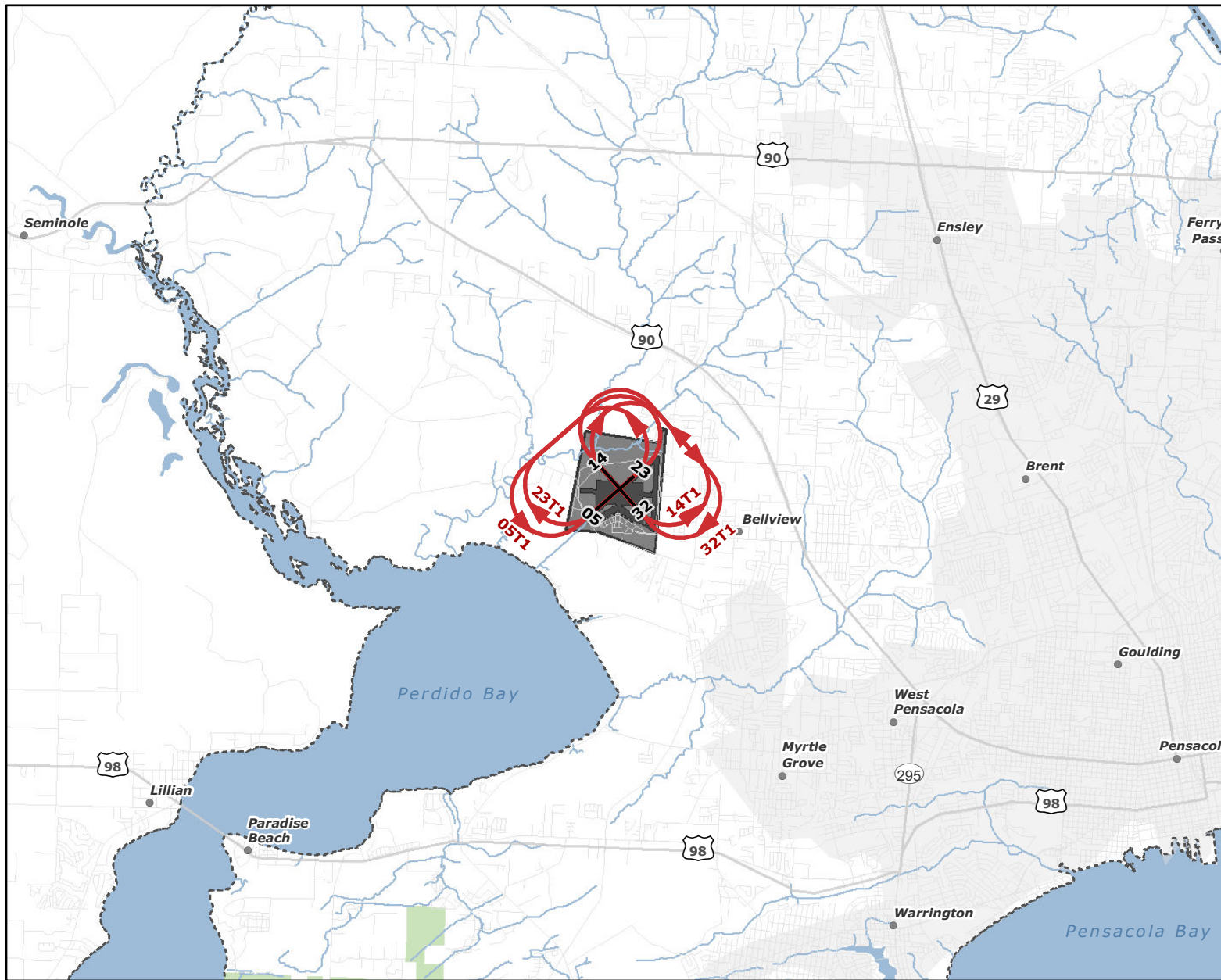







Figure 3-8
Pattern (Touch-and-Go)
Flight Tracks
NOLF Saufley

Legend

-  Touch-and-Go Flight Tracks
-  Runway
-  NOLF Saufley
-  Park Boundary
-  Water Bodies
-  County Boundary

Source: Wyle Labs, 2008



4 Aircraft Noise

The impact of aircraft noise is a critical factor in the planning of future land use near air facilities. Because the noise from aircraft operations may significantly impact areas surrounding an installation, NAS Pensacola has defined certain areas as noise zones under the AICUZ Program. This section discusses noise associated with aircraft operations at NAS Pensacola, including average noise levels, noise complaints, noise abatement/flight procedures, and noise contours.

4.1 What is Sound/Noise?

Sound is vibrations in the air, which can be generated by a multitude of sources. Some of the potential sources of noise include roadway traffic, land use activities, railway activities, and aircraft operations. Noise occurs when the sound is judged unwanted. Generally, sound becomes noise to a listener when it interferes with normal activities. For further discussion of noise and its effect on people and the environment, see Appendix A.

In this document, all sound or noise levels are measured in A-weighted decibels (dBA), which represents sound pressure adjusted to the range of human hearing with an intensity greater than barely audible sound, which is set at 0 dB. Normal speech has a sound level of approximately 60 to 65 dBA. Generally, a sound level above 120 dBA will begin to provide discomfort to a listener (Berglund and Lindvall 1995), and the threshold of pain is 140 dBA.

The noise exposure from aircraft at NAS Pensacola, as with other installations, is measured using the day-night average sound level (DNL) noise metric. The DNL noise metric, established in 1980 by the Federal Interagency Committee on Urban Noise (FICUN), presents a reliable measure of community sensitivity to aircraft noise and has

Noise exposure at NAS Pensacola and NOLF Saufley is measured using the daynight average sound level (DNL) noise metric.

become the standard metric used in the United States (except California, which uses the Community Noise Exposure Level [CNEL]). DNL averages the sound energy from aircraft operations at a location over a 24-hour period. DNL also adds an additional 10 decibels to events occurring between 10:00 p.m. to 7:00 a.m. This 10-decibel “penalty” represents the added intrusiveness of sounds occurring during normal sleeping hours, both because of the increased sensitivity to noise during those hours and because ambient sound levels at night are typically lower.

By combining factors most noticeable about noise annoyance—maximum noise levels, duration, and the number of events over a 24-hour period—DNL provides a single measure of overall noise impact. Scientific studies and social surveys conducted to evaluate community annoyance to all types of environmental noise have found DNL to be the best correlation to community annoyance (FICUN 1980, U.S. Environmental Protection Agency [EPA] 1982, American National Standards Institute [ANSI] 1990, Federal Interagency Committee on Noise [FICON] 1992).

Although DNL provides a single measure of overall noise impact, it does not provide specific information on the number of noise events or the individual sound levels that occur during the day. For example, a day-night average sound level of 65 dBA could result from a few noisy events or a large number of quieter events.

The DNL is depicted visually as a noise contour that connects points of equal value. The noise contours in this document are depicted in 5-dBA increments. The AICUZ Program generally divides noise exposure into three categories known as noise zones:

- **Noise Zone 1:** Less than 65 DNL;
- **Noise Zone 2:** 65 to 75 DNL; and
- **Noise Zone 3:** Greater than 75 DNL.

Noise Zone 1 (less than 65 DNL) is generally considered an area of low or no noise impact. Noise Zone 2 (65 to 75 DNL) is an area of moderate impact, where some land use controls are required. Noise

For land-use planning purposes, noise zones are grouped into three noise zones:

—Noise Zone 1 (less than 65 DNL) generally considered an area of low or no noise impact.

—Noise Zone 2 (65 to 75 DNL) is an area of moderate impact, where some land-use controls are required.

—Noise Zone 3 (greater than 75 DNL) is the most severely impacted area and requires the greatest degree of land-use control.

Aircraft noise consists of two major sources: flight operations and ground engine maintenance "run-ups."

Zone 3 (greater than 75 DNL) is the most severely impacted area and requires the greatest degree of land use control.

4.2 Airfield Noise Sources

The main sources of noise at airfields are flight operations and pre-flight and/or maintenance run-ups. Computer models are used to develop noise contours, based on information about these operations, including:

- Type of operation (arrival, departure, and pattern);
- Number of operations per day;
- Time of operation;
- Flight track;
- Aircraft power settings, speeds, and altitudes;
- Number and duration of pre-flight and maintenance run-ups;
- Terrain;
- Surface type; and
- Environmental data (temperature and humidity).

4.3 Noise Complaints

Noise complaints originating from operations at NAS Pensacola are handled through representatives at NAS Pensacola and Navy Outlying Landing Field (NOLF) Saufley. The Noise Hotline has been established for the public to notify Navy officials of noise complaints. The origin and nature of noise complaints within the geographic region is often a tangible barometer of the success or failure of noise abatement procedures. Noise complaints can arise from a variety of causes, often related to the intensity and frequency of the events, wind speed, wind direction, and cloud cover, as well as the individual sensitivity of the person complaining. They often also arise outside the areas depicted by noise contours. This is frequently due to a single event that is unusual, such as a loud plane flying over an area not commonly overflowed. In some cases, the complaints outside the areas included in the noise

contours are due to the fact that noise contours and land use recommendations are based on average annoyance responses of a population, and some people have greater noise sensitivity than others. There is only an occasional complaint received at NAS Pensacola, normally related to the Blue Angels practice sessions. These complaints are investigated by the NAS Pensacola Aviation Safety Officer and the Blue Angels.

If there are concerns or complaints about aircraft noise in the area, citizens are encouraged to contact representatives at the appropriate hotline number:

NAS Pensacola and NOLF Saufley
Aviation Safety Officer
(850) 452-4231 extension 3130 or 3116

A small increase in noise level generally will not be notable but, as the change in noise level increases, individual perception is greater, as shown in Table 4-1.

Table 4-1 Subjective Response to Noise

Change	Change in Perceived Loudness
1 decibel	Requires close attention to notice
3 decibels	Barely noticeable
5 decibels	Quite noticeable
10 decibels	Dramatic – twice or half as loud
20 decibels	Striking – fourfold change

4.4 Noise Abatement/Flight Procedures

NAS Pensacola and NOLF Saufley actively pursue operational measures to reduce noise. The purpose of these procedures is to minimize noise in recognition of community response to aircraft noise at NAS Pensacola and NOLF Saufley. All naval aviators are held to high standards of professionalism and are required to comply with noise abatement procedures. Procedures used to reduce noise upon takeoff include securing afterburners no later than the airfield boundary and climbing rapidly on departure, taking the noise away from the

Flight crews are periodically briefed by Air Traffic Control personnel who provide briefs to the air crews regarding airspace issues, flight patterns and operational restrictions.

The Navy uses NOISEMAP – a computer model to project noise impacts.

community. Flight crews are periodically briefed by Air Traffic Control personnel who provide briefs to the air crews regarding airspace issues, flight patterns and operational restrictions. Night operations are limited to those that are necessary and essential (NAS Pensacola AICUZ 2008). Noise abatement procedures also apply to engine run-up operations.

4.5 Noise Contours

The Navy periodically conducts noise studies to assess the noise impacts of aircraft operations. The need to conduct a noise study is generally prompted by a significant change in aircraft operations—either by the number of operations conducted at the airfield, the number and type of aircraft using the airfield, or the flight paths used for airfield departure/arrival changes.

The Navy uses NOISEMAP, a widely accepted computer model that projects noise impacts around military airfields. NOISEMAP calculates DNL contours resulting from aircraft operations using such variables as power settings, aircraft model and type, maximum sound levels, and duration and flight profiles for a given airfield. The contours connect points of equal value. Noise contours on the AICUZ map are normally shown in 5-decibel (dB) increments from 60 DNL to 85 DNL, as appropriate. The area between two specific contours is known as a noise zone. The noise exposure area is divided into noise zones that are shown on the AICUZ maps and are as follows:

- Less than 65 DNL;
- 65-70 DNL;
- 70-75 DNL; and
- Greater than 75 DNL.

Calculated noise contours do not represent exact measurements. Noise levels inside a contour may be similar to those outside a contour line. If the contour lines are close together, the change in noise level is greater. If the lines are far apart, the change in noise level is gradual (NAS Pensacola AICUZ 2008).

4.5.1 NAS Pensacola

The main noise sources at NAS Pensacola are aircraft operations. This section describes the historic noise contours (1988 and 1990 as provided in the 2003 Escambia County Joint Land Use Study (JLUS) [EDAW, Inc. 2003]) and the 2010 AICUZ noise contours (modeled Calendar Year (CY) 2012). The AICUZ process calls for the modeling and analysis of existing conditions and any future aircraft operational changes that can be reasonably predicted for the air station. Prospective flight operations, including noise associated with run-up locations, were modeled as part of the 2010 noise contours. Also important to note is that the noise contours presented in this study include augmented F-35 aircraft noise data. This AICUZ study includes the most current noise measurement data gathered at Edward AFB for the F-35 and provided to the Navy by the USAF.

Prospective flight operations at NAS Pensacola that were modeled as part of the 2010 noise contours include increased training of T-6s for Training Air Wing (TRAWING) 6, replacement of the T-2 with the T-45, phase-out of aircraft (EA-6, S-3, T-34, and DC-9), and the addition of the F-35 (Joint Strike Fighter [JSF]) operations. The F-35 is not anticipated to be stationed at NAS Pensacola or NOLF Saufley; however, all three variants (Navy [F-35C], Marine Corps [F-35B], and Air Force [F-35A]) are expected to use NAS Pensacola's runways as transient aircraft.

4.5.1.1 2010 AICUZ Noise Contours

The 2010 AICUZ noise contours (modeled CY2012, including F-35 as transient aircraft) have increased in overall size from the 1988 and 1990 AICUZ noise contours as provided in the 2003 Escambia County JLUS (EDAW, Inc. 2003) (Figure 4-1). The concentrations of the 2010 AICUZ noise contours are on Runways 07L/25R and 07R/25L. The 65- as well as some of the 75 DNL noise contours extend off-station, specifically at the edge of Runway 01/19 and the western edge of Runways 07L/25R and 07R/25L (see Figure 4-1).

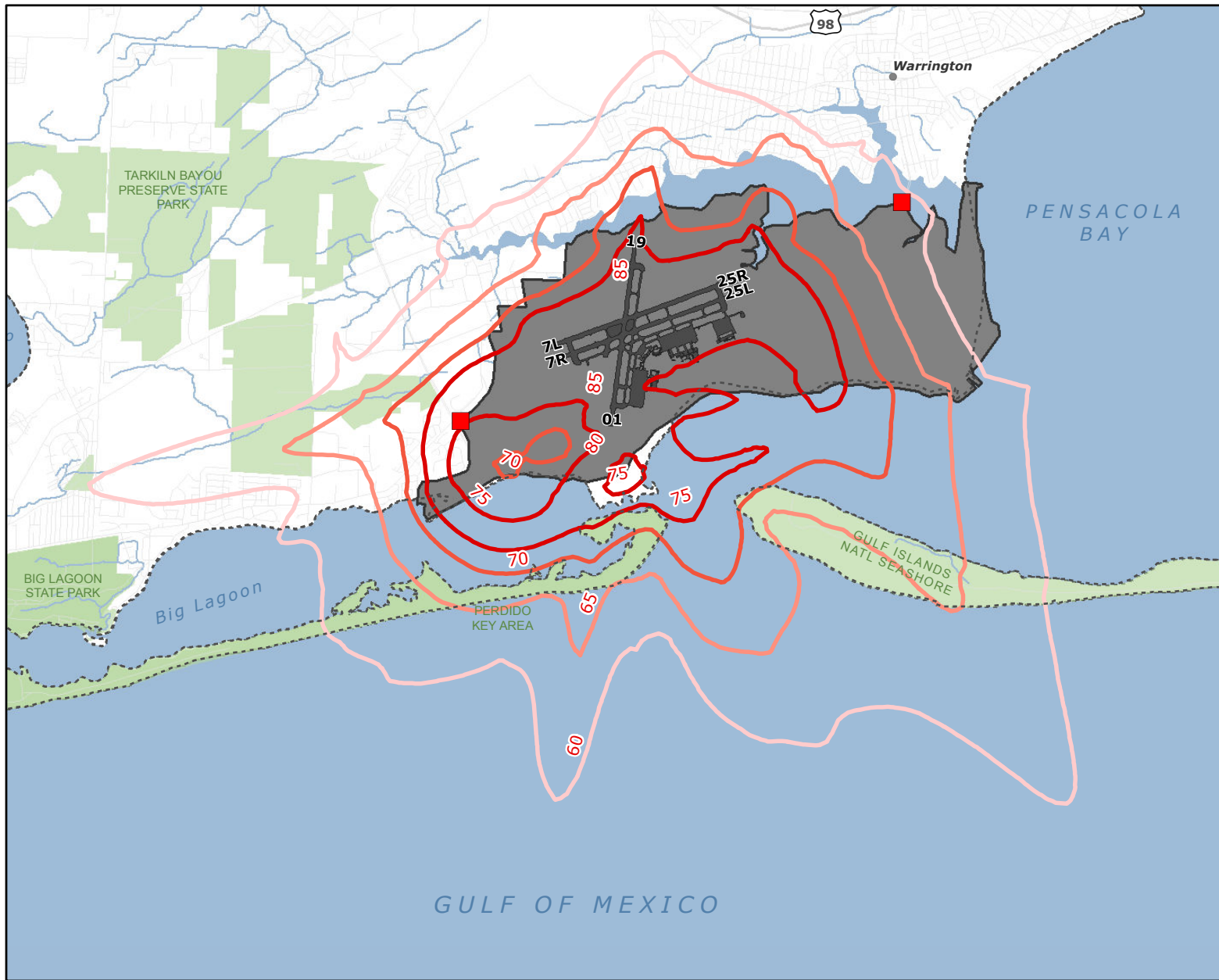


Figure 4-1
 2010 AICUZ
 Noise Contours
 NAS Pensacola

Legend

2010 Noise Countour

- 60 DNL
- 65 DNL
- 70 DNL
- 75+ DNL
- Gate
- Park Boundary
- Water Bodies
- County Boundary

Source: Wyle Labs, 2008



The total amount of off-station acreage within the 65 DNL noise contour is approximately 5,000 acres (2,023 ha). Figure 4-2, provides a DNL color gradient of the noise propagating from NAS Pensacola into the surrounding community. The highest noise levels are concentrated within the installation and decrease to much lower levels into the surrounding community. The figure also depicts the noise outside the 65 DNL noise contours, which are deemed minimal by the AICUZ Program.

As previously mentioned, the 2010 noise contours include noise associated with engine run-up locations. The engine run-up locations are within the 85 DNL noise contours concentrations (Figure 4-3).

4.5.1.2 Comparison of 1988/1990 and 2010 AICUZ Noise Contours

The 2010 AICUZ noise contours have changed in size and location from the 1988 and 1990 AICUZ noise contours (see Figure 4-4 and Table 4-2). A complete study methodology was not provided in the 2003 JLUS or previous AICUZ documents. Sufficient information now exists to conduct a thorough comparative analysis of the two sets of noise contours.

Table 4-2 Areas within Noise Zones (DNL), NAS Pensacola

Noise Zone	TOTAL LAND AREA	
	1988 and 1990 AICUZ Noise Zones (acres)	2010 AICUZ Noise Zones (acres)
65-70 DNL	3,795	4,778
70-75 DNL	1,582	3,048
75-80 DNL	(75 + DNL) 2,548	2,066
80+ DNL	NA	2,119*
TOTAL AREA	7,926	12,011

Source: E & E 2009

Notes:

NA = Data Not Available

*= All on station land area

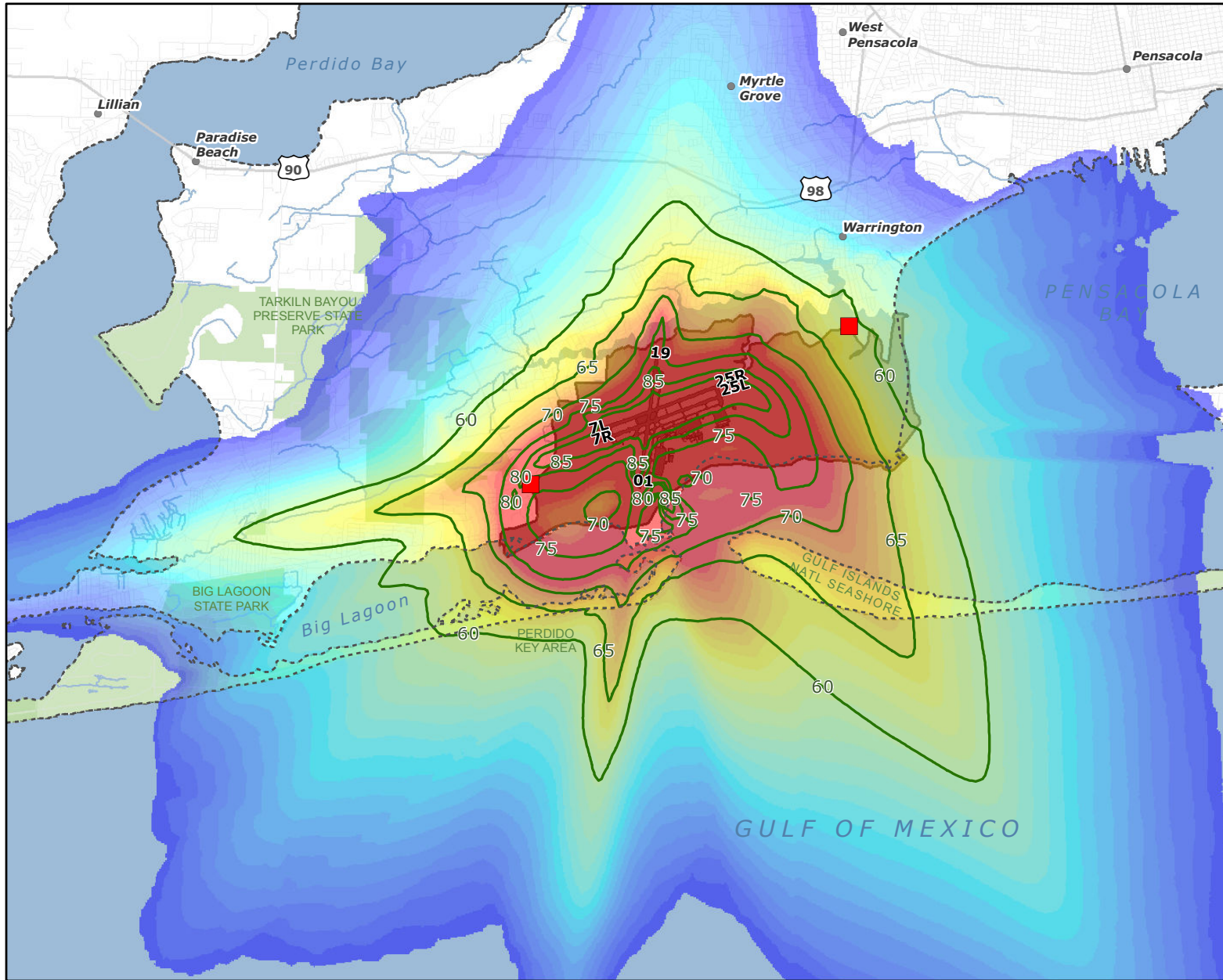


Figure 4-2
 2010 AICUZ
 Noise Gradients
 NAS Pensacola

Legend

- Gate
 - 2010 Noise Contour
 - Park Boundary
 - County Boundary
- Noise Value**
-
- > 85 DNL
 - 45 DNL

Source: Wyle Labs, 2008





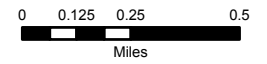
Figure 4-3
 Engine Run-Up Locations
 and 2010 AICUZ
 Noise Contours
 NAS Pensacola

Legend

2010 Noise Countour

- 60 DNL
- 65 DNL
- 70 DNL
- 75+ DNL
- Engine Run-Up Locations
- NAS Pensacola
- Runway

Source: Wyle Labs, 2008.
 Florida Department of Revenue, 2007.



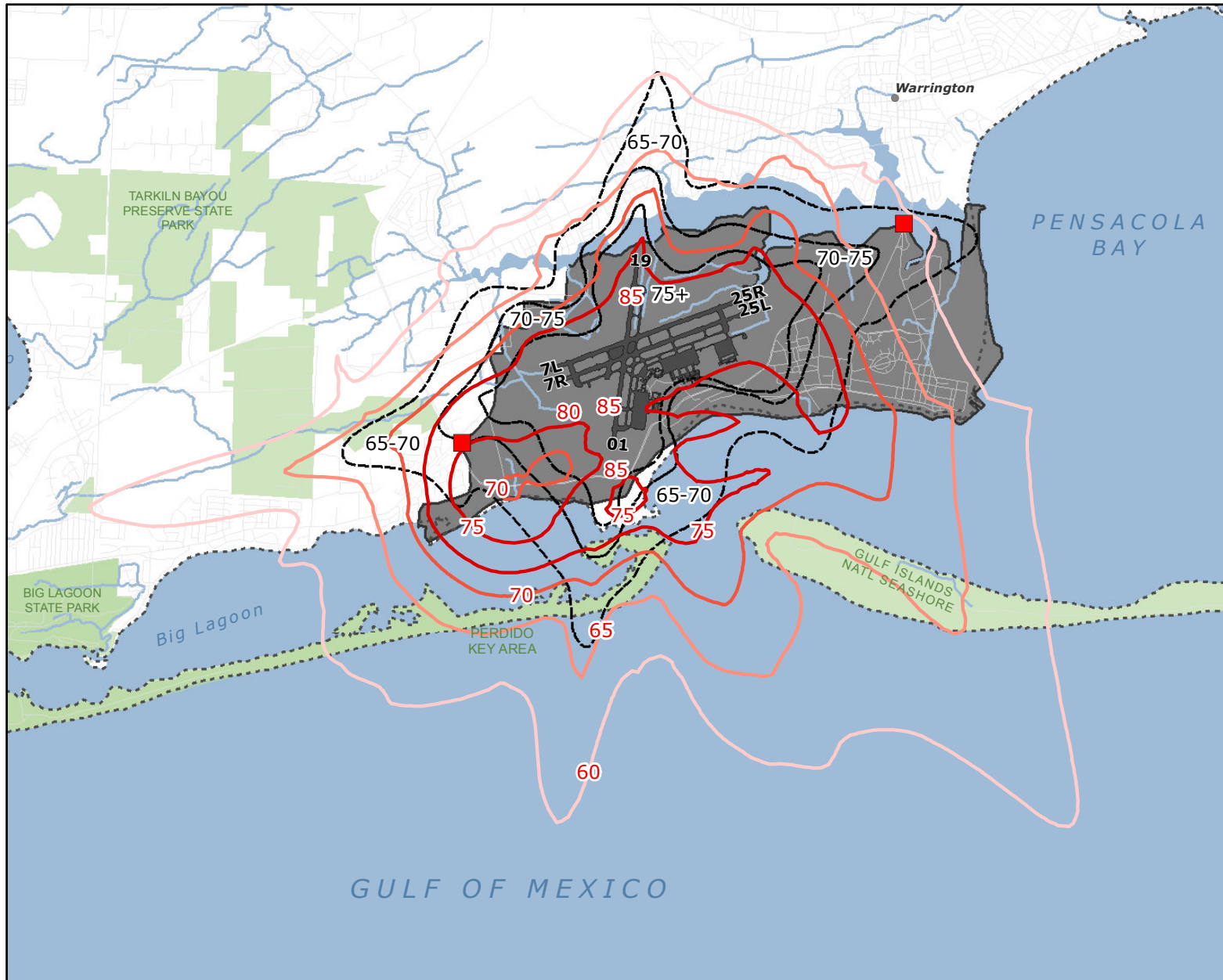
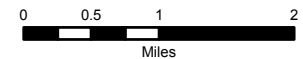


Figure 4-4
 Comparison of 1980
 (2003 JLUS) and 2010
 AICUZ Noise Contours
 NAS Pensacola

Legend

- Gate
- Runway
- NAS Pensacola
- 2010 Noise Countour**
- 60 DNL
- 65 DNL
- 70 DNL
- 75+ DNL
- 1980 (JLUS) Noise Contour
- County Boundary
- Water Bodies

Source: Wyle Labs, 2008



The 65 DNL noise contour under the 1988 and 1990 AICUZ noise contours extended significantly off base to the north from Runway 01/19, and moderately off base to the south from Runway 01/19. At the north end of Runway 01/19, the 2010 AICUZ 65 DNL noise contour does not extend as far off base as the previous contours; however, it extends further off base to the south and southeast over the barrier islands and the Gulf of Mexico.

The 65 DNL noise contour extends approximately 1 mile (1.6 kilometer [km]) north of the installation, 2.45 miles (3.94 km) south of the installation, and 2.04 miles (3.28 km) west of the installation (distances measured from the installation boundary to the furthest directional extent of the contour).

The 75 DNL noise contour under the 1988 and 1990 AICUZ noise contours are contained primarily on base. The 2010 AICUZ noise contour of 75 DNL is also contained primarily on base except where it minimally extends off base to the southwest.

The 75 DNL noise contour extends approximately 0.2 mile (0.32 km) north of the installation, 1.09 miles (1.75 km) south of the installation, and 0.47 mile (0.76 km) west of the installation (distances measured from the installation boundary to the furthest directional extent of the contour). Noise contours do not extend off the installation to the east.

As described above and depicted in Figure 4-4, the 2010 AICUZ noise contours have changed in size and location from the 1988 and 1990 AICUZ noise contours. The changes are due, in part, to a change in aircraft mix, flight patterns, operational level, and improved noise mapping techniques. Noise contours, as discussed in Section 4.5, incorporate aircraft specific noise data, including aircraft operations using such variables as power settings, aircraft model and type, maximum sound levels, and duration and flight profiles for a given airfield. Therefore, the addition and/or removal of an aircraft from the installation will result in a change in the noise contours. As such, each aircraft has specific operational profiles that determine flight patterns. As mapped, noise propagates from the flight pattern and, as such, will

vary from aircraft to aircraft and pattern to pattern as they change over time. As a result, aircraft mix and flight patterns have changed since the 1988 and 1990 AICUZ noise contours and the 2010 AICUZ contours, resulting in changes in size and location of noise contours. Additionally, improvements in the noise model contribute to changes in the size and location of the 2010 noise contours.

The operational tempo of an installation also impacts the noise contours. As the operational tempo of an installation varies over time, so do the noise contours. However, noise contours are not a direct reflection of the operational tempo. If operations decrease, the noise contours do not necessarily decrease; likewise, if operations increase the noise contours do not necessarily increase. This is true with respect to the aircraft mix at the installation as noise associated with specific aircraft varies.

NOISEMAP, as specified in Chief of Naval Operations Instruction (OPNAVINST) 11010.36C was used to calculate and plot the 60 through 85 DNL noise contours for the 2010 AICUZ noise contours. The 1988 and 1990 noise contours used in the 2003 JLUS were modeled based on requirements in OPNAVINST 11010.36A. Noise mapping technology has significantly progressed since the 1988 and 1990 noise contours were developed. Advancements in noise mapping technology contribute to the changes in size and location of the 2010 noise contours.

4.5.2 NOLF Saufley

The main noise sources at NOLF Saufley are touch-and-go aircraft operations. This section describes the historic noise contours (2000 noise study update as provided in the 2003 Escambia County JLUS [EDAW, Inc. 2003]) and the 2010 AICUZ noise contours (modeled CY2012). The AICUZ process calls for the modeling and analysis of existing conditions and any future aircraft operational changes that can be reasonably predicted for the air station.

Prospective flight operations modeled for NOLF Saufley include replacement of the T-34 with the T-6 and reduction of night operations to zero.

4.5.2.1 2010 AICUZ Noise Contours

The 2010 AICUZ noise contours have significantly increased the overall size of the 2000 AICUZ noise contours (see Figure 4-5). The concentrations of the 2010 AICUZ noise contours increased to the north, east, and west, and with no notable differences in the contours to the south. The 55 DNL did not increase from the 2000 AICUZ noise contours, as 55 DNL remains the highest noise contour in the 2010 study. The total amount of off-station acreage within the 55 DNL noise contour is approximately 1,750 acres (708 ha). The 65 DNL noise contour does not extend off the installation. The 55 DNL noise contour is shown for informational purposes since it is considered an area of low or no noise impact and no land use controls are required. Figure 4-6, provides a DNL color gradient of the noise propagating from NOLF Saufley into the surrounding community. The highest noise levels are concentrated within the installation and decrease to much lower levels into the surrounding community. The figure also depicts the noise outside the 55 DNL noise contours, which are deemed minimal by the AICUZ Program.

4.5.2.2 Comparison of 2000 and 2010 AICUZ Noise Contours

The 2010 AICUZ noise contours have changed in size and location from the 2000 AICUZ noise contours (Figure 4-7). The 55 DNL noise contour under the 2000 AICUZ extended significantly off base in the direction of the runways, in an 'X' shape, with wider coverage to the north. The off-base portion of the 55 DNL noise contour in the 2010 AICUZ surrounds the airfield, includes a larger area, and extends further north than the 2000 AICUZ noise contours (see Table 4-3). The 55 DNL noise contour is shown for only informational purposes since it is considered an area of low or no noise impact and no land use controls are required. See Section 4.5.1.2 for further explanation of changes in size and location of noise contours.

Table 4-3 Areas within Noise Zones (DNL), NOLF Saufley


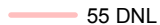
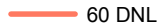


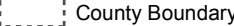


Noise Zone	TOTAL LAND AREA	
	2000 AICUZ Noise Zones (acres)	2010 AICUZ Noise Zones (acres)
55-60 DNL	703	1,750
60-65 DNL	272	830
65-70 DNL	(65+ DNL) 80	184
70+ DNL	NA	26
TOTAL AREA	1,055	2,790

Source: E & E 2009
 Notes:
 NA = Data Not Available

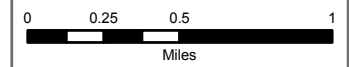


Figure 4-5
 2010 AICUZ
 Noise Contours
 NOLF Saufley

Legend

-  Gate
- 2010 AICUZ Noise Contour**
-  55 DNL
-  60 DNL
-  65+ DNL
-  Runway
-  County Boundary
-  NOLF Saufley
-  Water Bodies

Source: Wyle Labs, 2008



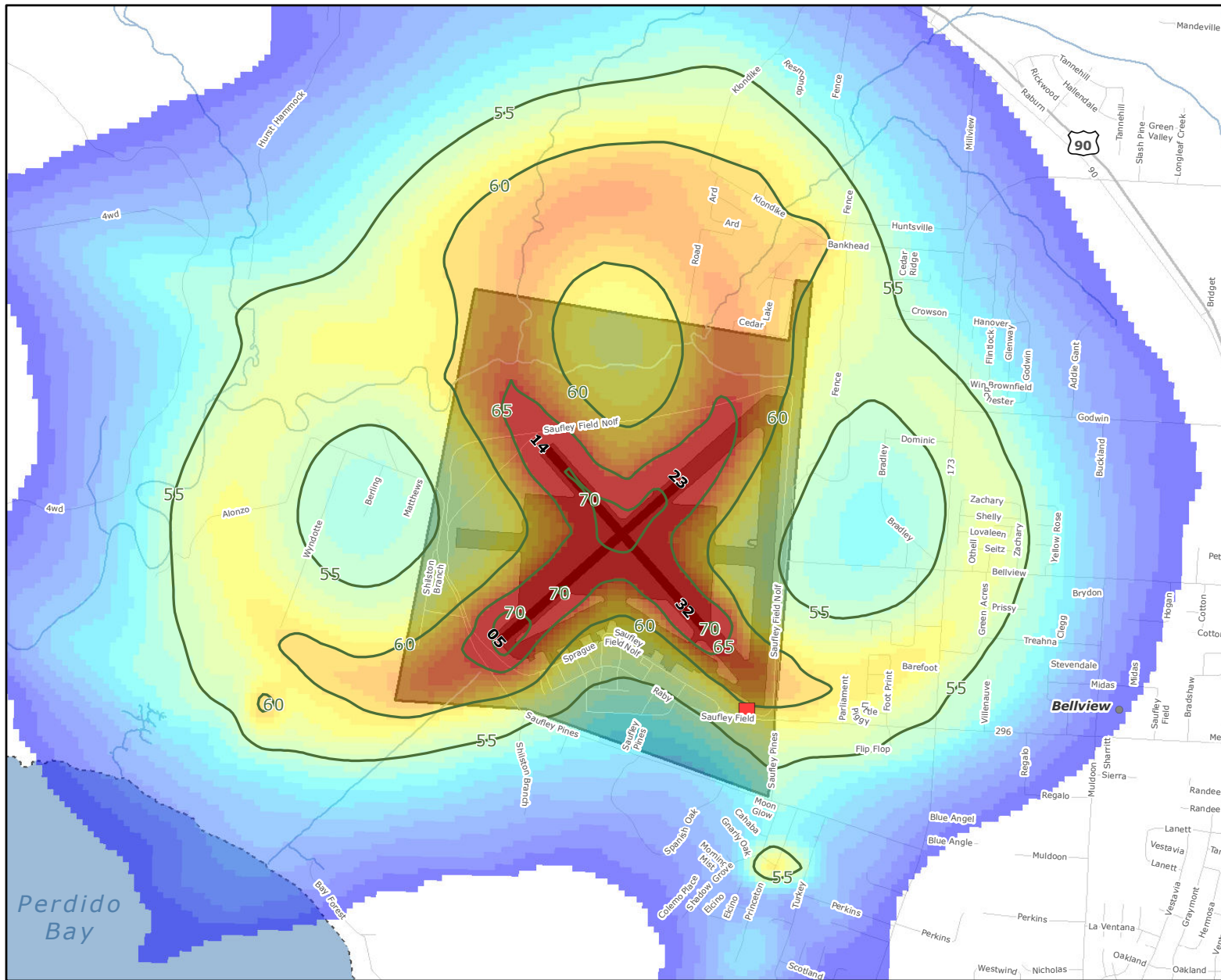


Figure 4-6
 2010 AICUZ
 Noise Gradients
 NOLF Saufley

Legend

- Gate
 - 2010 AICUZ Noise Contour
 - Runway
 - County Boundary
 - NOLF Saufley
 - Water Bodies
- Noise Value**
- > 73 DNL
 -
 -
 -
 -
 - 45 DNL

Source: Wyle Labs, 2008



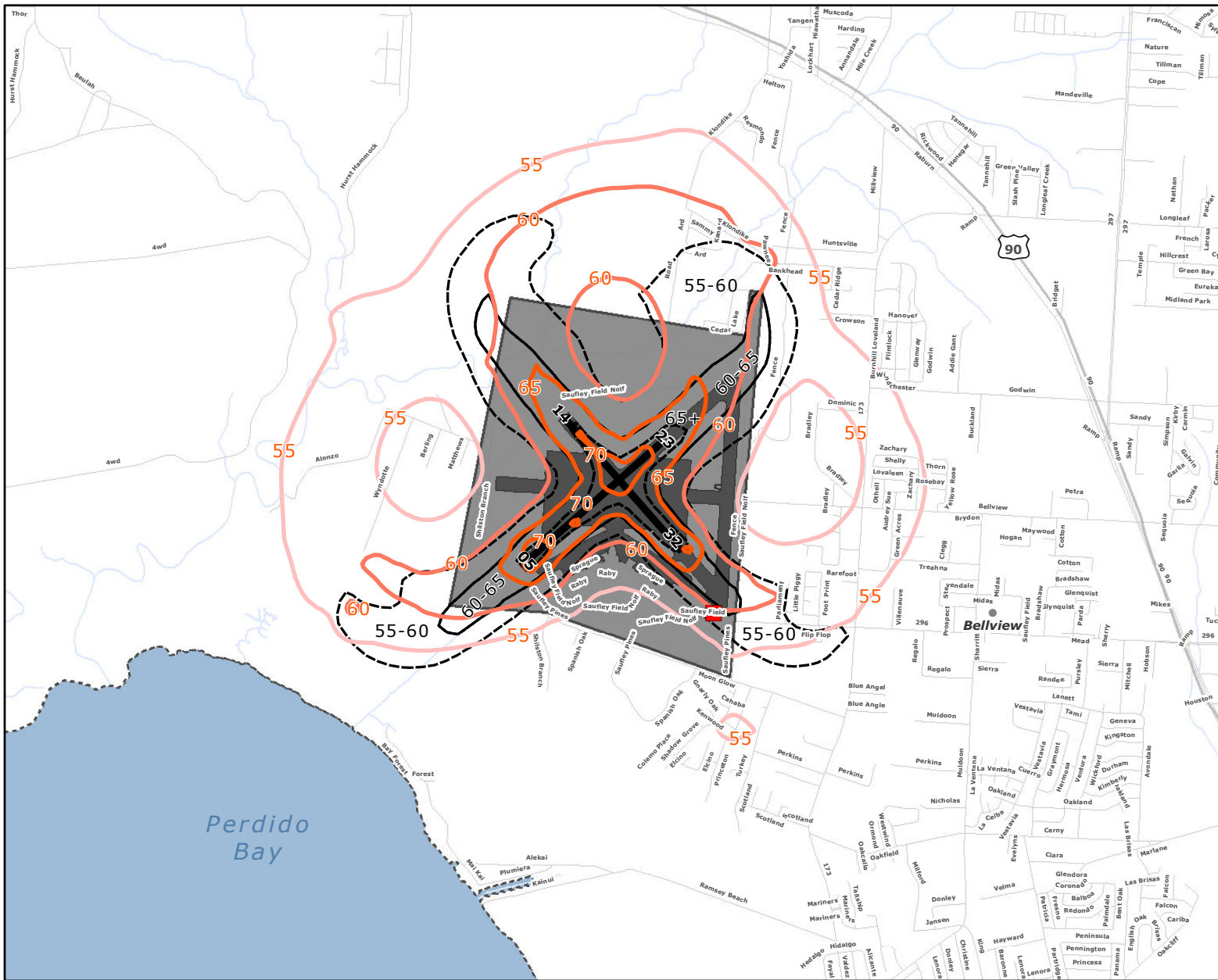
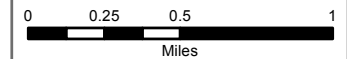


Figure 4-7
 Comparison of 2003
 JLUS and 2010
 AICUZ Noise Contours
 NOLF Saufley

Legend

- Gate
- 2010 AICUZ Noise Contour**
- 55 DNL
- 60 DNL
- 65+ DNL
- 2003 JLUS Noise Contour
- Runway
- NOLF Saufley
- Water Bodies
- County Boundary

Source: Wyle Labs, 2008



5 Airfield Safety

The United States Department of the Navy (Navy) has identified airfield safety issues to assist the community in developing land uses compatible with airfield operations. These issues include accident potential and hazards within the airfield vicinity that obstruct or interfere with aircraft and departures, pilot vision, communications, or aircraft electronics.

While the likelihood of an aircraft mishap occurring is remote, the Navy identifies areas of accident potential to assist in land use planning. The Navy has identified Accident Potential Zones (APZs) around its runways based on historical data for aircraft mishaps. The Navy recommends certain land uses that concentrate large numbers of people—such as apartments, churches, and schools—be constructed outside the APZs.

In addition, the Federal Aviation Administration (FAA) and the military have defined flight safety zones (imaginary surfaces) below aircraft arrival and departure flight tracks and surrounding the airfield. For the safety of the aircraft, the heights of structures and vegetation are restricted in these zones. The flight safety zones are designed to minimize the potential harm if a mishap does occur.

Other hazards to flight safety that should be avoided in the airfield vicinity include:

- Uses that would attract birds, especially waterfowl;
- Lighting (direct or reflected) that would impair pilot vision;
- Uses that would generate smoke, steam, or dust; and
- Electromagnetic Interference (EMI) with aircraft communication, navigation, or other electrical systems.

5.1 Accident Potential Zones

5.1.1 Aircraft Mishaps

In the 1970s and 1980s, recognizing the need to identify areas of accident potential, the military conducted studies of historic accident and operations data throughout the military. The studies showed that most aircraft mishaps occur on or near the runway or along the centerline of the runway, diminishing in likelihood with distance. Based on the study, the United States Department of Defense (DoD) has identified APZs as areas where an aircraft accident is most likely to occur (if one was to occur); however, the APZs do not reflect the probability of an accident. APZs follow departure, arrival, and pattern flight tracks and are based upon analysis of historical data.

There are three categories of aircraft mishaps. The most severe is a Class A mishap. This is an accident in which the total cost of damage to property or aircraft exceeds \$1 million, an aircraft is destroyed or missing, or any fatality or permanent total disability results from the direct involvement of naval aircraft.

There has been one Class A mishap at NAS Pensacola in the past 15 years according to the Naval Aircraft Safety Center (Naval Aircraft Safety Center 2007). This mishap occurred over the Gulf of Mexico during a Blue Angels practice session. There have been other, minor incidents at or around the airfield that are not considered Class A mishaps (Naval Air Station [NAS] Pensacola Aviation Safety Officer 2008). There have been zero Class A mishaps at Navy Outlying Landing Field (NOLF) Saufley in the past 15 years.

5.1.2 APZ Configurations and Areas

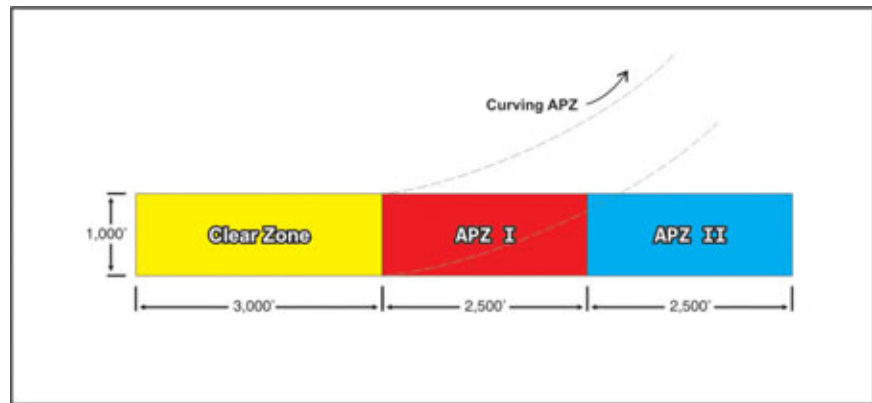
Clear Zones and APZs are areas in the vicinity of airfield runways where an aircraft mishap is most likely to occur (if one was to occur). While the likelihood of a mishap is remote, the Navy recommends land uses within APZs be minimal- or low-density to ensure the maximum protection of public health and property. The DoD uses two classes of fixed-wing runways (Class A and Class B) for the purpose of defining APZs. Class A runways are used primarily by light aircraft and do not have the potential for intensive use by heavy or high-performance aircraft. Class B runways are all other fixed-wing runways. NAS Pensacola has only Class B runways and NOLF Saufley has only Class A runways.

The components of standard APZs for Class A runways are defined (Chief of Naval Operations Instruction [OPNAVINST] 11010.36C) as follows:

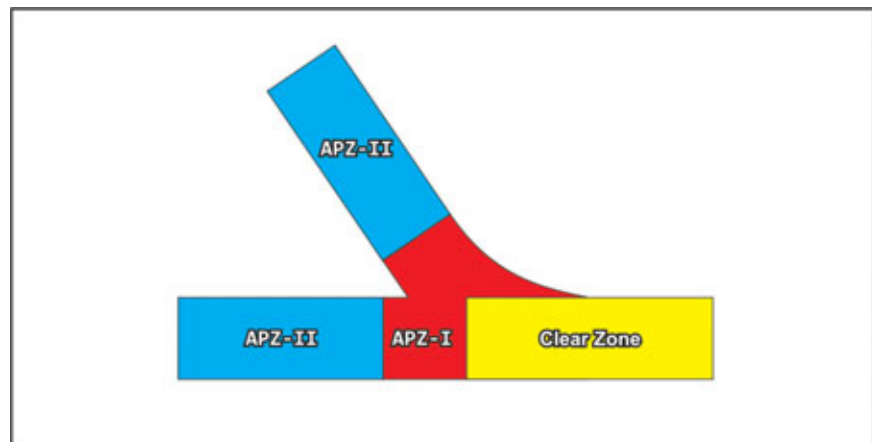
- **Clear Zone.** The Clear Zone measures 1,000 feet (305 meters) wide and extends 3,000 feet (914 meters) immediately beyond the runway and has the highest potential for accidents. A Clear Zone is required for all active runways and should remain undeveloped.
- **APZ I.** APZ I is not necessary for all Class A runways. It is required for runways/flight tracks that experience 5,000 or more annual operations (departures or approaches). APZ I is 1,000 feet (305 meters) wide and would extend 2,500 feet (762 meters) beyond the end of the Clear Zone, and may be altered to conform to the flight shadow.
- **APZ II.** Similar to APZ I, APZ II is not necessary for all Class A runways. If APZ I is not warranted, APZ II may still be used if an analysis of operations and/or accidents indicates a need for it. As with APZ I, the geometric configuration of APZ II may also be curved, is 1,000 feet (305 meters) wide, and extends 2,500 feet (762 meters) beyond the end of APZ I. When Field Carrier Landing Practice (FCLP) is an active aspect of aircraft operations at an installation, APZ II extends the entire FCLP track beyond APZ I.

The components of standard APZs for Class A runways are identified on Figure 5-1.

Figure 5-1 Accident Potential Zones for Class A Runways



a) Standard Accident Potential Zones – Class A Runway



b) Accident Potential Zones With More Than One Predominant Flight Track – Class A Runway

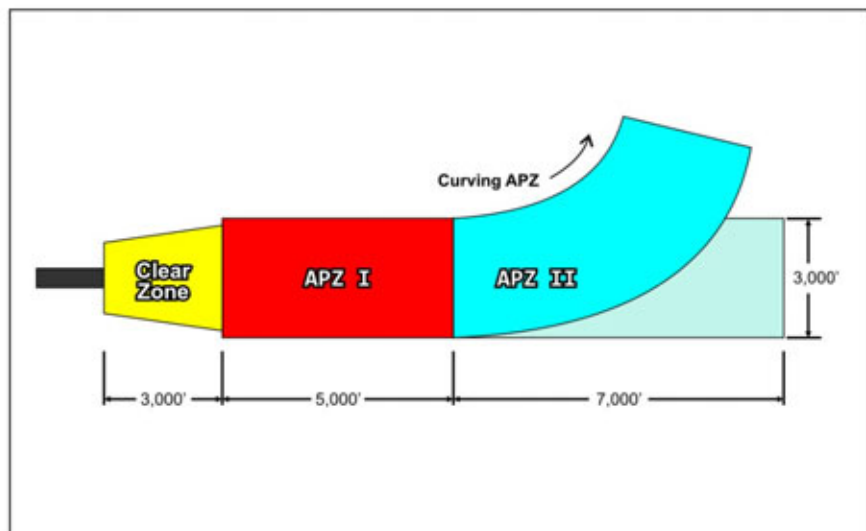
The components of standard APZs for Class B runways are defined (OPNAVINST 11010.36C) as follows:

- **Clear Zone.** The Clear Zone is a trapezoidal area lying immediately beyond the end of the runway and outward along the extended runway centerline for a distance of 3,000 feet (914 meters). The Clear Zone measures 1,500 feet (457 meters) in width at the runway threshold and 2,284 feet (696 meters) in width at the outer edge. A Clear Zone is required for all active runways and should remain undeveloped.
- **APZ I.** APZ I is the rectangular area beyond the Clear Zone which still has a measurable potential for aircraft accidents relative to the Clear Zone. APZ I is provided under flight tracks which experience 5,000 or more annual operations (departures or approaches). APZ I is typically 3,000 feet (914 meters) in width and 5,000 feet (1,524 meters) in length and may be rectangular or curved to conform to the shape of the predominant flight track.

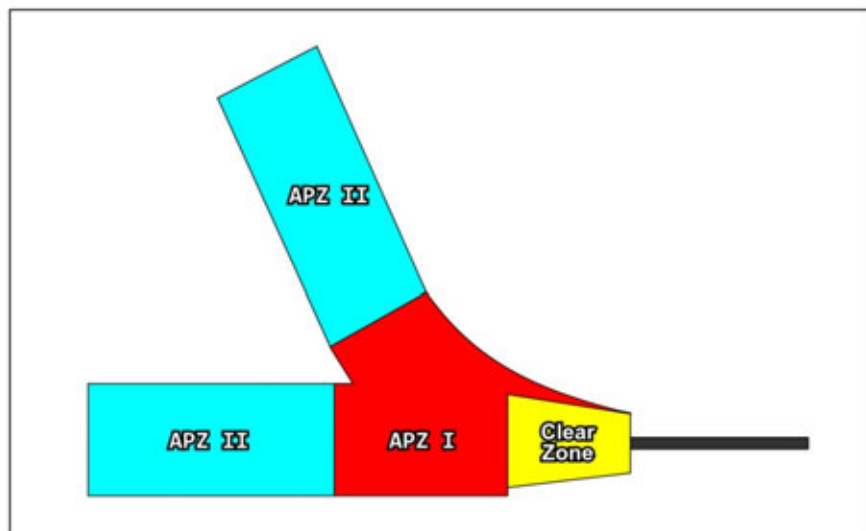
- **APZ II.** APZ II is the rectangular area beyond APZ I (or the Clear Zone if APZ I is not used) which has a measurable potential for aircraft accidents relative to APZ I or the Clear Zone. APZ II is always provided where APZ I is required. The dimensions of APZ II are typically 3,000 feet (914 meters) in width by 7,000 feet (2,134 meters) in length and, as with APZ I, may be curved to correspond with the predominant flight track.

The components of standard APZs for Class B runways are identified on Figure 5-2.

Figure 5-2 Accident Potential Zones for Class B Runways



a) Standard Accident Potential Zones



b) Accident Potential Zones With More Than One Predominant Flight Track

An accident is more likely to occur in APZ I than in APZ II, and is more likely to occur in the Clear Zone than in APZ I or APZ II. An APZ II area is designated whenever APZ I is required. APZs extend from the end of the runway, but apply to the predominant arrival and departure flight tracks used by the aircraft. Therefore, if an airfield has more than one predominant flight track to or from the runway, APZs can extend in the direction of each flight track (see Figure 5-2).

Within the Clear Zone, most uses are incompatible with military aircraft operations. For this reason, the Navy's policy is to acquire real property interests in land within the Clear Zone to ensure incompatible development does not occur. Within APZ I and APZ II, a variety of land uses are compatible; however, people-intensive uses (e.g., schools, apartments, etc.) should be restricted because of the greater risk in these areas. When events resulting in threats to the operational integrity from incompatible development (encroachment) occur, and when local communities are unwilling or unable to take the necessary steps to combat the encroachment threat via their own land use and zoning authority, consideration will be given by the Navy for land acquisition, with priority to Clear Zones and secondary priority to APZs (Navy 2008).

In addition to the Clear Zone, there is a lateral Clear Zone, also called the primary surface, that extends outwards from each side and for the length of the runway. The width of the primary surface area for Class A Runways is 1,000 feet (305 meters) and 1,500 feet (457 meters) for Class B Runways.

5.1.3 Comparison of 1980 (2003 JLUS) and 2010 AICUZ APZs

APZs, as modeled for part of this AICUZ, illustrate the 2010 APZs for NAS Pensacola and NOLF Saufley. The 2010 APZs were developed based on projected flight operations as provided by NAS Pensacola. The 2010 APZs were compared to the APZs as provided in the 2003 Joint Land Use Study (JLUS).

Table 5-1 identifies the total off-station land area for the Clear Zone, 2010 APZs, and 2003 JLUS APZs at NAS Pensacola and NOLF Saufley.

Table 5-1 Land Area within Accident Potential Zones and Clear Zones

Airfield	Total Off-Station Land Area	
	NAS Pensacola	NOLF Saufley
2010 AICUZ Clear Zone (acres)	56	89
2010 AICUZ APZ I (acres)	1,579	186
2010 AICUZ APZ II (acres)	3,222	200
2010 APZ Total Area	4,857	475
2003 JLUS Clear Zone (acres)	56	75
2003 JLUS APZ I (acres)	2,038	211
2003 JLUS APZ II (acres)	2,501	89
2003 JLUS APZ Total Area	4,595	375

Source: Adapted from EDAW, Inc. 2003

5.1.3.1 NAS Pensacola

Figure 5-3 illustrates the modeled APZs generated as part of this AICUZ and Figure 5-4 compares the 2003 JLUS APZs and the 2010 AICUZ APZs at NAS Pensacola. Table 5-1, shown previously, provides a comparison of the acreages consumed by the Clear Zone and each APZ. Similar in size and shape, as the table illustrates, the 2003 JLUS APZs consumed approximately 262 less acres (106 ha) than the 2010 APZs.

The most apparent difference in the 2003 JLUS and the 2010 AICUZ APZs is the removal of APZ I and APZ II south of Runway 01/19. The 2003 JLUS included straight APZ I and APZ II south of Runway 01/19; however, due to changes in operational usage of the runway, only the Clear Zone was assigned to the end of the runway in the 2010 AICUZ APZs.

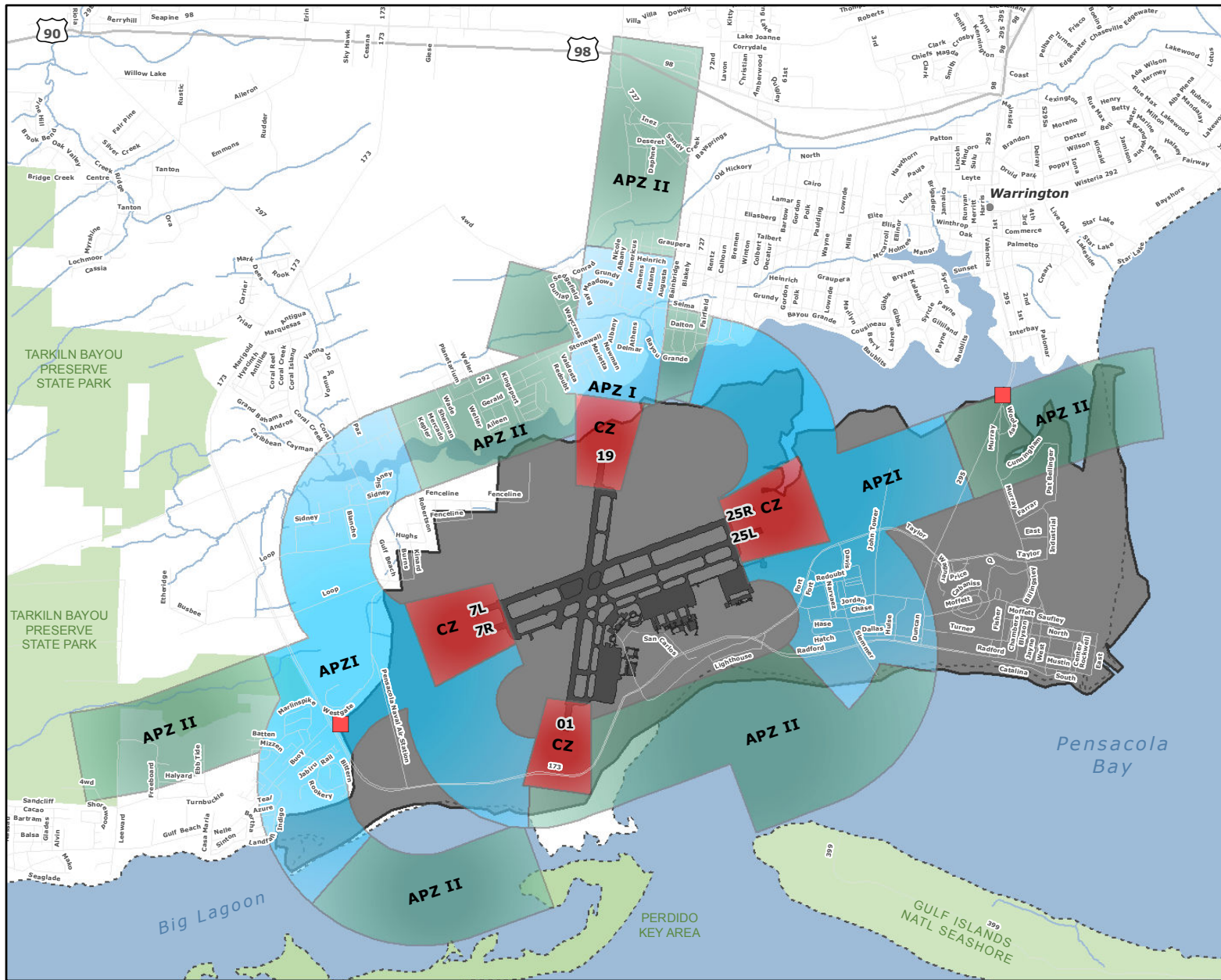
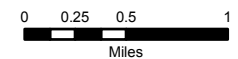


Figure 5-3
 2010 AICUZ APZs
 NAS Pensacola

Legend

- Gate
- Accident Potential Zone**
- Clear Zone
- APZ I
- APZ II
- County Boundary
- Runway
- NAS Pensacola
- Park Boundary
- Water Bodies

Source: Wyle Labs, 2008



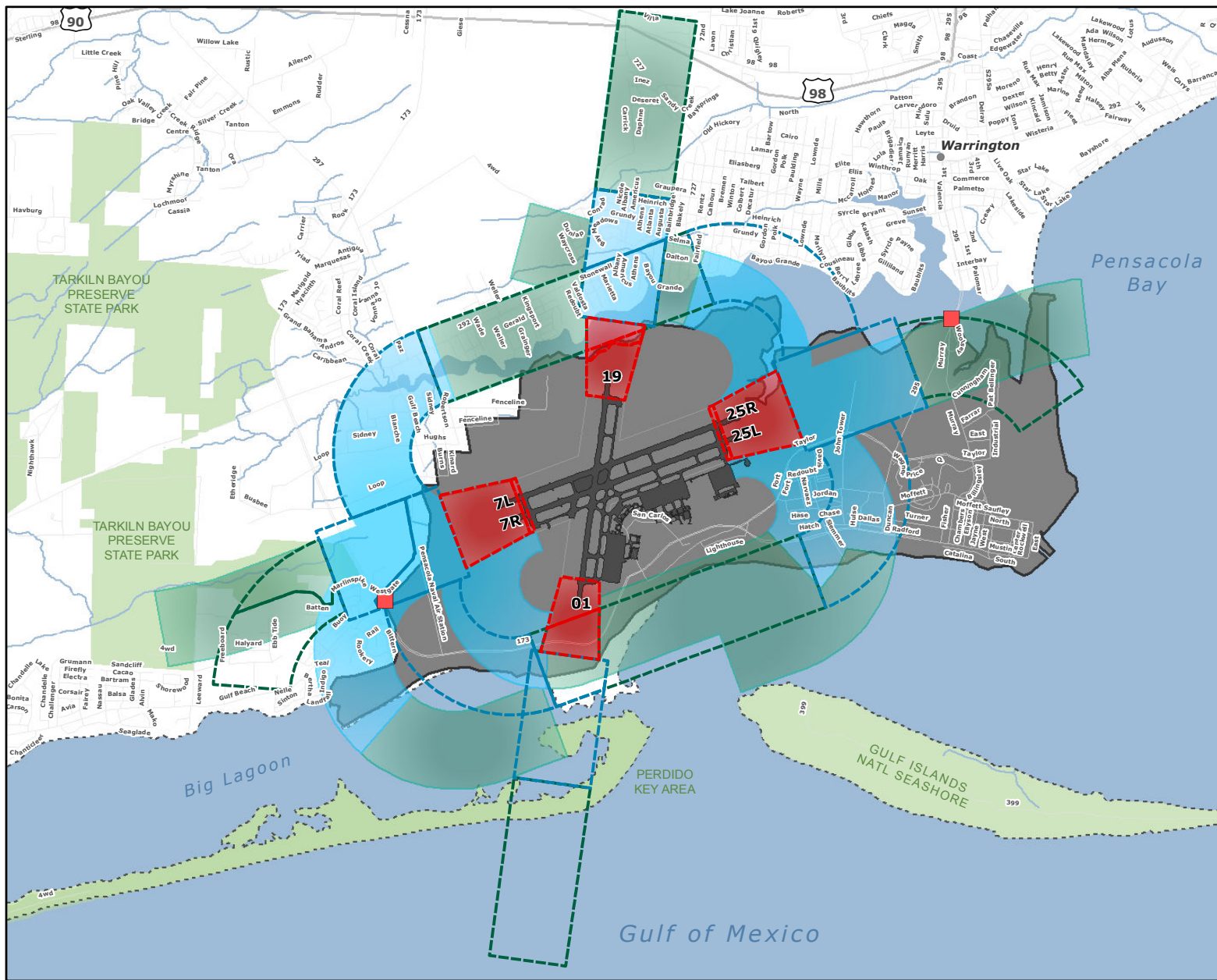
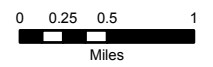


Figure 5-4
 Comparison of 1980
 (2003 JLU) and
 2010 AICUZ APZs
 NAS Pensacola

Legend

- Gate
- 1980 (2003 JLU) APZ**
- APZ I
- APZ II
- Clear Zone
- 2010 AICUZ APZ**
- Clear Zone
- APZ I
- APZ II
- Runway
- NAS Pensacola
- County Boundary
- Park Boundary
- Water Bodies

Source: Wyle Labs, 2008



The 2010 AICUZ APZs south of the parallel runways remained a continuous zone, as illustrated in the 2003 JLUS, with the addition of a second non-continuous zone. The expanded zone in the 2010 AICUZ APZs south of the parallel runways is attributed to the overhead break arrival flight tracks conducted on Runway 07R and the departure flight track conducted on Runway 07L. Aircraft contributing to the majority of operations include the T-6, T-45, T-1, and T-39 aircraft.

The 2010 AICUZ APZs depicted straight off the ends of the parallel runways remained relatively similar when compared to the 2003 JLUS APZs. The 2010 APZ straight off the west end of the parallel runways is attributed to the straight-in arrival flight track predominantly associated with the T-1 and T-6 aircraft operations. The APZ off the east end of the parallel runway is attributed to the predominant departure flight track used by the majority of permanent and transient aircraft at NAS Pensacola.

It is noted that, while the annual operations on Runway 01/19 to the north were not projected to reach 5,000 operations per year in the present AICUZ study, significant numbers of flight operations and numerous flight tracks remain over the area currently zoned with local provisions for AICUZ protection. It is recommended that this area be maintained as an area of compatible land use concern for the Navy and the community.

The anticipated Field Carrier Landing Practice (FCLP) requirements provide rationale for the continuous APZ zone to the northwest of the parallel runways. It is anticipated that the FCLP requirement will increase to meet Navy requirements and, in conjunction with the arrival of the Improved Fresnel Lens Optical System (IFLOS) and the operation of the JSF, it is recommended that this area, currently zoned with local provisions for AICUZ protection, also be maintained as an area of compatible land use concern for the Navy and the community.

5.1.3.2 NOLF Saufley

Figure 5-5 illustrates the modeled APZs generated as part of this AICUZ and Figure 5-6 compares the 2003 JLUS APZs and the 2010 AICUZ APZs at NOLF Saufley. Table 5-1, shown previously, provides a comparison of the acreages consumed by the Clear Zone and each APZ. As the table illustrates, the 2003 JLUS APZ consumed 100 less acres (40.5 ha) than the 2010 APZs.

The 2010 APZs are similar in shape and size when compared to the 2003 JLUS APZs. The dominant aircraft and flight track incorporated into the 2003 JLUS APZs was the T-34. The T-6 is the only aircraft modeled in the 2010 AICUZ APZs. The difference in aircraft and associated flight tracks account for the slightly wider APZ flare off each runway end.

5.2 Flight Safety

Flight safety refers to important safety steps taken and/or measures implemented to ensure both pilot safety during aircraft operations and the safety of those on the ground in the community who live and work in the vicinity of an air station. This section discusses such flight safety issues as imaginary planes and transition surfaces, Bird/Animal Strike Hazard (BASH) issues, and measures to avoid other potential pilot interferences such as EMI, smoke, dust, steam, and lighting.

5.2.1 Imaginary Surfaces

Imaginary planes and transition surfaces define the required airspace that must remain free of obstructions to ensure safe flight approaches, departures, and patterns. Obstructions may include natural terrain and man-made features, such as buildings, towers, poles, and other vertical obstructions to airspace navigation. Brief descriptions of the imaginary surfaces for Class A and Class B fixed-wing runways are provided in Table 5-2 and Figure 5-7 and Figure 5-8.

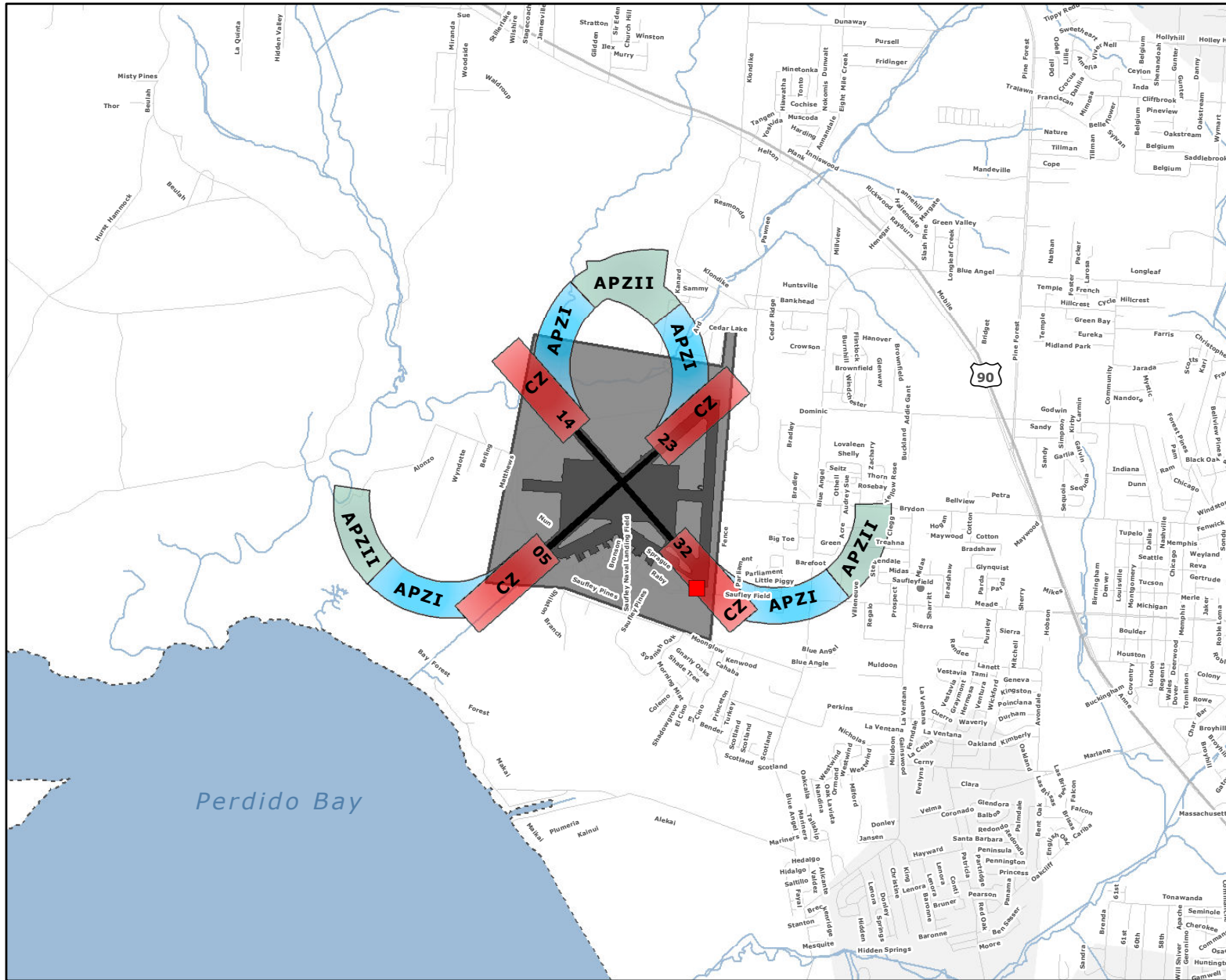








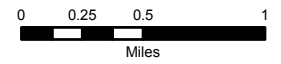


Figure 5-5
 2010 AICUZ APZs
 NOLF Saufley

Legend

-  Gate
-  Runway
-  NOLF Saufley
- APZ Zone**
-  Clear Zone
-  APZ I
-  APZ II
-  County Boundary
-  Water Bodies

Source: Wyle Labs, 2008



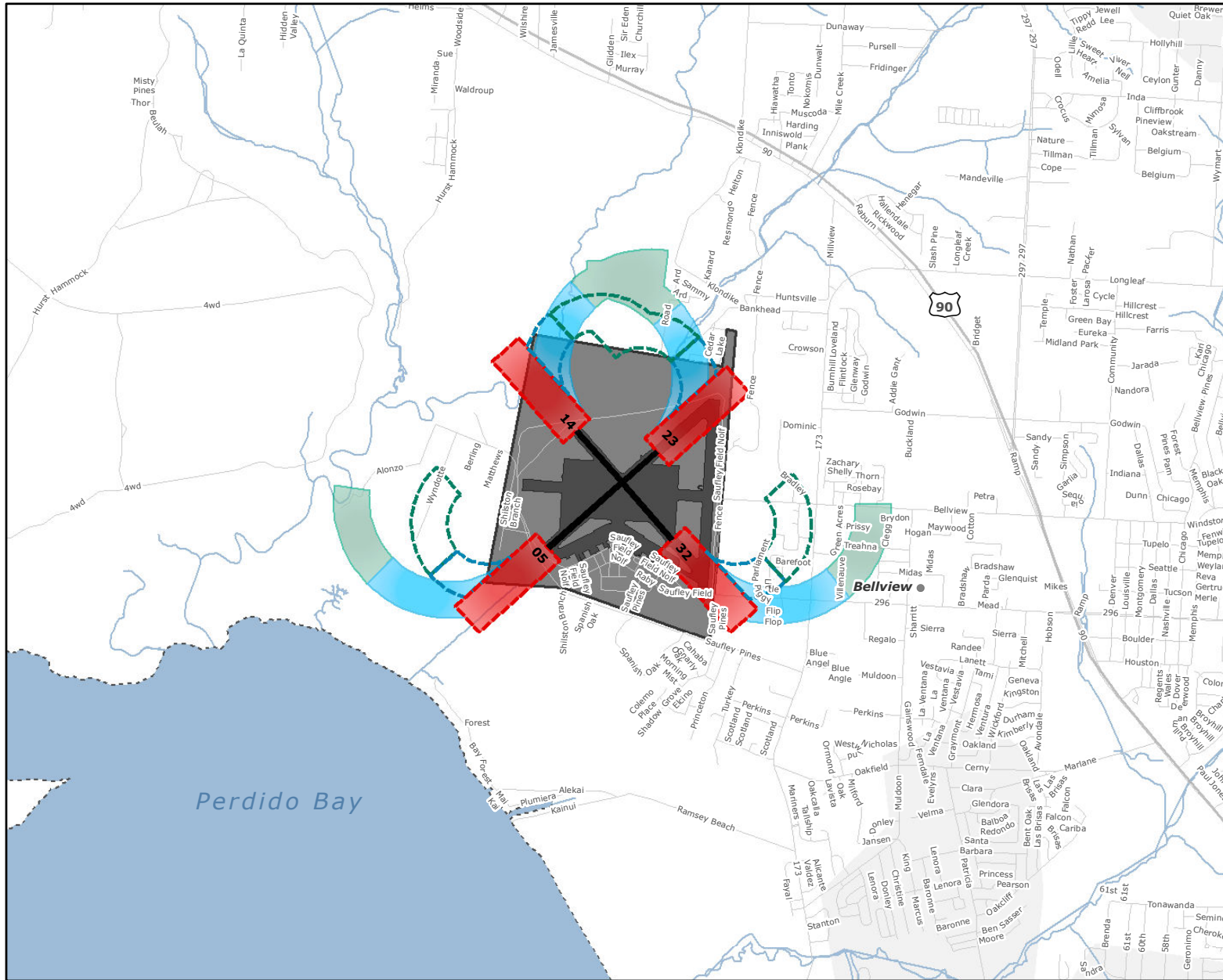


Figure 5-6
 Comparison of 2003
 JLUS and 2010
 AICUZ APZs
 NOLF Saufley

Legend

- 2003 JLUS APZ**
- APZ I
 - APZ II
 - Clear Zone
- 2010 AICUZ APZ**
- Clear Zone
 - APZ I
 - APZ II
 - County Boundary
 - Runway
 - NOLF Saufley
 - Water Bodies

Source: Wyle Labs, 2008

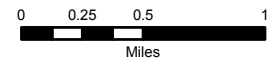


Figure 5-7 Imaginary Surfaces and Transition Planes for Class A Fixed-Wing Runways

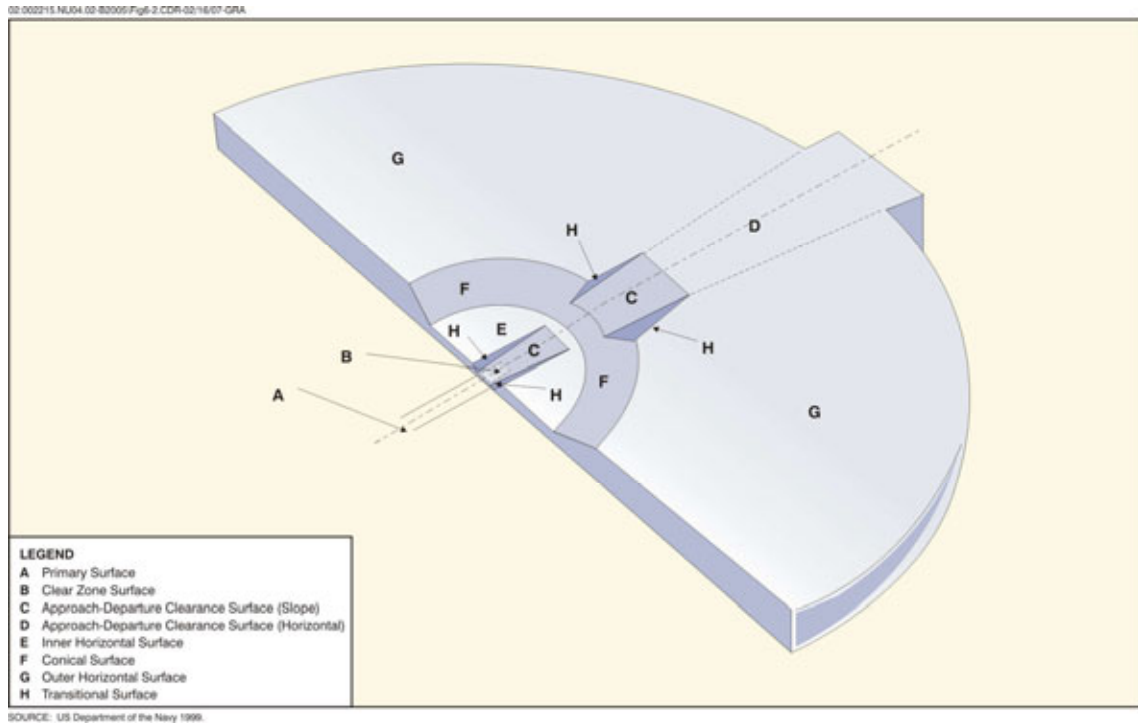


Figure 5-8 Imaginary Surfaces and Transition Planes for Class B Fixed-Wing Runways

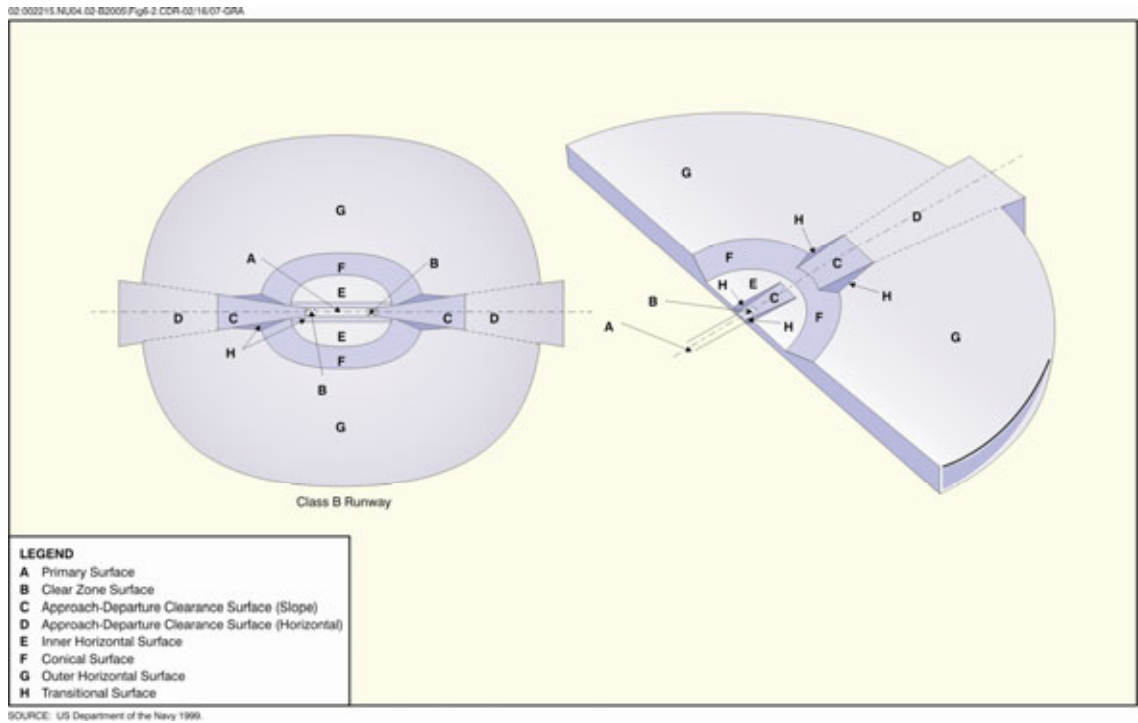


Table 5-2 Imaginary Surfaces – Class A and B Fixed-Wing Runways

Planes and Surfaces	Geographical Dimensions
Class A	
Primary Surface	Aligned (longitudinally) with each runway and extending 200 feet from each runway end. The width is 1,000 feet.
Clear Zone	Located immediately adjacent to the end of the runway and extends 3,000 feet beyond the end of the runway and 1,000 feet wide.
Approach - Departure Clearance Surface	An inclined or combination inclined and horizontal plane, symmetrical about the runway centerline. The slope of the surface is 40:1 until an elevation of 500 feet and continues horizontally 50,000 feet from the beginning. The outer width is 16,000 feet.
Inner Horizontal Surface	An oval shaped plane 150 feet above the established airfield elevation. Constructed by scribing an arc with a radius of 7,500 feet around the centerline of the runway.
Outer Horizontal Surface	A horizontal plane located 500 feet above the established airfield elevation, extending outward from the conical surface for 30,000 feet.
Conical Surface	An inclined plane that extends from the inner horizontal surface outward and upward at a 20:1 slope and extends for 7,000 feet and to a height of 500 feet above the established airfield elevation.
Transitional Surface	<p>An inclined plane that connects the primary surface and the approach-departure clearance surface to the inner horizontal surface, conical surface, and outer horizontal surface.</p> <p>These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline, extended at a slope of 7:1 from the sides of the primary surface and from the sides of the approach surfaces.</p>
Class B	
Primary Surface	Aligned (longitudinally) with each runway and extending 200 feet from each runway end. The width is 1,500 feet.
Clear Zone	Located immediately adjacent to the end of the runway and extends 3,000 feet beyond the end of the runway and is 1,500 feet wide and flares out to 2,284 feet wide..
Approach- Departure Clearance Surfaces	An inclined or combination inclined and horizontal plane, symmetrical about the runway centerline. The slope of the surface is 50:1 until an elevation of 500 feet and continues horizontally 50,000 feet from the beginning. The outer width is 16,000 feet.
Inner Horizontal Surface	An oval shaped plane 150 feet above the established airfield elevation. Constructed by scribing an arc with a radius of 7,500 feet around the centerline of the runway.
Outer Horizontal Surface	A horizontal plane located 500 feet above the established airfield elevation, extending outward from the conical surface for 30,000 feet.
Conical Surface	An inclined plane that extends from the inner horizontal surface outward and upward at a 20:1 slope and extends for 7,000 feet and to a height of 500 feet above the established airfield elevation.
Transitional Surface	<p>An inclined plane that connects the primary surface and the approach-departure clearance surface to the inner horizontal surface, conical surface, and outer horizontal surface.</p> <p>These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline, extended at a slope of 7:1 from the sides of the primary surface and from the sides of the approach surfaces.</p>

Source: Navy 1982

5.2.2 Bird/Animal Strike Hazard

Wildlife represents a significant hazard to flight operations. Birds, in particular, are drawn to the open, grassy areas and warm pavement of airfields. Although most bird and animal strikes do not result in crashes, they cause structural and mechanical damage to aircraft. Most collisions occur when the aircraft is at an elevation of less than 1,000 feet (305 meters). Due to the speed of the aircraft, collisions with wildlife can happen with considerable force.

To reduce BASH, the FAA and the military recommend land uses that attract birds to be located at least 10,000 feet (3 kilometers [km]) from airfields. These land uses include:

- Waste disposal operations;
- Wastewater treatment facilities;
- Landfills;
- Golf courses;
- Wetlands;
- Dredge disposal sites;
- Seafood processing plants; and
- Stormwater ponds.

Design modifications also can be used to reduce the attractiveness of these types of land uses to birds and other wildlife.

5.2.3 Electromagnetic Interference

New generations of military aircraft are highly dependent on complex electronic systems for navigation and critical flight and mission-related functions. Consequently, care should be taken in siting any activities that create EMI. EMI is defined by the American National Standards Institute (ANSI) as any electromagnetic disturbance that interrupts, obstructs, or otherwise degrades or limits the effective performance of electronics/electrical equipment. It can be induced intentionally, as in forms of electronic warfare, or unintentionally, as a

result of spurious emissions and responses, such as high tension line leakage. Additionally, EMI may be caused by atmospheric phenomena, such as lightning and precipitation static, and by non-telecommunication equipment, such as vehicles and industry machinery.

5.2.4 Lighting

Bright lights, either direct or reflected, in the airfield vicinity can impair a pilot's vision, especially at night. A sudden flash from a bright light causes a spot or "halo" to remain at the center of the visual field for a few seconds or more, rendering a person virtually blind to all other visual input. This is particularly dangerous at night when the flash can diminish the eye's adaptation to darkness. Partial recovery of this adaptation is usually achieved in minutes, but full adaptation typically requires 40 to 45 minutes.

5.2.5 Smoke, Dust, and Steam

Industrial or agricultural sources of smoke, dust, and steam in the airfield vicinity could obstruct the pilot's vision during takeoff, landing, or other periods of low-altitude flight.

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6 Land Use Compatibility Analysis

The Accident Potential Zones (APZs) and noise zones comprise the composite AICUZ map for an air installation (see Figure 6-3). The composite AICUZ map defines the minimum recommended acceptable area within which land use controls are needed to protect the health, safety, and welfare of those living near a military airfield and to preserve the defense flying mission. The AICUZ map (and information derived from the map) is the fundamental tool necessary for the AICUZ planning process.

Composite AICUZ Map

Defines the minimum recommended acceptable area within which land use controls are needed to protect the health, safety, and welfare of those living near a military airfield, and to preserve the defense flying mission.

This section addresses land use compatibility within aircraft noise zones and APZs by examining existing and planned land uses near Naval Air Station (NAS) Pensacola and Navy Outlying Landing Field (NOLF) Saufley. This section begins with a description of the local planning authority that is in place in Escambia County, then provides a discussion of the generalized land use compatibility criteria used in AICUZ studies to evaluate land use compatibility. It is followed by a land use compatibility assessment.

6.1 Planning Authority

The development and control of lands outside of military installations is beyond the control of the base commander. Development of these lands is dictated by local comprehensive land use planning and regulations.

The local planning authority in Escambia County is the Development Services Bureau. The Bureau administers the Escambia

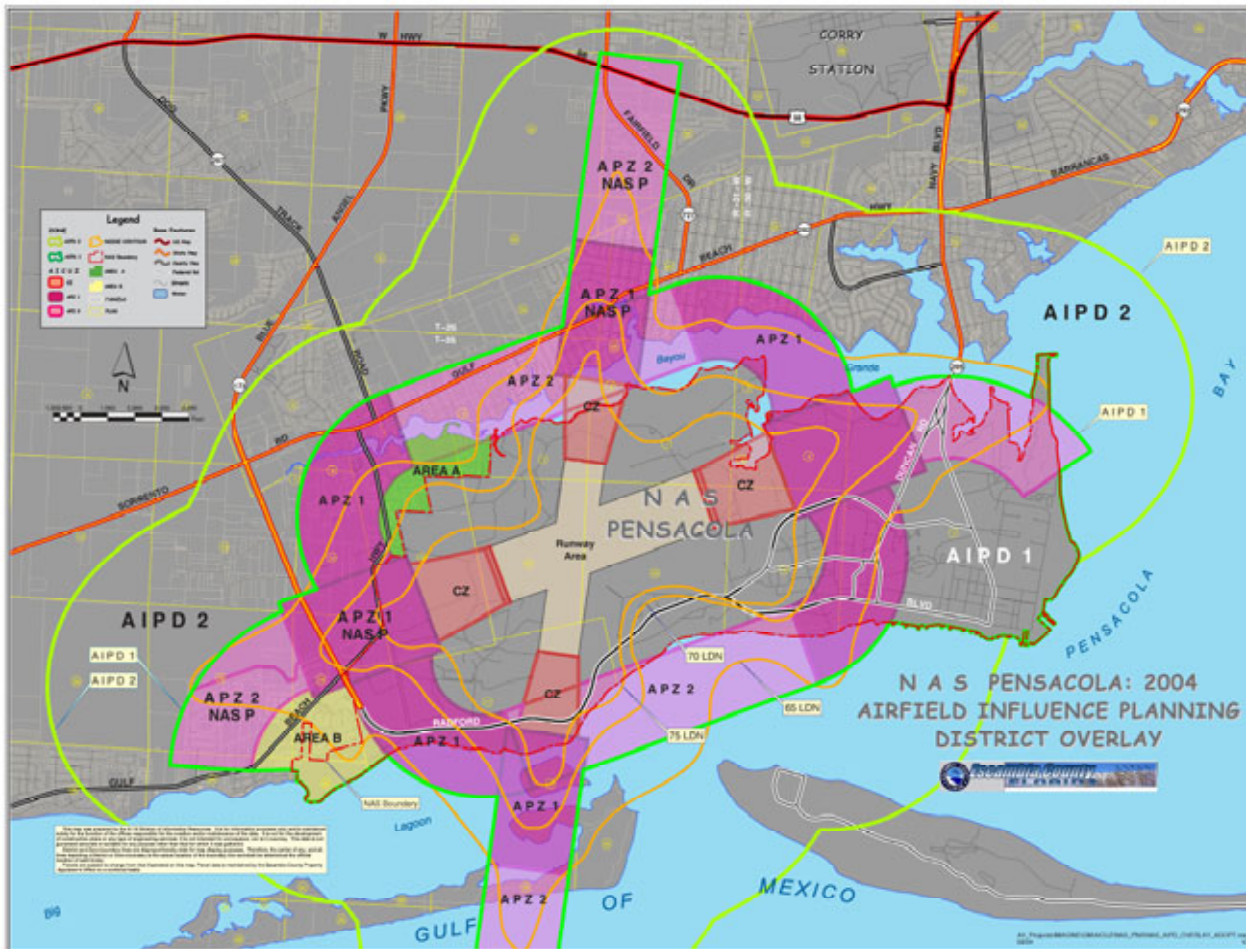
County Comprehensive Plan and Land Development Code. The primary role of the Bureau is to evaluate land use changes and all planning actions.

In 2003, Escambia County adopted the Joint Land Use Study (JLUS) which encourages partnership between NAS Pensacola/NOLF Saufley and the surrounding community, and promotes balanced development while protecting the military's operational mission. The 2003 JLUS also analyzed land uses surrounding NAS Pensacola and NOLF Saufley and indentified strategies to reduce encroachment and promote land use compatibility (EDAW, Inc. 2003).

Escambia County has established Land Development Codes (LDCs) to address, among other issues, planning and zoning in Escambia County. Article 11, "Airport Environs," of the Escambia County Land Development Code, sets forth regulations on land uses surrounding Pensacola Regional Airport, Ferguson and Coastal Airports, NOLF Site 8, NAS Pensacola, and NOLF Saufley. Article 11 states "that incompatible land uses have the potential for being hazardous to aircraft operations as well as to the persons and property on the ground in the vicinity of the incompatible land uses" (Escambia County, Florida 2006). Article 11 establishes land use compatibility regulations surrounding NAS Pensacola and NOLF Saufley and further discussion is provided in Section 6.3.4 Compatibility Concerns.

Escambia County has created and implemented Air Influence Planning Districts (AIPDs) as part of the 2003 JLUS to serve as a tool for land use regulations. AIPDs create a broader framework for making planning decisions around military airfields and to more accurately identify areas that affect or can be affected by military airfield operations. AIPD-1 for NAS Pensacola is a boundary that connects the outermost lines of the APZs and encloses the land between the APZs and the fenceline of NAS Pensacola (Figure 6-1). The AIPD-2 boundary is a 1-mile (1.6 kilometer [km]) buffer drawn outward from the 65 day-night average sound level (DNL) noise contour (EDAW, Inc. 2003).

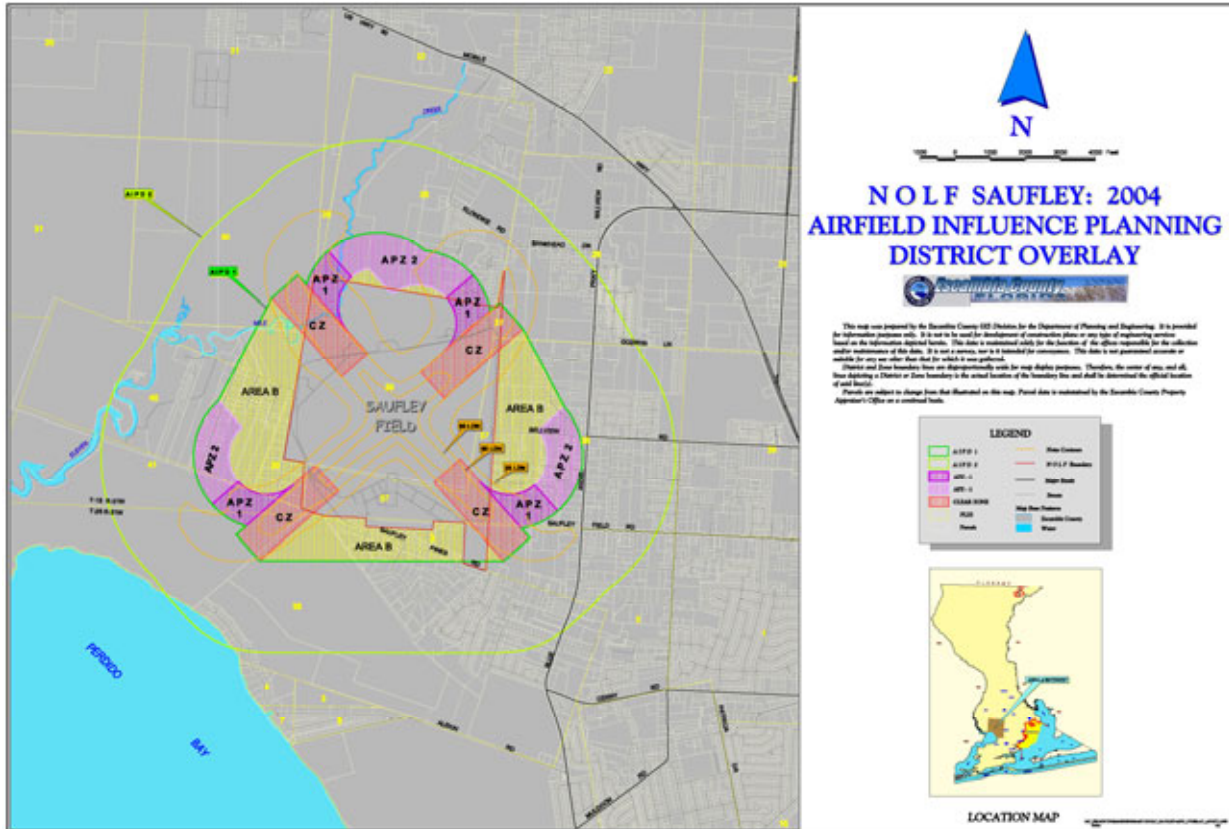
Figure 6-1 NAS Pensacola: 2004 Airfield Influence Planning District Overlay



Source: EDAW 2003

Escambia County also created and implemented AIPDs for NOLF Saufley as part of the 2003 JLUS. AIPD-1 for NOLF Saufley is a boundary that connects the outermost lines of the APZs and encloses the land between the APZs and the fenceline of NOLF Saufley (Figure 6-2). The AIPD-2 boundary is a 0.5-mile (0.8-km) buffer drawn outward from the AIPD-1 boundary (EDAW, Inc. 2003). Additionally, Escambia County's comprehensive plan, titled *Comprehensive Plan*, has been established as the guideline for the future growth of the community. The *Comprehensive Plan* deals with issues related to the appropriate uses of land, and addresses compatibility issues between various uses of land, the management and preservation of natural resources, identification and preservation of historically significant lands and structures, and adequate planning for infrastructure needs (Escambia County 2009).

Figure 6-2 NOLF Saufley: 2004 Airfield Influence Planning District Overlay



Source: EDAW 2003

The Navy's land use compatibility guidelines recommend noise-sensitive land uses will be placed outside high-noise zones, and that people-intensive uses will not be placed in APZs.

6.2 Land Use Compatibility Guidelines and Classifications

The Navy has developed land use compatibility recommendations for APZs and noise zones. These recommendations, which are found in Chief of Naval Operations Instruction (OPNAVINST) 11010.36C, Air Installations Compatible Use Zones Program (United States Department of the Navy [Navy] 2008), are intended to serve as guidelines for placement of APZs and noise zones and for development of land uses around military air installations. The guidelines recommend noise-sensitive land uses (e.g., houses, churches, etc.) will be placed outside high-noise zones, and people-intensive uses (e.g., apartments, theaters, etc.) will not be placed in APZs. Certain land uses are considered incompatible with APZs and high-noise zones, while other land uses may be considered compatible or compatible under certain conditions (compatible with restrictions). The land use

compatibility analysis conducted for NAS Pensacola and NOLF Saufley was based on the Navy’s land use compatibility recommendations, which are presented in Appendix B.

Additionally, Table 6-1 shows existing land use classifications and the associated land use compatibility with each land use designation for noise zones and APZs.

Table 6-1 Land Use Classifications and Compatibility Guidelines

	Land use Compatibility Noise Zone (DNL)						Land use Compatibility with APZs		
	Noise Zone 1		Noise Zone 2		Noise Zone 3		Clear Zone	APZ I	APZ II
	<55	55-65	65-70	70-75	75-80	>80			
Single-Unit, Detached (residential)									(1)
Multi-Family Residential, (apartment, transient lodging)									
Public Assembly									
Schools and Hospitals			(2)	(2)					
Manufacturing (ex. petrol/chem.; textile)									
Parks								(4)	(4)
Business Services				(2)	(2)			(3)	(3)
Agriculture, Forestry and Mining									

Source: Adapted from OPNAVINST 11010.36C

Notes:

This generalized land use table provides an overview of recommended land use. To determine specific land use compatibility, see Appendix B.

- (1) Maximum density of 1-2 dwellings per acre.
- (2) Land use and related structures generally compatible; however, measures to achieve NLR 25 or 30 must be incorporated into design and construction of the structures.
- (3) Maximum Floor Area Ratio that limit people density may apply.
- (4) Facilities must be low intensity.

Key:

	Compatible
	Incompatible

6.3 Existing Zoning and Land Use Compatibility

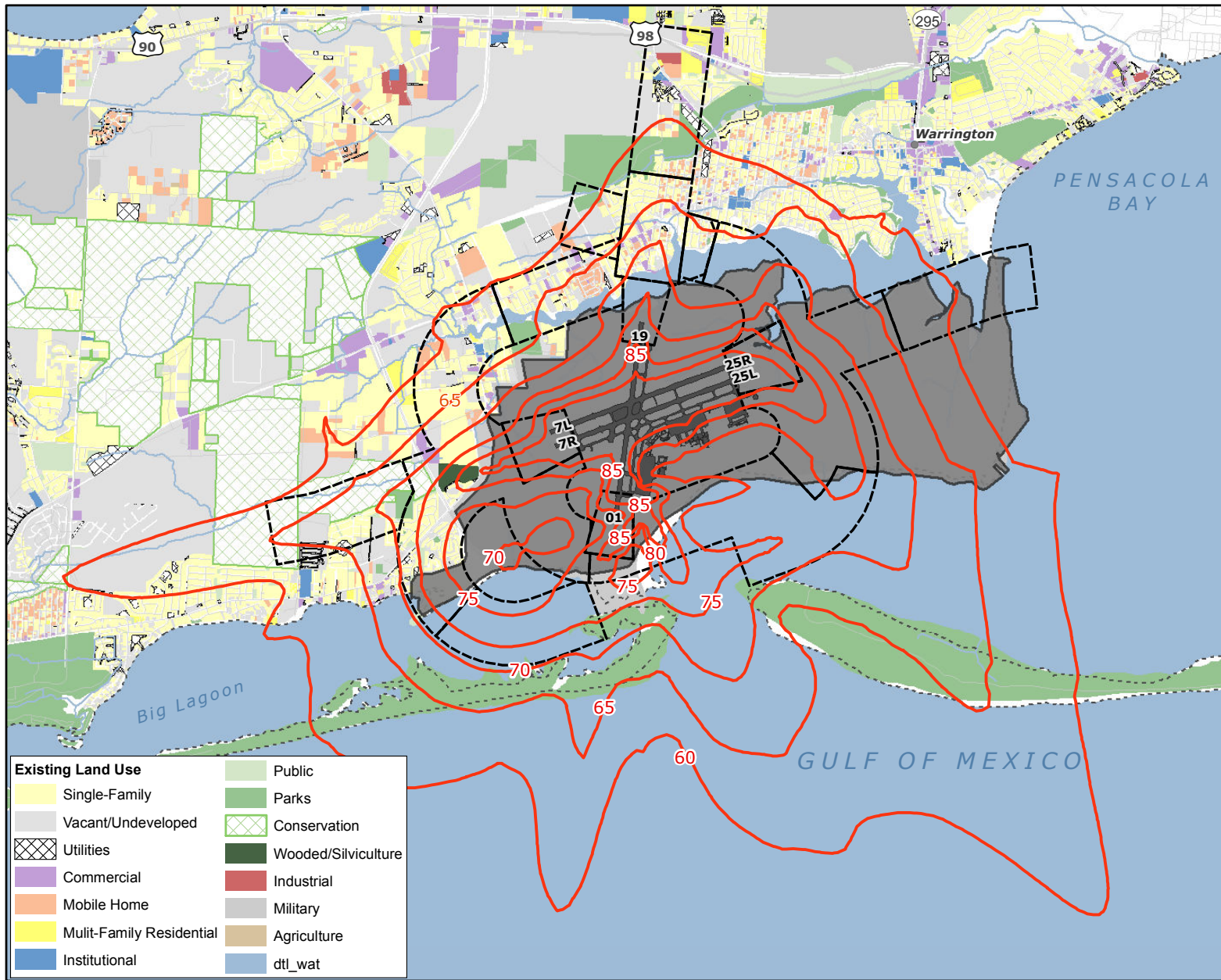
NAS Pensacola and NOLF Saufley are located in Pensacola, Escambia County, Florida. Escambia County has a total area of 661 square miles (1,712 square km) with an additional 100 square miles (259 square km) of water area. The county is moderately developed and zoned with a mix of residential, commercial, and industrial development. Land use patterns and zoning in the immediate vicinity of the installations are discussed below.

6.3.1 Existing Land Use

Land use is a term given to describe the management of land and the extent to which it has been modified. Typical uses include developed land, agricultural areas, open water, and forested areas. Patterns of land use arise naturally in communities through customs and practices, and regulations and designations from local government.

6.3.1.1 NAS Pensacola

Land use surrounding NAS Pensacola features a mix of developed areas, forest lands, wetland areas, barren land, and open water. Figure 6-3 illustrates the composite AICUZ map with land uses surrounding NAS Pensacola. Bayou Grande borders the installation to the north; however, the area north of Bayou Grande is developed with residential and commercial properties and special development. Development of residential subdivisions and commercial property steadily continues west of the installation; however, areas of largely forested land and wetlands remain. Big Lagoon State Park and Tarklin Bayou Preserve State Park (identified as a Special Development District) are state owned lands west of the installation. The Perdido Pitcher Plant Prairie (identified as a Special Development District), a portion of which is located adjacent to NAS Pensacola to the west, is managed by Tarklin Bayou Preserve State Park. The Intracoastal Waterway and the Gulf of Mexico create the installation's border to the south, and Pensacola Bay serves as the installation's border to the west. Along the entirety of the coast line are barrier islands which, in the vicinity of NAS Pensacola, are part of the Gulf Islands National Seashore, established by the U.S. National Park Service.



Existing Land Use	
	Single-Family
	Vacant/Undeveloped
	Utilities
	Commercial
	Mobile Home
	Multifamily Residential
	Institutional
	Public
	Parks
	Conservation
	Wooded/Silviculture
	Industrial
	Military
	Agriculture
	dtl_wat

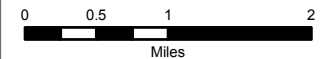


Figure 6-3
 Composite AICUZ Map
 with Existing Land Use
 NAS Pensacola

Legend

- 2010 Noise Contour Line
- 2010 AICUZ APZ
- Runway
- NAS Pensacola
- County Boundary

Source: Escambia County GIS Division 2005;
 Wyle Labs, 2008.



6.3.1.2 NOLF Saufley

Land use surrounding NOLF Saufley features low-intensity development, agricultural lands, forested lands, barren land, and open water. Figure 6-4 illustrates land uses surrounding NOLF Saufley. Land uses to the northwest and south are predominantly forested or agricultural lands and are bordered to the south by Perdido Bay. A majority of the developed area, including residential and commercial uses, are located east of the installation.

6.3.2 Existing Zoning

Zoning is a term used in urban planning for a system of land-use regulations. Zoning is the system used by governments to control the physical development of land and the type of uses to which each individual property may be utilized. Escambia County Development Services Bureau administers the zoning requirements, also referred to as zoning districts, for property in Escambia County and lands surrounding NAS Pensacola and NOLF Saufley.

With respect to zoning, Escambia County zoning ordinances address AICUZ guidelines and AIPDs at NAS Pensacola and NOLF Saufley through creation of Airfield Mixed-Use Districts. The Airfield Mixed-Use-1 District allows a compatible mix of certain types of commercial uses and single family residential uses within AIPD-1. AIPD-1 includes Clear Zones and APZs I and II. Additionally, the type of commercial use is limited to correspond to military recommendations and Escambia County requirements. The Airfield Mixed-Use-2 District allows a combination of certain commercial uses and residential development within AIPD-2. AIPD-2 includes land inside the 1-mile (1.6-km) buffer drawn from the 65 DNL noise contour (or for NOLF Saufley, land inside the 0.5-mile [0.8-km] buffer drawn from the boundary of AIPD-1).

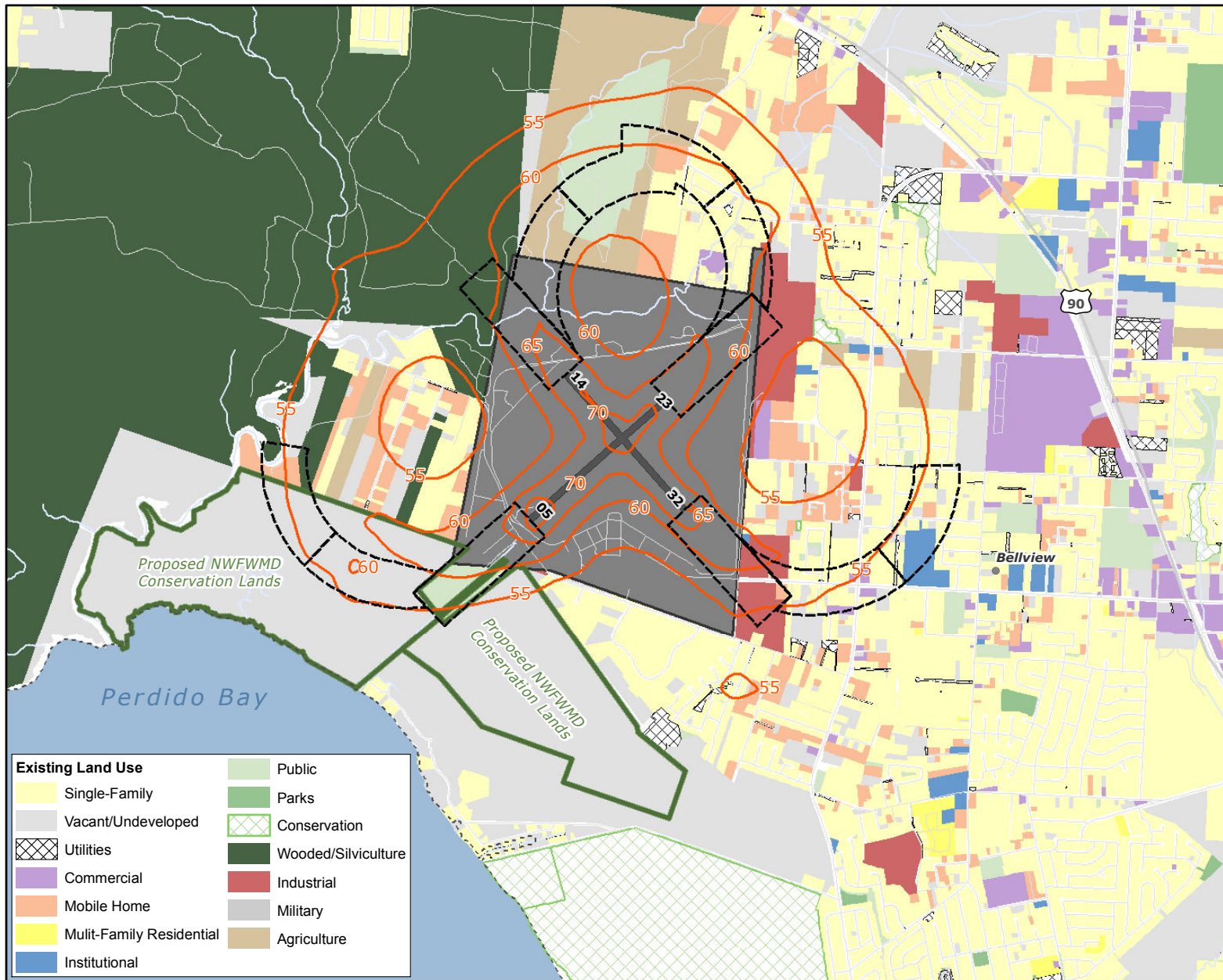
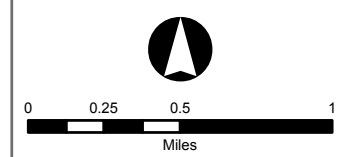


Figure 6-4
 Composite AICUZ Map
 with Existing Land Use
 NOLF Saufley

- Legend**
- 2010 Noise Contour Line
 - 2010 APZs
 - Runway
 - NOLF Saufley
 - Proposed NFWFMD Conservation Lands
 - Water Bodies

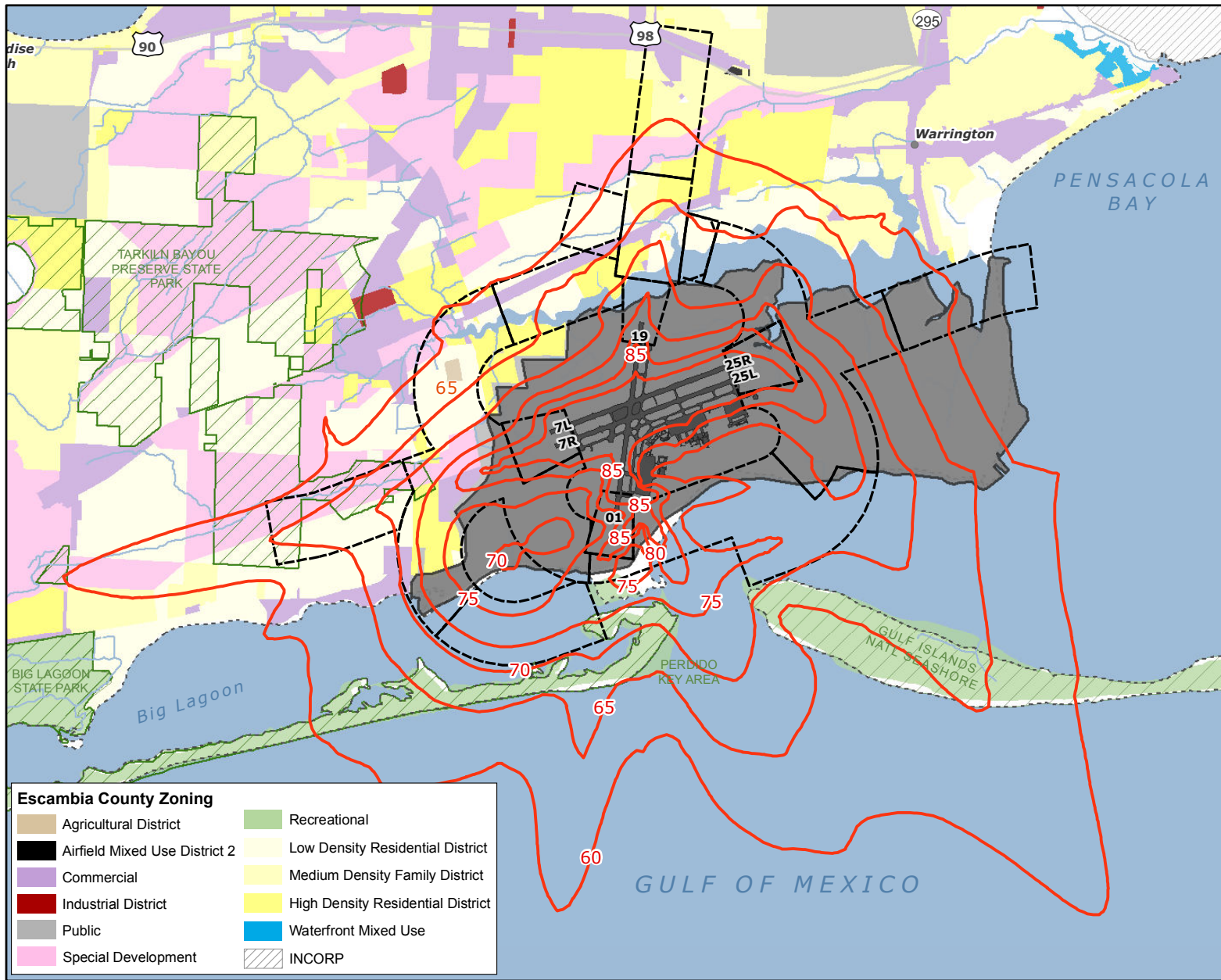


Additionally, the under-utilized portion of NOLF Saufley has been selected to become a part of the Navy's Enhanced Use Lease (EUL) program. The EUL program is an opportunity created through US statute (10 USC 2667) enabling Department of Defense to maximize their underutilized properties through out-leasing in exchange for in-kind services and/or facilities for the military and public benefit. The Saufley EUL area is located on the southern side of the property bounded by Saufley Field Road and Sprague Road. The EUL area includes approximately 104 acres and is comprised of 88 facilities (724,000 square feet). A business plan and lease agreement are currently under development for the site. The site will be utilized by similar compatible and mostly smaller sized tenants for among other things technology and educational uses. NOLF Saufley will continue to function as a training field and potential limited use of the runways by the tenants within the EUL may be considered and will be further defined and addressed in the final EUL.

6.3.2.1 NAS Pensacola

Figure 6-5 portrays existing zoning in the areas around NAS Pensacola (from the installation boundary west to US-293 and north to US-98). Existing zoning patterns around NAS Pensacola include a mix of low-, medium-, and high-density residentially zoned property, commercial zoning, special development zoning (environmentally sensitive areas that have natural limitations to development), and recreational zoning. In general, much of the land surrounding NAS Pensacola remains vacant, with the primary development consisting of a pattern of mixed residential development, special development, commercial zoning, and (to the south of the installation) recreational development.

Development includes residential subdivisions, retail establishments, restaurants, schools, and churches. A majority of the development surrounding NAS Pensacola is designated as low-density residential districts. Additionally, located along the Intracoastal Waterway southwest of the installation, there are high-density high-rise condominiums.



Escambia County Zoning

Agricultural District	Recreational
Airfield Mixed Use District 2	Low Density Residential District
Commercial	Medium Density Family District
Industrial District	High Density Residential District
Public	Waterfront Mixed Use
Special Development	INCORP



Figure 6-5
 Composite AICUZ Map
 with Zoning
 NAS Pensacola

Legend

- 2010 Noise Contour Line
- 2010 AICUZ APZ
- Park Boundary
- Runway
- NAS Pensacola
- County Boundary

Source: Wyle Labs, 2008.

Located on the Gulf Islands National Seashore to the southeast of NAS Pensacola is Fort Pickens, a recreational destination designated by the U.S. National Park Service. Although heavily damaged by Hurricanes Ivan and Dennis, the park remains open to the public. The Intracoastal Waterway, Pensacola Bay, and the Gulf of Mexico surrounding NAS Pensacola serve as recreational areas for boating, fishing, and other water-related activities.

6.3.2.2 NOLF Saufley

Figure 6-6 portrays existing zoning in the areas around NOLF Saufley (from the installation boundary east and north to US-90 and south to Perdido Bay). Existing zoning patterns around NOLF Saufley include a mix of low-, medium-, and high-density residentially zoned property, special development, agricultural districts, industrial districts, and commercial areas; however, much of the land surrounding NOLF Saufley remains vacant.

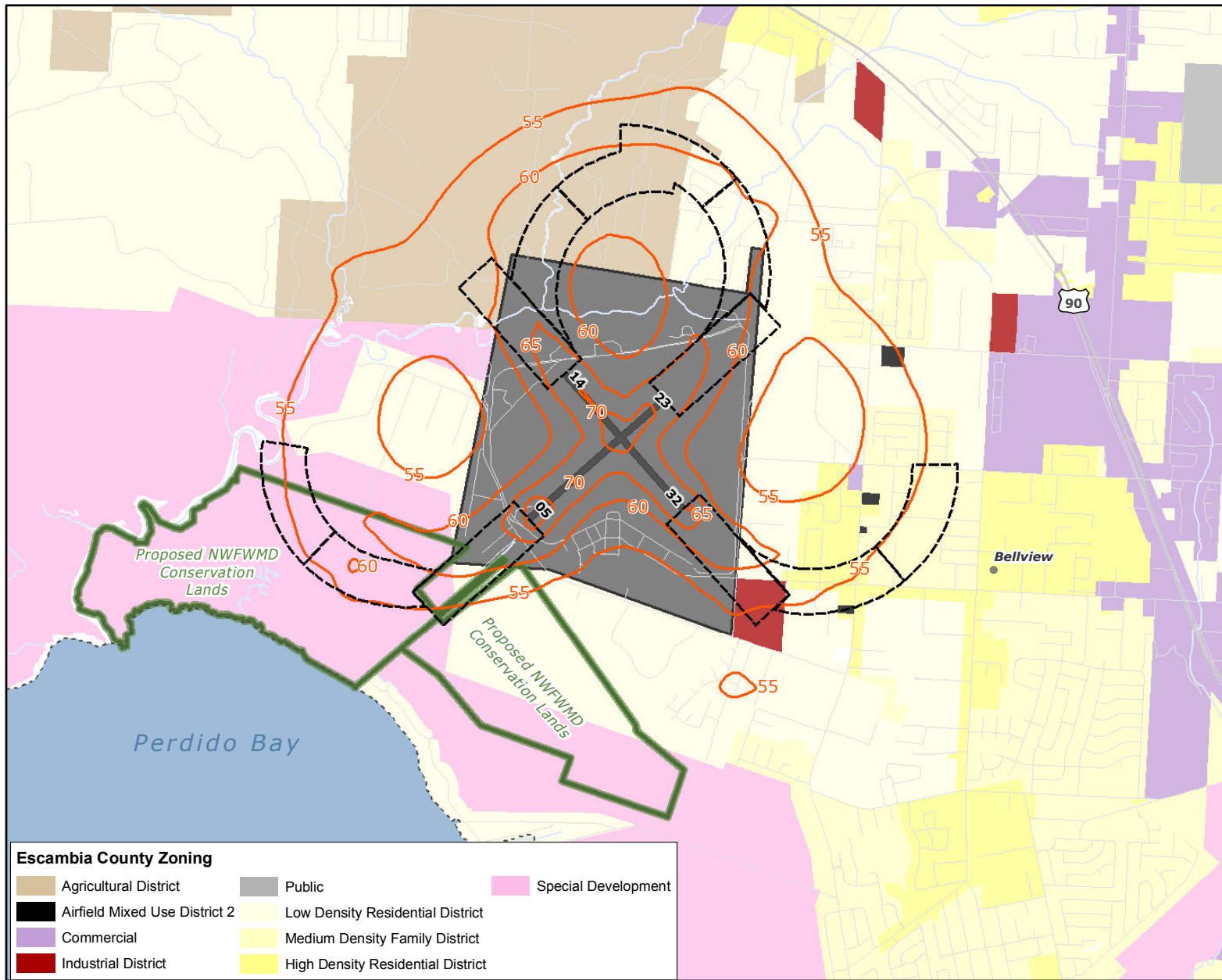
Special development comprises a majority of the zoning districts to the southwest of the installation and agricultural districts border the installation to the north. Development to the east of the installation includes single-family residences, light industrial area including a closed construction and demolition landfill, manufactured housing, and commercial districts. A majority of the development surrounding NOLF Saufley is designated as low-density residential districts.

6.3.3 Future Land Use

Escambia County, through the Comprehensive Plan, outlines future land use within in the county. The Escambia County Comprehensive Plan is revised annually with the latest revisions incorporated August 2009. Current revisions are under review and expected to be incorporated summer 2010. The revised plan, called the 2030 Comprehensive Plan, will incorporate new and revised goals, institute new policies, include revised maps, and revise proposed future land uses among other components. In general, future land use plans are tools used by local governments to develop land in a planned and



Figure 6-6
 Composite AICUZ Map
 with Zoning
 NOLF Saufley



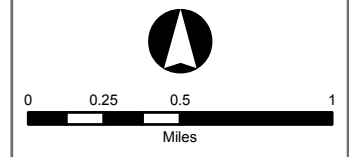
Legend

- 2010 Noise Contour Line
- 2010 APZs
- Runway
- NOLF Saufley
- Park Boundary
- Proposed NFWWMD Conservation Lands
- Water Bodies

Source: Wyle, 2008.

Escambia County Zoning

Agricultural District	Public	Special Development
Airfield Mixed Use District 2	Low Density Residential District	
Commercial	Medium Density Family District	
Industrial District	High Density Residential District	



effective manner. The plans are influenced by economic and political factors and public participation and, as such, are subject to change and statutory limitations of only being modifiable twice a year.

6.3.3.1 NAS Pensacola

Proposed future land use surrounding NAS Pensacola is expected to reflect current land use, zoning, and development patterns (See Figure 6-7). As such, community expansion to the southwest of the installation would be expected to continue development of low-density residential districts and commercial areas. The special development districts west of the installation, as well as the recreational areas south of the installation, have the potential to be further expanded as conservation lands. Development north of the installation is expected to follow current development trends of residential, commercial, and special development districts.

With respect to future land use in Escambia County, it generally reflects current land use and zoning patterns. For areas around NAS Pensacola, as shown in Figure 6-7, future land use is generally consistent with zoning (refer to Figure 6-5 for zoning near NAS Pensacola). One exception where future land use differs somewhat from zoning is in the area north of the air station where a large "Mixed Use" future land use category is designated. The zoning for this area allows for residential and some linear corridors identified as "Special Development" areas. The Mixed Use land use category identified on the future land use map includes categories of mixed use from MU-1 to MU-4. In these categories a mix of residential, commercial, recreation, tourism, and light industrial are allowable at various densities. From a land use compatibility standpoint some of the uses in the MU 1-4 categories would potentially be compatible in certain high noise zones and APZs (e.g. light industrial). To determine compatibility, an evaluation of specific land uses would need to be done based on a case by case basis and at the land parcel level and be based on the land use compatibility guidance provided in Appendix B of this report.

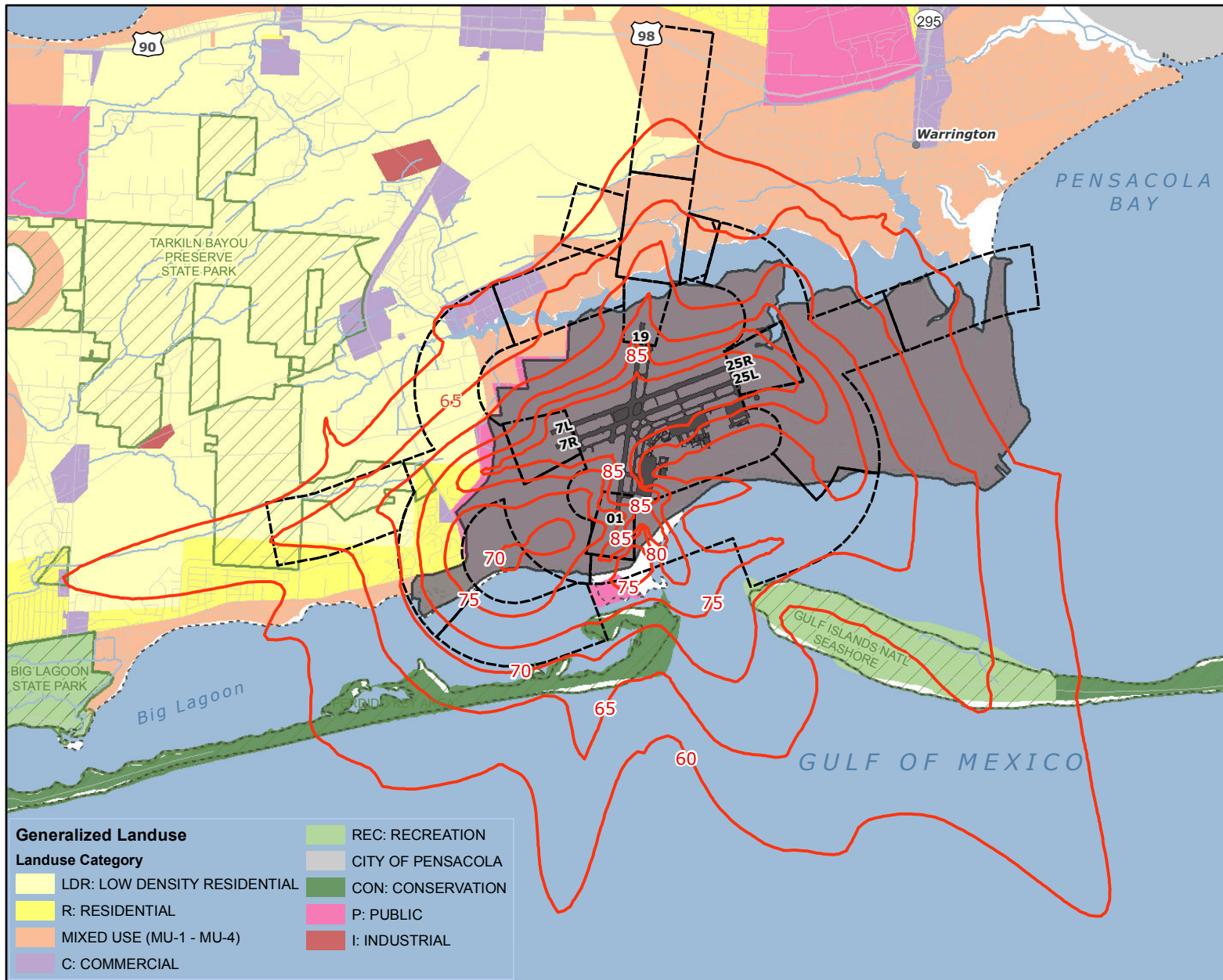
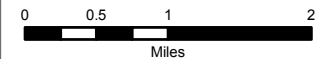


Figure 6-7
 Composite AICUZ Map
 with Generalized Future
 Land Use
 NAS Pensacola

Legend

- 2010 Noise Contour Line
- 2010 AICUZ APZ
- Runway
- NAS Pensacola
- Park Boundary
- County Boundary

Source: Escambia County GIS Division, 2005;
 Wyle Labs, 2008.



6.3.3.2 NOLF Saufley

Proposed future land use surrounding NOLF Saufley generally reflects current land use, zoning, and development patterns (see Figure 6-8). As such, the area is proposed to remain rural in character with limited, low-density, single-family, residential development and scattered agricultural and undeveloped/open space uses. It should be noted that area east of the station are zoned for residential use (see Figure 6-6), however the future land use for this area is designated as Mixed Use which could included a wider array of land uses, including some considered compatible in APZs and high noise zones. As is the case with NAS Pensacola an evaluation of specific land uses would need to be done based on a case by case basis and at the land parcel level and be based on the land use compatibility guidance provided in Appendix B of this report.

It should also be pointed out that land use northwest of the air station is zoned agriculture but that the future use is designated a low density residential. Navy land use compatibility guidelines state most uses are incompatible in Clear Zones. The future use of this area as low density residential would be incompatible within this clear zone and a serious compatibility concern.

Escambia County has initiated discussion of the possibility of purchasing the property where the closed construction and demolition landfill is located and excavating a portion of the landfill and ultimately constructing a park and a baseball complex. The Clear Zone to the southeast encompasses portions of the closed construction and demolition landfill and the proposed land uses are not compatible with clear zones.

The Northwest Florida Water Management District (NFWFMD) purchased approximately 800 acres (324 ha) of land south of NOLF Saufley. The land is being managed by the NFWFMD and are designated as conservation lands. A portion of these conservation lands are within APZ I and APZ II south of runway 05. Conservation lands, as described by the NFWFMD, are compatible with APZ I and APZ II.

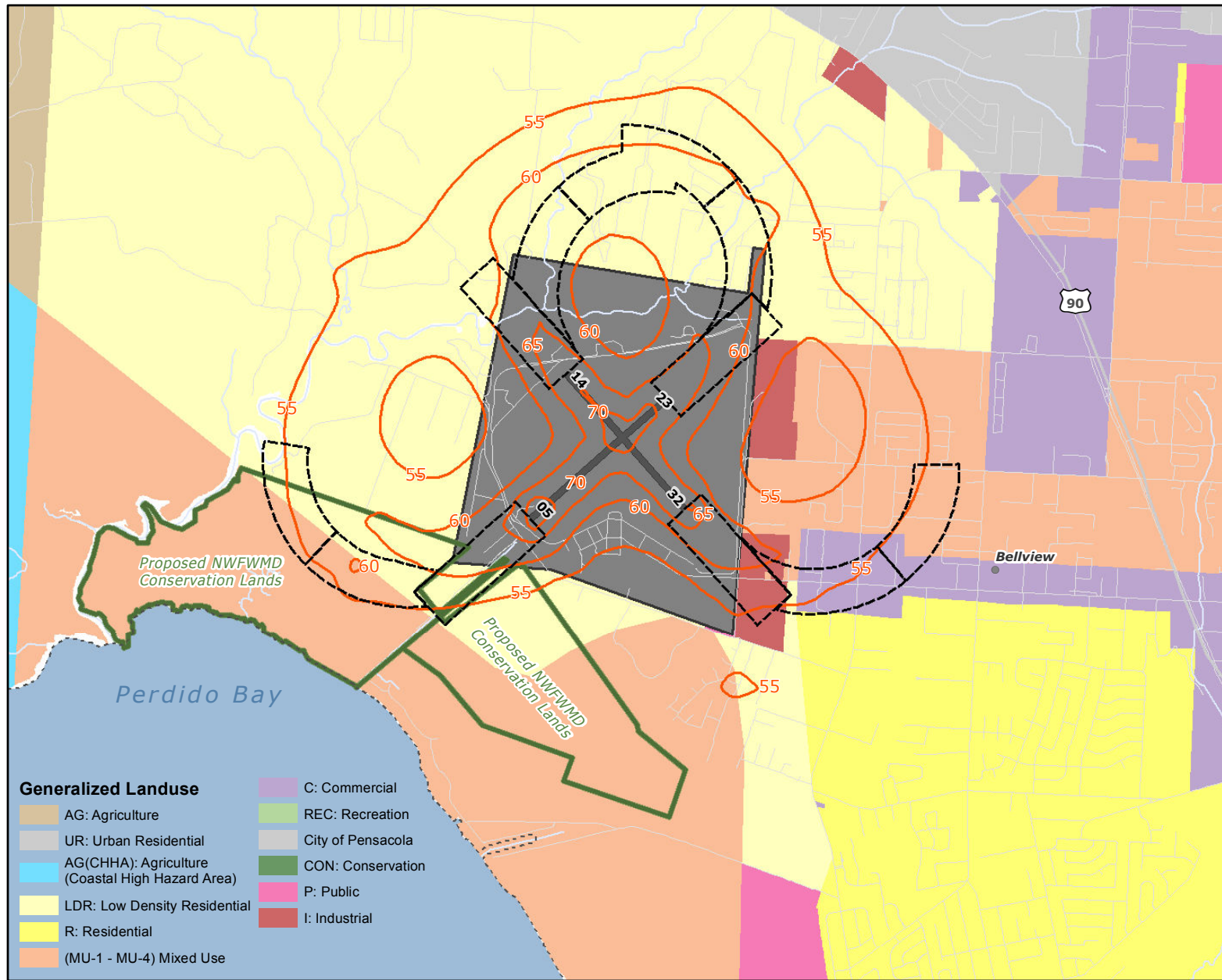


Figure 6-8
 Composite AICUZ Map
 with Generalized Future
 Land Use
 NOLF Saufley

- Legend**
- 2010 Noise Contour Line
 - 2010 APZs
 - Runway
 - NOLF Saufley
 - Proposed NFWWMD Conservation Lands
 - Water Bodies

- Generalized Landuse**
- | | |
|---|--|
| AG: Agriculture | C: Commercial |
| UR: Urban Residential | REC: Recreation |
| AG(CHHA): Agriculture (Coastal High Hazard Area) | City of Pensacola |
| LDR: Low Density Residential | CON: Conservation |
| R: Residential | P: Public |
| (MU-1 - MU-4) Mixed Use | I: Industrial |

Source: Escambia County GIS Division 2005; Wyle Labs, 2008.

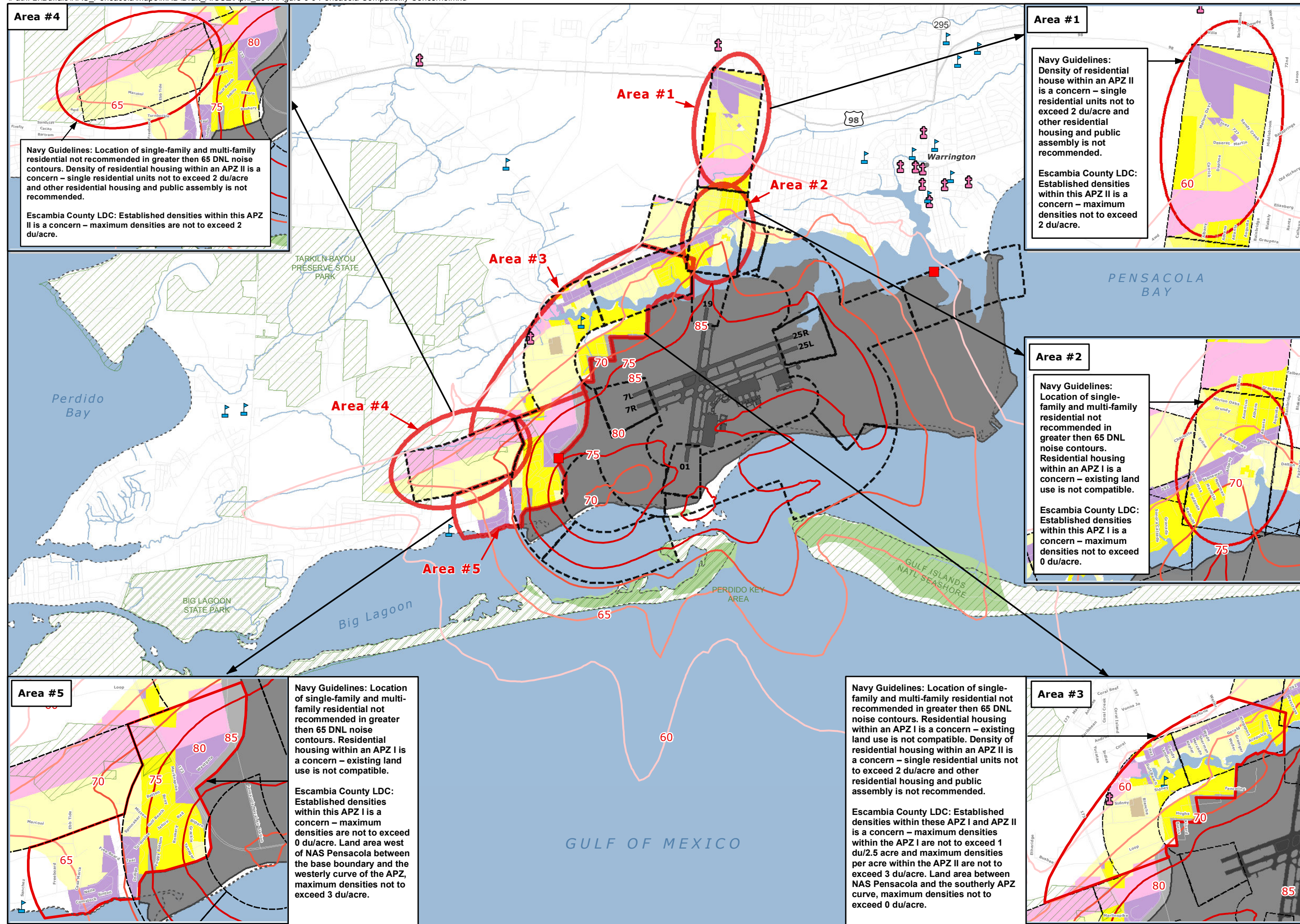


6.3.4 Compatibility Concerns

To determine land use compatibility within NAS Pensacola and NOLF Saufley noise zones and APZs, the Navy examined both existing and planned land uses near the installation. To determine whether existing land use is compatible with aircraft operations at NAS Pensacola and NOLF Saufley, the 2010 AICUZ noise contours, APZs, and Clear Zones were overlaid on current Escambia County parcel data that provides land use classification information. Escambia County Zoning and land use regulations, as stated in Article 11 of the LDC, were also used to determine whether existing land use is compatible with the 2010 AICUZ noise contours, APZs, and Clear Zones. Table 6-1 (on page 6-5) provides a generalized breakdown of land use compatibility, and Appendix B provides the Navy's land use compatibility classifications and the associated land use compatibility designations for noise zones and APZs from OPNAVINST 11011.36C.

6.3.4.1 NAS Pensacola

Land use compatibility concerns surrounding NAS Pensacola are to the north and west of the installation. Figure 6-9 shows areas of compatible and incompatible existing land uses within the APZs and noise zones surrounding NAS Pensacola. Table 4-2, provided in Section 4, presents the total land area within noise zones. Table 5-1, provided in Section 5, presents total off-station areas of the Clear Zone and APZs for NAS Pensacola. As noted in Section 5.1.3.1, flight operations on Runway 01/19 north of the installation do not exceed 5,000 operations; however, the area remains a land use concern for NAS Pensacola and the community and, as such, is included in the discussion below.






Figure 6-9
 Compatibility Concerns
 and 2010 AICUZ Noise
 Contours and APZs
 NAS Pensacola


Legend

- Gate
- Church
- School
- Areas of Concern
- 2010 Noise Contour Line
- Accident Potential Zone
- Runway
- NAS Pensacola
- County Boundary
- Park Boundary

Escambia County Zoning

- Agricultural District
- Airfield Mixed Use District 2
- Commercial
- Industrial District
- INCORP
- Public
- Low Density Residential District
- Medium Density Family District
- High Density Residential District
- Recreational
- Special Development
- Water
- Waterfront Mixed Use

Source: Wyle Labs, 2008.



0 0.25 0.5 1
Miles

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Noise contours that extend off the installation are primarily 60 to 65 DNL, with limited areas of the 70 to 75 DNL noise contour extending off the installation. Land southwest of the installation impacted by 65+ DNL noise contours consists primarily of low-density residential units, special development (Perdido Pitcher Plant Prairie), and commercial development on the waterfront. Residential districts are incompatible with 65+ DNL noise zones; however, commercial activities, such as office and retail areas, are compatible with the 65 to 70 DNL noise zone.

In 2003, utilizing the Preservation 2000 (now Florida Forever) funds, in partnership with the Florida Department of Environmental Protection (FDEP), the Nature Conservancy, and NAS Pensacola, 226 acres (91.5 ha) of Perdido Pitcher Plant Prairie were acquired as a conservation easement, in part as a safeguard from encroachment to NAS Pensacola. This area is compatible with restrictions for the 60 to 70 DNL noise contours (see Appendix B). Table 4-2, provided in Section 4, presents the total land area within noise zones.

Land north of the installation is more developed, consisting of a mix of residential districts and commercial districts. Noise contours that extend off the installation to the north are primarily the 60 to 65 DNL noise contours. All land use is compatible within the 60 DNL noise contour. Residential land use is not compatible within the 65+ noise contour; however, commercial uses such as office and retail areas are compatible and within in the 65 to 70 DNL noise contour.

Noise contours that extend off the installation to the south range from 60 to 75 DNL noise contours. However, land use to the south impacted by the 70 to 75 DNL noise contour consists of open water, which is a compatible land use. Portions of the 60 to 65 DNL noise contour extend over the barrier island, part of the Gulf Islands National Seashore. The barrier island west of the Pensacola Pass is not developed and only accessible by boat. The barrier island east of the Pensacola Pass is a recreational area (Fort Pickens) established by the U.S. National Park Service and is impacted by the 65 to 70 DNL noise contour. Outdoor parks and recreation areas are compatible with restrictions

within this noise zone (see Appendix B). Noise contours do not extend east off the installation.

As illustrated in Figure 6-5, APZs for NAS Pensacola impact areas off the installation to the north and southwest. The Clear Zones for NAS Pensacola do not extend off the installation except for a minimal area to the north, which impacts Bayou Grande (open water). Both APZs I and II extend off the installation to the southwest. Areas impacted include a mix of residential, special development, and commercial districts.

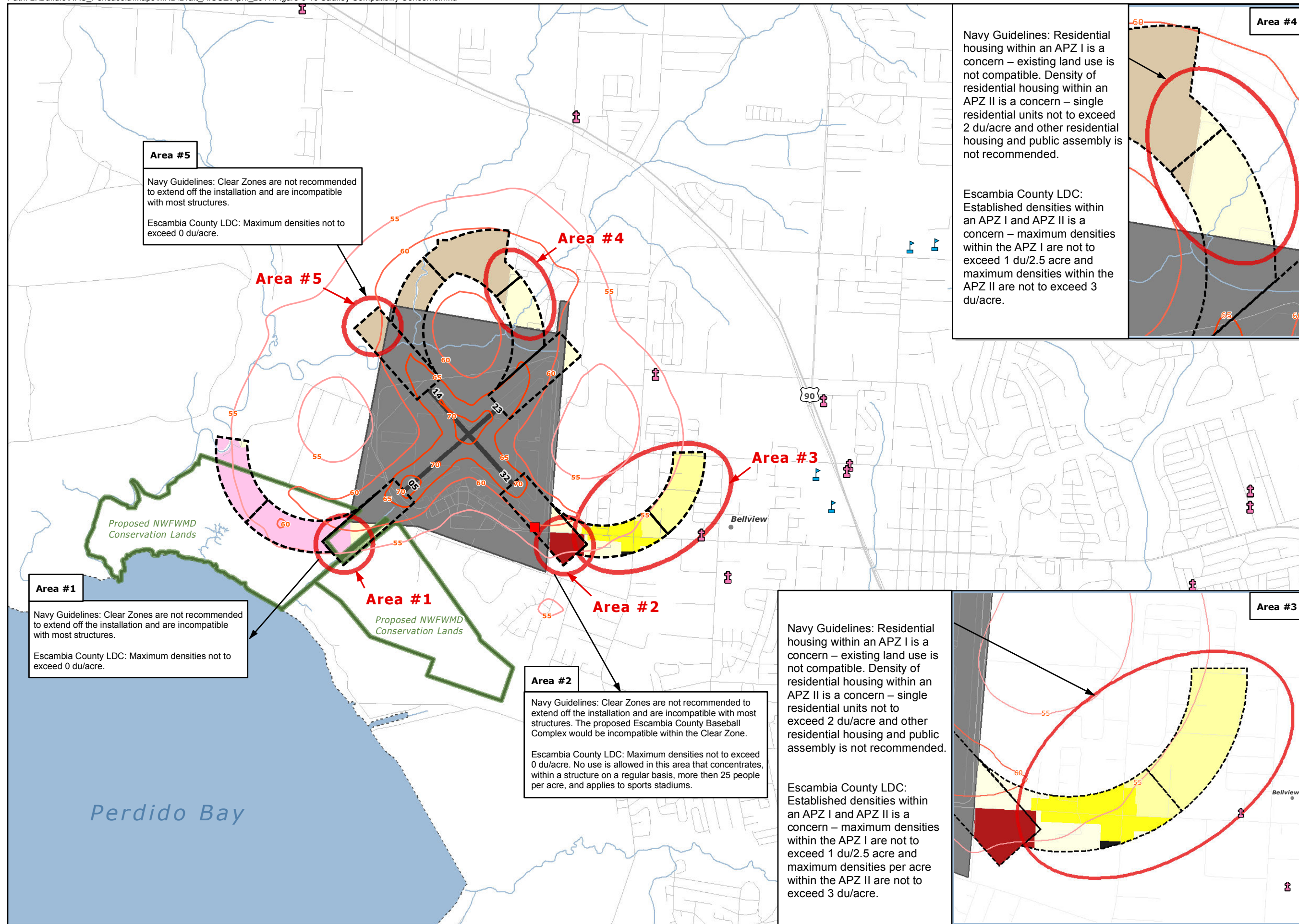
A high-density residential district is located adjacent to the installation boundary and, as such, is incompatible with APZ I and II. Residential districts and some commercial districts are incompatible with APZ I; however, single-family residential areas and commercial districts are compatible with restrictions with APZ II (see Appendix B).

APZ I and II impact areas north of the installation. Areas impacted include a mix of residential, special development, and commercial districts. Residential districts and some commercial districts are incompatible with APZ I; however, single-family residential areas and commercial districts are compatible with restrictions with APZ II (see Appendix B).

6.3.4.2 NOLF Saufley

Land use compatibility concerns surrounding NOLF Saufley are to the east and southwest of the installation. Figure 6-10 shows areas of compatible and incompatible existing land uses within the APZs and noise zones surrounding NOLF Saufley.

Noise contours that extend off the installation are primarily 55 DNL with limited areas of 60 DNL extending off the installation, both of which are compatible with all land uses. Table 4-3, presented in Section 4, provides the total land area within noise zones.



Area #5

Navy Guidelines: Clear Zones are not recommended to extend off the installation and are incompatible with most structures.

Escambia County LDC: Maximum densities not to exceed 0 du/acre.

Area #4

Navy Guidelines: Residential housing within an APZ I is a concern – existing land use is not compatible. Density of residential housing within an APZ II is a concern – single residential units not to exceed 2 du/acre and other residential housing and public assembly is not recommended.

Escambia County LDC: Established densities within an APZ I and APZ II is a concern – maximum densities within the APZ I are not to exceed 1 du/2.5 acre and maximum densities within the APZ II are not to exceed 3 du/acre.

Area #1

Navy Guidelines: Clear Zones are not recommended to extend off the installation and are incompatible with most structures.

Escambia County LDC: Maximum densities not to exceed 0 du/acre.

Area #2


Navy Guidelines: Clear Zones are not recommended to extend off the installation and are incompatible with most structures. The proposed Escambia County Baseball Complex would be incompatible within the Clear Zone.

Escambia County LDC: Maximum densities not to exceed 0 du/acre. No use is allowed in this area that concentrates, within a structure on a regular basis, more than 25 people per acre, and applies to sports stadiums.

Area #3

Navy Guidelines: Residential housing within an APZ I is a concern – existing land use is not compatible. Density of residential housing within an APZ II is a concern – single residential units not to exceed 2 du/acre and other residential housing and public assembly is not recommended.

Escambia County LDC: Established densities within an APZ I and APZ II is a concern – maximum densities within the APZ I are not to exceed 1 du/2.5 acre and maximum densities per acre within the APZ II are not to exceed 3 du/acre.



**Figure 6-10
 Compatibility Concerns and
 2010 AICUZ Noise
 Contours and APZs
 NOLF Saufley**


Legend

- 2010 Noise Contour Line
- Gate
- Church
- School
- Accident Potential Zone
- Areas of Concern
- Runway
- NALF Saufley
- Proposed NFWFMD Conservation Lands
- Park Boundary
- County Boundary

Escambia County Zoning

- Agricultural District
- Airfield Mixed Use District 2
- Industrial District
- Public
- Low Density Residential District
- Medium Density Family District
- High Density Residential District
- Special Development
- Water

Source: Wyle Labs, 2008.



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Table 5-1, presented in Section 5, provides total off-station areas of the Clear Zone and APZs for NOLF Saufley. As illustrated in Figure 6-6, development around NOLF Saufley is rural in character. For Clear Zones, there will be approximately 90 acres (36 ha) off the installation that would be impacted. The Clear Zone to the southeast encompasses a minimal area of a low-density residential district and portions of the closed construction and demolition landfill. Should Escambia County proceed with plans to construct a park and baseball complex in the location of the closed construction and demolition landfill, land uses would not be compatible with Clear Zones, APZ I, or APZ II. With respect to Clear Zones, with few exceptions, structures are not recommended.

APZs to the southeast and northeast are over low- and medium-density residential districts. Approximately 186 acres (75 ha) of the installation are impacted by APZ I and 200 acres (81 ha) of the installation are impacted by APZ II; however, less than 25 percent of the acreage coincides with residential districts. Residential uses in APZ I are incompatible with airfield operations and uses for APZ II are compatible with restrictions (see Appendix B). Should residential development continue to the southwest of the installation, such type development would be incompatible with Clear Zones and APZs.

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7 Land Use Tools & Recommendations

The goal of the AICUZ Program—to protect the health, safety, and welfare of those living near military airfields while preserving the defense flying mission—can most effectively be accomplished by active participation of all interested parties, including the United States Department of the Navy (Navy), local governments, private citizens, developers, real estate professionals, and others.

At the installation level, the Air Installation Commander is responsible for ensuring a successful AICUZ Program. Pursuant to Chief of Naval Operations Instruction (OPNAVINST) 11010.36C (AICUZ Program), the Air Installation Commander at Naval Air Station (NAS) Pensacola is committed to and shall:

- Implement an AICUZ Program for the Air Installation and associated Outlying Landing Fields (OLFs)/Auxiliary Landing Field (ALFs);
- Work with state and local planning officials to implement the objectives of the AICUZ Study;
- Designate the Community Planning Liaison Officer to assist in the execution of the AICUZ Study by the installation and to act as spokesperson for the Command in AICUZ matters;
- Provide assistance in developing AICUZ information, including operational data needed to update the AICUZ Study; and
- Work with local decision makers in Escambia County to evaluate and justify the retention of land or interest of land required for operational performance.

This section presents and describes land use planning tools and recommendations for implementing and achieving a successful AICUZ Program.

7.1 Tools for Implementing AICUZ

7.1.1 Federal Tools

Environmental Review. Environmental review deals with assessment of projects that may have some potential impact on land use and the public's interest. For example, the National Environmental Policy Act (NEPA) mandates full disclosure of the environmental effects resulting from proposed federal actions, approvals, or funding. Impacts of the action are generally documented in an environmental impact statement (EIS) or an environmental assessment (EA), which is more limited in scope than an EIS. The environmental review process represents a procedure for incorporating the elements of the AICUZ in the planning review process.

Executive Order 12372, Intergovernmental Review of Federal Programs (July 1982). As a result of the Intergovernmental Cooperation Act of 1968, the United States Bureau of the Budget requires all Federal-Aid Development Projects must be coordinated with and reinforce state, regional, and local planning. Executive Order 12372 allows state governments to set up review periods and processes for federal projects.

Housing and Urban Development (HUD) Circular 1390.2. Approvals of mortgage loans from the Federal Housing Administration are subject to requirements of this Housing and Urban Development (HUD) circular. The circular sets forth a discretionary policy to withhold funds for housing projects when noise exposure exceeds prescribed levels. Residential construction may be permitted inside the 65-decibel (dB) day-night average sound level (DNL) noise contour, provided sound attenuation is accomplished. However, the added construction expense of noise attenuation may make siting in these noise exposure areas financially less attractive. Because the HUD policy is discretionary, variances may also be permitted, depending on regional interpretation and local conditions. HUD also has a policy that prohibits funding for projects in Clear Zones and Accident Potential Zones (APZs), unless the project is compatible with the AICUZ.

DoD Encroachment Partnering Program. Title 10, United States Code (U.S.C.) § 2684a authorizes the Secretary of Defense or the Secretary of a military department to enter into agreements with an eligible entity or entities to address the use or development of real property in the vicinity of, or ecologically related to, a military installation or military airspace, to limit encroachment or other constraints on military training, testing and operations. Eligible entities include a state, a political subdivision of a state, and a private entity that has, as its principal organizational purpose or goal, the conservation, restoration, or preservation of land and natural resources, or a similar purpose or goal.

Encroachment Partnering Agreements provide for an eligible entity to acquire fee title, or a lesser interest, in land for the purpose of limiting encroachment on the mission of a military installation and/or to preserve habitat off the installation to relieve current or anticipated environmental restrictions that might interfere with military operations or training on the installation. The Department of Defense (DoD) can share the real estate acquisition costs for projects that support the purchase of fee, a conservation or other restrictive easement for such property. The eligible entity negotiates and acquires the real estate interest for encroachment partnering projects with a voluntary seller. The eligible entity must transfer the agreed upon restrictive easement interest to the United States of America upon the request of the Secretary.

7.1.2 State Tools

The Florida Department of Community Affairs (DCA) is the Land Management Agency responsible for oversight of the Growth Management Laws of Florida. Sections 163.3175, 163.3177, 163.3187, and 163.3191, Florida Statutes, of the Growth Management Act (Chapter 163, Part II, Florida Statutes) require each county and associated municipality where a military base is located to present the commanding officer with information necessary for determining potential land use compatibility issues, including those involving local or other non-military jurisdictions that impact the base.

7.1.3 Local Government Tools

Local Government Comprehensive Plans and Zoning

Planning. As stated in Section 6.1., the development and control of lands outside of military installations is beyond the control of the base commander. Development of these lands is dictated by local comprehensive land use planning and regulations. The local planning authority in Escambia County is the Escambia County Development Services Bureau.

Capital Improvements Programs. Capital improvements projects, such as potable water lines, sewage transmission lines, road paving and/or improvements, new right-of-way acquisition, and schools can be used to direct growth and types of growth toward areas compatible with the AICUZ Program. Local government agencies and organizations can develop capital improvement programs that avoid extending capital improvements into or near high-noise zones or APZs.

Transfer of Development Rights (TDR). The concept of Transfer Development Rights (TDR) involves purchasing property development rights from one property (i.e., an area proposed for incompatible residential development near an air station) and transferring those rights to another piece of property (i.e., to an area well outside of noise contours and APZs that is more conducive to residential development). Thus, development of the original property with incompatible residential homes is prevented near the air station. Another element of the TDR program is the potential for developers to receive approvals for increased densities in the receiving areas as an inducement to the developer for agreeing to a TDR. TDRs also require local governments to adopt a TDR ordinance identifying sending and receiving areas in the jurisdiction.

Purchase of Development Rights. The local government may consider the purchase of development rights.

Building Code. The local building code can be used to ensure the noise-attenuation measures of the AICUZ Program. Although this tool will not prevent incompatible development, building codes can ensure compatibility to the greatest extent possible.

In coordination with this AICUZ study document, a supplemental document, *A Guide to Real Estate Sales and Lease Disclosures in Escambia County, FL*, was developed as a tool to familiarize Navy officials and the community on the requirements of fair disclosure.

Real Estate Disclosure. Real estate disclosures allow prospective buyers, lessees, or renters of property in the vicinity of military operation areas to make informed decisions regarding the purchase or lease of property. The purpose is to protect the seller, real estate agent, buyer, local jurisdiction, and military. Disclosure of aviation noise and safety zones is a very important tool in informing the community about expected impacts of aviation noise and location of airfield safety zones, subsequently reducing frustration and anti-airport criticism by those who were not adequately informed prior to purchase of properties within impact areas.

Public Land Acquisition Programs. Public land acquisition programs can be used (as the conditions of the programs permit) for acquisition of land to support the AICUZ Program.

Special Planning Districts. Local governments have the power to create special planning districts, such as “military influence areas” or “airport overlay zones/districts” where local governments can either enact restrictions on land development or require notification for proposed development within the special planning area. Escambia County has adopted one such special planning district. Escambia County created and implemented AIPDs as part of the 2003 JLUS to serve as a tool for land use regulations.

7.1.4 Private Citizens/Real Estate Professionals/ Businesses

Business-Development and Construction Loans to

Private Contractors. Lending institutions can limit financing for real estate purchases or construction incompatible with the AICUZ Program by restricting or prohibiting mortgage and/or other types of loans. The state and/or local government could designate restricted areas around the installation.

Private Citizens. Private citizens should make an informed decision when considering purchasing land within the AICUZ noise or APZ contours.

Real Estate Professionals. Real estate professionals in the Greater Pensacola area should ensure that prospective buyers or lessees are fully aware of what it means to be within a high-noise zone and/or APZ. Truth-in-sales and rental ordinances can be enacted to ensure adequacy in providing public disclosure of the impact in high noise and APZs. Real estate professionals also have the ability to show prospective buyers and lessees properties at a time when noise exposure is expected to peak in order to provide full disclosure. Real estate professionals in the Greater Pensacola area should use the NAS Pensacola AICUZ brochure as a tool to assist themselves and prospective homebuyers in understanding the location of homes in Pensacola and the region relative to the AICUZ for the air station.

7.2 Recommendations

7.2.1 NAS Pensacola and NOLF Saufley Recommendations

Although ultimate control over land use and development in the vicinity of NAS Pensacola and Navy Outlying Landing Field (NOLF) Saufley is the responsibility of Escambia County, the Navy has the ability and responsibility to conduct actions and implement programs in support of local efforts. To do so, NAS Pensacola should continue and/or consider the following:

Air Operations Procedures. Aircrew discipline in pattern operations should be enforced along with field noise abatement procedures, as set forth in Section 4.4. The Navy should continue to examine ways to improve noise abatement procedures.

Noise Complaint Hotline. Ensure the standard procedure is followed for noise complaints called into NAS Pensacola from operations at NAS Pensacola and NOLF Saufley. Update the NAS Pensacola AICUZ website to include NOLF Saufley with current contact information, APZs and noise contours.

Complaints should be collected in a standard format for plotting locations in a spatial database for future planning use. Recording these complaints can help:

- Document whether newly developing sites may be noise-sensitive in the future;
- Provide land use planning information for the local government;
- Determine which operational flight tracks may be responsible for the noise complaint and at what time most complaints occur; and
- Provide valuable information for real estate transactions.

Community Outreach Activities. Currently, there is a productive working relationship between NAS Pensacola and Escambia County. Several successful initiatives have been implemented and future initiatives aimed at further protecting Navy assets should continue or expand.

Presentation of the AICUZ Program. This presentation could be shown individually or collectively to community decision-makers, including local planning commissions, city councils, county legislatures, government councils, and other interested agencies. It would provide an opportunity to inform and educate individuals or groups who make land use decisions (e.g., infrastructure siting, schools, zoning changes, etc.) that can either protect or threaten NAS Pensacola and NOLF Saufley's mission. For this, the NAS Pensacola website could be expanded to include updated AICUZ-specific topics, and various materials for presentation and distribution should be developed or updated to include flight simulations, videos, poster boards, an electronic or slide presentation, and fact sheets. Presentation information could be used as part of the community outreach activities and would inform the general public on AICUZ issues, the installation's contribution to the local economy, and the need for responsible land use planning.

Keep Engaged in the Local Planning Process. NAS Pensacola should continue to attend public hearings and provide comments on actions that may affect AICUZ planning, including comprehensive plan and land development regulations updates and amendments.

Local Plans, Regulations, and Policies. NAS Pensacola should continue to be an active participant in local government and regional reviews, recommendations, and decision-making processes for land use decisions that may affect the operational integrity of the installation, including:

- Capital improvements plans, such as potable water lines, sewage transmission lines, road paving and/or improvements, and new right-of-way acquisition;
- Building code changes;
- Ensuring necessary ordinances and records-keeping capability to enact restriction within the AICUZ footprint;
- Community facilities construction (e.g., schools, stadiums, and churches);
- Establishment of local zoning ordinances and comprehensive plans or other such ordinances that may affect the installation; and
- Approvals for subdivisions, site plans, wetland permits, or other proposed approvals necessary for development.

7.2.2 Local Government and Agency Recommendations

Communication. While it is NAS Pensacola's responsibility to inform and educate community decision-makers about the AICUZ Program, community decision-makers should continue to actively inform and seek input from NAS Pensacola regarding land use decisions that potentially could affect the operational integrity of the installation.

To communicate with the public, local government websites should update information on the AICUZ Program for NAS Pensacola and NOLF Saufley and provide a link to the NAS Pensacola website for information on aircraft operations and a link to the NAS Pensacola AICUZ website.

Decisions with Future Impacts. It is recommended that, when local governments make land use decisions in proximity to the established AICUZ footprint, local governments recognize:

- Noise contours and APZs comprising the AICUZ footprint are dynamic, and the potential exists for changes in the AICUZ footprint as operational needs to satisfy the military mission change; and
- Because of the AICUZ Program's dynamics, it is recommended that local governments work with NAS Pensacola to establish a special planning area (or district) for areas outside the established APZ that are most likely to present compatibility problems given changes in operations at NAS Pensacola or NOLF Saufley. As a beginning point, it is recommended that local governments use the flight tracks presented in Section 3.3.5 to preserve the operational integrity of these flight tracks and protect the health and safety of the underlying population.

Land use Plans and Regulations. As discussed in Section 7.1.3, local governments currently within the AICUZ footprint recognize their responsibility in providing land use controls in areas encumbered by the AICUZ footprint to protect the health, safety, and general welfare of the population. It is recommended that Escambia County LDCs be updated to reflect the 2010 AICUZ noise contours, APZs and Clear Zones and OPNAVINST 11010.36C. The degree to which these land use controls are consistent with those recommended under Navy guidance varies greatly.

Capital Improvement. It is recommended all capital improvement projects in proximity to the installation be evaluated and reviewed for potential direct and indirect impacts that such improvements may have on the ability to implement a successful AICUZ Program.

Building Codes. Local building codes should be reviewed and/or modified to ensure consistency with noise attenuation recommendations of the AICUZ Program, as specified in OPNAVINST 11010.36C.

Public Land Acquisition Programs. These programs should be reviewed to ascertain whether they can be used in support of the AICUZ Program.

7.2.3 Private Citizens/Real Estate Professionals/ Businesses Recommendations

Real Estate Professionals. Real estate professionals should:

- Provide written disclosure to prospective purchasers, renters, or lessees when a property is located within an APZ or high-noise zone;
- Provide, on their websites, acknowledgement of the AICUZ Program for NAS Pensacola and NOLF Saufley and provide a link to the NAS Pensacola website for information on aircraft operations and the AICUZ Program;
- Provide an AICUZ brochure to prospective buyers and lessees; and
- To the greatest extent possible, make prospective buyers and lessees aware of the potential magnitude of noise exposures they might experience.

Business - Development and Construction Loans to Private Contractors. Lending institutions should consider whether to limit financing for real estate purchases or construction incompatible with the AICUZ Program. This strategy encourages review of noise and accident potential as part of a lender's investigation of potential loans to private interests for real-estate acquisition and development. Diligent lending practices will promote compatible development of the area surrounding NAS Pensacola and NOLF Saufley and protect lenders and developers alike. Local banking and financial institutions should be encouraged to incorporate a "Due Diligence Review" of all loan applications, including determination of possible noise or APZ impacts on the mortgaged property. The Navy can play a role in this strategy by providing AICUZ seminars to lenders throughout the region.

Citizens. The citizens of the local community have a responsibility to:

- Become informed about the ACUIZ Program at NAS Pensacola and NOLF Saufley and learn about the Program's goals and objectives; its value in protecting the health, safety, and welfare of the population; the limits of the program; and the positive community aspects of a successful AICUZ Program.

7.2.4 Summary

The AICUZ Program provides the tools necessary to promote compatible development and activities near military installations. As outlined in this section, responsibilities for disseminating relevant material, sharing knowledge, and developing cooperative relationships is the responsibility of numerous entities and individuals, not only the military and local government, but community members as well. By working together, the military and the community help to preserve the defense mission while improving the quality of life of those living around the installation.

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Appendix A

Discussion of Noise and Its Effects on the Environment

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A.1 Basics of Sound

Noise is unwanted sound. Sound is all around us; sound becomes noise when it interferes with normal activities, such as sleep or conversation.

Sound is a physical phenomenon consisting of minute vibrations that travel through a medium, such as air, and are sensed by the human ear. Whether that sound is interpreted as pleasant (e.g., music) or unpleasant (e.g., jackhammers) depends largely on the listener's current activity, past experience, and attitude toward the source of that sound.

The measurement and human perception of sound involves three basic physical characteristics: intensity, frequency, and duration. First, intensity is a measure of the acoustic energy of the sound vibrations and is expressed in terms of sound pressure. The greater the sound pressure, the more energy carried by the sound and the louder the perception of that sound. The second important physical characteristic of sound is frequency, which is the number of times per second the air vibrates or oscillates. Low-frequency sounds are characterized as rumbles or roars, while high-frequency sounds are typified by sirens or screeches. The third important characteristic of sound is duration or the length of time the sound can be detected.

The loudest sounds that can be detected comfortably by the human ear have intensities that are a trillion times higher than those of sounds that can barely be detected. Because of this vast range, using a linear scale to represent the intensity of sound becomes very unwieldy. As a result, a logarithmic unit known as the decibel (abbreviated dB) is used to represent the intensity of a sound. Such a representation is called a sound level. A sound level of 0 dB is approximately the threshold of human hearing and is barely audible under extremely quiet listening conditions. Normal speech has a sound level of approximately 60 dB; sound levels above 120 dB begin to be felt inside the human ear as discomfort. Sound levels between 130 to 140 dB are felt as pain (Berglund and Lindvall 1995).

Because of the logarithmic nature of the decibel unit, sound levels cannot be arithmetically added or subtracted and are somewhat cumbersome to handle mathematically. However, some simple rules are useful in dealing with sound levels. First, if a sound's intensity is doubled, the sound level increases by 3 dB, regardless of the initial sound level. For example:

$$\begin{aligned} 60 \text{ dB} + 60 \text{ dB} &= 63 \\ \text{dB, and } 80 \text{ dB} + \\ 80 \text{ dB} &= 83 \text{ dB.} \end{aligned}$$

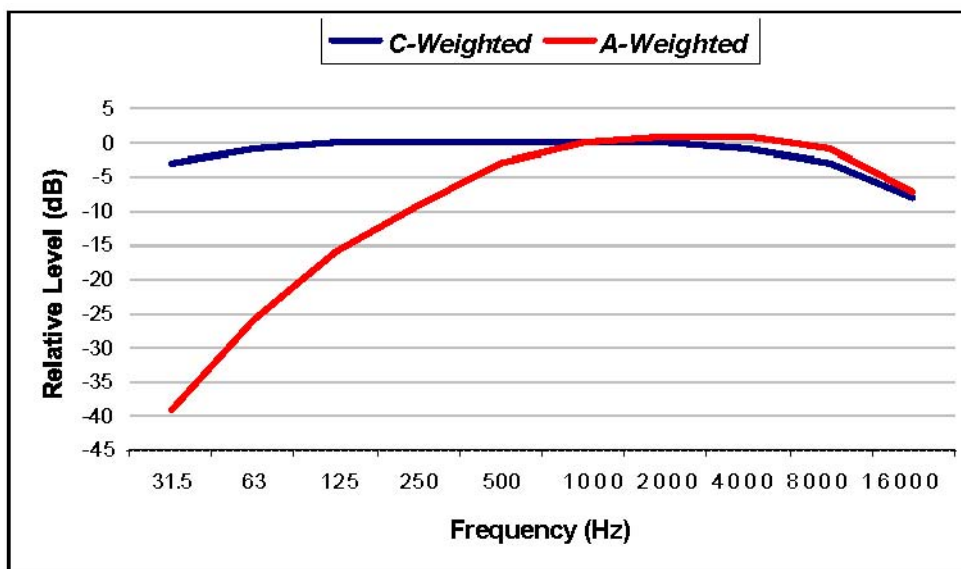
Second, the total sound level produced by two sounds of different levels is usually only slightly more than the higher of the two. For example:

$$60.0 \text{ dB} + 70.0 \text{ dB} = 70.4 \text{ dB.}$$

Because the addition of sound levels is different than that of ordinary numbers, such addition is often referred to as “decibel addition” or “energy addition.” The latter term arises from the fact that what we are really doing when we add decibel values is first converting each decibel value to its corresponding acoustic energy, then adding the energies using the normal rules of addition, and finally converting the total energy back to its decibel equivalent.

The minimum change in the sound level of individual events that an average human ear can detect is about 3 dB. On average, a person perceives a change in sound level of about 10 dB as a doubling (or halving) of the sound’s loudness, and this relation holds true for loud and quiet sounds. A decrease in sound level of 10 dB actually represents a 90% decrease in sound intensity but only a 50% decrease in perceived loudness because of the nonlinear response of the human ear (similar to most human senses).

Sound frequency is measured in terms of cycles per second (cps), or hertz (Hz), which is the standard unit for cps. The normal human ear can detect sounds that range in frequency from about 20 Hz to about 15,000 Hz. All sounds in this wide range of frequencies, however, are not heard equally by the human ear, which is most sensitive to frequencies in the 1,000 to 4,000 Hz range. Weighting curves have been developed to correspond to the sensitivity and perception of different types of sound. A- weighting and C-weighting are the two most common weightings. A-weighting accounts for frequency dependence by adjusting the very high and very low frequencies (below approximately 500 Hz and above approximately 10,000 Hz) to approximate the human ear’s lower sensitivities to those frequencies. C-weighting is nearly flat throughout the range of audible frequencies, hardly de- emphasizing the low frequency sound while approximating the human ear’s sensitivity to higher intensity sounds. The two curves shown in Figure A-1 are also the most adequate to quantify environmental noises.



Source: ANSI S1.4 -1983 “Specification of Sound Level Meters”

Figure A-1. Frequency Response Characteristics of A and C Weighting Networks

A.1.2 A-weighted Sound Level

Sound levels that are measured using A-weighting, called A-weighted sound levels, are often denoted by the unit dBA or dB(A) rather than dB. When the use of A-weighting is understood, the adjective “A-weighted” is often omitted and the measurements are expressed as dB. In this report (as in most environmental impact documents), dB units refer to A-weighted sound levels.

Noise potentially becomes an issue when its intensity exceeds the ambient or background sound pressures. Ambient background noise in metropolitan, urbanized areas typically varies from 60 to 70 dB and can be as high as 80 dB or greater; quiet suburban neighborhoods experience ambient noise levels of approximately 45-50 dB (U.S. Environmental Protection Agency 1978).

Figure A-2 is a chart of A-weighted sound levels from typical sounds. Some noise sources (air conditioner, vacuum cleaner) are continuous sounds which levels are constant for some time. Some (automobile, heavy truck) are the maximum sound during a vehicle pass-by. Some (urban daytime, urban nighttime) are averages over extended periods. A variety of noise metrics have been developed to describe noise over different time periods, as discussed below.

Aircraft noise consists of two major types of sound events: aircraft takeoffs and landings, and engine maintenance operations. The former can be described as intermittent sounds and the latter as continuous. Noise levels from flight operations exceeding background noise typically occur beneath main approach and departure corridors, in local air traffic patterns around the airfield, and in areas immediately adjacent to parking ramps and aircraft staging areas. As aircraft in flight gain altitude, their noise contribution drops to lower levels, often becoming indistinguishable from the background.

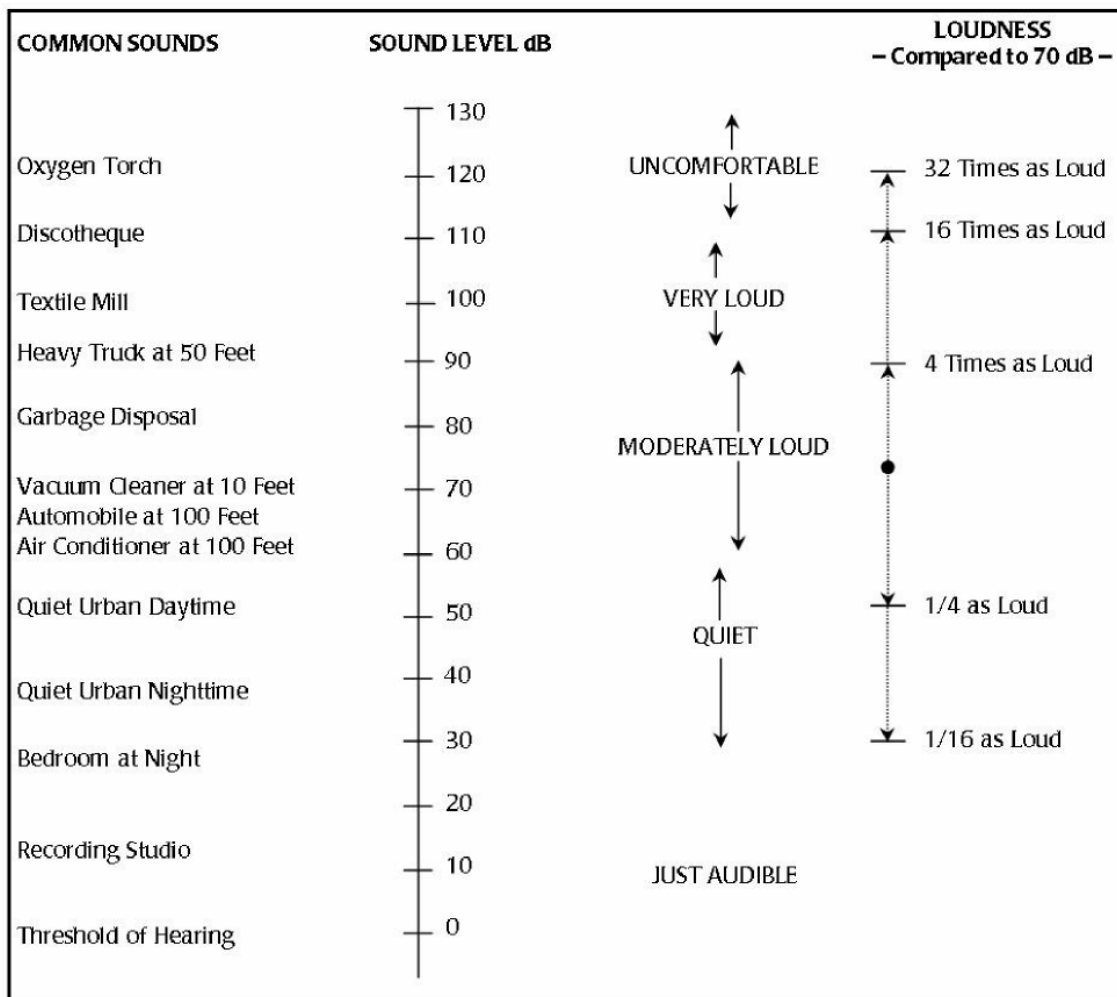
C-weighted Sound Level

Sound levels measured using a C-weighting are most appropriately called C-weighted sound levels (and denoted dBC). C-weighting is nearly flat throughout the audible frequency range, hardly de-emphasizing the low frequency. This weighting scale is generally used to describe impulsive sounds. Sounds that are characterized as impulsive generally contain low frequencies. Impulsive sounds may induce secondary effects, such as shaking of a structure, rattling of windows, inducing vibrations. These secondary effects can cause additional annoyance and complaints.

The following definitions in the American National Standard Institute (ANSI) Report S12.9, Part 4 provide general concepts helpful in understanding impulsive sounds (American National Standards Institute 1996).

Impulsive Sound: Sound characterized by brief excursions of sound pressure (acoustic impulses) that significantly exceeds the ambient environmental sound pressure. The duration of a single impulsive sound is usually less than one second (American National Standards Institute 1996).

Highly Impulsive Sound: Sound from one of the following enumerated categories of sound sources: small-arms gunfire, metal hammering, wood hammering, drop hammering, pile driving, drop forging, pneumatic hammering, pavement breaking, metal impacts during rail-yard shunting operation, and riveting.



Source: *Handbook of Noise Control*, C.M. Harris, Editor, McGraw-Hill Book Co., 1979, and FICAN 1992.

Figure A-2. Typical A-weighted Sound Levels of Common Sounds

High-energy Impulsive Sound: Sound from one of the following enumerated categories of sound sources: quarry and mining explosions, sonic booms, demolition and industrial processes that use high explosives, military ordnance (e.g., armor, artillery and mortar fire, and bombs), explosive ignition of rockets and missiles, explosive industrial circuit breakers, and any other explosive source where the equivalent mass of dynamite exceeds 25 grams.

A.2 Noise Metrics

As used in environmental noise analyses, a metric refers to the unit or quantity that quantitatively measures the effect of noise on the environment. To quantify these effects, the Department of Defense and the Federal Aviation Administration use three noise-measuring techniques, or metrics: first, a measure of the highest sound level occurring during an individual aircraft overflight (single event); second, a combination of the maximum level of that single event with its duration; and third, a description of the noise environment based on the cumulative flight and engine maintenance activity. Single noise events can be described with Sound Exposure Level or Maximum Sound Level. Another measure of instantaneous level is the Peak Sound Pressure Level. The cumulative energy noise metric used is the Day/Night Average Sound Level. Metrics related to DNL include the Onset-Rate Adjusted Day/Night Average Sound Level, and the Equivalent Sound Level. In the state of California, it is mandated that average noise be described in terms of Community Noise Equivalent Level (State of California 1990). CNEL represents the Day/Evening/Night average noise exposure, calculated over a 24-hour period. Metrics and their uses are described below.

A.2.1 Maximum Sound Level (L_{max})

The highest A-weighted integrated sound level measured during a single event in which the sound level changes value with time (e.g., an aircraft overflight) is called the maximum A-weighted sound level or maximum sound level.

During an aircraft overflight, the noise level starts at the ambient or background noise level, rises to the maximum level as the aircraft flies closest to the observer, and returns to the background level as the aircraft recedes into the distance. The maximum sound level indicates the maximum sound level occurring for a fraction of a second. For aircraft noise, the “fraction of a second” over which the maximum level is defined is generally 1/8 second, and is denoted as “fast” response (American National Standards Institute 1988). Slowly varying or steady sounds are generally measured over a period of one second, denoted “slow” response. The maximum sound level is important in judging the interference caused by a noise event with conversation, TV or radio listening, sleep, or other common activities. Although it provides some measure of the intrusiveness of the event, it does not completely describe the total event, because it does not include the period of time that the sound is heard.

A.2.2 Peak Sound Pressure Level (L_{pk})

The peak sound pressure level, is the highest instantaneous level obtained by a sound level measurement device. The peak sound pressure level is typically measured using a 20 microseconds or faster sampling rate, and is typically based on unweighted or linear response of the meter.

A.2.3 Sound Exposure Level (SEL)

Sound exposure level is a composite metric that represents both the intensity of a sound and its duration. Individual time-varying noise events (e.g., aircraft overflights)

have two main characteristics: a sound level that changes throughout the event and a period of time during which the event is heard. SEL provides a measure of the net impact of the entire acoustic event, but it does not directly represent the sound level heard at any given time. During an aircraft flyover, SEL would include both the maximum noise level and the lower noise levels produced during onset and recess periods of the overflight.

SEL is a logarithmic measure of the total acoustic energy transmitted to the listener during the event. Mathematically, it represents the sound level of a constant sound that would, in one second, generate the same acoustic energy as the actual time-varying noise event. For sound from aircraft overflights, which typically lasts more than one second, the SEL is usually greater than the L_{max} because an individual overflight takes seconds and the maximum sound level (L_{max}) occurs instantaneously. SEL represents the best metric to compare noise levels from overflights.

A.2.4 Day-Night Average Sound Level (DNL) and Community Noise Equivalent Level (CNEL)

Day-Night Average Sound Level and Community Noise Equivalent Level are composite metrics that account for SEL of all noise events in a 24-hour period. In order to account for increased human sensitivity to noise at night, a 10 dB penalty is applied to nighttime events (10:00 p.m. to 7:00 a.m. time period). A variant of the DNL, the CNEL level includes a 5-decibel penalty on noise during the 7:00 p.m. to 10:00 p.m. time period, and a 10-decibel penalty on noise during the 10:00 p.m. to 7:00 a.m. time period.

The above-described metrics are average quantities, mathematically representing the continuous A-weighted or C-weighted sound level that would be present if all of the variations in sound level that occur over a 24-hour period were smoothed out so as to contain the same total sound energy. These composite metrics account for the maximum noise levels, the duration of the events (sorties or operations), and the number of events that occur over a 24-hour period. Like SEL, neither DNL nor CNEL represent the sound level heard at any particular time, but quantifies the total sound energy received. While it is normalized as an average, it represents all of the sound energy, and is therefore a cumulative measure.

The penalties added to both the DNL and CNEL metrics account for the added intrusiveness of sounds that occur during normal sleeping hours, both because of the increased sensitivity to noise during those hours and because ambient sound levels during nighttime are typically about 10 dB lower than during daytime hours.

The inclusion of daytime and nighttime periods in the computation of the DNL and CNEL reflects their basic 24-hour definition. It can, however, be applied over periods of multiple days. For application to civil airports, where operations are consistent from day to day, DNL and CNEL are usually applied as an annual average. For some military airbases, where operations are not necessarily consistent from day to day, a common practice is to compute a 24-hour DNL or CNEL based on an average busy day, so that the calculated noise is not diluted by periods of low activity.

Although DNL and CNEL provide a single measure of overall noise impact, they do not provide specific information on the number of noise events or the individual sound levels that occur during the 24-hour day. For example, a daily average sound level of 65 dB could result from a very few noisy events or a large number of quieter events.

Daily average sound levels are typically used for the evaluation of community noise effects (i.e., longterm annoyance), and particularly aircraft noise effects. In general, scientific studies and social surveys have found a high correlation between the percentages of groups of people highly annoyed and the level of average noise exposure measured in DNL (U.S. Environmental Protection Agency 1978 and Schultz 1978). The correlation from Schultz's original 1978 study is shown in Figure A-3. It represents the results of a large number of social surveys relating community responses to various types of noises, measured in day-night average sound level.

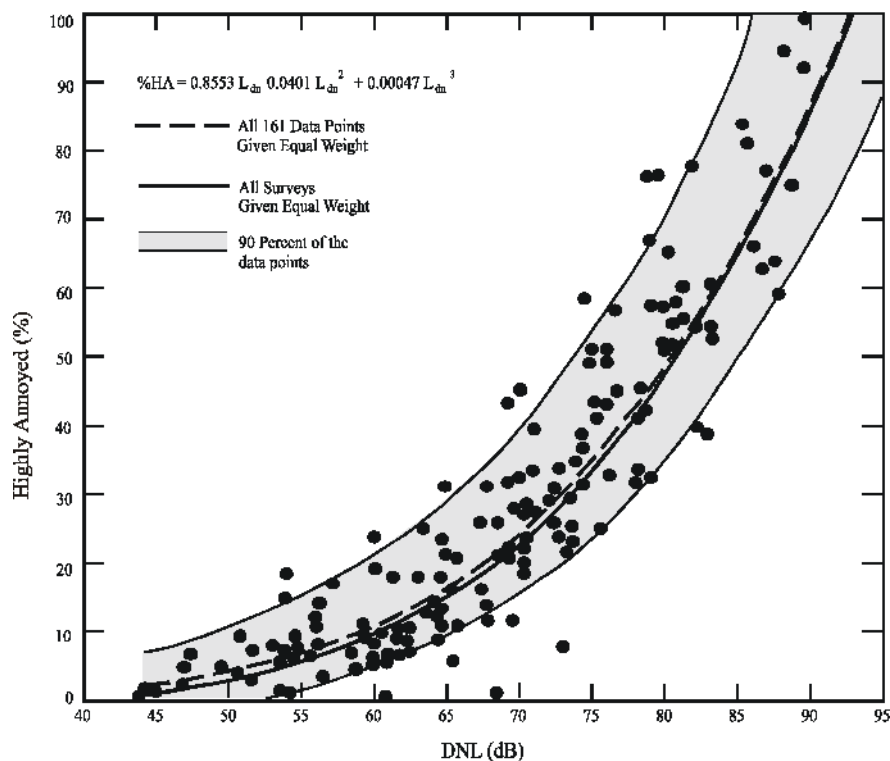


Figure A-3. Community Surveys of Noise Annoyance

A more recent study has reaffirmed this relationship (Fidell, et al. 1991). Figure A-4 (Federal Interagency Committee On Noise 1992) shows an updated form of the curve fit (Finegold, et al. 1994) in comparison with the original. The updated fit, which does not differ substantially from the original, is the current preferred form. In general, correlation coefficients of 0.85 to 0.95 are found between the percentages of groups of people highly annoyed and the level of average noise exposure. The correlation coefficients for the annoyance of individuals are relatively low, however, on the order of 0.5 or less. This is not surprising, considering the varying personal factors that influence the manner in which individuals react to noise. However, for the evaluation of community noise impacts,

the scientific community has endorsed the use of DNL (American National Standards Institute 1980; American National Standards Institute 1988; U.S. Environmental Protection Agency 1974; Federal Interagency Committee On Urban Noise 1980 and Federal Interagency Committee On Noise 1992).

The use of DNL (CNEL in California) has been criticized as not accurately representing community annoyance and land-use compatibility with aircraft noise. Much of that criticism stems from a lack of understanding of the basis for the measurement or calculation of DNL. One frequent criticism is based on the inherent feeling that people react more to single noise events and not as much to “meaningless” time-average sound levels.

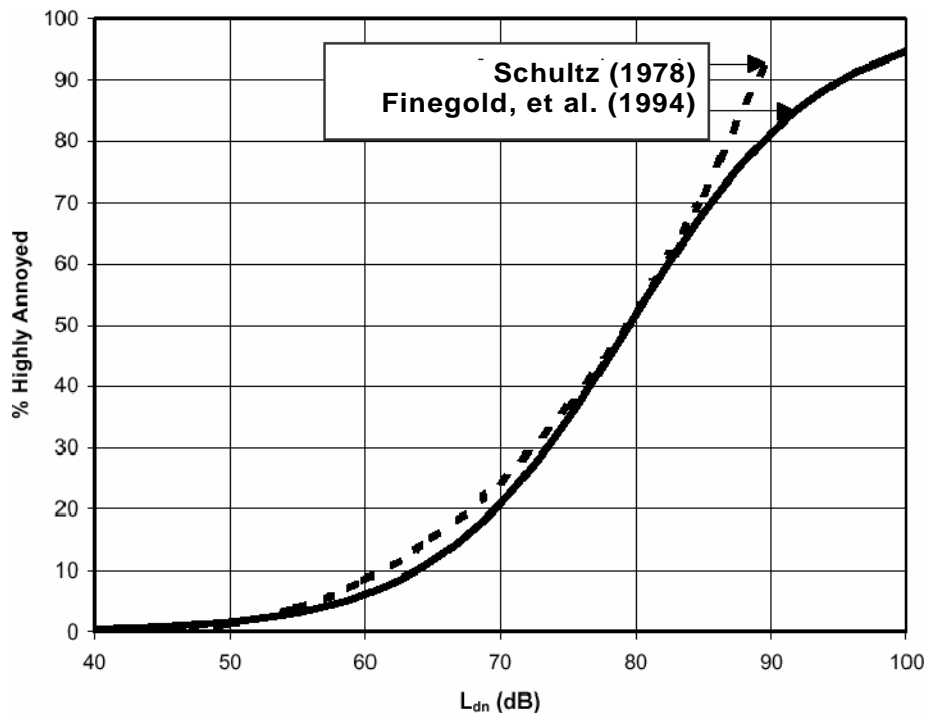


Figure A-4. Response of Communities to Noise; Comparison of Original (Schultz, 1978) and Current (Finegold, et al. 1994) Curve Fits

In fact, a time-average noise metric, such as DNL and CNEL, takes into account both the noise levels of all individual events that occur during a 24-hour period and the number of times those events occur. The logarithmic nature of the decibel unit causes the noise levels of the loudest events to control the 24-hour average.

As a simple example of this characteristic, consider a case in which only one aircraft overflight occurs during the daytime over a 24-hour period, creating a sound level of 100 dB for 30 seconds. During the remaining 23 hours, 59 minutes, and 30 seconds of the day, the ambient sound level is 50 dB. The day-night average sound level for this 24-hour period is 65.9 dB. Assume, as a second example, that 10 such 30-second overflights occur during daytime hours during the next 24-hour period, with the same ambient sound level of 50 dB during the remaining 23 hours and 55 minutes of the day. The day-night average sound level for this 24-hour period is 75.5 dB. Clearly, the averaging of noise over a 24-hour period does not ignore the louder single events and tends to emphasize both the sound levels and number of those events.

A.2.5 Equivalent Sound Level (L_{eq})

Another cumulative noise metric that is useful in describing noise is the equivalent sound level. L_{ea} is calculated to determine the steady-state noise level over a specified time period. The L_{ea} metric can provide a more accurate quantification of noise exposure for a specific period, particularly for daytime periods when the nighttime penalty under the DNL metric is inappropriate.

Just as SEL has proven to be a good measure of the noise impact of a single event, L_{ea} has been established to be a good measure of the impact of a series of events during a given time period. Also, while L_{ea} is defined as an average, it is effectively a sum over that time period and is, thus, a measure of the cumulative impact of noise. For example, the sum of all noise-generating events during the period of 7 a.m. to 4 p.m. could provide the relative impact of noise generating events for a school day.

A.2.6 Rate Adjusted Day-Night Average Sound Level (L_{dnr})

Military aircraft flying on Military Training Routes (MTRs) and in Restricted Areas/Ranges generate a noise environment that is somewhat different from that associated with airfield operations. As opposed to patterned or continuous noise environments associated with airfields, overflights along MTRs are highly sporadic, ranging from 10 per hour to less than one per week. Individual military overflight events also differ from typical community noise events in that noise from a low-altitude, high-air-speed flyover can have a rather sudden onset, exhibiting a rate of increase in sound level (onset rate) of up to 150 dB per second.

To represent these differences, the conventional SEL metric is adjusted to account for the “surprise” effect of the sudden onset of aircraft noise events on humans with an adjustment ranging up to 11 dB above the normal Sound Exposure Level (Stusnick, et al. 1992). Onset rates between 15 to 150 dB per second require an adjustment of 0 to 11 dB, while onset rates below 15 dB per second require no adjustment. The adjusted SEL is designated as the onset-rate adjusted sound exposure level (SEL_r).

Because of the sporadic, often seasonal, occurrences of aircraft overflights along MTRs and in Restricted Areas/Ranges, the number of daily operations is determined from the number of flying days in the calendar month with the highest number of operations in the affected airspace or MTR. This avoids dilution of the exposure from periods of low activity, much the way that the average busy day is used around military airbases. The cumulative exposure to noise in these areas is computed by DNL over the busy month, but using SEL_r instead of SEL. This monthly average is denoted L_{dnmr} . If onset rate adjusted DNL is computed over a period other than a month, it would be designated L_{dnr} and the period must be specified. In the state of California, a variant of the L_{dnmr} includes a penalty for evening operations (7 p.m. to 10 p.m.) and is denoted $CNEL_{mr}$.

A.3 Noise Effects

A.3.1 Annoyance

The primary effect of aircraft noise on exposed communities is one of long-term annoyance. Noise annoyance is defined by the EPA as any negative subjective reaction on the part of an individual or group (U.S. Environmental Protection Agency 1974). As noted in the discussion of DNL above, community annoyance is best measured by that metric.

The results of attitudinal surveys, conducted to find percentages of people who express various degrees of annoyance when exposed to different levels of DNL, are very consistent. The most useful metric for assessing people's responses to noise impacts is the percentage of the exposed population expected to be "highly annoyed." A wide variety of responses have been used to determine intrusiveness of noise and disturbances of speech, sleep, television or radio listening, and outdoor living. The concept of "percent highly annoyed" has provided the most consistent response of a community to a particular noise environment. The response is remarkably complex, and when considered on an individual basis, widely varies for any given noise level (Federal Interagency Committee On Noise 1992).

A number of nonacoustic factors have been identified that may influence the annoyance response of an individual. Newman and Beattie (1985) divided these factors into emotional and physical variables:

Emotional Variables

- ▶ Feelings about the necessity or preventability of the noise;
- ▶ Judgment of the importance and value of the activity that is producing the noise;
- ▶ Activity at the time an individual hears the noise;
- ▶ Attitude about the environment;
- ▶ General sensitivity to noise;
- ▶ Belief about the effect of noise on health; and
- ▶ Feeling of fear associated with the noise.

Physical Variables

- ▶ Type of neighborhood;
- ▶ Time of day;
- ▶ Season;
- ▶ Predictability of noise;
- ▶ Control over the noise source; and
- ▶ Length of time an individual is exposed to a noise.

A.3.2 Speech Interference

Speech interference associated with aircraft noise is a primary cause of annoyance to individuals on the ground. The disruption of routine activities such as radio or television listening, telephone use, or family conversation gives rise to frustration and irritation. The quality of speech communication is also important in classrooms, offices, and industrial settings and can cause fatigue and vocal strain in those who attempt to communicate over the noise. Speech is an acoustic signal characterized by rapid fluctuations in sound level and frequency pattern. It is essential for optimum speech intelligibility to recognize these continually shifting sound patterns. Not only does noise diminish the ability to perceive the auditory signal, but it also reduces a listener's ability to follow the pattern of signal fluctuation. In general, interference with speech communication occurs when intrusive noise exceeds about 60 dB (Federal Interagency Committee On Noise 1992).

Indoor speech interference can be expressed as a percentage of sentence intelligibility among two people speaking in relaxed conversation approximately 3 feet apart in a typical living room or bedroom (U.S. Environmental Protection Agency 1974). The percentage of sentence intelligibility is a non-linear function of the (steady) indoor background A-weighted sound level. Such a curve-fit yields 100 percent sentence intelligibility for background levels below 57 dB and yields less than 10 percent intelligibility for background levels above 73 dB. The function is especially sensitive to changes in sound level between 65 dB and 75 dB. As an example of the sensitivity, a 1 dB increase in background sound level from 70 dB to 71 dB yields a 14 percent decrease in sentence intelligibility. The sensitivity of speech interference to noise at 65 dB and above is consistent with the criterion of DNL 65 dB generally taken from the Schultz curve. This is consistent with the observation that speech interference is the primary cause of annoyance.

A.3.3 Sleep Interference

Sleep interference is another source of annoyance and potential health concern associated with aircraft noise. Because of the intermittent nature and content of aircraft noise, it is more disturbing than continuous noise of equal energy. Given that quality sleep is requisite for good health, repeated occurrences of sleep interference could have an effect on overall health.

Sleep interference may be measured in either of two ways. "Arousal" represents actual awakening from sleep, while a change in "sleep stage" represents a shift from one of four sleep stages to another stage of lighter sleep without actual awakening. In general, arousal requires a somewhat higher noise level than does a change in sleep stage.

Sleep is not a continuous, uniform condition but a complex series of states through which the brain progresses in a cyclical pattern. Arousal from sleep is a function of a number of factors that include age, sex, sleep stage, noise level, frequency of noise occurrences, noise quality, and pre-sleep activity. Because individuals differ in their physiology, behavior, habitation, and ability to adapt to noise, few studies have attempted to establish noise criterion levels for sleep disturbance.

Lukas (1978) concluded the following with regard to human sleep response to noise:

- ▶ Children 5 to 8 years of age are generally unaffected by noise during sleep.
- ▶ Older people are more sensitive to sleep disturbance than younger people. - Women are more sensitive to noise than men, in general.
- ▶ There is a wide variation in the sensitivity of individuals to noise even within the same age group.
- ▶ Sleep arousal is directly proportional to the sound intensity of aircraft flyover. While there have been several studies conducted to assess the effect of aircraft noise on sleep, none have produced quantitative dose-response relationships in terms of noise exposure level, DNL, and sleep disturbance. Noise-sleep disturbance relationships have been developed based on single-event noise exposure.

An analysis sponsored by the U.S. Air Force summarized 21 published studies concerning the effects of noise on sleep (Pearsons, et al. 1989). The analysis concluded that a lack of reliable studies in homes, combined with large differences among the results from the various laboratory studies, did not permit development of an acceptably accurate assessment procedure. The noise events used in the laboratory studies and in contrived in-home studies were presented at much higher rates of occurrence than would normally be experienced in the home. None of the laboratory studies were of sufficiently long duration to determine any effects of habituation, such as that which would occur under normal community conditions.

A study of the effects of nighttime noise exposure on the in-home sleep of residents near one military airbase, near one civil airport, and in several households with negligible nighttime aircraft noise exposure, revealed SEL as the best noise metric predicting noise-related awakenings. It also determined that out of 930 subject nights, the average spontaneous (not noise-related) awakenings per night was 2.07 compared to the average number of noise-related awakenings per night of 0.24 (Fidell, et al. 1994). Additionally, a 1995 analysis of sleep disturbance studies conducted both in the laboratory environment and in the field (in the sleeping quarters of homes) showed that when measuring awakening to noise, a 10 dB increase in SEL was associated with only an 8 percent increase in the probability of awakening in the laboratory studies, but only a 1 percent increase in the field (Pearsons, et al. 1995). Pearsons, et al. (1995), reported that even SEL values as high as 85 dB produced no awakenings or arousals in at least one study. This observation suggests a strong influence of habituation on susceptibility to noise-induced sleep disturbance. A 1984 study (Kryter 1984) indicates that an indoor SEL of 65 dB or lower should awaken less than 5 percent of exposed individuals.

Nevertheless, some guidance is available in judging sleep interference. The EPA identified an indoor DNL of 45 dB as necessary to protect against sleep interference (U.S. Environmental Protection Agency 1978). Assuming a very conservative structural noise insulation of 20 dB for typical dwelling units, this corresponds to an outdoor day-night average sound level of 65 dB to minimize sleep interference.

In 1997, the Federal Interagency Committee on Aviation Noise (FICAN) adopted an interim guideline for sleep awakening prediction. The new curve, based on studies in England (Ollerhead, et al. 1992) and at two U.S. airports (Los Angeles International and Denver International), concluded that the incidence of sleep awakening from aircraft noise was less than identified in a 1992 study (Federal Interagency Committee On Noise 1992). Using indoor single-event noise levels represented by SEL, potential sleep awakening can be predicted using the curve presented in Figure A-5. Typically, homes in the United States provide 15 dB of sound attenuation with windows open and 25 dB with windows closed and air conditioning operating. Hence, the outdoor SEL of 107 dB would be 92 dB indoors with windows open and 82 dB indoors with windows closed and air conditioning operating.

Using Figure A-5, the potential sleep awakening would be 15% with windows open and 10% with windows closed in the above example.

The new FICAN curve does not address habituation over time by sleeping subjects and is applicable only to adult populations. Nevertheless, this curve provides a reasonable guideline for assessing sleep awakening. It is conservative, representing the upper envelope of field study results.

The FICAN curve shown in Figure A-5 represents awakenings from single events. To date, no exact quantitative dose-response relationship exists for noise-related sleep interference from multiple events; yet, based on studies conducted to date and the USEPA guideline of a 45 DNL to protect sleep interference, useful ways to assess sleep interference have emerged. If homes are conservatively estimated to have a 20-dB noise insulation, an average of 65 DNL would produce an indoor level of 45 DNL and would form a reasonable guideline for evaluating sleep interference. This also corresponds well to the general guideline for assessing speech interference. Annoyance that may result from sleep disturbance is accounted for in the calculation of DNL, which includes a 10-dB penalty for each sortie

A.3.4 Hearing Loss

Considerable data on hearing loss have been collected and analyzed. It has been well established that continuous exposure to high noise levels will damage human hearing (U.S. Environmental Protection Agency 1978). People are normally capable of hearing up to 120 dB over a wide frequency range. Hearing loss is generally interpreted as the shifting of a higher sound level of the ear's sensitivity or acuity to perceive sound. This change can either be temporary, called a temporary threshold shift (TTS), or permanent, called a permanent threshold shift (PTS) (Berger, et al. 1995).

The EPA has established 75 dB for an 8-hour exposure and 70 dB for a 24-hour exposure as the average noise level standard requisite to protect 96% of the population from greater than a 5 dB PTS (U.S. Environmental Protection Agency 1978). Similarly, the National Academy of Sciences Committee on Hearing, Bioacoustics, and Biomechanics (CHABA) identified 75 dB as the minimum level at which hearing loss may occur (Committee on Hearing, Bioacoustics, and Biomechanics 1977). However, it is important to note that continuous, long-term (40 years) exposure is assumed by both EPA and CHABA before hearing loss may occur.

Federal workplace standards for protection from hearing loss allow a time-average level of 90 dB over an 8-hour work period or 85 dB over a 16-hour period. Even the most protective criterion (no measurable hearing loss for the most sensitive portion of the population at the ear's most sensitive frequency, 4,000 Hz, after a 40-year exposure) is a time-average sound level of 70 dB over a 24-hour period.

Studies on community hearing loss from exposure to aircraft flyovers near airports showed that there is no danger, under normal circumstances, of hearing loss due to aircraft noise (Newman and Beattie 1985).

A laboratory study measured changes in human hearing from noise representative of low-flying aircraft on MTRs. (Nixon, et al. 1993). In this study, participants were first subjected to four overflight noise exposures at A-weighted levels of 115 dB to 130 dB. One-half of the subjects showed no change in hearing levels, one-fourth had a temporary 5-dB increase in sensitivity (the people could hear a 5-dB wider range of sound than before exposure), and one-fourth had a temporary 5-dB decrease in sensitivity (the people could hear a 5-dB narrower range of sound than before exposure). In the next phase, participants were subjected to a single overflight at a maximum level of 130 dB for eight successive exposures, separated by 90 seconds or until a temporary shift in hearing was observed. The temporary hearing threshold shifts resulted in the participants hearing a wider range of sound, but within 10 dB of their original range.

In another study of 115 test subjects between 18 and 50 years old, temporary threshold shifts were measured after laboratory exposure to military low-altitude flight (MLAF) noise (Ising, et al. 1999). According to the authors, the results indicate that repeated exposure to MLAF noise with L_{max} greater than 114 dB, especially if the noise level increases rapidly, may have the potential to cause noise induced hearing loss in humans.

Because it is unlikely that airport neighbors will remain outside their homes 24 hours per day for extended periods of time, there is little possibility of hearing loss below a day-night average sound level of 75 dB, and this level is extremely conservative.

A.3.5 Nonauditory Health Effects

Studies have been conducted to determine whether correlations exist between noise exposure and cardiovascular problems, birth weight, and mortality rates. The nonauditory effect of noise on humans is not as easily substantiated as the effect on hearing. The results of studies conducted in the United States, primarily concentrating on cardiovascular response to noise, have been contradictory (Cantrell 1974). Cantrell (1974) concluded that the results of human and animal experiments show that average or intrusive noise can act as a stress-provoking stimulus. Prolonged stress is known to be a contributor to a number of health disorders. Kryter and Poza (1980) state, "It is more

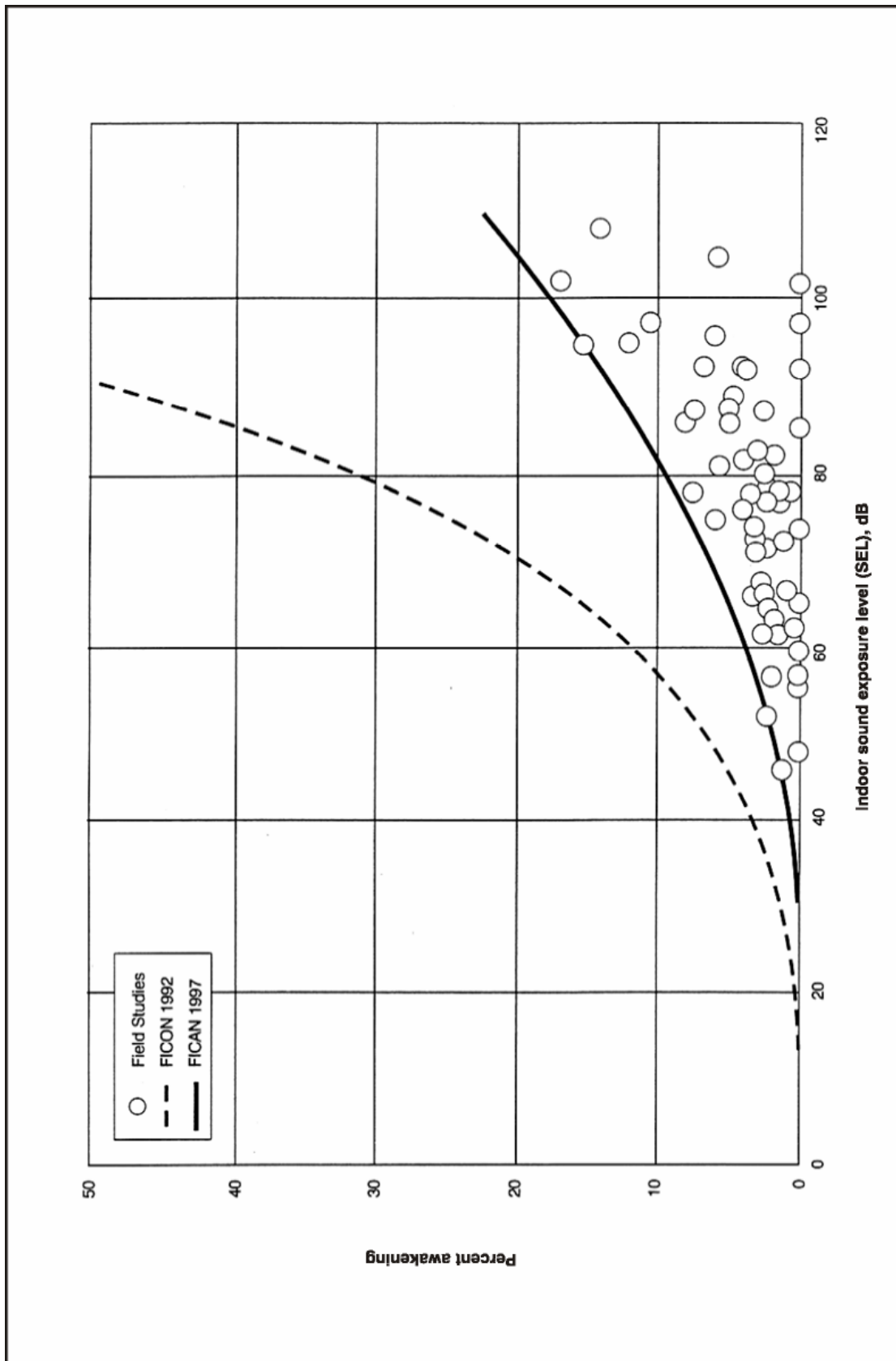


Figure A-5. Recommended Sleep Disturbance Dose-Response Relationship

likely that noise-related general ill-health effects are due to the psychological annoyance from the noise interfering with normal everyday behavior, than it is from the noise eliciting, because of its intensity, reflexive response in the autonomic or other physiological systems of the body." Psychological stresses may cause a physiological stress reaction that could result in impaired health.

The National Institute for Occupational Safety and Health and EPA commissioned CHABA in 1981 to study whether established noise standards are adequate to protect against health disorders other than hearing defects. CHABA's conclusion was that:

Evidence from available research reports is suggestive, but it does not provide definitive answers to the question of health effects, other than to the auditory system, of long-term exposure to noise. It seems prudent, therefore, in the absence of adequate knowledge as to whether or not noise can produce effects upon health other than damage to auditory system, either directly or mediated through stress, that insofar as feasible, an attempt should be made to obtain more critical evidence.

Since the CHABA report, there have been more recent studies that suggest that noise exposure may cause hypertension and other stress-related effects in adults. Near an airport in Stockholm, Sweden, the prevalence of hypertension was reportedly greater among nearby residents who were exposed to energy averaged noise levels exceeding 55 dB and maximum noise levels exceeding 72 dB, particularly older subjects and those not reporting impaired hearing ability (Rosenlund, et al. 2001). A study of elderly volunteers who were exposed to simulated military low-altitude flight noise reported that blood pressure was raised by L_{max} of 112 dB and high speed level increase (Michalak, et al. 1990). Yet another study of subjects exposed to varying levels of military aircraft or road noise found no significant relationship between noise level and blood pressure (Pulles, et al. 1990).

The U.S. Department of the Navy prepared a programmatic Environmental Assessment (EA) for the continued use of non-explosive ordnance on the Vieques Inner Range. Following the preparation of the EA, it was learned that research conducted by the University of Puerto Rico, Ponce School of Medicine, suggested that Vieques fishermen and their families were experiencing symptoms associated with vibroacoustic disease (VAD) (U.S. Department of the Navy 2002). The study alleged that exposure to noise and sound waves of large pressure amplitudes within lower frequency bands, associated with Navy training activities--specifically, air-to-ground bombing or naval fire support-- was related to a larger prevalence of heart anomalies within the Vieques fishermen and their families. The Ponce School of Medicine study compared the Vieques group with a group from Ponce Playa. A 1999 study conducted on Portuguese aircraft-manufacturing workers from a single factory reported effects of jet aircraft noise exposure that involved a wide range of symptoms and disorders, including the cardiac issues on which the Ponce School of Medicine study focused. The 1999 study identified these effects as VAD.

Johns Hopkins University (JHU) conducted an independent review of the Ponce School of Medicine study, as well as the Portuguese aircraft workers study and other relevant scientific literature. Their findings concluded that VAD should not be accepted as a

syndrome, given that exhaustive research across a number of populations has not yet been conducted. JHU also pointed out that the evidence supporting the existence of VAD comes largely from one group of investigators and that similar results would have to be replicated by other investigators. In short, JHU concluded that it had not been established that noise was the causal agent for the symptoms reported and no inference can be made as to the role of noise from naval gunfire in producing echocardiographic abnormalities (U.S. Department of the Navy 2002).

Most studies of nonauditory health effects of long-term noise exposure have found that noise exposure levels established for hearing protection will also protect against any potential nonauditory health effects, at least in workplace conditions. One of the best scientific summaries of these findings is contained in the lead paper at the National Institutes of Health Conference on Noise and Hearing Loss, held on 22 to 24 January 1990 in Washington, D.C.:

“The nonauditory effects of chronic noise exposure, when noise is suspected to act as one of the risk factors in the development of hypertension, cardiovascular disease, and other nervous disorders, have never been proven to occur as chronic manifestations at levels below these criteria (an average of 75 dBA for complete protection against hearing loss for an 8-hour day). At the recent (1988) International Congress on Noise as a Public Health Problem, most studies attempting to clarify such health effects did not find them at levels below the criteria protective of noise-induced hearing loss, and even above these criteria, results regarding such health effects were ambiguous. Consequently, one comes to the conclusion that establishing and enforcing exposure levels protecting against noise-induced hearing loss would not only solve the noise-induced hearing loss problem, but also any potential nonauditory health effects in the work place” (von Gierke 1990).

Although these findings were specifically directed at noise effects in the workplace, they are equally applicable to aircraft noise effects in the community environment. Research studies regarding the nonauditory health effects of aircraft noise are ambiguous, at best, and often contradictory. Yet, even those studies that purport to find such health effects use time-average noise levels of 75 dB and higher for their research.

For example, two UCLA researchers apparently found a relationship between aircraft noise levels under the approach path to Los Angeles International Airport (LA)() and increased mortality rates among the exposed residents by using an average noise exposure level greater than 75 dB for the “noise-exposed” population (Meacham and Shaw 1979). Nevertheless, three other UCLA professors analyzed those same data and found no relationship between noise exposure and mortality rates (Frerichs, et al. 1980).

As a second example, two other UCLA researchers used this same population near LA)() to show a higher rate of birth defects for 1970 to 1972 when compared with a control group residing away from the airport (Jones and Tauscher 1978). Based on this report, a separate group at the Center for Disease Control performed a more thorough study of populations near Atlanta’s Hartsfield International Airport (ATL) for 1970 to

1972 and found no relationship in their study of 17 identified categories of birth defects to aircraft noise levels above 65 dB (Edmonds, et al. 1979).

In summary, there is no scientific basis for a claim that potential health effects exist for aircraft time- average sound levels below 75 dB.

The potential for noise to affect physiological health, such as the cardiovascular system, has been speculated; however, no unequivocal evidence exists to support such claims (Harris 1997). Conclusions drawn from a review of health effect studies involving military low-altitude flight noise with its unusually high maximum levels and rapid rise in sound level have shown no increase in cardiovascular disease (Schwartz and Thompson 1993). Additional claims that are unsupported include flyover noise producing increased mortality rates and increases in cardiovascular death, aggravation of post-traumatic stress syndrome, increased stress, increase in admissions to mental hospitals, and adverse affects on pregnant women and the unborn fetus (Harris 1997).

A.3.6 Performance Effects

The effect of noise on the performance of activities or tasks has been the subject of many studies. Some of these studies have established links between continuous high noise levels and performance loss. Noise-induced performance losses are most frequently reported in studies employing noise levels in excess of 85 dB. Little change has been found in low-noise cases. It has been cited that moderate noise levels appear to act as a stressor for more sensitive individuals performing a difficult psychomotor task.

While the results of research on the general effect of periodic aircraft noise on performance have yet to yield definitive criteria, several general trends have been noted including:

- ▶ A periodic intermittent noise is more likely to disrupt performance than a steady-state continuous noise of the same level. Flyover noise, due to its intermittent nature, might be more likely to disrupt performance than a steady-state noise of equal level.
- ▶ Noise is more inclined to affect the quality than the quantity of work.
- ▶ Noise is more likely to impair the performance of tasks that place extreme demands on the worker.

A.3.7 Noise Effects on Children

In response to noise-specific and other environmental studies, Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks (1997), requires federal agencies to ensure that policies, programs, and activities address environmental health and safety risks to identify any disproportionate risks to children.

A review of the scientific literature indicates that there has not been a tremendous amount of research in the area of aircraft noise effects on children. The research reviewed does suggest that environments with sustained high background noise can have variable effects, including noise effects on learning and cognitive abilities, and reports of various noise-related physiological changes.

A.3.7.1 Effects on Learning and Cognitive Abilities

In the recent release (2002) of the “Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools,” the American National Standards Institute refers to studies that suggest that loud and frequent background noise can affect the learning patterns of young children. ANSI provides discussion on the relationships between noise and learning, and stipulates design requirements and acoustical performance criteria for outdoor-to-indoor noise isolation. School design is directed to be cognizant of, and responsive to, surrounding land uses and the shielding of outdoor noise from the indoor environment. ANSI has approved a new standard for acoustical performance criteria in schools. The new criteria include the requirement that the one-hour-average background noise level shall not exceed 35 dBA in core learning spaces smaller than 20,000 cubic-feet and 40 dBA in core learning spaces with enclosed volumes exceeding 20,000 cubic-feet. This would require schools be constructed such that, in quiet neighborhoods indoor noise levels are lowered by 15 to 20 dBA relative to outdoor levels. In schools near airports, indoor noise levels would have to be lowered by 35 to 45 dBA relative to outdoor levels (American National Standards Institute 2002).

The studies referenced by ANSI to support the new standard are not specific to jet aircraft noise and the potential effects on children. However, there are references to studies that have shown that children in noisier classrooms scored lower on a variety of tests. Excessive background noise or reverberation within schools causes interferences of communication and can therefore create an acoustical barrier to learning (American National Standards Institute 2002). Studies have been performed that contribute to the body of evidence emphasizing the importance of communication by way of the spoken language to the development of cognitive skills. The ability to read, write, comprehend, and maintain attentiveness, are, in part, based upon whether teacher communication is consistently intelligible (American National Standards Institute 2002).

Numerous studies have shown varying degrees of effects of noise on the reading comprehension, attentiveness, puzzle-solving, and memory/recall ability of children. It is generally accepted that young children are more susceptible than adults to the effects of background noise. Because of the developmental status of young children (linguistic, cognitive, and proficiency), barriers to hearing can cause interferences or disruptions in developmental evolution.

Research on the impacts of aircraft noise, and noise in general, on the cognitive abilities of school-aged children has received more attention in recent years. Several studies suggest that aircraft noise can affect the academic performance of schoolchildren. Although many factors could contribute to learning deficits in school-aged children (e.g., socioeconomic level, home environment, diet, sleep patterns), evidence exists that suggests that chronic exposure to high aircraft noise levels can impair learning.

Specifically, elementary school children attending schools near New York City’s two airports demonstrated lower reading scores than children living farther away from the flight paths (Green, et al. 1982). Researchers have found that tasks involving central processing and language comprehension (such as reading, attention, problem solving, and memory) appear to be the most affected by noise (Evans and Lepore 1993; Hygge 1994; and Evans, et al. 1995). It has been demonstrated that chronic exposure of first- and second-grade children to aircraft noise can result in reading deficits and

impaired speech perception (i.e., the ability to hear common, low-frequency [vowel] sounds but not high frequencies [consonants] in speech) (Evans and Maxwell 1997).

The Evans and Maxwell (1997) study found that chronic exposure to aircraft noise resulted in reading deficits and impaired speech perception for first- and second-grade children. Other studies found that children residing near the Los Angeles International Airport had more difficulty solving cognitive problems and did not perform as well as children from quieter schools in puzzle-solving and attentiveness (Bronzaft 1997; Cohen, et al. 1980). Children attending elementary schools in high aircraft noise areas near London's Heathrow Airport demonstrated poorer reading comprehension and selective cognitive impairments (Haines, et al. 2001a, b). Similarly, a study conducted by Hygge (1994) found that students exposed to aircraft noise (76 dBA) scored 20% lower on recall ability tests than students exposed to ambient noise (42-44 dBA). Similar studies involving the testing of attention, memory, and reading comprehension of schoolchildren located near airports showed that their tests exhibited reduced performance results compared to those of similar groups of children who were located in quieter environments (Evans, et al. 1995; Haines, et al. 1998). The Haines and Stansfeld study indicated that there may be some long-term effects associated with exposure, as one-year follow-up testing still demonstrated lowered scores for children in higher noise schools (Haines et al., 2001a and 2001b). In contrast, a study conducted by Hygge, et al. (2002) found that although children living near the old Munich airport scored lower in standardized reading and long-term memory tests than a control group, their performance on the same tests was equal to that of the control group once the airport was closed.

Finally, although it is recognized that there are many factors that could contribute to learning deficits in school-aged children, there is increasing awareness that chronic exposure to high aircraft noise levels may impair learning. This awareness has led the World Health Organization and a North Atlantic Treaty Organization working group to conclude that daycare centers and schools should not be located near major sources of noise, such as highways, airports, and industrial sites (World Health Organization 2000; North Atlantic Treaty Organization 2000).

A.3.7.2 Health Effects

Physiological effects in children exposed to aircraft noise and the potential for health effects have also been the focus of limited investigation. Studies in the literature include examination of blood pressure levels, hormonal secretions, and hearing loss.

As a measure of stress response to aircraft noise, authors have looked at blood pressure readings to monitor children's health. Children who were chronically exposed to aircraft noise from a new airport near Munich, Germany, had modest (although significant) increases in blood pressure, significant increases in stress hormones, and a decline in quality of life (Evans, et al. 1998). Children attending noisy schools had statistically significant average systolic and diastolic blood pressure ($p < 0.03$). Systolic blood pressure means were 89.68 mm for children attending schools located in noisier environments compared to 86.77 mm for a control group. Similarly, diastolic blood pressure means for the noisier environment group were 47.84 mm and 45.16 for the control group (Cohen, et al. 1980).

Although the literature appears limited, relatively recent studies focused on the wide range of potential effects of aircraft noise on school children have also investigated hormonal levels between groups of children exposed to aircraft noise compared to those in a control group. Specifically, Haines, et al. (2001b and 2001c) analyzed cortisol and urinary catecholamine levels in school children as measurements of stress response to aircraft noise. In both instances, there were no differences between the aircraft-noise-exposed children and the control groups.

Other studies have reported hearing losses from exposure to aircraft noise. Noise-induced hearing loss was reportedly higher in children who attended a school located under a flight path near a Taiwan airport, as compared to children at another school far away (Chen, et al. 1997). Another study reported that hearing ability was reduced significantly in individuals who lived near an airport and were frequently exposed to aircraft noise (Chen and Chen 1993). In that study, noise exposure near the airport was reportedly uniform, with DNL greater than 75 dB and maximum noise levels of about 87 dB during overflights. Conversely, several other studies that were reviewed reported no difference in hearing ability between children exposed to high levels of airport noise and children located in quieter areas (Fisch 1977; Andrus, et al. 1975; Wu, et al. 1995).

A.3.8 Effects on Domestic Animals and Wildlife

Hearing is critical to an animal's ability to react, compete, reproduce, hunt, forage, and survive in its environment. While the existing literature does include studies on possible effects of jet aircraft noise and sonic booms on wildlife, there appears to have been little concerted effort in developing quantitative comparisons of aircraft noise effects on normal auditory characteristics. Behavioral effects have been relatively well described, but the larger ecological context issues, and the potential for drawing conclusions regarding effects on populations, has not been well developed.

The relationships between potential auditory/physiological effects and species interactions with their environments are not well understood. Mancini, et al. (1988), assert that the consequences that physiological effects may have on behavioral patterns is vital to understanding the long-term effects of noise on wildlife. Questions regarding the effects (if any) on predator-prey interactions, reproductive success, and intra-inter specific behavior patterns remain.

The following discussion provides an overview of the existing literature on noise effects (particularly jet aircraft noise) on animal species. The literature reviewed here involves those studies that have focused on the observations of the behavioral effects that jet aircraft and sonic booms have on animals.

A great deal of research was conducted in the 1960's and 1970's on the effects of aircraft noise on the public and the potential for adverse ecological impacts. These studies were largely completed in response to the increase in air travel and as a result of the introduction of supersonic jet aircraft. According to Mancini, et al. (1988), the foundation of information created from that focus does not necessarily correlate or provide information

specific to the impacts to wildlife in areas overflown by aircraft at supersonic speed or at low altitudes.

The abilities to hear sounds and noise and to communicate assist wildlife in maintaining group cohesiveness and survivorship. Social species communicate by transmitting calls of warning, introduction, and other types that are subsequently related to an individual's or group's responsiveness.

Animal species differ greatly in their responses to noise. Noise effects on domestic animals and wildlife are classified as primary, secondary, and tertiary. Primary effects are direct, physiological changes to the auditory system, and most likely include the masking of auditory signals. Masking is defined as the inability of an individual to hear important environmental signals that may arise from mates, predators, or prey. There is some potential that noise could disrupt a species' ability to communicate or could interfere with behavioral patterns (Manci, et al. 1988). Although the effects are likely temporal, aircraft noise may cause masking of auditory signals within exposed faunal communities. Animals rely on hearing to avoid predators, obtain food, and communicate with, and attract, other members of their species. Aircraft noise may mask or interfere with these functions. Other primary effects, such as ear drum rupture or temporary and permanent hearing threshold shifts, are not as likely given the subsonic noise levels produced by aircraft overflights. Secondary effects may include non-auditory effects such as stress and hypertension; behavioral modifications; interference with mating or reproduction; and impaired ability to obtain adequate food, cover, or water. Tertiary effects are the direct result of primary and secondary effects, and include population decline and habitat loss. Most of the effects of noise are mild enough that they may never be detectable as variables of change in population size or population growth against the background of normal variation (Bowles 1995). Other environmental variables (e.g., predators, weather, changing prey base, ground-based disturbance) also influence secondary and tertiary effects, and confound the ability to identify the ultimate factor in limiting productivity of a certain nest, area, or region (Smith, et al. 1988). Overall, the literature suggests that species differ in their response to various types, durations, and sources of noise (Manci, et al. 1988).

Many scientific studies have investigated the effects of aircraft noise on wildlife, and some have focused on wildlife "flight" due to noise. Apparently, animal responses to aircraft are influenced by many variables, including size, speed, proximity (both height above the ground and lateral distance), engine noise, color, flight profile, and radiated noise. The type of aircraft (e.g., fixed wing versus rotor-wing [helicopter]) and type of flight mission may also produce different levels of disturbance, with varying animal responses (Smith, et al. 1988). Consequently, it is difficult to generalize animal responses to noise disturbances across species.

One result of the 1988 Manci, et al., literature review was the conclusion that, while behavioral observation studies were relatively limited, a general behavioral reaction in animals from exposure to aircraft noise is the startle response. The intensity and duration of the startle response appears to be dependent on which species is exposed, whether there is a group or an individual, and whether there have been some previous exposures. Responses

range from flight, trampling, stampeding, jumping, or running, to movement of the head in the apparent direction of the noise source. Mancini, et al. (1988), reported that the literature indicated that avian species may be more sensitive to aircraft noise than mammals.

A.3.8.1 Domestic Animals

Although some studies report that the effects of aircraft noise on domestic animals is inconclusive, a majority of the literature reviewed indicates that domestic animals exhibit some behavioral responses to military overflights but generally seem to habituate to the disturbances over a period of time. Mammals in particular appear to react to noise at sound levels higher than 90 dB, with responses including the startle response, freezing (i.e., becoming temporarily stationary), and fleeing from the sound source. Many studies on domestic animals suggest that some species appear to acclimate to some forms of sound disturbance (Mancini, et al. 1988). Some studies have reported such primary and secondary effects as reduced milk production and rate of milk release, increased glucose concentrations, decreased levels of hemoglobin, increased heart rate, and a reduction in thyroid activity. These latter effects appear to represent a small percentage of the findings occurring in the existing literature.

Some reviewers have indicated that earlier studies, and claims by farmers linking adverse effects of aircraft noise on livestock, did not necessarily provide clear-cut evidence of cause and effect (Cottreau 1978). In contrast, many studies conclude that there is no evidence that aircraft overflights affect feed intake, growth, or production rates in domestic animals.

Cattle

In response to concerns about overflight effects on pregnant cattle, milk production, and cattle safety, the U.S. Air Force prepared a handbook for environmental protection that summarizes the literature on the impacts of low-altitude flights on livestock (and poultry) and includes specific case studies conducted in numerous airspaces across the country. Adverse effects have been found in a few studies but have not been reproduced in other similar studies. One such study, conducted in 1983, suggested that 2 of 10 cows in late pregnancy aborted after showing rising estrogen and falling progesterone levels. These increased hormonal levels were reported as being linked to 59 aircraft overflights. The remaining eight cows showed no changes in their blood concentrations and calved normally (U.S. Air Force 1994b). A similar study reported abortions occurred in three out of five pregnant cattle after exposing them to flyovers by six different aircraft (U.S. Air Force 1994b). Another study suggested that feedlot cattle could stampede and injure themselves when exposed to low-level overflights (U.S. Air Force 1994b).

A majority of the studies reviewed suggests that there is little or no effect of aircraft noise on cattle. Studies presenting adverse effects to domestic animals have been limited. A number of studies (Parker and Bayley 1960; Casady and Lehmann 1967; Kovalcik and Sottnik 1971) investigated the effects of jet aircraft noise and sonic booms on the milk production of dairy cows. Through the compilation and examination of milk production data from areas exposed to jet aircraft noise and sonic boom events, it was determined

that milk yields were not affected. This was particularly evident in those cows that had been previously exposed to jet aircraft noise.

A study examined the causes of 1,763 abortions in Wisconsin dairy cattle over a one-year time period and none were associated with aircraft disturbances (U.S. Air Force 1993). In 1987, Anderson contacted seven livestock operators for production data, and no effects of low-altitude and supersonic flights were noted. Three out of 43 cattle previously exposed to low-altitude flights showed a startle response to an F/A-18 aircraft flying overhead at 500 feet above ground level and 400 knots by running less than 10 meters. They resumed normal activity within one minute (U.S. Air Force 1994b). Beyer (1983) found that helicopters caused more reaction than other low-aircraft overflights, and that the helicopters at 30 to 60 feet overhead did not affect milk production and pregnancies of 44 cows and heifers in a 1964 study (U.S. Air Force 1994b).

Additionally, Beyer reported that five pregnant dairy cows in a pasture did not exhibit fright-flight tendencies or disturb their pregnancies after being overflown by 79 low-altitude helicopter flights and 4 low-altitude, subsonic jet aircraft flights (U.S. Air Force 1994b). A 1956 study found that the reactions of dairy and beef cattle to noise from low-altitude, subsonic aircraft were similar to those caused by paper blowing about, strange persons, or other moving objects (U.S. Air Force 1994b).

In a report to Congress, the U. S. Forest Service concluded that “evidence both from field studies of wild ungulates and laboratory studies of domestic stock indicate that the risks of damage are small (from aircraft approaches of 50 to 100 meters), as animals take care not to damage themselves (U.S. Forest Service 1992). If animals are overflown by aircraft at altitudes of 50 to 100 meters, there is no evidence that mothers and young are separated, that animals collide with obstructions (unless confined) or that they traverse dangerous ground at too high a rate.” These varied study results suggest that, although the confining of cattle could magnify animal response to aircraft overflight, there is no proven cause-and-effect link between startling cattle from aircraft overflights and abortion rates or lower milk production.

Horses

Horses have also been observed to react to overflights of jet aircraft. Several of the studies reviewed reported a varied response of horses to low-altitude aircraft overflights. Observations made in 1966 and 1968 noted that horses galloped in response to jet flyovers (U.S. Air Force 1993). Bowles (1995) cites Kruger and Erath as observing horses exhibiting intensive flight reactions, random movements, and biting/kicking behavior. However, no injuries or abortions occurred, and there was evidence that the mares adapted somewhat to the flyovers over the course of a month (U.S. Air Force 1994b). Although horses were observed noticing the overflights, it did not appear to affect either survivability or reproductive success. There was also some indication that habituation to these types of disturbances was occurring.

LeBlanc, et al. (1991), studied the effects of F-14 jet aircraft noise on pregnant mares. They specifically focused on any changes in pregnancy success, behavior, cardiac function, hormonal production, and rate of habituation. Their findings reported observations of

“flight-fright” reactions, which caused increases in heart rates and serum cortisol concentrations. The mares, however, did habituate to the noise. Levels of anxiety and mass body movements were the highest after initial exposure, with intensities of responses decreasing thereafter. There were no differences in pregnancy success when compared to a control group.

Swine

Generally, the literature findings for swine appear to be similar to those reported for cows and horses. While there are some effects from aircraft noise reported in the literature, these effects are minor. Studies of continuous noise exposure (i.e., 6 hours, 72 hours of constant exposure) reported influences on short-term hormonal production and release. Additional constant exposure studies indicated the observation of stress reactions, hypertension, and electrolyte imbalances (Dufour 1980). A study by Bond, et al. (1963), demonstrated no adverse effects on the feeding efficiency, weight gain, ear physiology, or thyroid and adrenal gland condition of pigs subjected to observed aircraft noise. Observations of heart rate increase were recorded, noting that cessation of the noise resulted in the return to normal heart rates. Conception rates and offspring survivorship did not appear to be influenced by exposure to aircraft noise.

Similarly, simulated aircraft noise at levels of 100 dB to 135 dB had only minor effects on the rate of feed utilization, weight gain, food intake, or reproduction rates of boars and sows exposed, and there were no injuries or inner ear changes observed (Manci, et al. 1988; Gladwin, et al. 1988).

Domestic Fowl

According to a 1994 position paper by the U.S. Air Force on effects of low-altitude overflights (below 1,000 ft) on domestic fowl, overflight activity has negligible effects (U.S. Air Force 1994a). The paper did recognize that given certain circumstances, adverse effects can be serious. Some of the effects can be panic reactions, reduced productivity, and effects on marketability (e.g., bruising of the meat caused during “pile-up” situations).

The typical reaction of domestic fowl after exposure to sudden, intense noise is a short-term startle response. The reaction ceases as soon as the stimulus is ended, and within a few minutes all activity returns to normal. More severe responses are possible depending on the number of birds, the frequency of exposure, and environmental conditions. Large crowds of birds, and birds not previously exposed, are more likely to pile up in response to a noise stimulus (U.S. Air Force 1994a). According to studies and interviews with growers, it is typically the previously unexposed birds that incite panic crowding, and the tendency to do so is markedly reduced within five exposures to the stimulus (U.S. Air Force 1994a). This suggests that the birds habituate relatively quickly. Egg productivity was not adversely affected by infrequent noise bursts, even at exposure levels as high as 120 to 130 dBA.

Between 1956 and 1988, there were 100 recorded claims against the Navy for alleged damage to domestic fowl. The number of claims averaged three per year, with peak numbers of claims following publications of studies on the topic in the early 1960s (U.S. Air Force

1994a). Many of the claims were disproved or did not have sufficient supporting evidence. The claims were filed for the following alleged damages: 55% for panic reactions, 31% for decreased production, 6% for reduced hatchability, 6% for weight loss, and less than 1% for reduced fertility (U.S. Air Force 1994a).

Turkeys

The review of the existing literature suggests that there has not been a concerted or widespread effort to study the effects of aircraft noise on commercial turkeys. One study involving turkeys examined the differences between simulated versus actual overflight aircraft noise, turkey responses to the noise, weight gain, and evidence of habituation (Bowles, et al. 1990). Findings from the study suggested that turkeys habituated to jet aircraft noise quickly, that there were no growth rate differences between the experimental and control groups, and that there were some behavioral differences that increased the difficulty in handling individuals within the experimental group.

Low-altitude overflights were shown to cause turkey flocks that were kept inside turkey houses to occasionally pile up and experience high mortality rates due to the aircraft noise and a variety of disturbances unrelated to aircraft (U.S. Air Force 1994a).

A.3.8.2 Wildlife

Studies on the effects of overflights and sonic booms on wildlife have been focused mostly on avian species and ungulates such as caribou and bighorn sheep. Few studies have been conducted on marine mammals, small terrestrial mammals, reptiles, amphibians, and carnivorous mammals. Generally, species that live entirely below the surface of the water have also been ignored due to the fact they do not experience the same level of sound as terrestrial species (National Park Service 1994). Wild ungulates appear to be much more sensitive to noise disturbance than domestic livestock (Manci, et al. 1988). This may be due to previous exposure to disturbances. One common factor appears to be that low-altitude flyovers seem to be more disruptive in terrain where there is little cover (Manci, et al. 1988).

A.3.8.2.1 MAMMALS

Terrestrial Mammals

Studies of terrestrial mammals have shown that noise levels of 120 dBA can damage mammals' ears, and levels at 95 dBA can cause temporary loss of hearing acuity. Noise from aircraft has affected other large carnivores by causing changes in home ranges, foraging patterns, and breeding behavior. One study recommended that aircraft not be allowed to fly at altitudes below 2,000 feet above ground level over important grizzly and polar bear habitat (Dufour 1980). Wolves have been frightened by low- altitude flights that were 25 to 1,000 feet off the ground. However, wolves have been found to adapt to aircraft overflights and noise as long as they were not being hunted from aircraft (Dufour 1980).

Wild ungulates (American bison, caribou, bighorn sheep) appear to be much more sensitive to noise disturbance than domestic livestock (Weisenberger, et al. 1996). Behavioral reactions may be related to the past history of disturbances by such things as humans and

aircraft. Common reactions of reindeer kept in an enclosure exposed to aircraft noise disturbance were a slight startle response, raising of the head, pricking ears, and scenting of the air. Panic reactions and extensive changes in behavior of individual animals were not observed. Observations of caribou in Alaska exposed to fixed-wing aircraft and helicopters showed running and panic reactions occurred when overflights were at an altitude of 200 feet or less. The reactions decreased with increased altitude of overflights, and, with more than 500 feet in altitude, the panic reactions stopped. Also, smaller groups reacted less strongly than larger groups. One negative effect of the running and avoidance behavior is increased expenditure of energy. For a 90-kg animal, the calculated expenditure due to aircraft harassment is 64 kilocalories per minute when running and 20 kilocalories per minute when walking. When conditions are favorable, this expenditure can be counteracted with increased feeding; however, during harsh winter conditions, this may not be possible. Incidental observations of wolves and bears exposed to fixed-wing aircraft and helicopters in the northern regions suggested that wolves are less disturbed than wild ungulates, while grizzly bears showed the greatest response of any animal species observed.

It has been proven that low-altitude overflights do induce stress in animals. Increased heart rates, an indicator of excitement or stress, have been found in pronghorn antelope, elk, and bighorn sheep. As such reactions occur naturally as a response to predation, infrequent overflights may not, in and of themselves, be detrimental. However, flights at high frequencies over a long period of time may cause harmful effects. The consequences of this disturbance, while cumulative, is not additive. It may be that aircraft disturbance may not cause obvious and serious health effects, but coupled with a harsh winter, it may have an adverse impact. Research has shown that stress induced by other types of disturbances produces long-term decreases in metabolism and hormone balances in wild ungulates.

Behavioral responses can range from mild to severe. Mild responses include head raising, body shifting, or turning to orient toward the aircraft. Moderate disturbance may be nervous behaviors, such as trotting a short distance. Escape is the typical severe response.

Marine Mammals

The physiological composition of the ear in aquatic and marine mammals exhibits adaptation to the aqueous environment. These differences (relative to terrestrial species) manifest themselves in the auricle and middle ear (Manci, et al. 1988). Some mammals use echolocation to perceive objects in their surroundings and to determine the directions and locations of sound sources (Simmons 1983 in Manci, et al. 1988).

In 1980, the Acoustical Society of America held a workshop to assess the potential hazard of manmade noise associated with proposed Alaska Arctic (North Slope-Outer Continental Shelf) petroleum operations on marine wildlife and to prepare a research plan to secure the knowledge necessary for proper assessment of noise impacts (Acoustical Society of America, 1980). Since 1980 it appears that research on responses of aquatic mammals to aircraft noise and sonic booms has been limited. Research conducted on northern fur seals, sea lions, and ringed seals indicated that there are some differences in how various animal groups receive frequencies of sound. It was observed that these species exhibited

varying intensities of a startle response to airborne noise, which was habituated over time. The rates of habituation appeared to vary with species, populations, and demographics (age, sex). Time of day of exposure was also a factor (Muyberg 1978 in Mancini, et al. 1988).

Studies accomplished near the Channel Islands were conducted near the area where the space shuttle launches occur. It was found that there were some response differences between species relative to the loudness of sonic booms. Those booms that were between 80 and 89 dBA caused a greater intensity of startle reactions than lower-intensity booms at 72 to 79 dBA. However, the duration of the startle responses to louder sonic booms was shorter (Jehl and Cooper 1980 in Mancini, et al. 1988).

Jehl and Cooper (1980) indicated that low-flying helicopters, loud boat noises, and humans were the most disturbing to pinnipeds. According to the research, while the space launch and associated operational activity noises have not had a measurable effect on the pinniped population, it also suggests that there was a greater “disturbance level” exhibited during launch activities. There was a recommendation to continue observations for behavioral effects and to perform long-term population monitoring (Jehl and Cooper 1980).

The continued presence of single or multiple noise sources could cause marine mammals to leave a preferred habitat. However, it does not appear likely that overflights could cause migration from suitable habitats as aircraft noise over water is mobile and would not persist over any particular area. Aircraft noise, including supersonic noise, currently occurs in the overwater airspace of Eglin, Tyndall, and Langley AFBs from sorties predominantly involving jet aircraft. Survey results reported in Davis, et al. (2000), indicate that cetaceans (i.e., dolphins) occur under all of the Eglin and Tyndall marine airspace. The continuing presence of dolphins indicates that aircraft noise does not discourage use of the area and apparently does not harm the locally occurring population.

In a summary by the National Parks Service (1994) on the effects of noise on marine mammals, it was determined that gray whales and harbor porpoises showed no outward behavioral response to aircraft noise or overflights. Bottlenose dolphins showed no obvious reaction in a study involving helicopter overflights at 1,200 to 1,800 feet above the water. Neither did they show any reaction to survey aircraft unless the shadow of the aircraft passed over them, at which point there was some observed tendency to dive (Richardson, et al. 1995). Other anthropogenic noises in the marine environment from ships and pleasure craft may have more of an effect on marine mammals than aircraft noise (U.S. Air Force 2000). The noise effects on cetaceans appear to be somewhat attenuated by the air/water interface. The cetacean fauna along the coast of California have been subjected to sonic booms from military aircraft for many years without apparent adverse effects (Tetra Tech, Inc. 1997).

Manatees appear relatively unresponsive to human-generated noise to the point that they are often suspected of being deaf to oncoming boats [although their hearing is actually similar to that of pinnipeds (Bullock, et al. 1980)]. Little is known about the importance of acoustic communication to manatees, although they are known to produce at least ten different types of sounds and are thought to have sensitive hearing (Richardson, et al. 1995). Manatees continue to occupy canals near Miami International Airport, which

suggests that they have become habituated to human disturbance and noise (Metro-Dade County 1995). Since manatees spend most of their time below the surface and do not startle readily, no effect of aircraft overflights on manatees would be expected (Bowles, et al. 1991).

A.3.8.2.2 BIRDS

Auditory research conducted on birds indicates that they fall between the reptiles and the mammals relative to hearing sensitivity. According to Dooling (1978), within the range of 1 to 5 kHz, birds show a level of hearing sensitivity similar to that of the more sensitive mammals. In contrast to mammals, bird sensitivity falls off at a greater rate to increasing and decreasing frequencies. Passive observations and studies examining aircraft bird strikes indicate that birds nest and forage near airports. Aircraft noise in the vicinity of commercial airports apparently does not inhibit bird presence and use.

High-noise events (like a low-altitude aircraft overflight) may cause birds to engage in escape or avoidance behaviors, such as flushing from perches or nests (Ellis, et al. 1991). These activities impose an energy cost on the birds that, over the long term, may affect survival or growth. In addition, the birds may spend less time engaged in necessary activities like feeding, preening, or caring for their young because they spend time in noise-avoidance activity. However, the long-term significance of noise-related impacts is less clear. Several studies on nesting raptors have indicated that birds become habituated to aircraft overflights and that long-term reproductive success is not affected (Grubb and King 1991; Ellis, et al. 1991). Threshold noise levels for significant responses range from 62 dB for Pacific black brant (*Branta bernicla nigricans*) (Ward and Stehn 1990) to 85 dB for crested tern (*Sterna bergii*) (Brown 1990).

Songbirds were observed to become silent prior to the onset of a sonic boom event (F-111 jets), followed by "raucous discordant cries." There was a return to normal singing within 10 seconds after the boom (Higgins 1974 in Mancini, et al., 1988). Ravens responded by emitting protestation calls, flapping their wings, and soaring.

Mancini, et al. (1988), reported a reduction in reproductive success in some small territorial passerines (i.e., perching birds or songbirds) after exposure to low-altitude overflights. However, it has been observed that passerines are not driven any great distance from a favored food source by a nonspecific disturbance, such as aircraft overflights (U.S. Forest Service 1992). Further study may be warranted.

A recent study, conducted cooperatively between the DoD and the USFWS, assessed the response of the red-cockaded woodpecker to a range of military training noise events, including artillery, small arms, helicopter, and maneuver noise (Pater, et al. 1999). The project findings show that the red-cockaded woodpecker successfully acclimates to military noise events. Depending on the noise level that ranged from innocuous to very loud, the birds responded by flushing from their nest cavities. When the noise source was closer and the noise level was higher, the number of flushes increased proportionately. In all cases, however, the birds returned to their nests within a relatively short period of time (usually within 12 minutes). Additionally, the noise exposure did not result in any mortality or statistically detectable changes in reproductive success (Pater, et al.

1999). Red-cockaded woodpeckers did not flush when artillery simulators were more than 122 meters away and SEL noise levels were 70 dBA.

Lynch and Speake (1978) studied the effects of both real and simulated sonic booms on the nesting and brooding eastern wild turkey (*Meleagris gallopavo silvestris*) in Alabama. Hens at four nest sites were subjected to between 8 and 11 combined real and simulated sonic booms. All tests elicited similar responses, including quick lifting of the head and apparent alertness for between 10 and 20 seconds. No apparent nest failure occurred as a result of the sonic booms.

Twenty-one brood groups were also subjected to simulated sonic booms. Reactions varied slightly between groups, but the largest percentage of groups reacted by standing motionless after the initial blast. Upon the sound of the boom, the hens and poults fled until reaching the edge of the woods (approximately 4 to 8 meters). Afterward, the poults resumed feeding activities while the hens remained alert for a short period of time (approximately 15 to 20 seconds). In no instances were poults abandoned, nor did they scatter and become lost. Every observation group returned to normal activities within a maximum of 30 seconds after a blast.

A.3.8.2.2.1 RAPTORS

In a literature review of raptor responses to aircraft noise, Mancini, et al. (1988), found that most raptors did not show a negative response to overflights. When negative responses were observed they were predominantly associated with rotor-winged aircraft or jet aircraft that were repeatedly passing within 0.5 mile of a nest.

Ellis, et al. (1991), performed a study to estimate the effects of low-level military jet aircraft and mid- to high-altitude sonic booms (both actual and simulated) on nesting peregrine falcons and seven other raptors (common black-hawk, Harris' hawk, zone-tailed hawk, red-tailed hawk, golden eagle, prairie falcon, bald eagle). They observed responses to test stimuli, determined nest success for the year of the testing, and evaluated site occupancy the following year. Both long- and short-term effects were noted in the study. The results reported the successful fledging of young in 34 of 38 nest sites (all eight species) subjected to low-level flight and/or simulated sonic booms. Twenty-two of the test sites were revisited in the following year, and observations of pairs or lone birds were made at all but one nest. Nesting attempts were underway at 19 of 20 sites that were observed long enough to be certain of breeding activity. Reoccupancy and productivity rates were within or above expected values for self-sustaining populations.

Short-term behavior responses were also noted. Overflights at a distance of 150 m or less produced few significant responses and no severe responses. Typical responses consisted of crouching or, very rarely, flushing from the perch site. Significant responses were most evident before egg laying and after young were "well grown." Incubating or brooding adults never burst from the nest, thus preventing egg breaking or knocking chicks out of the nest. Jet passes and sonic booms often caused noticeable alarm; however, significant negative responses were rare and did not appear to limit productivity or reoccupancy. Due to the locations of some of the nests, some birds may have been habituated to aircraft noise. There were some test sites located at distances far from zones of frequent military

aircraft usage, and the test stimuli were often closer, louder, and more frequent than would be likely for a normal training situation.

Manci, et al. (1988), noted that a female northern harrier was observed hunting on a bombing range in Mississippi during bombing exercises. The harrier was apparently unfazed by the exercises, even when a bomb exploded within 200 feet. In a similar case of habituation/non-disturbance, a study on the Florida snail-kite stated the greatest reaction to overflights (approximately 98 dBA) was “watching the aircraft fly by.” No detrimental impacts to distribution, breeding success, or behavior were noted.

Bald Eagle

A study by Grubb and King (1991) on the reactions of the bald eagle to human disturbances showed that terrestrial disturbances elicited the greatest response, followed by aquatic (i.e., boats) and aerial disturbances. The disturbance regime of the area where the study occurred was predominantly characterized by aircraft noise. The study found that pedestrians consistently caused responses that were greater in both frequency and duration. Helicopters elicited the highest level of aircraft-related responses. Aircraft disturbances, although the most common form of disturbance, resulted in the lowest levels of response. This low response level may have been due to habituation; however, flights less than 170 meters away caused reactions similar to other disturbance types. Ellis, et al. (1991), showed that eagles typically respond to the proximity of a disturbance, such as a pedestrian or aircraft within 100 meters, rather than the noise level. Fleischner and Weisberg (1986) stated that reactions of bald eagles to commercial jet flights, although minor (e.g., looking), were twice as likely to occur when the jets passed at a distance of 0.5 mile or less. They also noted that helicopters were four times more likely to cause a reaction than a commercial jet and 20 times more likely to cause a reaction than a propeller plane.

The USFWS advised Cannon AFB that flights at or below 2,000 feet AGL from October 1 through March 1 could result in adverse impacts to wintering bald eagles (U.S. Fish and Wildlife Service 1998). However, Fraser, et al. (1985), suggested that raptors habituate to overflights rapidly, sometimes tolerating aircraft approaches of 65 feet or less.

Osprey

A study by Trimper, et al. (1998), in Goose Bay, Labrador, Canada, focused on the reactions of nesting osprey to military overflights by CF-18 Hornets. Reactions varied from increased alertness and focused observation of planes to adjustments in incubation posture. No overt reactions (e.g., startle response, rapid nest departure) were observed as a result of an overflight. Young nestlings crouched as a result of any disturbance until they grew to 1 to 2 weeks prior to fledging. Helicopters, human presence, float planes, and other ospreys elicited the strongest reactions from nesting ospreys. These responses included flushing, agitation, and aggressive displays. Adult osprey showed high nest occupancy rates during incubation regardless of external influences.

The osprey observed occasionally stared in the direction of the flight before it was audible to the observers. The birds may have been habituated to the noise of the flights; however,

overflights were strictly controlled during the experimental period. Strong reactions to float planes and helicopter may have been due to the slower flight and therefore longer duration of visual stimuli rather than noise-related stimuli.

Red-tailed Hawk

Anderson, et al. (1989), conducted a study that investigated the effects of low-level helicopter overflights on 35 red-tailed hawk nests. Some of the nests had not been flown over prior to the study.

The hawks that were naïve (i.e., not previously exposed) to helicopter flights exhibited stronger avoidance behavior (nine of 17 birds flushed from their nests) than those that had experienced prior overflights. The overflights did not appear to affect nesting success in either study group. These findings were consistent with the belief that red-tailed hawks habituate to low-level air traffic, even during the nesting period.

A.3.8.2.2.2 MIGRATORY WATERFOWL

A study of caged American black ducks was conducted by Fleming, et al., in 1996. It was determined that noise had negligible energetic and physiologic effects on adult waterfowl. Measurements included body weight, behavior, heart rate, and enzymatic activity. Experiments also showed that adult ducks exposed to high noise events acclimated rapidly and showed no effects.

The study also investigated the reproductive success of captive ducks, which indicated that duckling growth and survival rates at Piney Island, North Carolina, were lower than those at a background location. In contrast, observations of several other reproductive indices (i.e., pair formation, nesting, egg production, and hatching success) showed no difference between Piney Island and the background location. Potential effects on wild duck populations may vary, as wild ducks at Piney Island have presumably acclimated to aircraft overflights. It was not demonstrated that noise was the cause of adverse impacts. A variety of other factors, such as weather conditions, drinking water and food availability and variability, disease, and natural variability in reproduction, could explain the observed effects. Fleming noted that drinking water conditions (particularly at Piney Island) deteriorated during the study, which could have affected the growth of young ducks. Further research would be necessary to determine the cause of any reproductive effects.

Another study by Conomy, et al. (1998) exposed previously unexposed ducks to 71 noise events per day that equaled or exceeded 80 dBA. It was determined that the proportion of time black ducks reacted to aircraft activity and noise decreased from 38 percent to 6 percent in 17 days and remained stable at 5.8 percent thereafter. In the same study, the wood duck did not appear to habituate to aircraft disturbance. This supports the notion that animal response to aircraft noise is species-specific. Because a startle response to aircraft noise can result in flushing from nests, migrants and animals living in areas with high concentrations of predators would be the most vulnerable to experiencing effects of lowered birth rates and recruitment over time. Species that are subjected to infrequent overflights do not appear to habituate to overflight disturbance as readily.

Black brant studied in the Alaska Peninsula were exposed to jets and propeller aircraft, helicopters, gunshots, people, boats, and various raptors. Jets accounted for 65% of all the disturbances. Humans, eagles, and boats caused a greater percentage of brant to take flight. There was markedly greater reaction to Bell-206-B helicopter flights than fixed wing, single-engine aircraft (Ward, et al. 1986).

The presence of humans and low-flying helicopters in the Mackenzie Valley North Slope area did not appear to affect the population density of Lapland longspurs, but the experimental group was shown to have reduced hatching and fledging success and higher nest abandonment. Human presence appeared to have a greater impact on the incubating behavior of the black brant, common eider, and Arctic tern than fixed-wing aircraft (Gunn and Livingston 1974).

Gunn and Livingston (1974) found that waterfowl and seabirds in the Mackenzie Valley and North Slope of Alaska and Canada became acclimated to float plane disturbance over the course of three days. Additionally, it was observed that potential predators (bald eagle) caused a number of birds to leave their nests. Non-breeding birds were observed to be more reactive than breeding birds. Waterfowl were affected by helicopter flights, while snow geese were disturbed by Cessna 185 flights. The geese flushed when the planes were under 1,000 feet, compared to higher flight elevations. An overall reduction in flock sizes was observed. It was recommended that aircraft flights be reduced in the vicinity of premigratory staging areas.

Manci, et al. 1988 reported that waterfowl were particularly disturbed by aircraft noise. The most sensitive appeared to be snow geese. Canada geese and snow geese were thought to be more sensitive than other animals such as turkey vultures, coyotes, and raptors (Edwards, et al. 1979).

A.3.8.2.2.3 WADING AND SHORE BIRDS

Black, et al. (1984), studied the effects of low-altitude (less than 500 feet AGL) military training flights with sound levels from 55 to 100 dBA on wading bird colonies (i.e., great egret, snowy egret, tricolored heron, and little blue heron). The training flights involved three or four aircraft, which occurred once or twice per day. This study concluded that the reproductive activity--including nest success, nestling survival, and nestling chronology--was independent of F-16 overflights. Dependent variables were more strongly related to ecological factors, including location and physical characteristics of the colony and climatology. Another study on the effects of circling fixed-wing aircraft and helicopter overflights on wading bird colonies found that at altitudes of 195 to 390 feet, there was no reaction in nearly 75% of the 220 observations. Ninety percent displayed no reaction or merely looked toward the direction of the noise source. Another 6 percent stood up, 3 percent walked from the nest, and 2 percent flushed (but were without active nests) and returned within 5 minutes (Kushlan 1978). Apparently, non-nesting wading birds had a slightly higher incidence of reacting to overflights than nesting birds. Seagulls observed roosting near a colony of wading birds in another study remained at their roosts when subsonic aircraft flew overhead (Burger 1981). Colony distribution appeared to be most directly correlated to available wetland community types and was found to be distributed randomly with respect to military training routes. These

results suggest that wading bird species presence was most closely linked to habitat availability and that they were not affected by low-level military overflights (U.S. Air Force 2000).

Burger (1986) studied the response of migrating shorebirds to human disturbance and found that shorebirds did not fly in response to aircraft overflights, but did flush in response to more localized intrusions (i.e., humans and dogs on the beach). Burger (1981) studied the effects of noise from JFK Airport in New York on herring gulls that nested less than 1 kilometer from the airport. Noise levels over the nesting colony were 85 to 100 dBA on approach and 94 to 105 dBA on takeoff. Generally, there did not appear to be any prominent adverse effects of subsonic aircraft on nesting, although some birds flushed when the concorde flew overhead and, when they returned, engaged in aggressive behavior. Groups of gulls tended to loaf in the area of the nesting colony, and these birds remained at the roost when the concorde flew overhead. Up to 208 of the loafing gulls flew when supersonic aircraft flew overhead. These birds would circle around and immediately land in the loafing flock (U.S. Air Force 2000).

In 1969, sonic booms were potentially linked to a mass hatch failure of Sooty Terns on the Dry Tortugas (Austin et al, 1969). The cause of the failure was not certain, but it was conjectured that sonic booms from military aircraft or an overgrowth of vegetation were factors. In the previous season, Sooties were observed to react to sonic booms by rising in a "panic flight," circling over the island, then usually settling down on their eggs again. Hatching that year was normal. Following the 1969 hatch failure, excess vegetation was cleared and measures were taken to reduce supersonic activity. The 1970 hatch appeared to proceed normally. A colony of Noddies on the same island hatched successfully in 1969, the year of the Sooty hatch failure.

Subsequent laboratory tests of exposure of eggs to sonic booms and other impulsive noises (Bowles et al 1991; Bowles et al 1994; Cottureau 1972; Cogger and Zegarra 1980) failed to show adverse effects on hatching of eggs. A structural analysis (Ting et al, 2002) showed that, even under extraordinary circumstances, sonic booms would not damage an avian egg.

Burger (1981) observed no effects of subsonic aircraft on herring gulls in the vicinity of JFK International Airport. The concorde aircraft did cause more nesting gulls to leave their nests (especially in areas of higher density of nests), causing the breakage of eggs and the scavenging of eggs by intruder prey. Clutch sizes were observed to be smaller in areas of higher-density nesting (presumably due to the greater tendency for panic flight) than in areas where there were fewer nests.

A.3.8.3 Fish, Reptiles, and Amphibians

The effects of overflight noise on fish, reptiles, and amphibians have been poorly studied, but conclusions regarding their expected responses have involved speculation based upon known physiologies and behavioral traits of these taxa (Gladwin, et al. 1988). Although fish do startle in response to low-flying aircraft noise, and probably to the shadows of aircraft, they have been found to habituate to the sound and overflights. Reptiles and amphibians that respond to low frequencies and those that respond to

ground vibration, such as spadefoots (genus *Scaphiopus*), may be affected by noise. Limited information is available on the effects of short-duration noise events on reptiles. Dufour (1980) and Mancini, et al. (1988), summarized a few studies of reptile responses to noise. Some reptile species tested under laboratory conditions experienced at least temporary threshold shifts or hearing loss after exposure to 95 dB for several minutes. Crocodylians in general have the most highly developed hearing of all reptiles. Crocodile ears have lids that can be closed when the animal goes under water. These lids can reduce the noise intensity by 10 to 12 dB (Wever and Vernon 1957). On Homestead Air Reserve Station, Florida, two crocodylians (the American Alligator and the Spectacled Caiman) reside in wetlands and canals along the base runway suggesting that they can coexist with existing noise levels of an active runway including DNLs of 85 dB.

A.3.8.4 Summary

Some physiological/behavioral responses such as increased hormonal production, increased heart rate, and reduction in milk production have been described in a small percentage of studies. A majority of the studies focusing on these types of effects have reported short-term or no effects.

The relationships between physiological effects and how species interact with their environments have not been thoroughly studied. Therefore, the larger ecological context issues regarding physiological effects of jet aircraft noise (if any) and resulting behavioral pattern changes are not well understood.

Animal species exhibit a wide variety of responses to noise. It is therefore difficult to generalize animal responses to noise disturbances or to draw inferences across species, as reactions to jet aircraft noise appear to be species-specific. Consequently, some animal species may be more sensitive than other species and/or may exhibit different forms or intensities of behavioral responses. For instance, wood ducks appear to be more sensitive and more resistant to acclimation to jet aircraft noise than Canada geese in one study. Similarly, wild ungulates seem to be more easily disturbed than domestic animals.

The literature does suggest that common responses include the “startle” or “fright” response and, ultimately, habituation. It has been reported that the intensities and durations of the startle response decrease with the numbers and frequencies of exposures, suggesting no long-term adverse effects. The majority of the literature suggests that domestic animal species (cows, horses, chickens) and wildlife species exhibit adaptation, acclimation, and habituation after repeated exposure to jet aircraft noise and sonic booms.

Animal responses to aircraft noise appear to be somewhat dependent on, or influenced by, the size, shape, speed, proximity (vertical and horizontal), engine noise, color, and flight profile of planes. Helicopters also appear to induce greater intensities and durations of disturbance behavior as compared to fixed-wing aircraft. Some studies showed that animals that had been previously exposed to jet aircraft noise exhibited greater degrees of alarm and disturbance to other objects creating noise, such as boats, people, and objects blowing across the landscape. Other factors influencing response to jet aircraft noise may include wind direction, speed, and local air turbulence; landscape structures (i.e.,

amount and type of vegetative cover); and, in the case of bird species, whether the animals are in the incubation/nesting phase.

A.3.9 Property Values

Property within a noise zone (or Accident Potential Zone) may be affected by the availability of federally guaranteed loans. According to U.S. Department of Housing and Urban Development (HUD), Federal Housing Administration (FHA), and Veterans Administration (VA) guidance, sites are acceptable for program assistance, subsidy, or insurance for housing in noise zones of less than 65 DNL, and sites are conditionally acceptable with special approvals and noise attenuation in the 65 to 75 DNL noise zone and the greater than 75 DNL noise zone. HUD's position is that noise is not the only determining factor for site acceptability, and properties should not be rejected only because of airport influences if there is evidence of acceptability within the market and if use of the dwelling is expected to continue. Similar to the Navy's and Air Force's Air Installation Compatible Use Zone Program, HUD, FHA, and VA recommend sound attenuation for housing in the higher noise zones and written disclosures to all prospective buyers or lessees of property within a noise zone (or Accident Potential Zone).

Newman and Beattie (1985) reviewed the literature to assess the effect of aircraft noise on property values. One paper by Nelson (1978), reviewed by Newman and Beattie, suggested a 1.8 to 2.3 percent decrease in property value per decibel at three separate airports, while at another period of time, they found only a 0.8 percent devaluation per decibel change in DNL. However, Nelson also noted a decline in noise depreciation over time which he theorized could be due to either noise sensitive people being replaced by less sensitive people or the increase in commercial value of the property near airports; both ideas were supported by Crowley (1978). Ultimately, Newman and Beattie summarized that while an effect of noise was observed, noise is only one of the many factors that is part of a decision to move close to, or away from, an airport, but which is sometimes considered an advantage due to increased opportunities for employment or ready access to the airport itself. With all the issues associated with determining property values, their reviews found that decreases in property values usually range from 0.5 to 2 percent per decibel increase of cumulative noise exposure.

More recently Fidell et al (1996) studied the influences of aircraft noise on actual sale prices of residential properties in the vicinity of two military facilities and found that equations developed for one area to predict residential sale prices in areas unaffected by aircraft noise worked equally well when applied to predicting sale prices of homes in areas with aircraft noise in excess of LDN 65dB. Thus, the model worked equally well in predicting sale prices in areas with and without aircraft noise exposure. This indicates that aircraft noise had no meaningful effect on residential property values. In some cases, the average sale prices of noise exposed properties were somewhat higher than those elsewhere in the same area. In the vicinity of Davis-Monthan AFB/Tucson, AZ, Fidell found the homes near the airbase were much older, smaller and in poorer condition than homes elsewhere. These factors caused the equations developed for predicting sale prices in areas further away from the base to be inapplicable with those nearer the base.

However, again Fidell found that, similar to other researchers, differences in sale prices between homes with and without aircraft noise were frequently due to factors other than noise itself.

A.3.10 Noise Effects on Structures

Normally, the most sensitive components of a structure to airborne noise are the windows and, infrequently, the plastered walls and ceilings. An evaluation of the peak sound pressures impinging on the structure is normally used to determine the possibility of damage. In general, with peak sound levels above 130 dB, there is the possibility of the excitation of structural component resonances. While certain frequencies (such as 30 hertz for window breakage) may be of more concern than other frequencies, conservatively, only sounds lasting more than one second above a sound level of 130 dB are potentially damaging to structural components (Committee on Hearing, Bioacoustics, and Biomechanics 1977).

Noise-induced structural vibration may also cause annoyance to dwelling occupants because of induced secondary vibrations, or rattling of objects within the dwelling such as hanging pictures, dishes, plaques, and bric-a-brac. Window panes may also vibrate noticeably when exposed to high levels of airborne noise. In general, such noise-induced vibrations occur at peak sound levels of 110 dB or greater. Thus, assessments of noise exposure levels for compatible land use should also be protective of noise-induced secondary vibrations.

A.3.11 Noise Effects on Terrain

It has been suggested that noise levels associated with low-flying aircraft may affect the terrain under the flight path by disturbing fragile soil or snow, especially in mountainous areas, causing landslides or avalanches. There are no known instances of such effects, and it is considered improbable that such effects would result from routine, subsonic aircraft operations.

A.3.12 Noise Effects on Historical and Archaeological Sites

Because of the potential for increased fragility of structural components of historical buildings and other historical sites, aircraft noise may affect such sites more severely than newer, modern structures. Particularly in older structures, seemingly insignificant surface cracks initiated by vibrations from aircraft noise may lead to greater damage from natural forces (Hanson, et al. 1991). There are few scientific studies of such effects to provide guidance for their assessment.

One study involved the measurements of sound levels and structural vibration levels in a superbly restored plantation house, originally built in 1795, and now situated approximately 1,500 feet from the centerline at the departure end of Runway 19L at Washington Dulles International Airport. These measurements were made in connection with the proposed scheduled operation of the supersonic Concorde airplane at Dulles (Wesler 1977). There was special concern for the building's windows, since roughly half of the 324 panes were original. No instances of structural damage were found. Interestingly, despite the high

levels of noise during Concorde takeoffs, the induced structural vibration levels were actually less than those induced by touring groups and vacuum cleaning.

As noted above for the noise effects of noise-induced vibrations of conventional structures, assessments of noise exposure levels for normally compatible land uses should also be protective of historic and archaeological sites.

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Appendix B

Land Use Compatibility Recommendations

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Table B-1 Land-Use Compatibility Recommendations

Land Use		Suggested Land Use Compatibility						
		Noise Zone 1 (DNL or CNEL)		Noise Zone 2 (DNL or CNEL)		Noise Zone 3 (DNL or CNEL)		
SLUCM No.	Land Use Name	<55	55-64	65-69	70-74	75-79	80-84	85+
10	Residential							
11	Household units	Y	Y ¹	N ¹	N ¹	N	N	N
11.11	Single units: detached	Y	Y ¹	N ¹	N ¹	N	N	N
11.12	Single units: semidetached	Y	Y ¹	N ¹	N ¹	N	N	N
11.13	Single units: attached row	Y	Y ¹	N ¹	N ¹	N	N	N
11.21	Two units: side-by-side	Y	Y ¹	N ¹	N ¹	N	N	N
11.22	Two units: one above the other	Y	Y ¹	N ¹	N ¹	N	N	N
11.31	Apartments: walk up	Y	Y ¹	N ¹	N ¹	N	N	N
11.32	Apartments: elevator	Y	Y ¹	N ¹	N ¹	N	N	N
12	Group quarters	Y	Y ¹	N ¹	N ¹	N	N	N
13	Residential hotels	Y	Y ¹	N ¹	N ¹	N	N	N
14	Mobile home parks or courts	Y	Y ¹	N	N	N	N	N
15	Transient lodgings	Y	Y ¹	N ¹	N ¹	N ¹	N	N
16	Other residential	Y	Y ¹	N ¹	N ¹	N	N	N
20	Manufacturing							
21	Food and kindred products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
22	Textile mill products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
23	Apparel and other finished products; products made from fabrics, leather and similar materials; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
24	Lumber and wood products (except furniture); manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
25	Furniture and fixtures; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
26	Paper and allied products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
27	Printing, publishing, and allied industries	Y	Y	Y	Y ²	Y ³	Y ⁴	N
28	Chemicals and allied products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
29	Petroleum refining and related industries	Y	Y	Y	Y ²	Y ³	Y ⁴	N
30	Manufacturing (continued)							
31	Rubber and misc. plastic products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
32	Stone, clay, and glass products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N

Table B-1 Land-Use Compatibility Recommendations

Land Use		Suggested Land Use Compatibility						
		Noise Zone 1 (DNL or CNEL)		Noise Zone 2 (DNL or CNEL)		Noise Zone 3 (DNL or CNEL)		
SLUCM No.	Land Use Name	<55	55-64	65-69	70-74	75-79	80-84	85+
33	Primary metal products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
34	Fabricated metal products; manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
35	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks	Y	Y	Y	25	30	N	N
39	Miscellaneous manufacturing	Y	Y	Y	Y ²	Y ³	Y ⁴	N
40	Transportation, communication and utilities							
41	Railroad, rapid rail transit, and street railway transportation	Y	Y	Y	Y ²	Y ³	Y ⁴	N
42	Motor vehicle transportation	Y	Y	Y	Y ²	Y ³	Y ⁴	N
43	Aircraft transportation	Y	Y	Y	Y ²	Y ³	Y ⁴	N
44	Marine craft transportation	Y	Y	Y	Y ²	Y ³	Y ⁴	N
45	Highway and street right-of-way	Y	Y	Y	Y ²	Y ³	Y ⁴	N
46	Automobile parking	Y	Y	Y	Y ²	Y ³	Y ⁴	N
47	Communication	Y	Y	Y	25 ⁵	30 ⁵	N	N
48	Utilities	Y	Y	Y	Y ²	Y ³	Y ⁴	N
49	Other transportation, communication, and utilities	Y	Y	Y	25 ⁵	30 ⁵	N	N
50	Trade							
51	Wholesale trade	Y	Y	Y	Y ²	Y ³	Y ⁴	N
52	Retail trade – building materials, hardware, and farm equipment	Y	Y	Y	Y ²	Y ³	Y ⁴	N
53	Retail trade – shopping centers	Y	Y	Y	25	30	N	N
54	Retail trade – food	Y	Y	Y	25	30	N	N
55	Retail trade – automotive, marine craft, aircraft and accessories	Y	Y	Y	25	30	N	N
56	Retail trade – apparel and accessories	Y	Y	Y	25	30	N	N
57	Retail trade – furniture, home furnishings and equipment	Y	Y	Y	25	30	N	N
58	Retail trade – eating and drinking establishments	Y	Y	Y	25	30	N	N
59	Other retail trade	Y	Y	Y	25	30	N	N
60	Services							
61	Finance, insurance and real estate services	Y	Y	Y	25	30	N	N
62	Personal services	Y	Y	Y	25	30	N	N

Table B-1 Land-Use Compatibility Recommendations

Land Use		Suggested Land Use Compatibility						
		Noise Zone 1 (DNL or CNEL)		Noise Zone 2 (DNL or CNEL)		Noise Zone 3 (DNL or CNEL)		
SLUCM No.	Land Use Name	<55	55-64	65-69	70-74	75-79	80-84	85+
62.4	Cemeteries	Y	Y	Y	Y ²	Y ³	Y ^{4,11}	Y ^{6,11}
63	Business services	Y	Y	Y	25	30	N	N
63.7	Warehousing and storage	Y	Y	Y	Y ²	Y ³	Y ⁴	N
64	Repair services	Y	Y	Y	Y ²	Y ³	Y ⁴	N
65	Professional services	Y	Y	Y	25	30	N	N
65.1	Hospitals, other medical fac.	Y	Y ¹	25	30	N	N	N
65.16	Nursing homes	Y	Y	N ¹	N ¹	N	N	N
66	Contract construction services	Y	Y	Y	25	30	N	N
67	Governmental services	Y	Y ¹	Y ¹	25	30	N	N
68	Educational services	Y	Y ¹	25	30	N	N	N
69	Miscellaneous	Y	Y	Y	25	30	N	N
70	Cultural, entertainment and recreational							
71	Cultural activities (& churches)	Y	Y ¹	25	30	N	N	N
71.2	Nature exhibits	Y	Y ¹	Y ¹	N	N	N	N
72	Public assembly	Y	Y ¹	Y	N	N	N	N
72.1	Auditoriums, concert halls	Y	Y	25	30	N	N	N
72.11	Outdoor music shells, amphitheaters	Y	Y ¹	N	N	N	N	N
72.2	Outdoor sports arenas, spectator sports	Y	Y	Y ⁷	Y ⁷	N	N	N
73	Amusements	Y	Y	Y	Y	N	N	N
74	Recreational activities (including golf courses, riding stables, water rec.)	Y	Y ¹	Y ¹	25	30	N	N
75	Resorts and group camps	Y	Y ¹	Y ¹	Y ¹	N	N	N
76	Parks	Y	Y ¹	Y ¹	Y ¹	N	N	N
79	Other cultural, entertainment and recreation	Y	Y ¹	Y ¹	Y ¹	N	N	N
80	Resource production and extraction							
81	Agriculture (except livestock)	Y	Y	Y ⁸	Y ⁹	Y ¹⁰	Y ^{10,11}	Y ^{10,11}
81.5	Livestock farming	Y	Y	Y ⁸	Y ⁹	N	N	N
81.7	Animal breeding	Y	Y	Y ⁸	Y ⁹	N	N	N

Table B-1 Land-Use Compatibility Recommendations

Land Use		Suggested Land Use Compatibility						
		Noise Zone 1 (DNL or CNEL)		Noise Zone 2 (DNL or CNEL)		Noise Zone 3 (DNL or CNEL)		
SLUCM No.	Land Use Name	<55	55-64	65-69	70-74	75-79	80-84	85+
82	Agricultural related activities	Y	Y	Y ⁸	Y ⁹	Y ¹⁰	Y ^{10,11}	Y ^{10,11}
83	Forestry activities	Y	Y	Y ⁸	Y ⁹	Y ¹⁰	Y ^{10,11}	Y ^{10,11}
84	Fishing activities	Y	Y	Y	Y	Y	Y	Y
85	Mining activities	Y	Y	Y	Y	Y	Y	Y
89	Other resource production or extraction	Y	Y	Y	Y	Y	Y	Y

Source: Adapted from U.S. Department of the Navy 2008.

Key to Table B-1:

- Y (Yes) = Land use and related structures compatible without restrictions.
- N (No) = Land use and related structures are not compatible and should be prohibited.
- Y^x (Yes with restrictions) = The land use and related structures are generally compatible. However, see notes indicated by superscript.
- N^x (No with restrictions) = The land use and related structures are generally incompatible. However, see notes indicated by superscript.
- SLUCM = Standard Land Use Coding Manual.
- NLR (Noise Level Reduction) = Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.
- DNL = Day-night average sound level.
- NA = Not Applicable (no data available for that category).
- 25, 30, or 35 = Land use and related structures generally compatible; measures to achieve NLR of 25, 30, or 35 must be incorporated into design and construction of structure.

Notes for Table B-1:

1. A “Yes” or a “No” designation for compatible land use is to be used only for general comparison. Within each, uses exist where further evaluation may be needed in each category as to whether it is clearly compatible, normally compatible, or not compatible due to the variation of densities of people and structures. In order to assist installations and local governments, general suggestions as to floor/area ratios (FAR) are provided in OPNAVINST 11010.36B as a guide to density in some categories. In general, land use restrictions that limit commercial, services, or industrial buildings or structure occupants to 25 per acre in APZ I and 50 per acre in APZ II are the range of occupancy levels considered to be low density. Outside events should normally be limited to assemblies of not more than 25 people per acre in APZ I, and maximum assemblies of 50 people per acre in APZ II.
2. The suggested maximum density for detached single-family housing is 1 to 2 dwelling units per acre (Du/Ac). In a Planned Unit Development (PUD) of single-family detached units where clustered housing development results in large open areas, this density could possibly be increased, provided the amount of surface area covered by structures does not exceed 20 percent of the PUD total area. PUD encourages clustered development that leaves large open areas.
3. Other factors to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, electronic interference with aircraft, height of structures, and potential glare.
4. Maximum FAR of 0.56.
5. Maximum FAR of 0.28 in APZ I and 0.56 in APZ II.
6. No structures (except airfield lighting), buildings or aboveground utility/communications lines should normally be located in Clear Zone areas on or off the installation. The Clear Zone is subject to severe restrictions. See NAVFAC P-80.3 or Tri-Service Manual AFM 32-1123(I); TM 5-803-7, NAVFAC P-971 “Airfield and Heliport Planning & Design” dated 1 May 99 for specific design details.
7. No passenger terminals and no major aboveground transmission lines in APZ I.
8. Maximum FAR of 0.14 in APZ I and 0.28 in APZ II.
9. Maximum FAR of 0.22.

Table B-1 Land-Use Compatibility Recommendations

Land Use		Suggested Land Use Compatibility						
		Noise Zone 1 (DNL or CNEL)		Noise Zone 2 (DNL or CNEL)		Noise Zone 3 (DNL or CNEL)		
SLUCM No.	Land Use Name	<55	55-64	65-69	70-74	75-79	80-84	85+

10. Maximum FAR of 0.24.
11. Maximum FAR of 0.28.
12. Low intensity office uses only. Accessory uses such as meeting places, auditoriums, etc., are not recommended.
13. Maximum FAR of 0.22 for "General Office/Office Park."
14. Office uses only. Maximum FAR of 0.22.
15. No chapels are allowed within APZ I or APZ II.
16. Maximum FAR of 0.22 in APZ II.
17. Maximum FAR of 1.0 in APZ I and 2.0 in APZ II.
18. Maximum FAR of 0.11 in APZ I and 0.22 in APZ II.
19. Facilities must be low intensity and provide no tot lots, etc. Facilities such as clubhouses, meeting places, auditoriums, large classes, etc., are not recommended.
20. Includes livestock grazing but excludes feedlots and intensive animal husbandry. Activities that attract concentrations of birds creating a hazard to aircraft operations should be excluded.
21. Includes feedlots and intensive animal husbandry.
22. Maximum FAR of 0.28 in APZ I and 0.56 in APZ II. No activity that produces smoke or glare or involves explosives.
23. Lumber and timber products removed due to establishment, expansion, or maintenance of Clear Zones will be disposed of in accordance with appropriate DoD Natural Resources Instructions.
24. Controlled hunting and fishing may be permitted for the purpose of wildlife management.
25. Naturally occurring water features (e.g., rivers, lakes, streams, wetlands) are compatible.
26.
 - a. Although local conditions regarding the need for housing may require residential use in these zones, residential use is discouraged in DNL 65-69 and strongly discouraged in DNL 70-74. The absence of viable alternative development options should be determined and an evaluation should be conducted prior to approvals indicating that a demonstrated community need for the residential use would not be met if development were prohibited in these zones.
 - b. Where the community determines that residential uses must be allowed, measures to achieve outdoor to indoor noise level reduction (NLR) of at least 25 dB (DNL 65-69) and 30 dB (DNL 70-74) should be incorporated into building codes and be considered in individual approvals; for transient housing a NLR of at least 35 dB should be incorporated in DNL 75-79.
 - c. Normal permanent construction can be expected to provide an NLR of 20 dB; thus, the reduction requirements are often stated as 5, 10, or 15 dB over standard construction and normally assume mechanical ventilation, upgraded Sound Transmission Class (STC) ratings in windows and doors and closed windows year round. Additional consideration should be given to modifying NLR levels based on peak noise levels or vibrations.
 - d. NLR criteria will not eliminate outdoor noise problems. However, building location and site planning, design, and use of berms and barriers can help mitigate outdoor exposure, particularly from ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures which only protect interior spaces.
27. Measures to achieve an NLR of 25 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.
28. Measures to achieve an NLR of 30 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.
29. Measures to achieve an NLR of 35 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.
30. If the project or proposed development is noise sensitive, use indicated NLR; if not, land use is compatible without NLR.
31. Land use compatible, provided special sound reinforcement systems are installed.
32. Residential buildings require an NLR of 25.
33. Residential buildings require an NLR of 30.
34. Residential buildings not permitted.
35. Land use not recommended, but if the community decides use is necessary, hearing protection devices should be worn by personnel.

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Table B-2 Air Installations Compatible Use Zones Suggested Land Use Compatibility in Accident Potential Zones¹

SLUC M No.	Land Use Name	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
10	Residential				
11	Household units				
11.11	Single units: detached	N	N	Y ²	Max density of 1-2 Du/Ac
11.12	Single units: semidetached	N	N	N	
11.13	Single units: attached row	N	N	N	
11.21	Two units: side-by-side	N	N	N	
11.22	Two units: one above the other	N	N	N	
11.31	Apartments: walk up	N	N	N	
11.32	Apartments: elevator	N	N	N	
12	Group quarters	N	N	N	
13	Residential hotels	N	N	N	
14	Mobile home parks or courts	N	N	N	
15	Transient lodgings	N	N	N	
16	Other residential	N	N	N	
20	Manufacturing³				
21	Food and kindred products; manufacturing	N	N	Y	Max FAR 0.56 in APZ II
22	Textile mill products; manufacturing	N	N	Y	same as above
23	Apparel and other finished products; products made from fabrics, leather and similar materials; manufacturing	N	N	N	
24	Lumber and wood products (except furniture); manufacturing	N	Y	Y	Max FAR of 0.28 in APZ I & 0.56 in APZ II
25	Furniture and fixtures; manufacturing	N	Y	Y	same as above
26	Paper and allied products; manufacturing	N	Y	Y	same as above
27	Printing, publishing, and allied industries	N	Y	Y	same as above
28	Chemicals and allied products; manufacturing	N	N	N	
29	Petroleum refining and related industries	N	N	N	
30	Manufacturing³ (continued)				
31	Rubber and misc. plastic products; manufacturing	N	N	N	
32	Stone, clay, and glass products;	N	N	Y	Max FAR 0.56 in APZ II

Table B-2 Air Installations Compatible Use Zones Suggested Land Use Compatibility in Accident Potential Zones¹

SLUC M No.	Land Use Name	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
	manufacturing				
33	Primary metal products; manufacturing	N	N	Y	same as above
34	Fabricated metal products; manufacturing	N	N	Y	same as above
35	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks	N	N	N	
39	Miscellaneous manufacturing	N	Y	Y	Max FAR of 0.28 in APZ I & 0.56 in APZ II
40	Transportation, communication and utilities^{4,5}				
41	Railroad, rapid rail transit, and street railway transportation	N	Y ⁵	Y	same as above
42	Motor vehicle transportation	N	Y ⁵	Y	same as above
43	Aircraft transportation	N	Y ⁵	Y	same as above
44	Marine craft transportation	N	Y ⁵	Y	same as above
45	Highway and street right-of-way	N	Y ⁵	Y	same as above
46	Auto parking	N	Y ⁵	Y	same as above
47	Communication	N	Y ⁵	Y	same as above
48	Utilities	N	Y ⁵	Y	same as above
485	Solid Waste disposal (Landfills, incineration, etc.)	N	N	N	
49	Other transportation, comm., and utilities	N	Y ⁵	Y	See Note 5
50	Trade				
51	Wholesale trade	N	Y	Y	Max FAR of 0.28 in APZ I & 0.56 in APZ II
52	Retail trade – building materials, hardware, and farm equipment	N	Y	Y	See Note 6
53	Retail trade ⁷ – shopping centers, Home Improvement Store, Discount Club, Electronics Superstore	N	N	Y	Max FAR of 0.16 in APZ II
54	Retail trade – food	N	N	Y	Max FAR of 0.24 in APZ II
55	Retail trade – automotive, marine craft, aircraft and accessories	N	Y	Y	Max FAR of 0.14 in APZ I & 0.28 in APZ II
56	Retail trade – apparel and accessories	N	N	Y	Max FAR of 0.28 in APZ II

Table B-2 Air Installations Compatible Use Zones Suggested Land Use Compatibility in Accident Potential Zones¹

SLUC M No.	Land Use Name	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
57	Retail trade – furniture, home furnishings and equipment	N	N	Y	same as above
58	Retail trade – eating and drinking establishments	N	N	N	
59	Other retail trade	N	N	Y	Max FAR of 0.16 in APZ II
60	Services⁸				
61	Finance, insurance and real estate services	N	N	Y	Max FAR of 0.22 for "General Office/ Office park" in APZ II
62	Personal services	N	N	Y	Office uses only. Max FAR of 0.22 in APZ II.
62.4	Cemeteries	N	Y ⁹	Y ⁹	
63	Business services (credit reporting; mail, stenographic reproduction; advertising)	N	N	Y	Max FAR of 0.22 in APZ II
63.7	Warehousing and storage services	N	Y	Y	Max FAR of 1.0 in APZ I; 2.0 in APZ II
64	Repair Services	N	Y	Y	Max FAR of 0.11 in APZ I; 0.22 in APZ II
65	Professional services	N	N	Y	Max FAR of 0.22 in APZ II
65.1	Hospitals, nursing homes	N	N	N	
65.1	Other medical facilities	N	N	N	
66	Contract construction services	N	Y	Y	Max FAR of 0.11 in APZ I; 0.22 in APZ II
67	Governmental services	N	N	Y	Max FAR of 0.24 in APZ II
68	Educational services	N	N	N	
69	Miscellaneous	N	N	Y	Max FAR of 0.22 in APZ II
70	Cultural, entertainment and recreational				
71	Cultural activities	N	N	N	
71.2	Nature exhibits	N	Y ¹⁰	Y ¹⁰	
72	Public assembly	N	N	N	
72.1	Auditoriums, concert halls	N	N	N	
72.11	Outdoor music shells, amphitheaters	N	N	N	
72.2	Outdoor sports arenas, spectator sports	N	N	N	

Table B-2 Air Installations Compatible Use Zones Suggested Land Use Compatibility in Accident Potential Zones¹

SLUC M No.	Land Use Name	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
73	Amusements- fairgrounds, miniature golf, driving ranges; amusement parks, etc.	N	N	Y	
74	Recreational activities (including golf courses, riding stables, water recreation)	N	Y ¹⁰	Y ¹⁰	Max FAR of 0.11 in APZ I; 0.22 in APZ II
75	Resorts and group camps	N	N	N	
76	Parks	N	Y ¹⁰	Y ¹⁰	same as 74
79	Other cultural, entertainment and recreation	N	Y ⁹	Y ⁹	same as 74
80	Resource production and extraction				
81	Agriculture (except livestock)	Y ⁴	Y ¹¹	Y ¹¹	
81.5, 81.7	Livestock farming and breeding	N	Y ^{11,12}	Y ^{11,12}	
82	Agricultural related activities	N	Y ¹¹	Y ¹¹	Max FAR of 0.28 in APZ I; 0.56 in APZ II no activity which produces smoke, glare, or involves explosives
83	Forestry activities ¹³	N	Y	Y	same as above
84	Fishing activities ¹⁴	N ¹⁴	Y	Y	same as above
85	Mining activities	N	Y	Y	same as above
89	Other resource production or extraction	N	Y	Y	same as above
90	Other				
91	Undeveloped Land	Y	Y	Y	
93	Water Areas	N ¹⁵	N ¹⁵	N ¹⁵	

Source: Adapted from U.S. Department of the Navy 2008.

Key to Table B-2

- SLUCM = Standard Land Use Coding Manual, U.S. Department of Transportation
- Y (Yes) = Land use and related structures are normally compatible without restrictions.
- N (No) = Land use and related structures are not normally compatible and should be prohibited.
- Y^x (Yes with restrictions) = The land use and related structures are generally compatible. However, see notes indicated by the superscript.
- N^x (No with exceptions) = The land use and related structures are generally incompatible. However, see notes indicated by the superscript.
- FAR = Floor Area Ratio. A Floor area ratio is the ratio between the square feet of floor area of the building and the site area. It is customarily used to measure non-residential intensities.
- Du/Ac = Dwelling Units per Acre. This metric is customarily used to measure residential densities.

Table B-2 Air Installations Compatible Use Zones Suggested Land Use Compatibility in Accident Potential Zones¹

SLUC M No.	Land Use Name	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
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Notes for Table B-2

1. A “Yes” or a “No” designation for compatible land use is to be used only for general comparison. Within each, uses exist where further evaluation may be needed in each category as to whether it is clearly compatible, normally compatible, or not compatible due to the variation of densities of people and structures. In order to assist installations and local governments, general suggestions as to FARs are provided as a guide to densities in some categories. In general, land-use restrictions which limit commercial, services, or industrial buildings or structure occupants to 25 per acre in APZ I and 50 per acre in APZ II are the range of occupancy levels, including employees, considered to be low density. Outside events should normally be limited to assemblies of not more than 25 people per acre in APZ I, and Maximum (MAX) assemblies of 50 people per acre in APZ II.
2. The suggested maximum density for detached single-family housing is one to two Du/Ac. In a Planned Unit Development (PUD) of single-family detached units where clustered housing development results in large open areas, this density could possibly be increased provided the amount of surface area covered by structures does not exceed 20 percent of the PUD total area. PUD encourages clustered development that leaves large open areas.
3. Other factors to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, electronic interference with aircraft, height of structures, and potential glare to pilots.
4. No structures (except airfield lighting), buildings or aboveground utility/communications lines should normally be located in the clear zone areas on or off the installation. The clear zone is subject to severe restrictions. See UFC 3-260-01, “Airfield and Heliport Planning and Design” dated 17 November 2008 for specific design details.
5. No passenger terminals and no major aboveground transmission lines in APZ I.
6. Within SLUCM Code 52, Max FARs for lumber yards (SLUCM Code 521) are 0.20 in APZ-1 and 0.40 in APZ-II. For hardware/paint and farm equipment stores, SLUCM Code 525, the Max FARs are 0.12 in APZ-1 and 0.24 in APZ-II.
7. A shopping center is an integrated group of commercial establishments that is planned, developed, owned, or managed as a unit. Shopping center types include strip, neighborhood, community, regional, and super regional facilities anchored by small businesses, supermarket or drug store, discount retailer, department store, or several department stores, respectively. Included in this category are such uses as big box discount and electronics superstores. The Max recommended FAR for SLUCM 53 should be applied to the gross leasable area of the shopping center rather than attempting to use other recommended FARs listed in Table 2 under “Retail” or “Trade.”
8. Low intensity office uses only. Accessory use such as meeting places, auditoriums, etc., are not recommended.
9. No chapels are allowed within APZ I or APZ II.
10. Facilities must be low intensity and provide no tot lots, etc. Facilities such as clubhouses, meeting places, auditoriums, large classes, etc., are not recommended.
11. Includes livestock grazing but excludes feedlots and intensive animal husbandry. Activities that attract concentrations of birds creating a hazard to aircraft operations should be excluded.
12. Includes feedlots and intensive animal husbandry.
13. Lumber and timber products removed due to establishment, expansion, or maintenance of clear zones will be disposed of in accordance with appropriate DoD Natural Resources instructions.
14. Controlled hunting and fishing may be permitted for the purpose of wildlife management.
15. Naturally occurring water features (e.g., rivers, lakes, streams, wetlands) are compatible.

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BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

6. e.

Meeting Date: 09/06/2016

Issue: A Public Hearing Concerning the Review of the Atwood Redevelopment Plan and Recommend Determination of Conformance With the Comprehensive Plan

From: Tonya Gant, Director

Organization: Neighborhood & Human Svcs

RECOMMENDATION:

A Public Hearing Concerning the Review of Atwood Redevelopment Plan and Recommend Determination of Conformance With the Comprehensive Plan

That the Planning Board review and recommend to the Board of County Commissioners (BCC) adoption of the Atwood Redevelopment Plan and determine that the plan is in conformance with the local Comprehensive Plan.

BACKGROUND:

On May 21, 2015, the Escambia County Board of County Commissioners adopted a Resolution (R 2015-64) creating the Atwood Redevelopment Area District. The attached draft Atwood Redevelopment Plan provides a framework for coordinating and facilitating public and private redevelopment of the area.

Chapter 163.360(4) F.S. requires that the Community Redevelopment Agency (CRA) submit the Plan to the local planning agency for recommendation with respect to the conformity with the local Comprehensive Plan. A draft copy of the Plan is attached.

BUDGETARY IMPACT:

Funding sources include Tax Increment Financing (TIF), Community Development Block Grant (CDBG) funds, and non-County funding sources to be determined.

LEGAL CONSIDERATIONS/SIGN-OFF:

The Plan has been reviewed and approved for legal sufficiency by Meredith Crawford, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

There is no additional personnel required.

POLICY/REQUIREMENT FOR BOARD ACTION:

Chapter 163.360(4) F.S. requires that the Community Redevelopment Agency submit the draft plan to the local planning agency for recommendation with respect to the conformity with the local Comprehensive Plan.

IMPLEMENTATION/COORDINATION:

The CRA solicited input from residents and business owners in the Atwood area by conducting a series of four monthly public community meetings January 2016 thru April 2016. Upon adoption by the BCC, the CRA will continue to work with these residents, neighborhood associations, and area businesses to implement the plan.

Attachments

Atwood Redevelopment Plan_Sept2016

Legal review



OAK TREES ON KLINGER STREET. CRA STAFF

ATWOOD REDEVELOPMENT PLAN

Escambia County
Community Redevelopment Agency
Neighborhood & Human Services Department

Adopted [MONTH] 2016

DRAFT

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CHAPTER 1: OVERVIEW

PLAN CONTENT AND ORGANIZATION

The Community Redevelopment Act of 1969 was enacted to provide local governments within the State of Florida with the tools necessary to revitalize deteriorated communities. These tools include the establishment of the Community Redevelopment Agency (CRA) to administer redevelopment plans and delegate certain powers to this agency such as the power to designate certain areas as: slum or blight; propose modification to community redevelopment plans; issue revenue bonds; and approve the acquisition, demolition, removal, or disposal of property.

On July 1, 1977, the Florida Legislature amended the Community Redevelopment Act to allow governments to use tax increment financing (TIF) as a tool for redevelopment. The amended Act also allows a designated CRA to utilize the revenues from the sale of tax increment bonds for specific projects aimed at redeveloping and improving community slum or blight. The location and extent of such areas and redevelopment projects must first, however, be objectively established and so designated by the local governing authority.

Community Redevelopment Agencies are granted the authority to undertake redevelopment projects following adoption of a community redevelopment plan as outlined in the Community Redevelopment Act F.S. 163.360. The Redevelopment Plan guides future development and expenditures from the Trust Fund so as to eliminate existing conditions of blight and to create a condition for continued private reinvestment in the district. The Plan provides a framework for coordinating and facilitating public and private redevelopment of the Area. Development and implementation of the Plan involves the efforts of the Agency, the private sector financial and business community and other governmental agencies. Following the adoption of the initial Plan, subsequent modifications and amendments may be adopted by the Governing Body pursuant to F.S. 163.361.

On May 21, 2015, the Board of County Commissioners designated Atwood as a Redevelopment District finding that it was blighted and the area had a shortage of affordable homes for low- and moderate-income households. This designation was necessary in the interest of public health, safety, moral and welfare of the residents in order to eliminate, remedy and prevent conditions of blight. This Redevelopment Plan, developed with broad community involvement, supports the future redevelopment of the Atwood Redevelopment District and is written in compliance with Florida Statutes Part III, Chapter 163.

The Atwood Redevelopment Plan represents the synthesis of a series of planning efforts conducted by the Escambia County Community Redevelopment Agency and area residents and community leaders. The intent of the Redevelopment Plan is to facilitate positive transformation, preservation, and revitalization of the neighborhoods in the Atwood Redevelopment District. Each of the planning initiatives contained herein involved a series of community workshops and meetings designed to create a unified vision for Atwood. The stakeholder-driven planning process integrates several objectives: Enhance the physical environment; preserve residential character; support commercial activity; introduce a diverse mix of uses along primary corridors; pursue new development opportunities; create a community focal point to foster positive change in the District's core; improve the pedestrian environment; and overcome the obstacles to economic development.

To be useful as a long-term redevelopment guide, the Redevelopment Plan must be flexible to accommodate unanticipated changes and should be monitored closely and updated to reflect changes in the economy, public concerns and private sector development opportunities.

The Redevelopment Plan is a comprehensive resource for community leaders and stakeholders engaged in reshaping the social, economic, and physical form of Atwood. Future actions targeted in this area are anticipated to follow the recommendations of the Redevelopment Plan through continued discussions with residents, community stakeholders, and County agencies.

CHAPTER 1: OVERVIEW

This chapter consists of an overview of the plan content and organization, introduction and geographic context and a map of the Atwood District boundary.

CHAPTER 2: INVENTORY & ANALYSIS

This chapter presents a summary of existing conditions, including existing land uses, zoning districts, future land use designations, demographic profile, housing conditions, and neighborhood identity and aesthetics. The summary of inventory results employs data generated by past studies from the Escambia County Community Redevelopment Agency, the Escambia County Property Appraiser GIS database, the 2010 U.S. Census, and University of West Florida’s Haas Center for Business Research and Economic Development.

CHAPTER 3: CONCEPT PLAN

The information generated from the inventory, analysis, and the public involvement phases is the foundation for the recommendations contained in Chapter 3. This chapter details action strategies based on established objectives, providing guidelines for sound development and redevelopment of properties in Atwood.

CHAPTER 4: CAPITAL IMPROVEMENTS

This chapter identifies projects that can be pursued in the short-term, mid-term, and long-term. It also includes anticipated costs for the proposed improvements and funding sources to assist the CRA with budgeting and financial planning.

CHAPTER 5: PROJECT IMPLEMENTATION

This chapter presents the organizational framework and financial strategies that will be required for successful implementation of the Redevelopment Plan. It defines the roles and responsibilities that should be undertaken by the various agencies and stakeholders that are involved in shaping the future development of the Atwood Redevelopment District.

APPENDICES

Five appendices conclude the Redevelopment Plan: A) Public Workshops documentation; B) Statutory Requirements; C) Tax Increment Financing; D) Resolution R2015-64 authorizing the Atwood Redevelopment District; and E) a map of the ECUA proposed Atwood Sewer Expansion Area.

INTRODUCTION & GEOGRAPHIC CONTEXT

Atwood Redevelopment District represents one of multiple unincorporated districts of Escambia County and contains 11 platted neighborhoods, including: Atwood, Charter Oaks, Ferry Pass, Frichez Heights, Gregg Court, Kipling Oaks, Klinger, North Cross Village, Oakhurst, Pandora Place, and Skycrest. The 456-year-old city of Pensacola, around which Escambia County developed, is the closest urban entity to Atwood, and the westernmost city of the Florida Panhandle (Fig. 1.1), the location of a large U.S. naval air station, and a tourist destination for residents of Louisiana, Alabama, and Mississippi. Pensacola’s long and rich history as a trading center occupied by settlers under no fewer than five different flags since the 1550s and its unique white sand beaches have made the city today a popular destination for tourists, which the city capitalizes on by way of its numerous festivals year-round that draw visitors from all areas within Pensacola’s vicinity. Although not a particularly large economic draw, Pensacola’s visitors traveling east on I-10 and North on Davis Highway pass through Atwood on their way to Pensacola and Escambia County’s beaches.

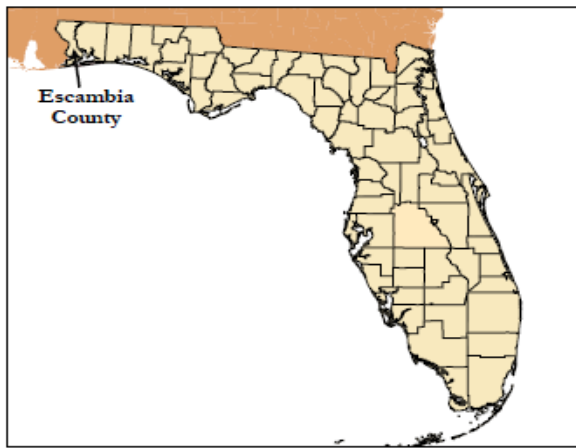


FIGURE 1.1: MAP SHOWING ESCAMBIA COUNTY’S LOCATION IN FLORIDA. ESCAMBIA COUNTY GIS

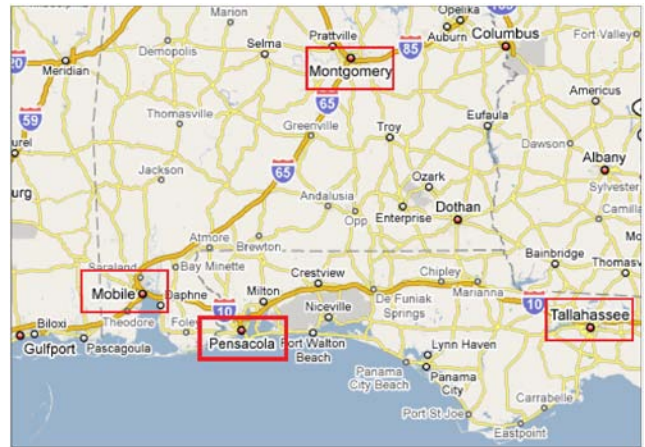


FIGURE 1.2 PENSACOLA’S REGIONAL CONTEXT. GOOGLE MAPS

The southern part of Escambia County is served by Interstate 10 and the Interstate 110 spur that leads south to downtown Pensacola. This metro area is 50 miles east of Mobile, Alabama, 200 miles west of Tallahassee, and 165 miles south of Montgomery, Alabama—the three largest cities in the vicinity of Pensacola (see Fig. 1.2). Commercial air traffic in the Pensacola and greater northwest Florida area is handled by Pensacola Regional Airport.

As elsewhere in the Florida Panhandle, Escambia County’s overall growth in the postwar period has been significantly aided by tourism, even while naval and air force operations continue to support and define much of the character of the Panhandle coast. While the beaches and historic downtowns have prospered, many other areas, particularly in the unincorporated parts of the county, have started to face challenges in economic and residential growth. In 1995, Escambia County established a community redevelopment agency in order to provide direction for urban revitalization and future growth. Since then, a total of nine redevelopment districts were designated for unincorporated parts of the county, including Atwood. These redevelopment districts focus on historic urban residential and commercial centers in Escambia County.

REDEVELOPMENT AREA BOUNDARY

The Atwood Redevelopment District (Fig. 1.3) is bounded by Olive Road and Johnson Ave to the north, Davis Highway and North Hilburn Road to the west, Interstate 10 to the south, and Caminiti Lane to the east. The total area comprises 617.47 acres and is composed of 11 neighborhoods.

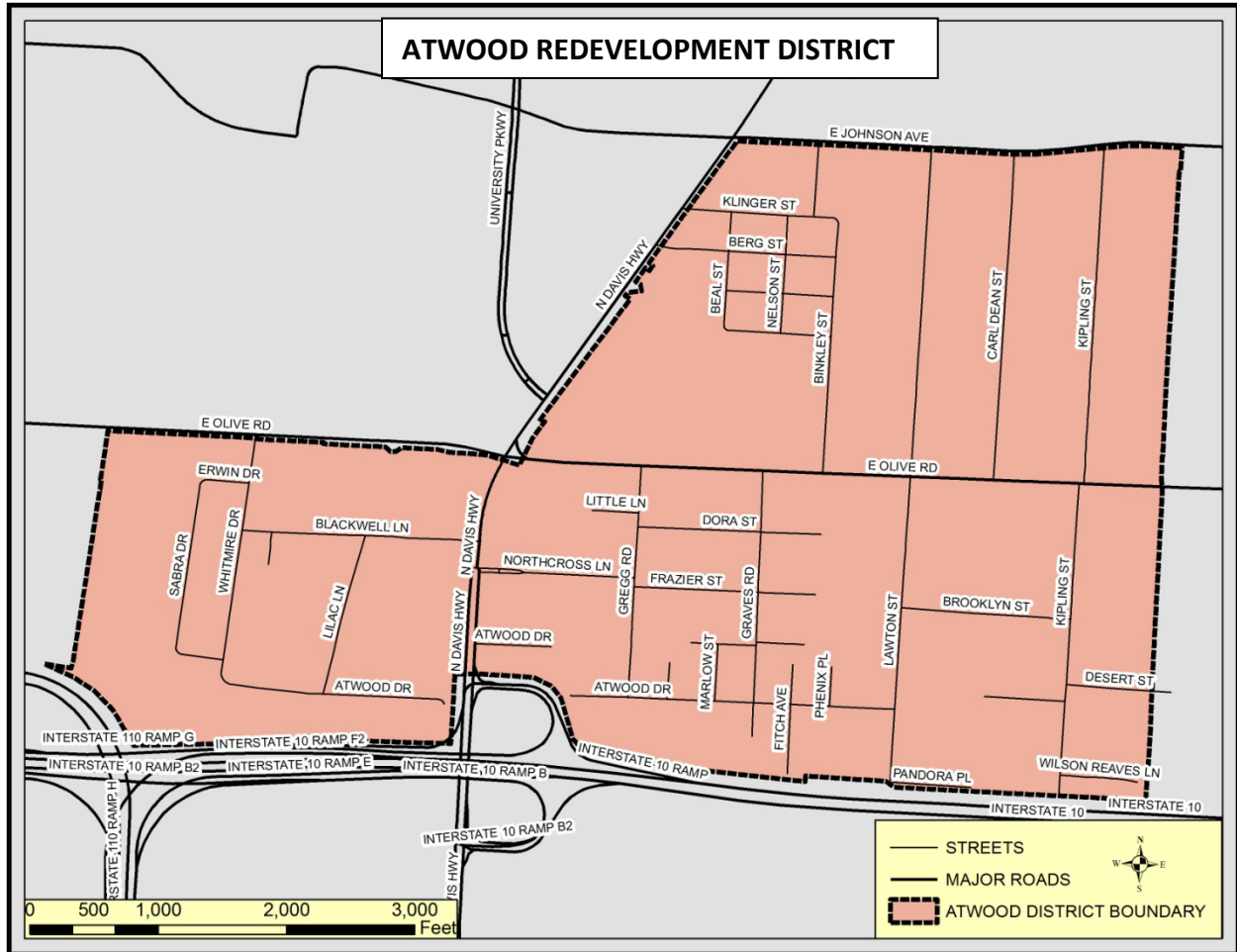


FIGURE 1.3: ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

Atwood is one of Escambia County's nine community redevelopment districts situated immediately north of Interstate 10. It is the first district accessed when entering Escambia County from the east on I-10. (Fig. 1.4.)

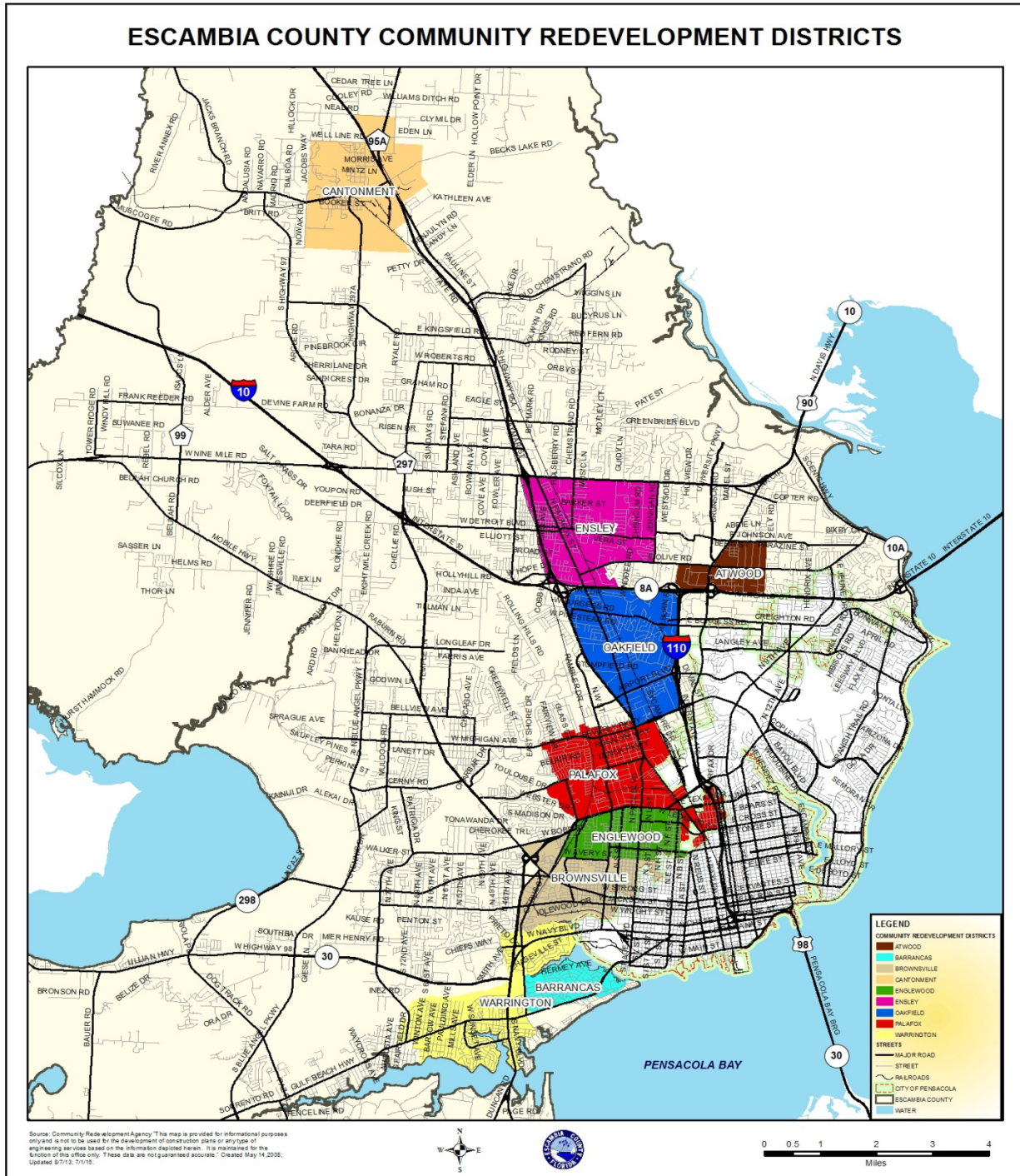


FIGURE 1.4: ESCAMBIA COUNTY'S NINE REDEVELOPMENT DISTRICTS. ESCAMBIA COUNTY GIS

CHAPTER 2: INVENTORY AND ANALYSIS

EXISTING LAND USE

The Atwood Redevelopment District is composed of 848 parcels across 617.47 acres, excluding roads and rights-of-way. Five primary land uses are represented: **Residential** (comprising approximately 65.81% of total land use), **Commercial** (approximately 17.22%), **Vacant** (approximately 7.65%), **Industrial** (approximately 0.92%), and **Institutional** (approximately 3.21%). Other land uses, such as: public properties and utilities comprise the remaining 5.19% of land uses identified in the Redevelopment District. A more detailed description of these land uses follows below.

Land Use Type	Acreage	Percent
Residential	406.46	65.81%
Single-Family Detached	309.97	50.20%
Single-Family Attached	12.09	1.96%
Multi-Family Residential	34.82	5.64%
Mobile Home Park	7.96	1.29%
Mobile Home	41.62	6.74%
Commercial	106.3	17.22%
Industrial	5.65	0.92%
Institutional	19.83	3.21%
Public	22.59	3.66%
Utilities	9.42	1.53%
Vacant/Undeveloped	47.22	7.65%
Total	617.14	100%

TABLE 2.1: EXISTING LAND USES IN THE REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

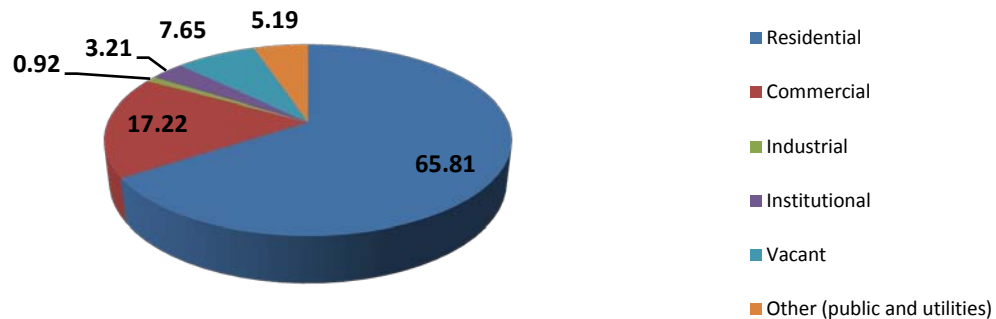


FIGURE 2.1: DISTRIBUTION OF EXISTING LAND USES BY PARCEL COUNT AS A PERCENT OF TOTAL PARCELS. ESCAMBIA COUNTY GIS

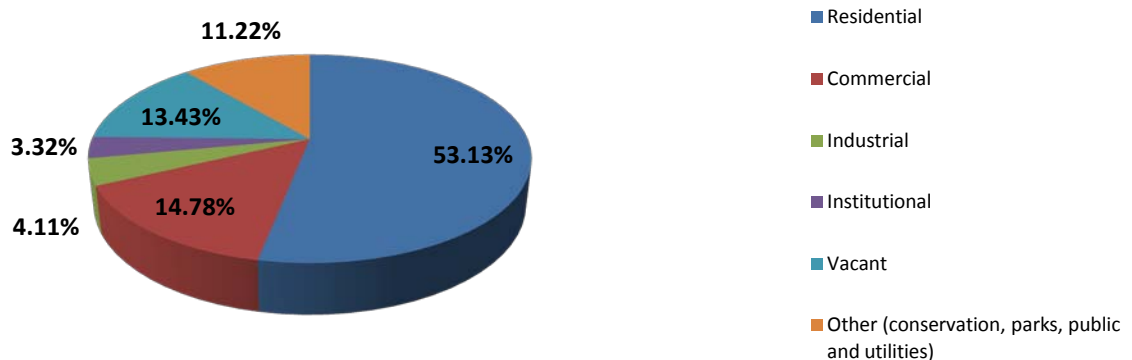


FIGURE 2.2: DISTRIBUTION OF EXISTING LAND USES BY ACREAGE AS A PERCENTAGE OF TOTAL ACRES. ESCAMBIA COUNTY GIS

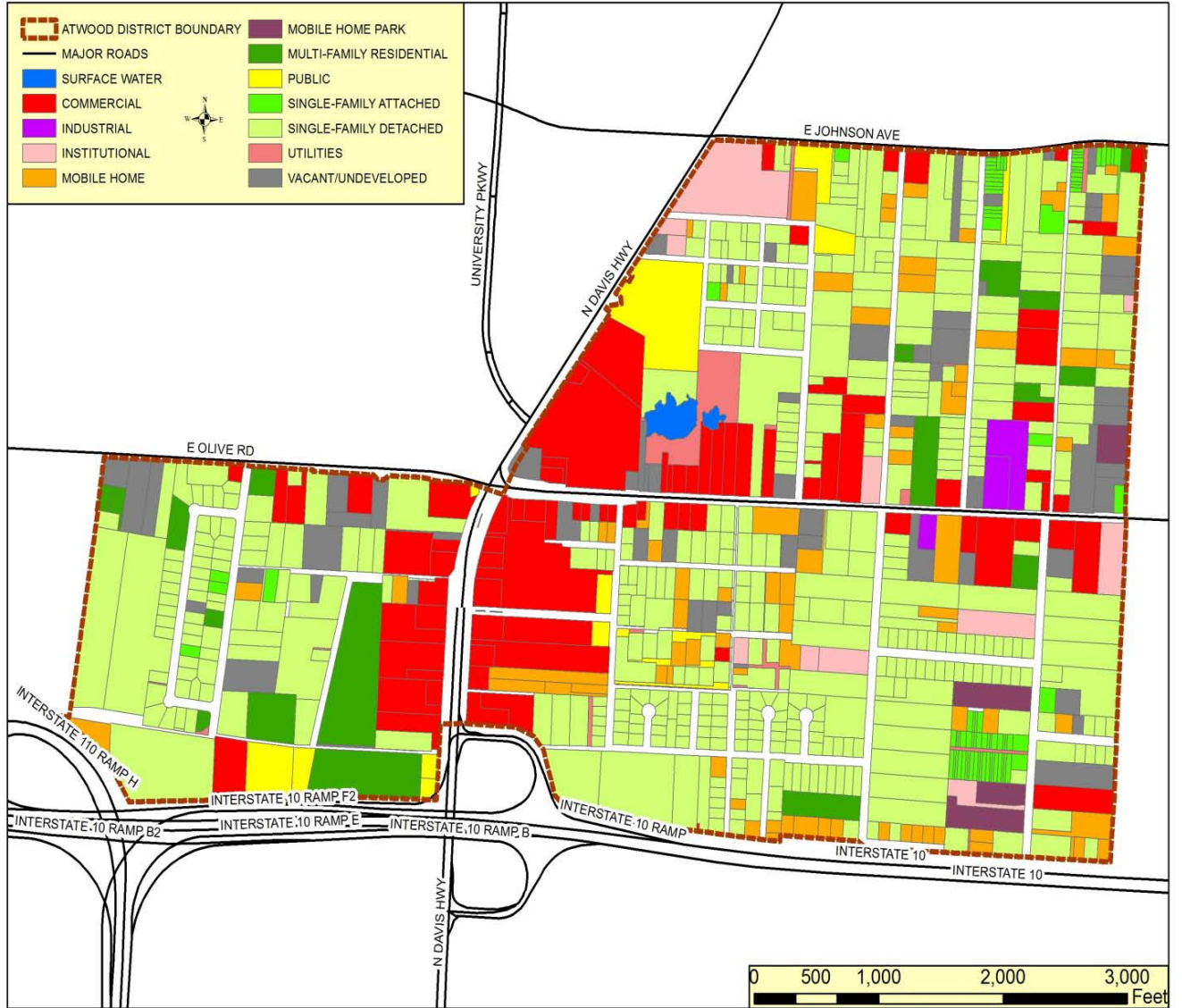


FIGURE 2.3: EXISTING LAND USE IN THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

RESIDENTIAL

Of the 406.46 acres of residential land, single-family homes account for 322.06 acres, or 52.16% of the total residential acreage of the Redevelopment District. Single-family residential uses account for a total of 549 parcels, or 64.74% of the total number of parcels in the Redevelopment District. This is by far the most dominant land use type in the Redevelopment District. Comprising 41.62 acres (6.74% of the district), mobile homes on individual parcels are the second most common residential use in Atwood.

At a much smaller fraction of residential land use are the other residential types – multi-family (32.82 acres over 19 parcels) and mobile home parks (7.96 acres over 4 parcels). Their combined share of acreage is approximately 6.93% of the residential acreage of the Redevelopment District.



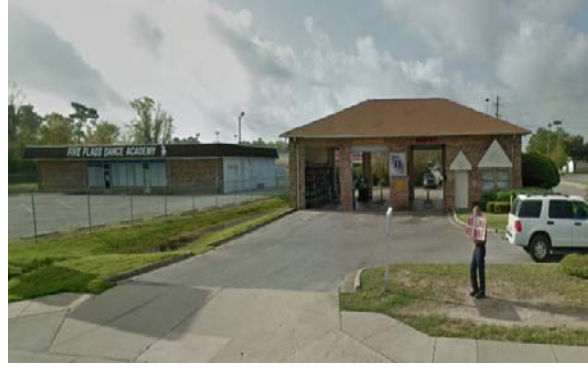
RESIDENTIAL HOMES, ATWOOD REDEVELOPMENT DISTRICT. CRA STAFF

COMMERCIAL

The second-largest land use contingent occupies 106.3 acres, or 17.22% of the total Redevelopment District acreage, covering 83 parcels. These uses are located primarily along the commercially-oriented East Olive Road and North Davis Highway corridors. Smaller concentrations of commercial uses are also found along Kipling Street.

Atwood's two major commercial corridors (East Olive Road and North Davis Highway) are vibrant and well-travelled. Big Box stores are highly-visible and anchor local shopping centers. Unique local restaurants, shops and services round out the commercial offerings along the corridors. Kipling Street also is a mixed-commercial corridor of small businesses and residential uses.

In Atwood, commercial uses are generally stable with many local businesses remaining in place for generations. Atwood's geographic location north of Pensacola serves both the suburban clientele of those who consider themselves living in 'North Pensacola' as well as the more rural residents who live in Gonzalez, Cantonment, Quintette and Molino. Escambia County's rural residents are likely to shop in Atwood as it is the northern most commercial area in the county and it is more convenient for those living in north Escambia to travel to Atwood rather than driving further south into Pensacola.



COMMERCIAL USES, ATWOOD CRD. GOOGLE MAPS

VACANT USES

As a testament to the redevelopment potential of the area, Atwood’s third largest land use category is vacant or undeveloped land. Approximately 7.65% of the redevelopment area consisting of 47.22 acres across 68 parcels is undeveloped. In Atwood, most of the vacant properties are smaller in size and scattered throughout the Redevelopment District.

Vacant structures and abandoned lots are strong indicators of economic distress and lead to deterioration of the physical environment and are detrimental to the investment image of the community. The presence of vacant and underutilized buildings contributes both as an opportunity and a liability for redevelopment. Vacant parcels of considerable size can be assembled to support significant adaptive reuse of underutilized and deteriorating buildings.



Vacant Properties, ATWOOD DISTRICT. GOOGLE MAPS

PUBLIC USES AND UTILITIES

The fourth largest use in the Redevelopment District is public uses and utilities. Public uses in Atwood, as categorized by Escambia County GIS, include a wide variety of uses for the public benefit such as schools and stormwater detention areas. Public uses consist of 14 parcels, spanning 22.59 acres, representing 3.66% of the Redevelopment District.

FUTURE LAND USE & COMPREHENSIVE PLAN

The Escambia County Comprehensive Plan is a guiding document that sets forth goals, objectives, and policies that help define the character, rate of growth, and timing for future development in the County. It also corresponds with the County’s future land use map (Fig. 2.4) that identifies all of the Atwood Redevelopment District as a candidate for mixed-use urban redevelopment.

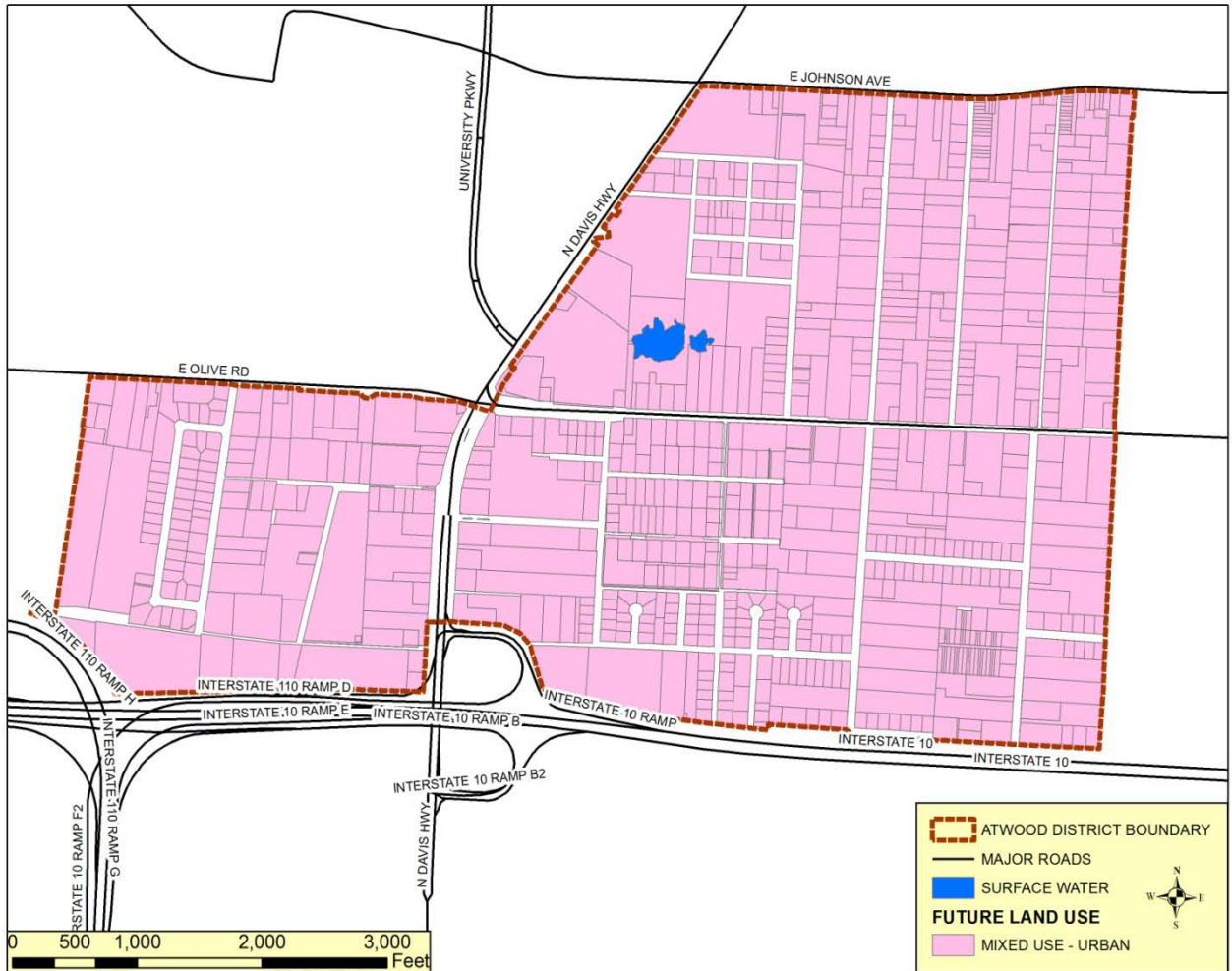


FIGURE 2.4: FUTURE LAND USE IN THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

The following sections are excerpts from the Goals, Policies and Objectives of the Escambia County Comprehensive Plan. These goals, policies and objectives have a direct impact on the Atwood Redevelopment District and are included below:

Chapter 7: Future Land Use (FLU) Element

GOAL FLU 1 FUTURE DEVELOPMENT PATTERN

Escambia County will implement a planning framework that defines, supports and facilitates the desired future development pattern in Escambia County while protecting and preserving natural and historic resources.

OBJECTIVE FLU 1.1 Growth Strategies

Apply accepted planning principles and utilize innovative and flexible planning strategies to achieve orderly and balanced growth and development.

OBJECTIVE FLU 1.3 Future Land Use Map (FLUM) Designations

Designate land uses on the FLUM to discourage urban sprawl, promote mixed use, compact development in urban areas, and support development compatible with the protection and preservation of rural areas.

POLICY FLU 1.3.1 Future Land Use Categories General descriptions, range of allowable uses and residential densities and non-residential intensities for all future land use categories in Escambia County in the Atwood Redevelopment District are listed below:

FLUM Mixed-Use Urban (MU-U)

General Description: Intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses: Residential, retail and services, professional office, light industrial, recreational facilities, public and civic.

Standards: Residential Maximum Density 25 du/acre, Non-Residential Minimum Intensity: 0.25 Floor Area Ratio (FAR), and Maximum Intensity: 2.0 FAR. Escambia County intends to achieve the following mix of land uses for new development within a ¼ of mile arterial roadways or transit corridors by 2030: Residential – 8% to 25%, Public/Rec./Inst. – 5% to 20%, Non-Residential: Retail/Service – 30% to 50%, Office – 25% to 50%, and Light Industrial – 5% to 10%. In areas beyond a ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated: Residential – 70% to 85%, Public/Rec/Inst.– 10% to 25%, and Non-Residential – 5% to 10%.

OBJECTIVE FLU 1.4 Protect Existing Communities

Escambia County will protect and enhance existing communities by eliminating nonconforming uses and structures over time and through an active code enforcement program.

POLICY FLU 1.4.1 Nonconformity Escambia County will prohibit the expansion of nonconforming land uses or structures within the County. The LDC will restrict any activity that would expand the land use in question, improve structures or expand improvements associated with a nonconforming land use.

POLICY FLU 1.4.2 Code Enforcement Escambia County will conduct a combination of complaint-driven and systematic code enforcement actions to reduce property maintenance code violations.

OBJECTIVE FLU 1.5 Sustainable Development

Escambia County will promote sustainable development by encouraging compact, mixed- and multi-use land patterns.

GOAL FLU 2 DEVELOPMENT AND PUBLIC SERVICES

Escambia County will promote urban strategies for compact development, the efficient provision of infrastructure and urban services, and the protection of natural resources. Urban strategies will include infill development, mixed-use development and coordinated land use and transportation planning.

OBJECTIVE FLU 2.1 Urban Development

Direct growth toward those areas where infrastructure and services exist to support development at approved densities and intensities.

POLICY FLU 2.1.1 Infrastructure Capacities Urban uses will be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department permits where central sewer is not available.

POLICY FLU 2.1.2 Compact Development To promote compact development, FLUM amendments and residential re-zonings to allow for higher residential densities to be allowed in the MU-U and Mixed-Use Suburban (MU-S) future land use categories.

OBJECTIVE FLU 2.3 Infill Development

Encourage infill development in appropriate urbanized areas where infrastructure is sufficient to meet demands, such as in MU-U and MU-S.

POLICY FLU 2.3.1 Area Designation All Community Redevelopment Areas as adopted by the BCC, are hereby designated as an Urban Infill and Redevelopment Area in conformance with Florida Statutes.

POLICY FLU 2.3.2 Community Redevelopment Areas Escambia County will use its fiscal resources to encourage infill residential, commercial and public development, particularly in the Community Redevelopment Areas.

OBJECTIVE FLU 2.4 Community Redevelopment

The Community Redevelopment Agency (CRA) will continue to implement the recommendations of the Community Redevelopment Strategy, as may be updated from time to time.

POLICY FLU 2.4.1 Strategy The CRA and other County agencies will implement the recommendations of the Community Redevelopment Strategy through the Palafox, Englewood, Brownsville, Warrington and Barrancas Redevelopment Plans.

POLICY FLU 2.4.2 Block Grants Escambia County will direct its Community Development Block Grant (CDBG) efforts primarily to the Community Redevelopment Areas, but in any case, the program requirements promulgated by the U.S. Department of Housing and Urban Development (HUD) will be met.

Chapter 8: Mobility Element

The purpose of the Mobility Element, serving as the Transportation Element, is to establish the desired and projected transportation system in Escambia County and to plan for future motorized and non-motorized traffic circulation systems. This element provides guidelines to prepare for and establish an effective multi-modal transportation system.

GOAL MOB 1 TRANSPORTATION

Escambia County will provide a safe, cost-effective and functional roadway and transportation system for all residents and visitors to Escambia County.

OBJECTIVE MOB 1.1 Transportation System

Continue to provide a safe, convenient, efficient and cost-effective multimodal transportation system and roadway network for present and future residents.

POLICY MOB 1.1.3 Non-motorized Transportation All new public road construction projects in urban areas or community redevelopment areas shall accommodate non-motorized transportation. At a minimum, sidewalks and bicycle facilities should be included. Consideration should also be given to include storage racks, striping, or signage.

POLICY MOB 1.1.11 Required Bicycle and Pedestrian Facilities Escambia County will encourage through private/public partnerships the installation of sidewalks along the street frontage of new development (including but not limited to new development along routes shown on the TPO Bicycle and Pedestrian Plan, the County's Bicycle and Pedestrian Plan, or the "Transportation Alternative" Plan) to provide connectivity and utility for existing sidewalks in the vicinity of the development.

POLICY MOB 1.1.12 Coordination with School District and Sidewalk Planning Participation Escambia County will coordinate with the Escambia County School District regarding new school siting and needs at existing schools when determining locations for improvements to pedestrian facilities. Escambia County will also seek public input from citizens, the Escambia County School District, and the development community regarding sidewalk needs and priorities.

OBJECTIVE MOB 1.2 Transportation and Land Use

Assure the continual coordination of land use decisions with the future traffic circulation system by coordinating traffic circulation improvements with the FLUM and maintaining consistency between land use decisions and traffic circulation system improvements.

POLICY MOB 1.2.2 Non-motorized Transportation Facilities Escambia County will provide or require the provision of non-motorized transportation facilities to link residential areas with recreational and commercial areas in a safe manner. This may include the construction of sidewalks, bike lanes, installation of signage, striping of roadways, or the like so as to accommodate non-motorized transportation facilities.

GOAL MOB 2 TRANSIT

Escambia County will encourage the provision and use of a safe, efficient and financially feasible mass transit transportation system, which is responsive to community needs, consistent with land use policies, and environmentally sound and promotes economic opportunity and energy conservation.

OBJECTIVE MOB 2.2 Mass Transit and Growth Patterns

Operate an efficient and accessible fixed route mass transportation service in support of the projected growth patterns of the service area while maintaining or increasing ECAT’s operating ratio.

POLICY MOB 2.2.1 Route Modernization ECAT shall modernize service from the existing radial route system into a modified grid system to improve efficiency.

POLICY MOB 2.2.2 Service Area Adjustments ECAT will realign or adjust existing routes to provide service to areas requiring service while at the same time reducing service to lower use areas in order to provide more efficient service to more riders at comparable cost.

Chapter 9: Housing Element

The purpose of the Housing Element is to provide guidance for the development of safe, sanitary and affordable housing for all residents of Escambia County. In particular, the goals, objectives and policies contained in this element are intended to identify and address current and future deficits in the provision of moderate, low and very-low income housing, group homes, foster care facilities and housing for those with special needs. In addition, this element is intended to provide guidance to public and private sector housing providers, as well as the residents of Escambia County, regarding redevelopment of existing neighborhoods, removal of substandard housing, relocation assistance and critical housing assistance programs.

GOAL HOU 1 Provision of Housing

Escambia County will provide safe, sanitary and affordable housing for the current and future residents of the County.

OBJECTIVE HOU 1.1 Housing Delivery Process

Provide guidance and direction to both the public and private sectors to assist in the provision of adequate housing that varies in type, density, size, tenure, ownership, cost and location.

POLICY HOU 1.1.1 Residential Areas The Escambia County Future Land Use Map FLUM and Zoning maps will identify areas suitable for residential development and/or redevelopment.

OBJECTIVE HOU 1.2 Affordable Housing

Assure the provision of safe, sanitary and affordable housing for moderate, low and very-low income residents.

POLICY HOU 1.2.1 Definition Escambia County shall define affordable housing as housing with costs, including monthly rents or mortgage payments, taxes, insurance, and utilities, not exceeding 30 percent of the amount that represents the percentage of the median adjusted gross annual income for the households in Florida Statutes as amended.

POLICY HOU 1.2.2 Location Escambia County will allow the location of affordable housing in any residential FLUM category provided the housing is compatible with all applicable rules and regulations of the LDC.

POLICY HOU 1.2.3 Development Types Escambia County will promote affordable housing opportunities by allowing cluster developments, zero-lot line developments, planned unit developments and other types of housing layouts that may reduce the cost of individual dwelling units.

POLICY HOU 1.2.4 Mobile or Manufactured Home Location Escambia County will encourage the use of modular homes, mobile, and/or manufactured as a type of housing as defined by Florida Statutes within the appropriate zoning and FLU categories.

OBJECTIVE HOU 1.4 Existing Neighborhoods and Redevelopment

Protect the character of existing residential neighborhoods, provide opportunities for redevelopment and infill development and reduce the number of substandard housing units through the continued implementation of structural and aesthetic improvement programs such as but not limited to: preservation and infill, regulation enforcement, construction inspection, improvement aid, unsafe building abatement, substandard home removal, infrastructure improvement, and rental units and housing stock conservation/rehabilitation.

OBJECTIVE HOU 1.5 Relocation Assistance

Provide housing assistance, including relocation housing for persons displaced by public programs, projects or housing rehabilitation.

POLICY HOU 1.5.1 Grants Escambia County will pursue grants to provide for relocating moderate, low, and very low income persons displaced during the housing rehabilitation process.

POLICY HOU 1.5.2 County Policy Escambia County will utilize its "Relocation Policy" that was developed in compliance with Public Law 93-383 (The Housing and Community Development Act of 1974) and adopted by the BCC on November 28, 1988, including any revisions thereto.

OBJECTIVE HOU 1.6 Housing Programs

Continue implementation of critical housing programs. Implementation will include, but not be limited to, County/Private partnerships, County/City partnerships, private non-profit, and technical assistance providers.

POLICY HOU 1.6.1 Program Information Escambia County will continue its housing outreach program to assure dissemination of housing information.

POLICY HOU 1.6.2 Non-discrimination Escambia County will enforce its nondiscrimination policies and provisions so as to ensure access to housing opportunities by all segments of the County's population.

POLICY HOU 1.6.3 Low-Interest Mortgage Loans Escambia County will cooperate with appropriate local, state and federal agencies to facilitate bond-backed low- interest mortgage loans for homes purchase by qualified individuals or families.

POLICY HOU 1.6.4 Housing Finance Authority Escambia County will participate with the Escambia County Housing Finance Authority (HFA) in the issuance of bonds to provide low interest mortgage loans for home purchases by qualified families.

POLICY HOU 1.6.5 State and Federal Assistance Escambia County will participate in affordable housing programs as made available by the state, federal, or other appropriate agencies.

POLICY HOU 1.6.6 Neighborhood Enterprise Division (NED) Escambia County will provide affordable homeownership opportunities and home repair assistance opportunities for moderate, low, and very low income homebuyers and homeowners.

POLICY HOU 1.6.7 SHIP Fund Initiatives Escambia County will use State Housing Initiatives Partnership (SHIP) Program funds to expand and/or enhance ongoing activities designed to develop new affordable housing initiatives conforming to the statutory requirements of Florida Statutes.

Chapter 10: Infrastructure Element

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

GOAL INF 1 WASTEWATER

Escambia County shall ensure the provision of environmentally safe and efficient wastewater collection, treatment, and disposal concurrent with the demand for such services.

OBJECTIVE INF 1.1 Provision of Wastewater Service

Ensure the safe and efficient provision of wastewater services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies and protection of natural resources.

POLICY INF 1.1.1 Service Agreements Wastewater service shall be provided at established levels of service within Escambia County consistent with the Interlocal Agreement between the County and the ECUA, the Escambia County Utilities Authority Act, Chapter 2001-324, Laws of Florida, and agreements with other wastewater providers.

POLICY INF 1.1.2 Provider Consistency with Plan Escambia County will coordinate with ECUA and other providers relative to their capital improvements and program formulation to assure consistency with this Comprehensive Plan. Sewer availability will also be defined in Florida Statutes.

POLICY INF 1.1.4 Required Septic Tank Retirement Escambia County will, in coordination with the Escambia County Health Department and wastewater service providers, require all onsite sewage treatment and disposal system (i.e., septic tank) users to connect to an available central sewer system within the times prescribed Florida Statutes.

POLICY INF 1.1.5 Coordination on System Expansions Escambia County shall coordinate with ECUA and other wastewater service providers on the extensions of sanitary sewer collection lines and the siting or increase in capacity of wastewater treatment facilities to meet future needs.

GOAL INF 3 STORMWATER MANAGEMENT

Escambia County will ensure the provision of environmentally safe and efficient stormwater management concurrent with the demand for such services.

OBJECTIVE INF 3.1 Provision of Stormwater Management

Ensure the safe and efficient provision of stormwater management through maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies and protection of natural resources.

POLICY INF 3.1.2 County System Improvements Escambia County shall continue its practice of enhancing localized and regional drainage systems to increase the LOS associated with development prior to current stormwater management requirements.

Chapter 13 Recreation and Open Space Element

The purpose of the Recreation and Open Space Element is to ensure adequate recreational opportunities for the citizens of Escambia County through the provision of a comprehensive system of public and private park facilities. These facilities may include, but are not limited to, natural reservations, parks and playgrounds, trails, beaches and public access to beaches, open spaces and waterways.

LAND DEVELOPMENT REGULATIONS

Atwood’s land is divided into five zoning categories. Two primary zoning categories represented in the Atwood Redevelopment District are residential and Commercial. As with land use, the share of each zoning designation reflects the dominance of the corresponding land use, with residential (HDMU, HDR, and MDR) occupying 66.99% of the total acreage and commercial (Commercial and HC/LI) occupying 33.01% (Table 2.2). Atwood’s zoning categories are mapped in Figure 2.5 and described below.

Zoning Category	Acreage	Percent
HDMU	298.62	48.35%
HDR	28.14	4.56%
MDR	86.98	14.08%
Commercial	201.79	32.67%
HC/LI	2.1	0.34%
Total	617.63	100%

TABLE 2.2: DISTRIBUTION OF ZONING CATEGORIES. ESCAMBIA COUNTY GIS

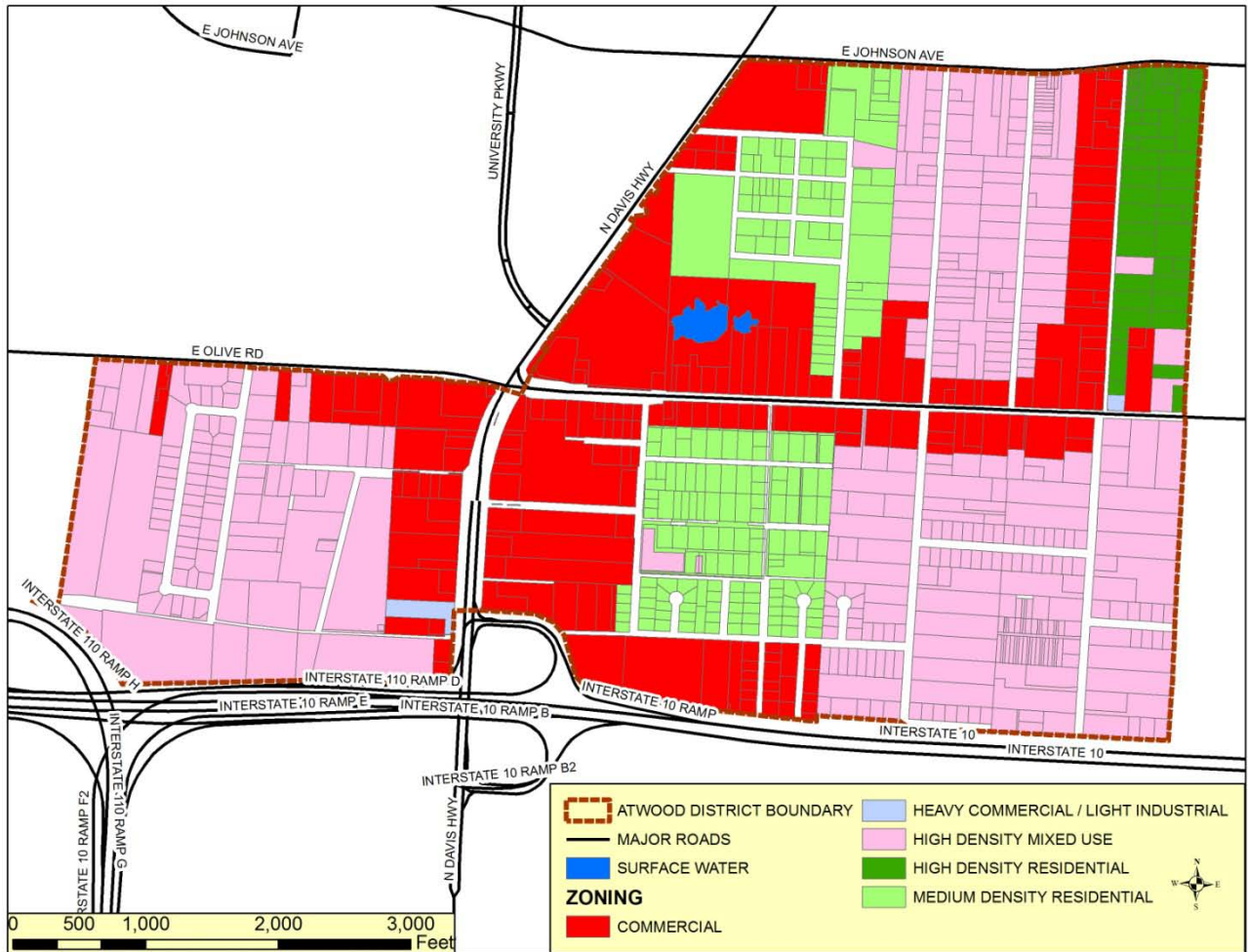


FIGURE 2.5: ZONING CATEGORIES IN THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

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

High Density Residential district (HDR): The High Density Residential (HDR) district establishes appropriate areas and land use regulations for residential uses at high densities within urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density and diversity than the Medium Density Residential district. Residential uses within the HDR district include most forms of single-family, two-family and multi-family dwellings. Non-residential uses within the district are limited to those that are compatible with urban residential neighborhoods.

Medium Density Residential district (MDR): The Medium Density Residential district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses within the MDR district are limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

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

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

PARCEL SIZE

The size of parcels (Fig. 2.6) has a significant impact on redevelopment potential for any proposed project. Typically, older subdivision plats and commercial properties may be too small for redevelopment and may exhibit non-conformance with current zoning codes.

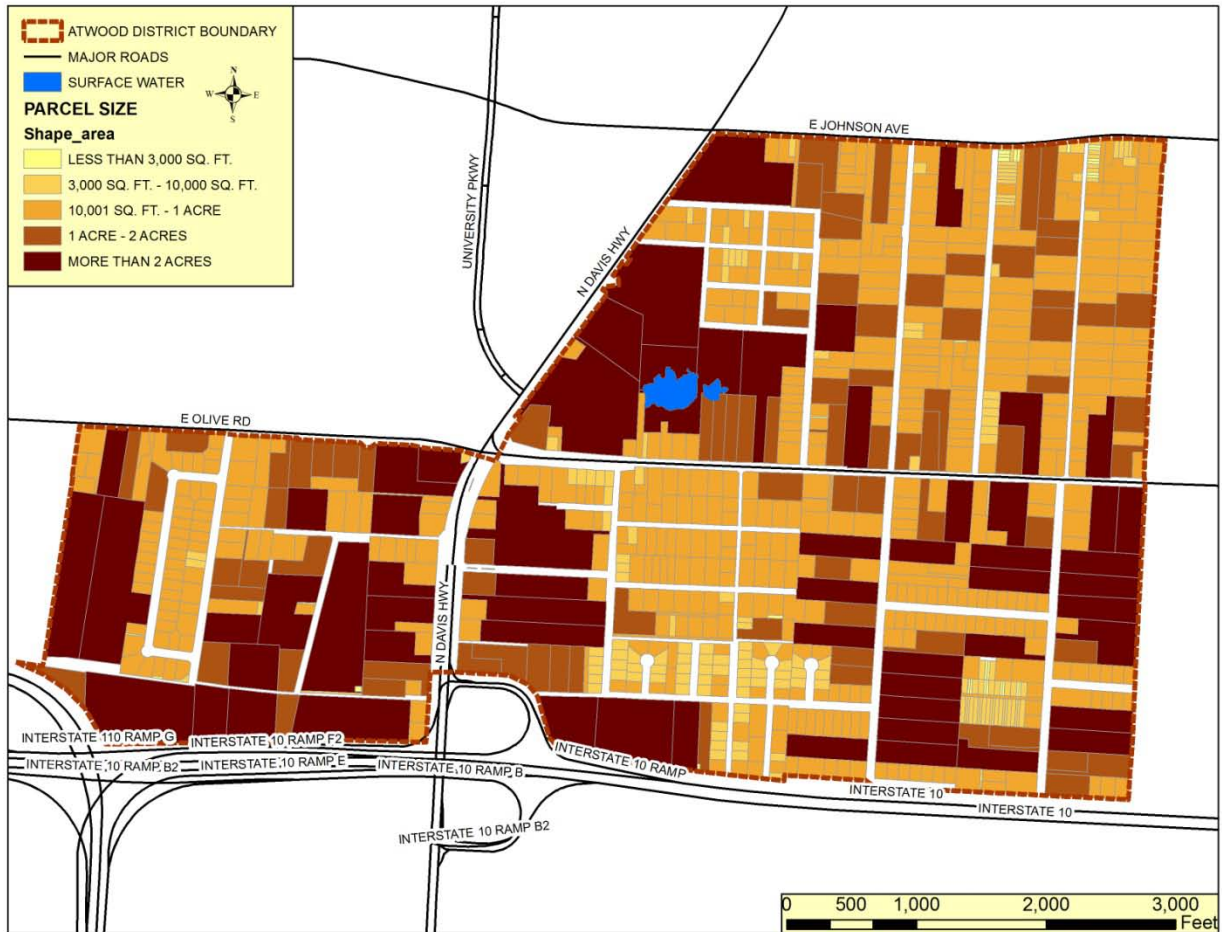


FIGURE 2.6: PARCEL SIZE IN THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

Table 2.5 summarizes the parcel counts and distribution of various parcel sizes. The majority (58.48%) of parcels in Atwood are between 10,000 square feet to 1 acre (43,560 square feet) in size. The next most common parcel sizes in Atwood are lots that are between 3,000 to 9,000 square feet – representing nearly 18.20% of the Redevelopment District.

Parcel Size	Count	Percent
< 3,000 square feet	39	4.44%
3,000 – 9,999 square feet	160	18.20%
10,000 square feet – 1 acre	514	58.48%
1-2 acres	106	11.95%
> 2 acres	61	6.94%
Total	879	100

TABLE 2.3: DISTRIBUTION OF PARCEL SIZE. ESCAMBIA COUNTY GIS

HOUSING CONDITION

Housing conditions in the Redevelopment District are mostly dilapidated and poor. The distribution of substandard housing is clustered throughout the Redevelopment District (Fig. 2.7), while the neighborhoods of Ferry Pass and Oakhurst contain a relatively higher concentration of poor quality housing compared to the rest of Atwood.

CRA staff conducted a neighborhood housing survey throughout the Atwood Redevelopment District. Houses were evaluated based upon the following established conditions criteria:

1. **Excellent condition** – None or very minor repair required.
2. **Good condition** – Possibly requiring paint. There may be evidence of aging. No structural repair necessary.
3. **Fair condition** – Repair or rehabilitation is required. Shingles may be curling. There may be evidence of the need for energy improvements. Roofing may be required as well.
4. **Poor condition** – Obvious structural damage exists. The Entire structure may be leaning, the floor may be settling in places, and there may be evidence of water damage.
5. **Dilapidated condition** – Typically beyond feasible rehabilitation and in need of demolition. The building may be burned out or otherwise structurally unsafe. Portions of the structure may already be down.

Conditions of deterioration in a neighborhood are a negative influence on surrounding residents, and the condition of these units can be a deterrent to continuing investment and maintenance of other units. Of the 777 houses in Atwood, over 48.2% are in either poor or dilapidated condition and 51.7% is in fair condition.

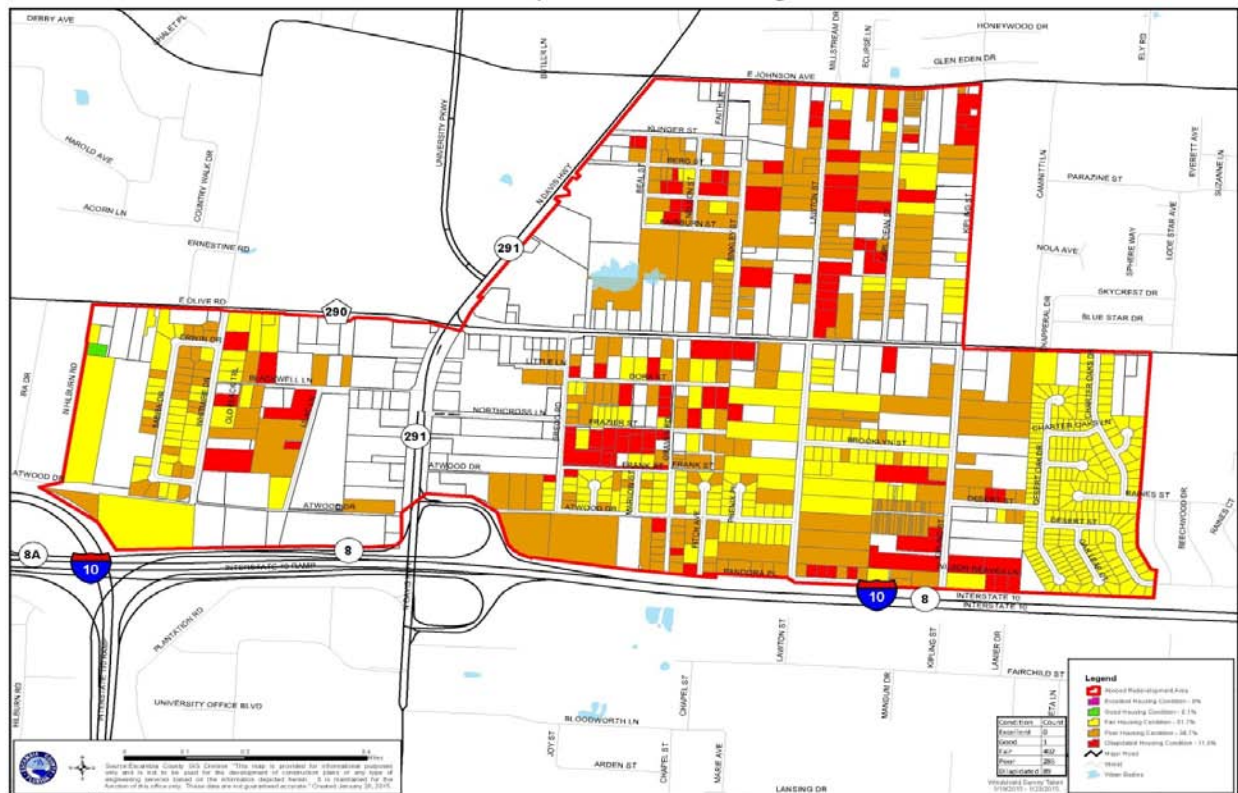


FIGURE 2.7: HOUSING CONDITIONS IN THE ATWOOD REDEVELOPMENTDISTRICT. ESCAMBIA COUNTY GIS

TRANSPORTATION AND INFRASTRUCTURE

Vehicular circulation through Atwood’s commercial corridors is logical and efficiently planned. Davis Highway intersects Olive Road and E Johnson Ave as grade-separated interchanges that keeps the north-south flow of traffic unhindered. E. Johnson Avenue and E. Olive Road provide the primary east-west access through the residential and lesser commercial areas of the redevelopment area.

Atwood has a traditional city-like street grid with a traditional interconnected street layout that connects to neighboring residential areas.

Olive Road East is a Roadway Reconstruction and Drainage project located east of Davis Highway. 2.3 miles of roadway reconstruction will be completed from Davis Highway to Johnson Avenue. Construction will include a two-lane curb and gutter with a center continuous left-turn lane; bike paths; sidewalks; re-alignment of Johnson Avenue with Harbour Square Drive and a complete overhaul of the drainage system, including two stormwater ponds and other safety improvements will be incorporated into the project. This project will be constructed in two phases. Construction of Phase one is currently underway and is estimated to be completed by April 2017. Phase two is construction is anticipated to start in 2017.

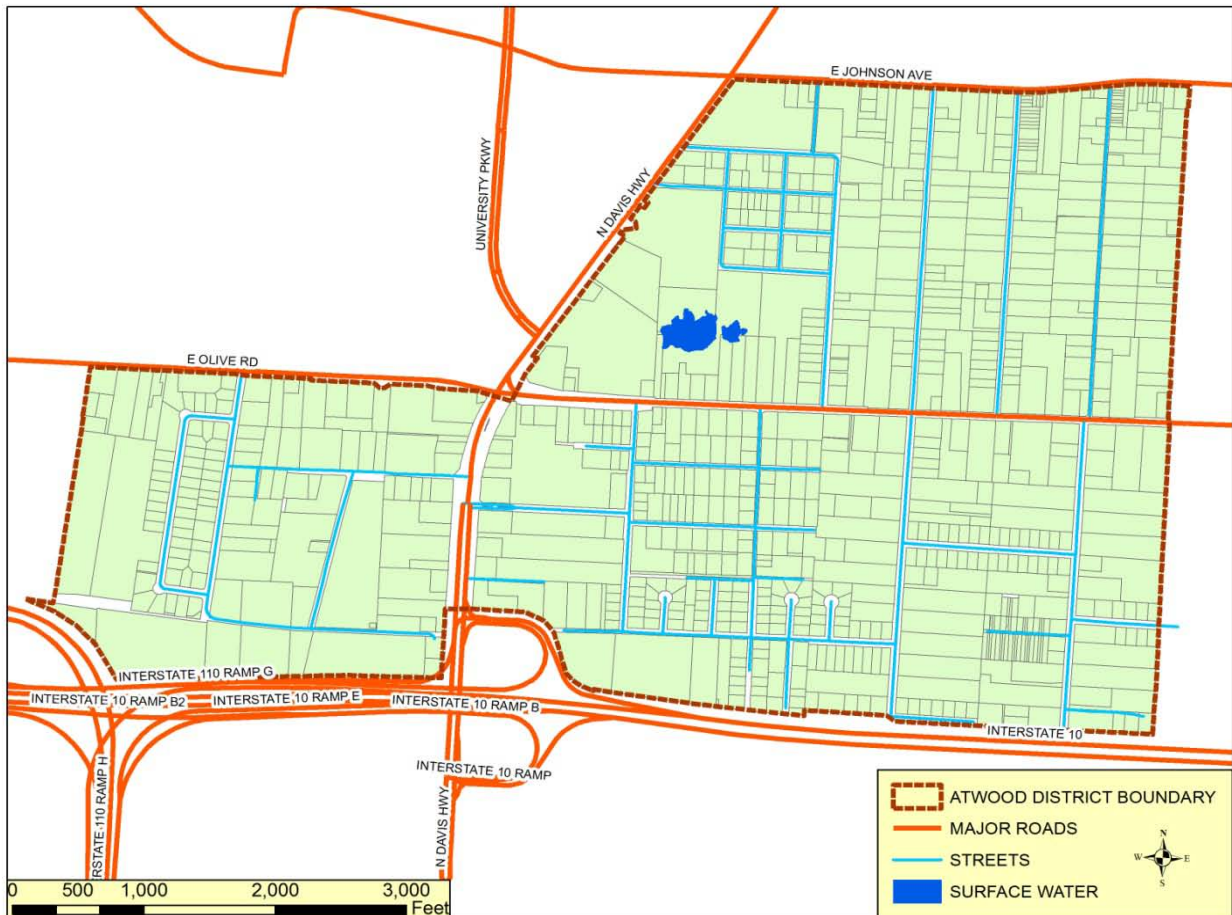


FIGURE 2.8: VEHICULAR CIRCULATION IN THE ATWOOD REDEVELOPMENT DISTRICT ESCAMBIA COUNTY GIS

PEDESTRIAN CIRCULATION

Pedestrian circulation in Atwood is deficient. Atwood does not have an interconnected sidewalk network throughout the District. Sidewalks are only located along the commercial corridor on N Davis Highway and extends a few feet east & west on E Olive Rd where the two intersect.

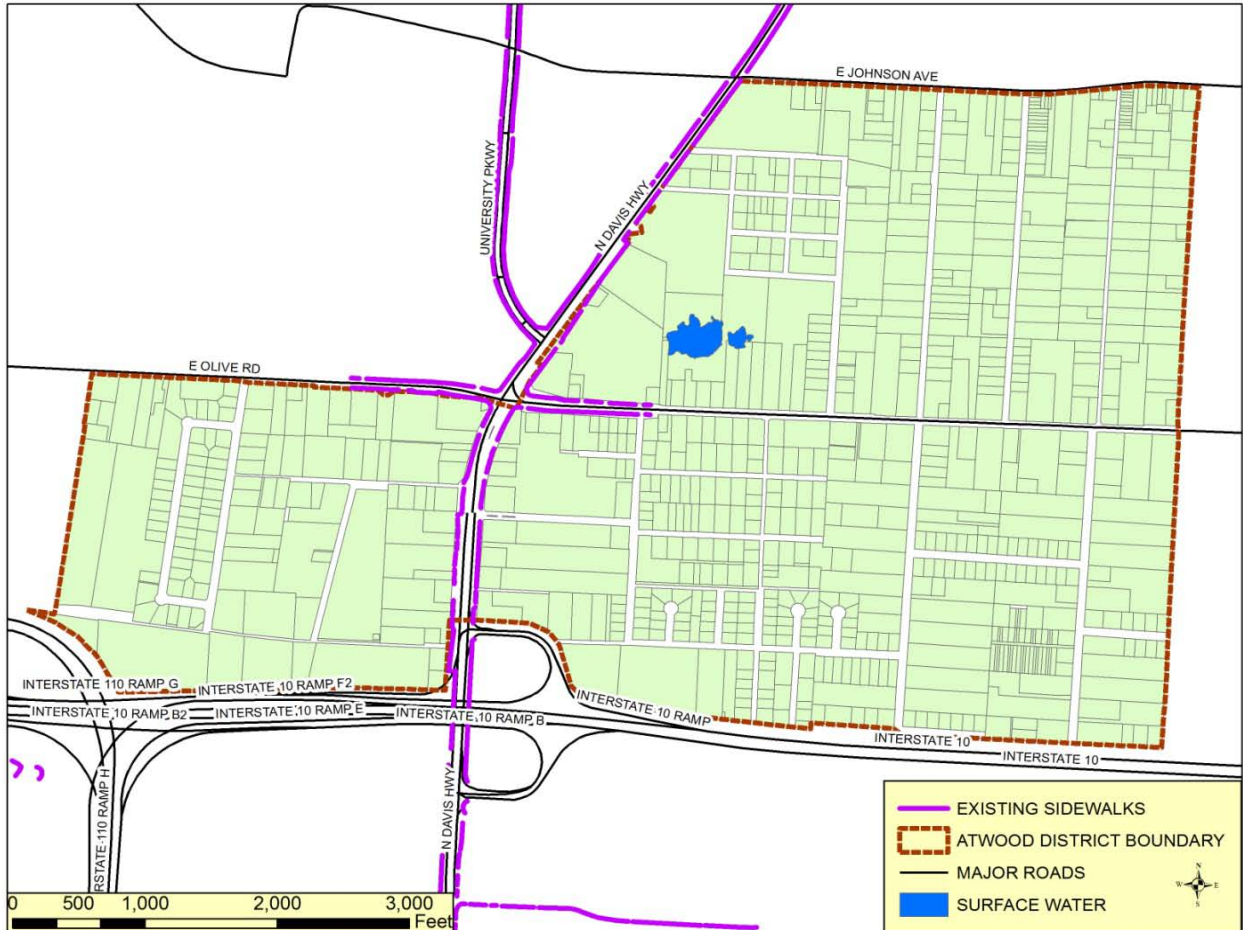


FIGURE 2.9: SIDEWALKS IN ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

The Olive Road East Roadway Reconstruction and Drainage will include bike lanes and sidewalks on E Olive Rd throughout the length of this heavily-travelled corridor from Davis Highway to E. Johnson Ave in the Redevelopment District.

With the funded and planned improvements in the Atwood Redevelopment District, pedestrian circulation will be vastly improved throughout the district. See concept map with proposed sidewalks Fig 3.1.

SANITARY SEWER

The sewer network in Atwood is concentrated in the northern residential area of district above Olive Road and scattered along Davis Highway in the Commercial Corridor. Sewer is available in the Klinger, Skycrest and Kipling Neighborhoods. Sewer service is also limited to businesses on Davis Highway from I-10 to Oliver Rd.

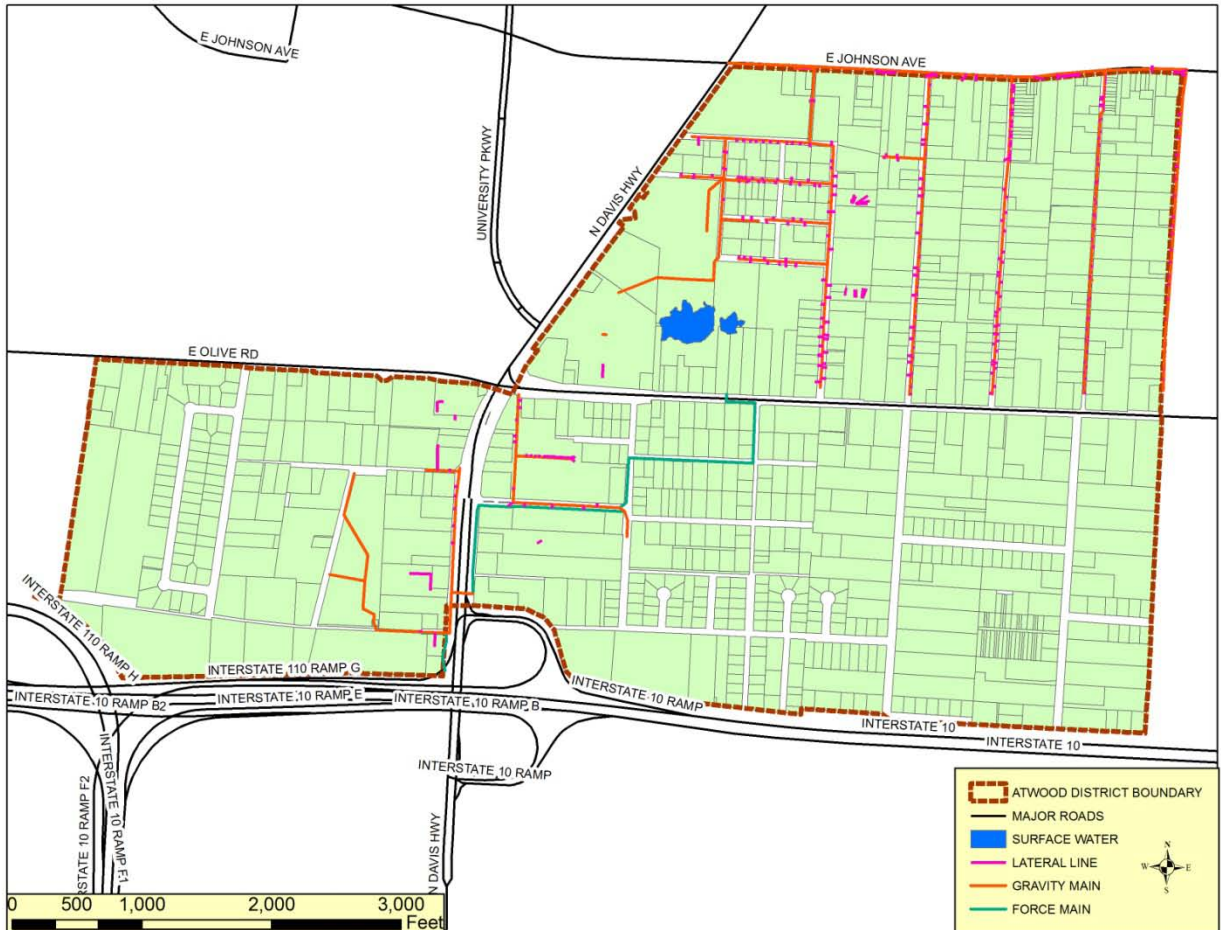


FIGURE 2.10: SEWER LINES IN THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

SEWER EXPANSION

To ensure that sewer is available to all neighborhoods within the Atwood Redevelopment District, the sewer system will be expanded to the south side of Olive Rd. (see figure 2.11). The expansion will be completed in two phases. Phase one is the Atwood East Expansion and Phase two is the Whitmore Expansion.

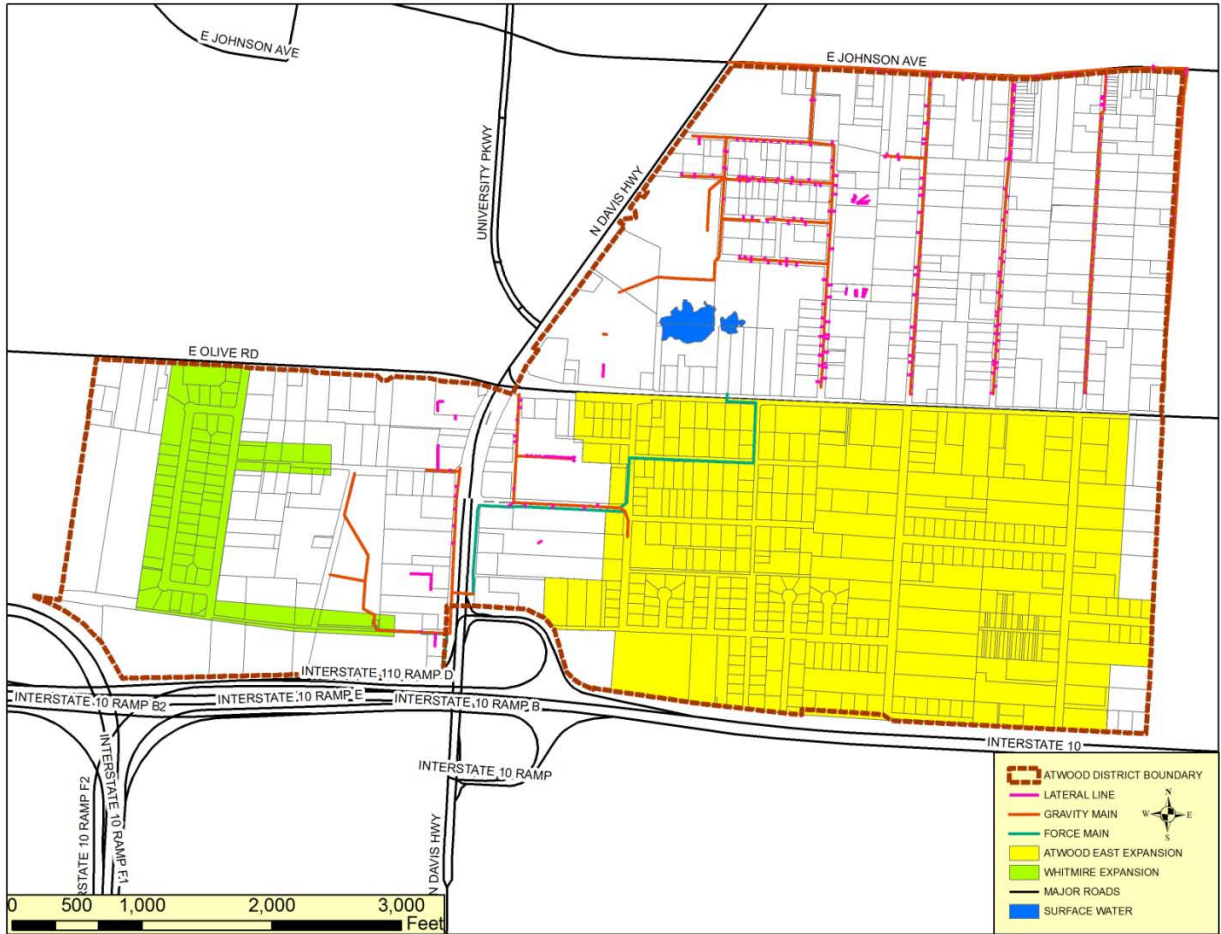


FIGURE 2.11: SEWER LINES IN THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

DEMOGRAPHICS

This section uses data provided by Nielsen Site Reports as compiled by the Haas Center of University of West Florida to discuss the demographic, housing and economic conditions in the Atwood Redevelopment District and compare them to the same conditions across the whole of Escambia County.

POPULATION

Atwood’s population has been very stable over the past fifteen years and is expected to remain so in the near future. The 2000 Census identified 2,362 residents and 2,939 residents in 2010. Estimated population in 2015 was 3,136. Projected population in 2020 is 3,363. Population in the Redevelopment District increased 24.40% from 2000-2010 and increased 6.72% from 2010-2015. Atwood is expected to grow 7.24% from 2015-2020.

As reflected in Table 2.4 below, the Atwood Redevelopment District is growing at a much faster pace than the county as a whole. In the period from 2000-2010, Atwood Redevelopment District grew 6.72%. Population grew slower in Escambia County from 2010-2015 with a growth rate of 3.03%. Projected growth rate of the county as a whole is expected to pick up to 4.49% from 2015-2020.

POPULATION Location	2010	2015	% change from 2010	2020 (estimated)	% change from 2014
Atwood CRD	2,939	3,136	6.72%	3,363	7.24%
Escambia County	297,619	306,630	3.03%	320,397	4.49%

TABLE 2.4 POPULATION. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

HOUSEHOLDS

Household data (Tables 2.5 and 2.6) are important indicators of housing demand, household characteristics, and market potential in a community. The 2010-2015 percent increase of households in Atwood (5.97%) is more than the rate in household growth in Escambia County (3.42%). Despite this difference, the percentage of home owners living in their homes is nearly similar when comparing Atwood to the county as a whole.

HOUSEHOLDS Location	2010	2015	% change from 2010	2020(estimated)	% change from 2015
Atwood CRD	1,294	1,371	5.97%	1,465	6.88%
Escambia County	116,238	120,219	3.42%	125,949	4.77%

TABLE 2.5 HOUSEHOLDS. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

HOME OWNERSHIP RATE IN 2015	Atwood	Escambia County
% Owner-occupied	51.62%	64.78%
% Renter-occupied	48.80%	35.22%

TABLE 2.6 HOME OWNERSHIP RATES. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

Median household income is another very significant indicator of an area’s economic strength. Atwood’s median household income in 2015 was \$36,501. Escambia County’s median income in 2015 was \$43,533. The discrepancy in Atwood’s median income is \$7,032 or 16.15% less than the County’s median income.

ETHNIC COMPOSITION

Compared to Escambia County as a whole, the Atwood Redevelopment District has a higher concentration of white citizens. (Table 2.7). Atwood’s ethnic composition is 70.38% white and 18.27% Black or African American with other listed races combined only make-up 11.35%.

ETHNIC COMPOSITION	ATWOOD CRD	ESCAMBIA COUNTY
White	70.38%	57.56%
Black or African American	18.27%	5.97%
Amer. Indian or Alaska Native	1.18%	1.70%
Asian	2.14%	1.13%
Native Hawaiian and other Pacific Islander	.06%	0.21%
Some other race	3.79%	23.24%
Two or more races	4.18%	10.19%

TABLE 2.7: ETHNIC COMPOSITION. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

AGE

Age breakdowns are comparatively similar in Atwood and Escambia County as a whole (Table 2.8). In the Atwood Redevelopment District, 74.68% of the population is over 18 years of age while countywide the percentage is 78.4%. Comparison of the elderly population is nearly equal. Although slight, the greatest age comparison difference is in children in Atwood. Atwood has about 1.6% more young children and 2.1% more school-aged children than the county as a whole.

AGE	ATWOOD CRD	ESCAMBIA COUNTY
0-4	6.89%	6.23%
5-17	15.08%	15.36%
18-64	63.72%	62.75%
65+	14.32%	15.67%
Over 18	78.03%	78.41%

TABLE 2.8: AGE. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

EMPLOYMENT

The total working-age population of Atwood in 2015 was estimated at 4,504, of those 2,595 are employed. In 2015, unemployment rate in Atwood was 7.86%. 37.04% of the working age population of Atwood is not in the labor force. Among Atwood residents (Table 2.9), the highest percentages are employed people who work in food preparation/serving (18.84%) and office/administration support (18.23%).

EMPLOYMENT	ATWOOD CRD	ESCAMBIA COUNTY
Architect/Engineer	1.73%	1.30%
Arts/Entertain/Sports	0.08%	1.66%
Building Grounds Maintenance	3.43%	5.12%
Business/Financial Operations	1.35%	3.33%
Community/Social Services	1.39%	1.65%
Computer/Mathematical	1.12%	1.27%
Construction/Extraction	4.78%	5.02%
Education/Training/Library	4.35%	5.43%
Farm/Fish/Forestry	0.23%	0.43%
Food Prep/Serving	18.84%	8.52%
Health Practitioner/Tech.	8.79%	7.60%
Healthcare Support	5.51%	2.78%
Maintenance Repair	4.59%	3.61%
Legal	0.54%	0.97%
Life/Phys/Social Science	1.35%	0.57%
Management	3.47%	8.28%
Office/Admin. Support	18.23%	15.84%
Production	0.81%	3.40%
Protective Services	1.31%	2.15%
Sales/Related	7.90%	11.82%
Personal Care/Service	5.47%	3.33%
Transportation/Moving	4.70%	5.90%

TABLE 2.9: EMPLOYMENT. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

EDUCATION

Economic conditions in a community are often analyzed through indicators such as per capita income, median and average household incomes, employment rate, educational attainment, labor force participation, and poverty rate, but there may be correlations as well between income performance and educational attainment.

As shown in Table 2.10, in 2015, it is estimated that 30% of Atwood residents have received their high school diploma, while an additional 28% have attended college (with nearly 13% of the population attaining a Bachelor's Degree). In contrast, 14% of the Redevelopment Area adults have not completed high school.

In comparison with Atwood to the county as a whole, the difference isn't dramatic – with slightly lower educational attainment in Atwood. However, Atwood does lead the county with the percentage of adults who have a high school diploma and have attended college.

EDUCATIONAL ATTAINMENT	ATWOOD CRD (population 25+ in 2015)	ESCAMBIA COUNTY (population 25+ in 2015)
Less than 9 th grade	6.56%	4.03%
Some High School, no diploma	7.86%	8.81%
High School Graduate (or GED)	30.05%	29.00%
Some College, no degree	27.97%	24.49%
Associate Degree	9.58%	10.40%
Bachelor's Degree	12.62%	14.77%
Master's Degree	4.79%	6.33%
Professional School Degree	0.26%	1.32%
Doctorate Degree	0.34%	0.85%

TABLE 2.10: EDUCATIONAL ATTAINMENT. 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

INCOME

In 2015, residents of Atwood on average earned 25.3% less than a resident elsewhere in Escambia County. The difference in median income was not quite as drastic with Atwood residents earning 16.15% less median income than in the county as a whole. Despite this discrepancy, Atwood has higher percentages of residents in the \$35,000 - \$99,999 income range than compared countywide.

INCOME BRACKETS	ATWOOD CRD	ESCAMBIA COUNTY
2015 Average Income	\$49,529	\$58,243
2015 Median Income	\$36,501	\$43,533
<\$15,000	14.15%	15.44%
\$15,000 - \$24,999	20.57%	12.08%
\$25,000 - \$34,999	13.49%	13.48%
\$35,000 - \$49,999	18.09%	15.82%
\$50,000 - \$74,999	14.37%	17.37%
\$75,000 - \$99,999	6.71%	12.13%
\$100,000 - \$124,999	5.91%	5.68%
\$125,000 - \$149,000	3.06%	2.68%
\$150,000 - \$199,999	2.77%	2.93%
\$200,000 - \$249,999	0.88%	0.95%
\$250,000 - \$499,999	0.07%	1.12%
\$500,000+	0.00%	0.33%

TABLE 2.11: INCOME BRACKETS, 2010 U.S. CENSUS/ESRI/UNIVERSITY OF WEST FLORIDA

CRIME

With a limited dataset, it is difficult to establish a deep understanding of crime trends in the Atwood Redevelopment District. The data in Table 2.12 shows that larceny is the highest number of crimes in Atwood from 2008 -2014. Only one murder was reported in the seven year period in 2013. When compared to Escambia County as a whole, Atwood is extremely low in all categories. In all aspects of measured crime, the Atwood Redevelopment District has a much lower rate than the county as a whole. Crime and the perception of crime can always be viewed as an impediment to redevelopment. This data provides a baseline for future improvement as the Redevelopment Area progresses.

TOTAL INCIDENCE OF CRIME Location	2008 Reports	2009 Reports	2010 Reports	2011 Reports	2012 Reports	2013 Reports	2014 Reports
Atwood CRD (pop. 3,363)							
Murder	0	0	0	0	0	1	0
Forcible Sex Offenses	3	2	2	4	1	0	4
Robbery	15	6	11	6	8	9	3
Aggravated Assault/Battery	18	13	12	15	15	20	10
Burglary/Break-and-Enter	49	48	49	35	49	47	33
Larceny	55	42	68	62	69	70	55
Motor Vehicle Theft	22	13	14	7	13	13	8
Narcotics	12	10	29	12	16	21	25
Escambia County (pop. 306,630)							
Murder	18	15	26	14	15	23	18
Forcible Sex Offenses	225	307	313	272	264	224	234
Robbery	554	534	461	463	412	370	306
Aggravated Assault/Battery	1,420	1,392	1,128	1,033	1,269	1,169	1,203
Burglary/Break-and-Enter	2,417	2,610	2,665	2,600	3,156	2,776	2,356
Larceny	6,364	6,593	7,271	7,543	7,579	7,588	6,908
Motor Vehicle Theft	687	630	519	858	550	654	554
Narcotics	1,369	1,526	1,458	1,641	1,701	1,600	1,122

TABLE 2.12 TOTAL INCIDENCE OF CRIME IN ATWOOD AND ESCAMBIA COUNTY. ESCAMBIA COUNTY SHERIFF'S OFFICE

CHAPTER 3: CONCEPT PLAN

CONCEPT PLAN PHILOSOPHY

This chapter presents the Concept Plan for future land use and redevelopment within the Atwood Redevelopment Plan. The Concept Plan elements were conceived based on the priority issues and assets identified during the public workshops and surveys. The Concept Plan presents a general outline of the recommended elements for redevelopment of the Atwood Redevelopment District followed by a brief description of the objectives and the recommended action strategies to achieve these objectives. The Concept Plan serves as the foundation for future policy decisions by the County. The following general principles form the basis for recommendations and strategies contained in the Concept Plan:

- The Plan identifies, in general, where future land use changes and redevelopment activities should occur to make best use of limited resources and attract desirable businesses and reinvestment.
- The Plan offers a comprehensive strategy from which the Community Redevelopment Agency can plan its activities for the Atwood Redevelopment District.
- The Plan emphasizes public safety and the passive means that help achieve this; i.e., street lighting, Crime Prevention Through Environmental Design (CPTED) design, signage, etc.
- The Plan considers business development, particularly small-scale and local enterprise, as the future economic foundation for the Atwood Redevelopment District.

In summary, the Concept Plan supports desirable social, physical and economic development strategies as expressed by community stakeholders, including:

- Improving physical conditions and visual character of the area's primary transportation corridors.
- Encouraging infill, renovation, reconstruction and enhancement of single-family residential areas.
- Creating natural centers of social, entertainment, and retail activity that help anchor neighborhoods and form gateways into Atwood.
- Promoting denser and fuller commercial development on Atwood main commercial corridors.
- Appropriately buffering non-harmonious adjacent land uses in order to preserve residential character and help stabilize property values.
- Identifying appropriate locations in the Redevelopment District to introduce mixed-use developments through adaptive reuse, new infill construction and future land use revisions.
- Enforcing code regulations as they apply to housing and property upkeep, visual blight, and safety requirements.
- Enhancing the pedestrian orientation of the Atwood Redevelopment District by increasing its walkability;
- Providing infrastructure, especially sanitary sewer connections to enable infill development of single-family homes.
- Devising strategies to support increased home ownership and improved housing rehabilitation efforts such as soft second mortgages and low-interest loans without income restrictions.

ATWOOD CRD CONCEPT PLAN

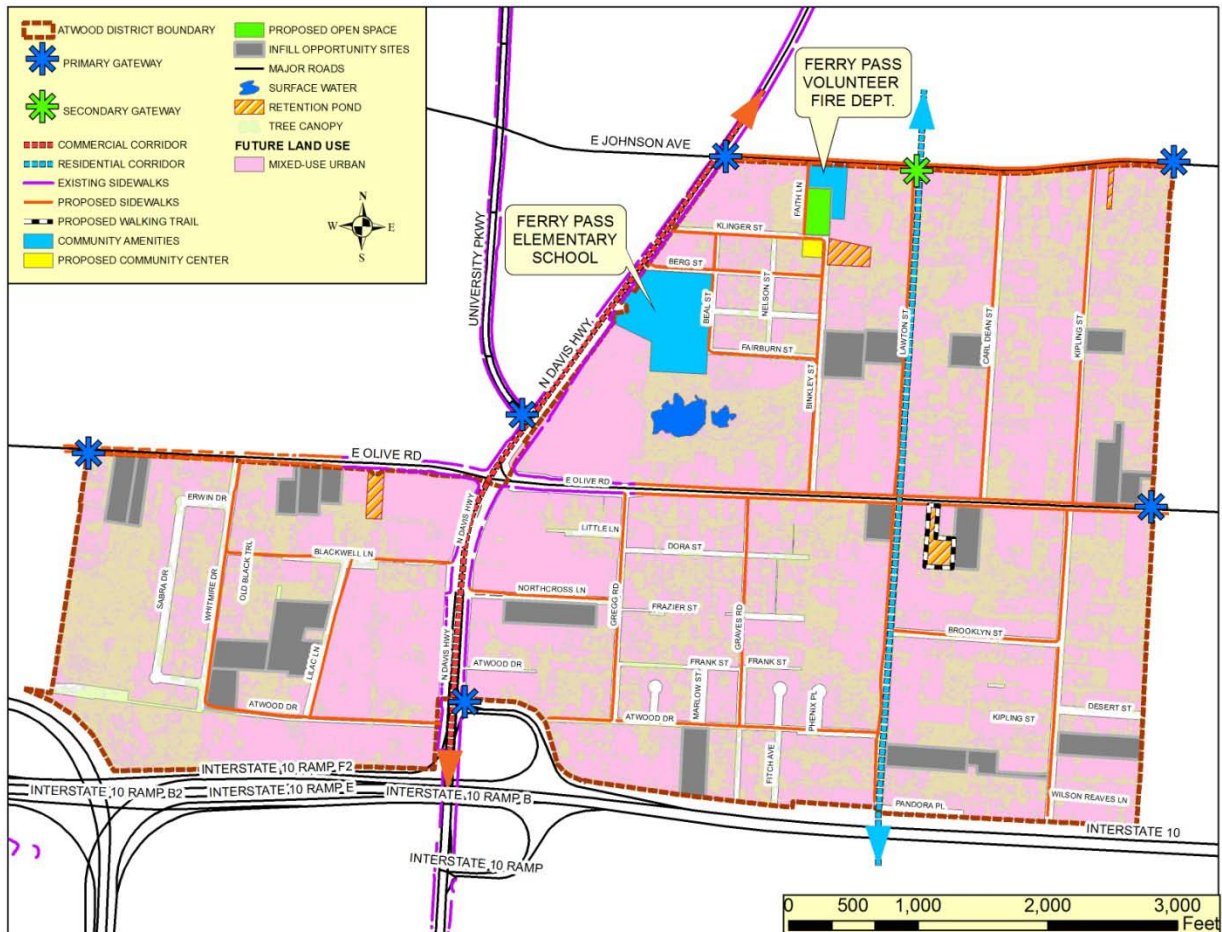


FIGURE 3.1: CONCEPT PLAN FOR THE ATWOOD REDEVELOPMENT DISTRICT. ESCAMBIA COUNTY GIS

CORRIDORS

Primary corridors serve as major access routes for vehicular and pedestrian movement. Highly visible and easily accessible business locations are essential components of market development, and effective traffic circulation is an important factor. Primary corridors carry the largest amounts of traffic and are the most recognizable and convenient routes. Integration of transportation and land use considerations become important in designing primary corridors that are effective at moving traffic, allowing curbside access, and presenting an appealing and welcoming image to motorists and pedestrians alike.

Existing conditions on the Redevelopment Area’s primary corridors are somewhat deficient in terms of infrastructure quality, commercial activity, personal safety, and aesthetic character. These deficiencies must be addressed in order to create the conditions that will lead to reinvestment in the Redevelopment Area. The Concept Plan identifies three primary corridor types within the Atwood Redevelopment Area that could potentially act as catalysts for the redevelopment of the area. These corridors are:

1. Primary Commercial Corridors:

N. Davis Highway , E. Olive Road, and E. Johnson Ave

2. Neighborhood Commercial Corridors

Kipling Street

3. Neighborhood Connectors

Lawton Street, Hilburn Road, Klinger Street and Binkley Street

PRIMARY COMMERCIAL CORRIDORS

N. Davis Highway is the primary north-south route through the Atwood District. Land use along N. Davis Highway is primarily highway-commercial with numerous driveways and access points along the road. Economic vitality along the corridor is moderate with retail, industrial and institutional uses. Retail uses are more concentrated along the intersection of N. Davis Highway and E. Olive Road. Some areas of the corridor are vacant or under-utilized, with excellent redevelopment potential.

Although traffic is heavy during peak hours, a significant road improvement is currently under way for E. Olive Road from N Davis Highway to Johnson Avenue. The Escambia County Engineering project will improve safety for vehicles, bicycles and pedestrians in addition to widening the roadway to include a left-turn center lane.

E. Olive Road is the primary east-west route that runs through the center of the Atwood District. Commercial activity along E. Olive Road is as intense as is found on N. Davis Highway through the Redevelopment District. Large shopping centers are anchored by large national retailers and are supported by smaller shops and services. Commercial redevelopment opportunity is available in pockets along E. Olive Road.

E. Johnson Avenue is also a primary east-west route that runs across the northern boundary of the Atwood Redevelopment District. There is a mixture of residential and business uses along this route that also present opportunities for redevelopment.

Objective: Integrate existing commercial development into the functional and aesthetic framework of the redevelopment vision that retains the economic benefits of these uses, while improving their visual impact. Establish an identity for the corridor and stimulate quality development in the Atwood Redevelopment District.

Action Strategies:

- Initiate physical improvements to enhance the overall visual appearance of the commercial corridor. These include constructing elements such as landscaped medians, street lighting, sidewalks, and shared access to adjacent uses.
- Concentrate and consolidate existing commercial uses to prepare for any new development and use the services of a real estate agent and/or the County’s land management team to acquire and assemble land for the development of large marketable retail or office sites.
- Identify priority sites for developing neighborhood retail and entertainment centers. These centers would centralize important neighborhood features, such as grocery stores, banks, dry cleaners, restaurants, etc.

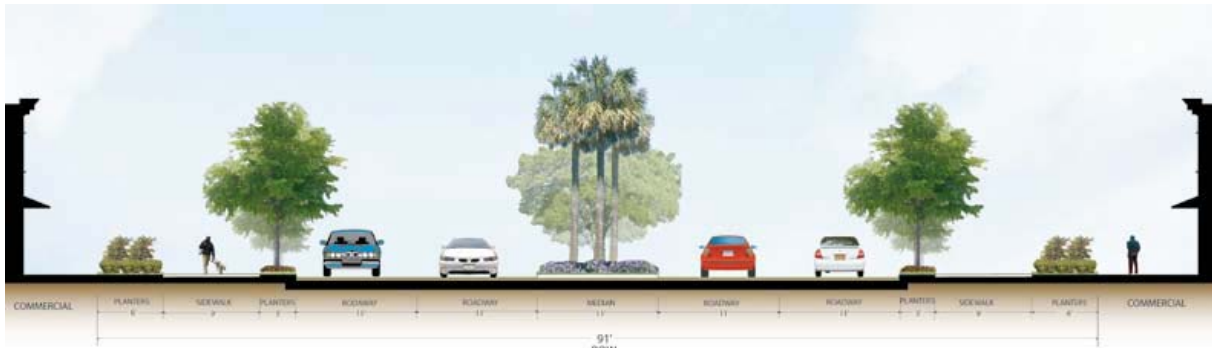
- Provide business owners and developers with incentives such as a tax breaks to upgrade existing buildings and property to meet minimum code standards.
- Encourage adaptive reuse of underutilized and obsolete commercial uses wherever possible.
- Adopt and enforce design standards to ensure visual integration and a sense of identity for the entire corridor.
- Extend and/or complete sewer infrastructure to all properties in the corridor.



EXISTING CONDITION: N. DAVIS HIGHWAY. CRA STAFF



Photo simulation of desired improvements for a PRIMARY COMMERCIAL CORRIDOR. IBI GROUP, INC.



TYPICAL SECTION AN IMPROVED COMMERCIAL CORRIOR. IBI GROUP, INC.

NEIGHBORHOOD COMMERCIAL CORRIDORS

Preserving neighborhood character and unity was mentioned as being important to the residents of Atwood, and the proposed development program for Atwood’s neighborhood commercial corridor intends to build upon their existing character.

Kipling Street is the secondary north-south route through the Redevelopment District. There are residential uses concentrated along the north and south ends of Kipling Street with businesses along the center of the corridor. A variety of businesses exist along this corridor such as chiropractor, electrician, and auto sales.

Residential streets provide pivotal links between different neighborhoods, between different uses in the same neighborhoods, and form the road network that residents use to interact with each other. Their character is generally leisurely; wide lanes and tree canopies combine to create a sense of tranquility that is unavailable on busier roadways. Streets with mixed commercial and residential uses require modified strategies to properly

manage their character and uses. Also, there is high pedestrian traffic with no pedestrian infrastructure. Citizens transition through an unsafe and comfortable pedestrian environment.

Objective: Transform the functional and visual character of the street as primary neighborhood commercial corridor at a scale that is pedestrian friendly and compatible with the residential neighborhoods. Establish an identity for the corridor and encourage private sector investment that addresses the needs of the neighborhood.



EXISTING CONDITION: E. OLIVE ROAD. CRA STAFF

Action Strategies:

- Implement physical improvements to enhance the overall visual appearance of these residential corridors. Such improvements should be made to help soften the street view, provide pedestrian comfort and safety, and slow traffic to reasonable speeds. Tree canopy, landscaping, street lighting, sidewalk repair and construction, and vegetative screens to hide undesirable views are all appropriate.
- Encourage neighborhood commercial development that is compatible with the adjacent uses.
- Provide business owners and developers with incentives such as tax breaks to upgrade existing buildings and property to meet minimum code standards.
- Adopt and enforce design standards to ensure visual integration and a sense of identity for the entire corridor.
- Focus redevelopment efforts at neighborhood gateway intersections.
- Improve pedestrian safety and amenity where deficient, particularly in the form of street lighting, crosswalks and signals, and sidewalks.
- Increase code enforcement and augment public security.

NEIGHBORHOOD CONNECTORS

Lawton Street is a neighborhood connector that runs north and south the full extent of the district from E. Johnson Avenue to Pandora Place at I-10. It provides access for neighborhood pedestrian and vehicle traffic to transition back and forth across E. Olive Road. Lawton Street is proposed for sidewalks to create a safer pedestrian environment.

Hilburn Road is also an important north-south connector at the western boundary of the District that extends from E. Olive Road to I-10. Hilburn Rd connects to Atwood Drive on the south boundary providing access to the Frichez Heights neighborhood.

Klinger Street and Binkley Street will provide the neighborhood and Ferry Pass Elementary School students direct access to the proposed community center and park. This road is also proposed for sidewalks to create a safer pedestrian environment.

Objective: Maintain and improve the residential character of the neighborhoods. Connect important neighborhood destinations. Enhance the community's sense of place and identity by establishing higher quality architectural design standards in the residential areas.

Action Strategies:

- Implement physical improvements to enhance the overall visual appearance of these residential connectors. Such improvements should be made to help soften the street view, provide pedestrian comfort and safety, and slow traffic to reasonable speeds.
- Encourage adaptive reuse of vacant properties that is compatible with the neighborhoods.
- Adopt and enforce design standards to ensure visual integration and a sense of identity for the entire corridor.
- Improve pedestrian safety and amenity where deficient, particularly in the form of street lighting crosswalks and signals, and sidewalks.
- Increase code enforcement and augment public security.



PHOTO SIMULATION OF DESIRED IMPROVEMENTS FOR A NEIGHBORHOOD CONNECTOR. IBI GROUP



BINKLEY STREET. CRA STAFF

GATEWAYS

Gateways are important visual landmarks that reinforce the entrance into a geographic area. They commonly make use of a combination of complementary elements to create a pleasing and welcoming image to residents and visitors. Such elements include signage, landscaping, hardscape features like fountains or plazas, outdoor kiosks or vending stalls, and various forms of retail or dining activity. Gateways, when designed in this manner, help to provide focal points for people to spend time away from work or home. In addition to serving as landmarks, they can be zones of social and retail/dining activity for local residents.

In the Atwood Redevelopment District, there are seven intersections where gateways of primary and secondary magnitude could eventually be developed. The primary ones are located at major intersections, while the secondary ones serve largely residential blocks.

PRIMARY GATEWAYS

All primary gateways can be designed and developed on common principles, with particular strategies added to each gateway appropriate to the area around it. The implementation of any of these town-center gateways will require close cooperation between the public and private sectors. Escambia County and various state and federal agencies must ensure that public utilities, rights-of-way, zoning requirements are able to accommodate the proposed primary gateways.

Proposed primary gateway locations:

- on N. Davis Highway at I-10
- on N. Davis Highway at E. Johnson Avenue
- on N. Davis Highway at E. University Parkway
- on E. Olive Road at Hilburn Road
- on E. Olive Road at Caminitti Lane
- on E. Johnson Avenue at Caminitti Lane



EXAMPLE OF A GATEWAY FEATURE. GOOGLE MAPS

SECONDARY GATEWAYS

Secondary gateways are intended to highlight the instance of entering a particular neighborhood or district. In these cases, signage, landscaping, and paving are combined in ways that draw attention to the intersection and the streets that lead to it. For example, Lawton Street at E. Johnson Avenue is an ideal street to build secondary gateways in Atwood. In addition to being located parallel to busy U.S. Highway 29, it is anchored on the south end by the Interstate 10 overpass, representing an important opportunity to brand the entrance into the Redevelopment District along a lower-speed corridor.

Proposed secondary gateway location:

- on E. Johnson Avenue at Lawton Street

Objective: Create entrance gateways at critical intersections to create a sense of arrival and neighborhood identity for the Atwood Redevelopment District.

Action Strategies:

- Install unique landscaping elements and signage directing people to the Atwood Redevelopment District.

- Prioritize construction of gateway improvements in conjunction with other planned improvements.
- Establish neighborhood identification and directional signage programs announcing the entrance to the Atwood Neighborhood at the identified prime entry points.
- Continue to bury utilities during new construction where feasible to provide safe pedestrian access and improve visual qualities.
- Ensure a coherent design for all the proposed gateways with an integrated landscaping and unified signage theme.



EXAMPLES OF A PRIMARY GATEWAY DESIGN. IBI GROUP, INC.



EXAMPLES OF NEIGHBORHOOD GATEWAY DESIGN. IBI GROUP, INC.

COMMUNITY AMENITIES

There are no existing community amenities in the Atwood Redevelopment District. This Redevelopment Plan proposes to develop a community center and park that encourage outdoor recreation and social interaction. Neighborhood parks should be created on vacant lots that are strategically located near neighborhoods. The goal is to provide a neighborhood park within a 10-minute walk of any residence in the Atwood Redevelopment District.

Objective: Improve resident's quality of life by providing recreational opportunities for residents of the Atwood Redevelopment District. Such amenities should be readily accessible and serve to strengthen and enhance the community.

Action Strategies:

- Strategically locate neighborhood pocket parks within a 10-minute walking distance from residential blocks. Identify such pocket park opportunity sites through acquisition of privately owned vacant, dilapidated or uninhabitable structures, when possible.
- Increase the number of neighborhood groups and strengthen neighborhood group collaboration.
- Fund the community center project identified in the capital improvement section of this plan.

REDEVELOPMENT STRATEGIES

This section of the plan highlights three particular redevelopment opportunities that could have far-reaching positive impact on the Redevelopment Area:

- Commercial Redevelopment and Infill
- Infill Opportunities for Single- and Multi-Family Housing
- Encourage Citizen Groups and Civic Pride
- Public Health and Safety

COMMERCIAL REDEVELOPMENT AND INFILL

With 7.65% of the Redevelopment Area being vacant, this represents a good opportunity for redevelopment of underutilized areas and infill development for new businesses. The Concept Map (on page 34) identifies vacant parcels 1-acre and larger. These identified parcels are opportunities for new development.

Objective: Encourage the redevelopment and infill development of vacant properties with commercial potential. Such economic growth benefits both Atwood and Escambia County.

Action Strategies:

- Initiate the Sign Grant and Commercial Façade, Landscape & Infrastructure Grant programs. These grant programs match commercial property owners in a reimbursement grant for 50% of the project cost according to the grant program guidelines. If the amount of the TIF and Community Development Block Grant funding allows, consider expanding the maximum match to a higher amount to accommodate larger improvement projects.
- Meet with developers to find out what the County can do to help promote commercial growth in the Atwood Redevelopment District.



EXAMPLE OF A COMMERCIAL FAÇADE GRANT RECIPIENT. CRA STAFF



EXAMPLE OF A COMMERCIAL SIGN GRANT RECIPIENT. CRA STAFF

INFILL OPPORTUNITIES FOR SINGLE- AND MULTI-FAMILY HOUSING

Several smaller undeveloped tracts remain in the Atwood Redevelopment District for future residential development. As Escambia County continues to grow its economy, new residential development will follow. The ongoing expansion of the Navy Federal Credit Union campus is expected to place additional demand for housing units as the credit union's employees relocate to the area and new jobs are created.

The Community Redevelopment Agency will work with partners such as Escambia County Neighborhood Enterprise Division, Habitat for Humanity, and CELL to consider creating new affordable housing opportunities. By partnering with a wide variety of agencies and non-profits, a greater pool of funding is available for home repairs and construction.

Objective: Encourage the redevelopment and infill development of vacant properties with residential potential.

Action Strategies:

- Work with local partners to increase the affordable housing opportunities in Atwood.
- Create community amenities, beautification and streetscapes to make Atwood an attractive place to live.
- Use TIF funds to expedite funding of infrastructure improvements in the Atwood CRD.

ENCOURAGE CITIZEN GROUPS AND CIVIC PRIDE

Citizen involvement in the redevelopment of an area is critical to its success. Citizen groups, such as neighborhood watch groups or other civic-minded organizations are a great way to advocate for improvements to elected officials. Motivated neighbors also are a great resource to get small projects completed whether it is helping someone paint a house or hosting a park clean-up day. These neighborhood groups will receive support and guidance from Escambia County to maximize their effectiveness in the community. The Ferry Pass Neighborhood Watch is an active group of citizens whose goal is to improve the neighborhood and has interest in the issues affecting the Atwood Community Redevelopment District.

In the past, the Escambia County Redevelopment Agency hosted a Neighborhood Leadership Workshop for the heads of the neighborhood groups of all the CRA districts to attend a workshop to network, trade information, and learn new skills. The CRA hopes to reinvigorate this practice in the future which will include leaders from the Atwood Redevelopment District.

Objective: Help foster a sense of civic pride in the Atwood Redevelopment District through neighborhood groups, beautification projects, and neighborhood conferences.

Action Strategies:

- Work with residents to establish community groups and provide support to help those groups have maximum effectiveness in their community.
- Host an annual Neighborhood Leadership Workshop and invite leaders from all CRA districts in Escambia County and the City of Pensacola.

PUBLIC HEALTH AND SAFETY

Crime in Atwood can be an impediment to the revitalization of the District and the surrounding areas. The Escambia County CRA, the Atwood Community and the Atwood Neighborhood Groups will continue to work towards the common goal of decreasing and/or eliminating crime by implementing a comprehensive strategy addressing the need for additional law enforcement, community policing, prevention, intervention and treatment, neighborhood and economic development.

Objective: The CRA will continue to work with the Escambia County Sheriff's Department, Atwood Neighborhood Groups, Area churches, Commercial businesses and community stakeholders.

Action Strategies:

- Seek to have a Sheriff sub-station located within the Atwood Redevelopment District.
- Promote representatives from the Escambia County Sheriff's Department to conduct regular clean-sweeps of the Atwood area.
- Continue to solicit assistance from citizens for code enforcement violations.
- Support Crime Prevention Programs throughout the community.
- Continue to provide residential and commercial street lighting for safety.
- Install additional sidewalks for pedestrian safety.

RESIDENTIAL PRESERVATION AND ENHANCEMENT

The Atwood Redevelopment District contains 11 neighborhoods. The housing condition is fair with a number of dilapidated homes scattered across the Redevelopment District. In addition, crime and public safety are also concerns of the community. The efforts to revitalize the Redevelopment District and improve the quality of life should be supported by a harmonizing effort to revitalize and preserve existing neighborhoods. The Plan calls for continued neighborhood improvements to create a strong, safe and vibrant community.

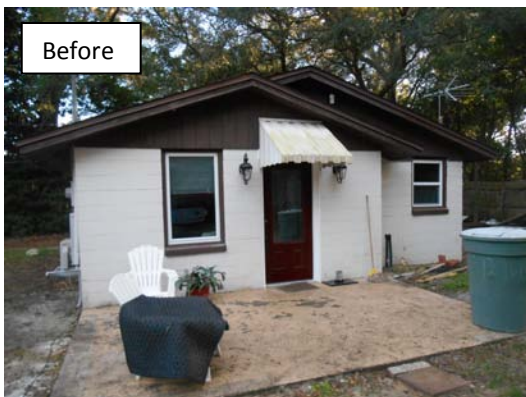
To preserve and improve the quality of the existing housing conditions, the Plan recommends utilizing existing incentives such as the CRA's residential rehabilitation grant to encourage housing restoration across the Redevelopment District, and continuing to collaborate with non-profit organizations and faith-based institutions.

To improve neighborhood connections and pedestrian walkability, the Plan suggests enhancing the existing neighborhood character, continuing with public realm improvements to provide a safe and aesthetically pleasing environment, and in particular, improving the connections with local schools, parks and other neighborhood destinations. The Plan also recommends pursuing infill development opportunities in the neighborhood to develop pocket parks and multi-family housing development through land assembly and acquisition, where possible.

Objective: Preserve and enhance the residential character of the neighborhood through investment in public infrastructure and by establishing or promoting programs that support investment in residential renovations and redevelopment of existing housing stock.

Action Strategies:

- Establish the residential improvement grant to encourage housing restoration across the Redevelopment District.
- Establish residential design standards for building renovations and infill development.
- Acquire lots or building sites, or execute land exchanges for infill development.
- Actively pursue code enforcement including demolition of dilapidated structures. Parcels that become available as a result of the demolition may be used for infill housing development or neighborhood parks.
- Identify opportunities to develop pocket parks through acquisition of privately owned vacant, dilapidated or uninhabitable structures so that no Atwood resident is more than a 10-minute walk from a park.
- Continue to provide financial assistance to further sewer system expansion throughout the redevelopment area together with ECUA and developer funding.
- Consider the provision of flexible development standards in future zoning code revisions for minimum lot sizes to enable development of smaller residential lots.
- Enhance pedestrian safety employing a combination of traffic calming measures such as reduced speed limits, better signage, and the use of elevated decorative crosswalks at primary intersections.
- Initiate community-based activities involving the youth and public safety staff to generate support and participation in local anti-crime programs and improve public relations with the staff.
- Continue to work with neighborhood associations to conduct neighborhood planning exercises on a periodic basis to determine the specific needs of each neighborhood within the Redevelopment Area.
- Support enhanced law enforcement.
- Support neighborhood promotional programs.



HOUSES IMPROVED WITH THE CRA RESIDENTIAL REHAB GRANT PROGRAM. CRA STAFF

CHAPTER 4: CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENTS

Capital investment in improvement projects, including pedestrian-targeted improvements, will help to achieve the goals and desires of the Atwood community. It is through such projects that Escambia County will enhance the functional and aesthetic quality of the Atwood Redevelopment District and provide the basis for leveraging private redevelopment investment. The table below presents a list of proposed capital projects and programs that could be pursued by the county to implement the recommendations of this Redevelopment Plan.

The strategies herein are divided into short-term (within 5 years), mid-term (5 to 10 years), and long-range (+10 years) time horizons to help facilitate budgeting and provide a guide to what projects may be considered a higher priority at first. It is important to note that these proposed capital improvement strategies are not a pledge of expenditure of funds on a given project in a given year. Actual funding allocations will be determined annually through the county's budget process. Also, as years pass, priorities may change and the capital improvement strategies may need to be amended to reflect that.

County funds can be used to leverage grants and commercial financing to accomplish a substantial number of capital improvements and planning activities. With successful revitalization, Escambia County should see a substantial increase in the tax base and realize a healthy return on its investment through increased ad valorem tax revenues, sales tax receipts and other formulated revenue sharing programs.

The Atwood Redevelopment Plan contains several projects consisting of public, private and joint public/ private efforts that may take up to twenty years to complete. It is essential that the county incorporates a sound project implementation strategy when identifying priorities. The community should understand that the county will be pursuing multiple elements of the Redevelopment Plan at all times, and it is important to note that the summary of capital implementation strategies in this chapter is flexible in nature. It is the best estimate of project costs based on a measure of the order of magnitude for projects in relation to anticipated revenues. As a matter of practice the county will continue to prepare annual budgets as well as establish five-year and long-range work programs for budgetary and administrative purposes. Ultimately project costs will be refined during the design and construction phase of any given project.

Project	Description	Estimated Costs	Funding Sources	Estimated Timeframe
Bike Lanes				
E. Olive Road from Davis Highway to E. Johnson Rd	Construct bike lanes on north and south sides of E. Olive Road	Funded as part of the Olive Rd East Project	LOST	2018
Bus Stop Improvements				
General transit improvements to bus stops in Atwood CRD	Transit improvements are made on an as-needed basis.	TBD	ECAT, LOST	Short-term. TBD
Project	Description	Estimated Costs	Funding Sources	Estimated Timeframe
Community Center				
Atwood Community Center	Community Center with similar layout and size as Ebonwood.	\$1,800,000	LOST, TIF	Mid range. TBD
Drainage				
E. Olive Road from Davis Highway to Johnson Road	A complete overhaul of the drainage system, including two stormwater ponds.	Funded as part of the Olive Rd East Project	LOST	2018
Parks				
Atwood Neighborhood Park	Construct a new neighborhood park.	1,000,000	LOST, Parks, TIF	Mid range. TBD
Olive Rd Walking Trail	Construct walking trail around Olive Rd retention pond.	TBD	TBD	Mid range. TBD
Road Improvements				
E. Olive Road from Davis Highway to E. Johnson Rd	This project will be approx. 2.3 miles of roadway reconstruction.	Funded as part of the Olive Rd East Project	LOST	2017/2018
Project	Description	Estimated Costs	Funding Sources	Estimated Timeframe
Sidewalks				
Atwood Drive	Construct sidewalk on Atwood Dr. from Gregg Rd. to Lawton St.	\$208,652	LOST IV, TIF	Mid-term. TBD
Blackwell Lane	Construct sidewalk on Blackwell Ln. from Whitmire Dr. to N Davis Hwy.	\$179,326	LOST IV, TIF	Mid-term. TBD
Binkley Street	Construct sidewalk on Binkley St from Klinger St. to East Olive Rd.	\$196,400	LOST IV, TIF	Mid-term. TBD
Caminiti Lane	Construct sidewalk on Caminiti Ln. from E. Johnson Ave. to E. Olive Rd.	\$266,130	LOST IV, TIF	Mid-term. TBD
E. Johnson Avenue	Construct sidewalk on East Johnson Ave. from N. Davis Hwy. to Caminiti Ln.	\$353,159	LOST IV, TIF	Mid-term. TBD
Faith Lane	Construct sidewalk on Faith Ln. from E. Johnson Ave to Klinger St.	\$56,564	LOST IV, TIF	Mid-term. TBD
Ferry Pass Elementary School	Construct sidewalk on the North and East sides of Ferry Pass Elem. School to include Berg St, Beal St, and Fairburn St	\$119,623	LOST IV, TIF	Mid-term. TBD
Kipling Street	Construct sidewalk on Kipling St. from E. Johnson Ave. to E. Olive Rd.	\$263,753	LOST IV, TIF	Mid-term. TBD
Klinger Street	Construct sidewalk on Klinger St. from N. Davis Hwy. to Binkley St.	\$119,047	LOST IV, TIF	Mid-term. TBD
Lawton Street	Construct sidewalk on Lawton St. from Pandora Place to E. Johnson Ave.	\$490,917	LOST IV, TIF	Mid-term. TBD
Lilac Lane	Construct sidewalk on Lilac Ln. from Blackwood Ln to Atwood Dr.	\$127,502	LOST IV, TIF	Mid-term. TBD

Hilburn Road	Construct sidewalk on Hilburn Rd. from E. Olive Rd. to south Hilburn Rd.	\$187,000	LOST IV, TIF	Mid-term. TBD
Whitmire Drive	Construct sidewalk on Whitmire Dr. from E. Olive Road to the end of Atwood Dr.	\$195,719	LOST IV, TIF	Mid-term. TBD
Additional sidewalks to be identified in a Atwood pedestrian study	The County will perform a pedestrian study to identify additional sidewalks needs.	TBD	TBD	Long-range. TBD
Street Corridor Beautification				
Gateway signage and beautification	On N. Davis Highway at I-10.	\$50,000	TIF, CDBG	Mid-term. TBD
Gateway signage and beautification	On N. Davis Highway at E. Johnson Avenue.	\$50,000	TIF, CDBG	Mid-term. TBD
Gateway signage and beautification	On N. Davis Highway at E. University Parkway.	\$50,000	TIF, CDBG	Mid-term. TBD
Gateway signage and beautification	On E. Olive Road at Hilburn Rd.	\$50,000	TIF, CDBG	Mid-term. TBD
Gateway signage and beautification	On E. Olive Road at Caminiti Ln.	\$50,000	TIF, CDBG	Mid-term. TBD
Gateway signage and beautification	On E. Johnson Ave. at Caminiti Ln.	\$50,000	TIF, CDBG	Mid-term. TBD
Gateway signage and beautification	On E. Johnson Ave. at Lawton St.	\$25,000	TIF, CDBG	Mid-term. TBD
Street Lights				
New streetlights to be identified by Gulf Power	Encompasses the Atwood District.	\$200,000	CDBG, SN, TIF	Short-term. 2016-2018
Utility Expense	Monthly electric costs to power the new streetlights.	\$30,000	SN, TIF	Recurring annual expense
Traffic light on E. Olive Rd & Binkley St	The County will perform a study.	TBD	TBD	TBD
Project	Description	Estimated Costs	Funding Sources	Estimated Timeframe
Sewer				
Atwood East Sewer Expansion Area	Sewer project will serve 290 new customers.	\$3,050,000	ECUA, LOST, TIF	Long-range. TBD
Whitmire Expansion Area	Sewer project will serve 75 new customers.	\$1,600,000	ECUA, LOST, TIF	Long-range. TBD

TABLE 4.1: CAPITAL IMPROVEMENT PROGRAM

List of Acronyms:

- CDBG Community Development Block Grant
- LOST Local Option Sales Tax
- LOGT Local option Gas Tax
- EPA Environmental Protection Agency
- TIF Tax Increment Financing
- SHIP State Housing Initiatives Partnership
- TBD To Be Determined
- FDOT Florida Department of Transportation
- SN Safe Neighborhoods

CHAPTER 5: IMPLEMENTATION STRATEGIES

IMPLEMENTATION STRATEGIES

The success of the Atwood Redevelopment Plan will depend on the coordinated efforts of the community's various stakeholders and agencies including the Escambia County Community Redevelopment Agency, neighborhood associations, business and property owners, and residents. This chapter outlines the implementation functions and organizational framework that are critical components for successful realization of the planning and design objectives that have been developed for Atwood.

Implementation Functions

The implementation process can be divided into two major dimensions:

- Functional areas related to non-financing as well as financing considerations; and
- Responsible groups or agencies charged with addressing the functional areas.

Financial and non-financial considerations are equally important to the effective implementation of the Atwood Redevelopment Plan. Non-financing considerations deal with developing an organizational framework to define the roles for various stakeholders involved in the redevelopment effort. Financing mechanisms are perhaps more easily defined, but not to be focused on until organizational elements are put into effect.

1. Non-Financing Functions

Non-financing functions fall into six general categories:

Site Assembly

The redevelopment of an urban area requires assemblage of multiple parcels of land to maximize the development potential of constrained properties. Site assembly efforts are vital in pursuing land trades and creating development partnerships to ensure controlled growth in the neighborhood. In Atwood, the primary opportunity for economic growth lies in the redevelopment of the substandard parcels located along the area's commercial corridors and the development of the proposed primary gateways which are located in areas where site assembly is advised.

Capital Improvements

Escambia County employs dedicated funding sources such as the Local Option Sales Tax Plan (LOST) and Local Option Gas Tax (LOGT) to fund capital improvements such as street improvement and upgrading utilities. With the creation of a redevelopment district for Atwood, tax increment financing will soon be available for use.

Standards and Controls

Design guidelines and development controls for controlling future development assures tenants and developers that quality future development will occur. In addition, promotion of high-quality design for the community improves aesthetic character and raises the market value of the neighborhood.

Physical Development

This concerns the actual construction of new facilities and rehabilitation of older facilities. Physical development is dependent upon several factors, the most important of which is the ability to effectively rehabilitate existing facilities and to attract and integrate new development in concert with a comprehensive redevelopment plan.

Development Incentives

To further stimulate private investment, Escambia County can provide development incentives through various means such as the following: commercial façade, landscape, signage, and property improvement grants; payment of impact fees; provision of site specific infrastructure improvements to address any deficiencies; participation in environmental clean-up of contaminated sites; flexibility in the application of use restrictions and increasing intensity of site use; flexible parking regulations; grants or low interest loans for life safety improvements; and joint business support ventures such as district business identification signage or centralized marketing strategies.

Code Enforcement, Neighborhood Clean Ups, and Housing Rehabilitation

CRA will continue to partner with the County's Environmental Code Enforcement Division and Safe Neighborhood Program to help reduce blight within the designated areas. Code Enforcement will be an important element of this redevelopment program to systematically enforce all relevant codes, including those dealing with dilapidated structures, deteriorated housing, weeds and litter, zoning, signs, abandoned vehicles, etc. The CRA will support and fund the initiatives of Keep Pensacola Beautiful, neighborhood clean ups, demolition and lot abatements, monitoring sites, and supporting minimum housing standards codes.

Property Acquisition

The CRA is authorized under F.S. 163, Part 3 to sell, lease, exchange, subdivide, transfer, assign, pledge encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. All real property acquired by the CRA in the Redevelopment District shall be sold or leased for development for fair value in accordance with the uses permitted in the Plan and as required by the Act. This plan will support the acquisition of vacant land for housing construction or commercial development; the land may or may not be acquired by the County.

Seasonal Lawn Maintenance

CRA will continue to support the Seasonal Lawn Maintenance Program to remove blight and control litter along selected corridors and residential roadways by mowing and weed-eating during the high seasonal summer/fall growth periods.

2. Financing

Grants

Federal grants have long been a source of funds for development projects, especially for public improvements. Such sources as Community Development Block Grants (CDBG) and Section 108 grants are available, although the extent of their uses is diminishing as the volume of the grant decreases. They have the advantage of directly mitigating development costs and their benefits are predictable and readily understood. The Section 108 loan program allows municipalities to convert a portion of the funds they will receive through the CDBG program into loans to use in economic revitalization projects. Local governments often use their current and future CDBG funds as collateral to guarantee the loans. Other sources of financing include the State Housing Initiatives Partnership (SHIP) Program, and HOME Program. All of these programs should be leveraged as much as possible.

Tax Increment Funds

Tax increment funds are the increased revenues generated by taxes gained from growth in property values resulting from successful redevelopment activities in a designated CRA district. Because this is a commonly relied-upon source of funding for redevelopment, it is addressed in more detail in Appendix C.

Redevelopment Bonds

Redevelopment bonds are issued by the Redevelopment Agency and approved by the County to finance renovation of specific projects, but are not guaranteed by the general revenues of the County. Anticipated TIF revenue may be pledged as the collateral for these bonds.

Private Investment

A general rule for successful revitalization is that private investment usually must exceed public funding by a factor of three to four. Private investment, therefore, is the single most important source of redevelopment funding. Such funding takes the form of equity investment and conventional real estate loans.

Project Equity Position

When a community redevelopment agency takes an equity position in a project, the agency contributes cash or land to the project with a return in the form of profit-sharing. This manner of participation can reduce developer costs.

Leasing

County-owned land, buildings, and equipment can be leased to developers for projects. For the developer, this reduces the need for capital investment in land, buildings, etc. or debt service on money borrowed to finance the purchase of the same. The County would then receive lease payments deductible from the developer's income tax. Such leases may also include a purchase option.

Joint Ventures

In real estate syndication ventures, the community redevelopment agency can contribute equity capital to a project, thereby reducing equity requirements from the developer and/or reducing the amount of debt service. Through equity syndication, tax subsidy benefits can be passed on to investors in the form of depreciation, investment tax credits, deferral of taxes and capital gains.

Mortgage Write-Downs

Mortgage write-downs (funded through the Escambia County Neighborhood Enterprise Division) are mechanisms typically used to encourage residential development and home ownership in the Redevelopment District. Funds from the agency are offered to qualified potential home buyers (low-moderate income, first time buyers, etc.) to increase their down payment, thereby decreasing mortgage payments. The agency usually takes an ownership interest, such as a soft second mortgage, in the dwelling for a predetermined period of time to guarantee against misuse of the funds.

County support and management of the program's activities will provide the system to carry out the recommendations presented in this plan. It is necessary to establish lines of communication between all sectors of the community to positively effect change in the Atwood neighborhoods. Developers and entrepreneurs will be key contributors to the success of this project. Strong public-private partnerships will be crucial to the long-term success of the redevelopment effort.

Faith-based Institutions

Atwood Redevelopment District churches and other faith-based institutions have an important social role in the successful implementation of the redevelopment plan. Escambia County should work closely with faith-based organizations to develop community development programs that capitalize on their strengths and outreach capacity. Participation from faith-based organizations can aid in obtaining community-wide support, addressing the social service needs such as instituting daycare centers, organizing neighborhood clean-up drives and crime prevention campaigns, and encouraging youth participation in community development programs such as mentorship and job training programs to enhance their sense of responsibility.

Private Sector

Private-sector leadership can come from local banks, real estate development entrepreneurs, and property owners within the community. Local banks may provide financing for private developments and establishing a consortium to provide a revolving loan pool at below market interest rate. This activity may provide an opportunity for these financial institutions to meet their goals with respect to the Community Reinvestment Act that is designed to provide capacity building support and financial assistance for the revitalization of low and moderate income communities. Additionally, Escambia County should connect with companies dedicated to investing in local communities. A number of companies actively invest in several communities across Florida with a mission of enhancing the quality of life for the community. First Union Corporation (Northwest Florida, Lee County) and the Corporate Partners Program (St. Petersburg) are examples of programs that involve corporate investment in community development. Similar companies may exist in Escambia County.

However, in order to encourage private investment, the right set of conditions must be in place that facilitate investment and help reduce risk. Creating new business incubators and working closely with interested property owners to develop and/or redevelop vacant land and structures in accordance with the community's overall vision for the Redevelopment District's future growth is a recommended start. Ensuring that property owners are familiar with the brownfield development procedures and financial incentives available for brownfield redevelopment would also help significantly.

Planning and Development Strategies

Escambia County Community Redevelopment Agency staff should be responsible for the execution of this redevelopment plan, and the following are recommendations towards such implementation:

- Prioritize and develop detailed programs for projects to implement major strategies illustrated in the Redevelopment Plan including phasing, project financing, land acquisition, land disposition, funding sources and financing.
- Contact affected property owners to determine their level of interest in participating in proposed redevelopment activities.
- Solicit the services of a realtor and/or utilize the County's community development team to devise a land acquisition strategy for potential purchases of property in the neighborhood.
- Support residential renovation and rehabilitation programs through the use of grant funding such as SHIP, CDBG, HOME, and TIF.
- Increase awareness of funding resources and program initiatives available to residents interested in improving their property as means to increasing home ownership and property values.
- Conduct traffic analysis and market feasibility studies to assess the impact of proposed projects in surrounding areas.
- Initiate discussions with the City of Pensacola to coordinate joint improvement projects planned for the Atwood Redevelopment District.

Housing Rehabilitation and Commercial Reinvestment Financing

A variety of funding sources will continue to provide an array of mechanisms to assist in rehabilitation and reinvestment activities to help spur economic development. This will include Community Development Block Grant funds, State housing assistance funds, and TIF resources. Of particular importance will be a housing rehabilitation loan pool with low interest rates geared to assist low and moderate-income homeowners in bringing their houses up to code. The CRA will work with the Neighborhood Enterprise Division to implement these programs.

APPENDIX A: PUBLIC WORKSHOPS

Atwood residents and business owners were invited to participate in a series of public workshop at Ferry Pass Elementary School located at 8310 North Davis Highway. Dates and themes of the workshops were:

- **January 26, 2016** **Kick-off meeting, identify issues**
- **February 16, 2016** **Prioritize Atwood’s needs**
- **March 29, 2016** **Review results, learn about the draft plan**
- **April 26, 2016** **Final meeting: Presentation of the draft final plan**



CITIZENS ATTENDING THE ENVISION ATWOOD WORKSHOPS. CRA STAFF

Citizens were encouraged to contribute their ideas to the redevelopment of the Atwood Redevelopment District. The results of their input are summarized below and were integrated into the concept plan development.

At the January 26th and February 16th workshops the following strengths, weaknesses, issues and opportunities regarding Atwood were identified by the participants:

Strengths
<ul style="list-style-type: none"> - Citizens like their neighbors, there is community pride - The community is conveniently located near major intersection and services - Proximity to University of West Florida, Navy Federal, and West Florida Hospital - Affordable - Family legacy, grew up here - Established Neighborhood watch - Feel safe here

Weaknesses
<ul style="list-style-type: none"> - Abandoned houses, trash, overgrowth - No communication or newsletter - No community center or parks - Needs sidewalks, sewer, street lighting - No place for community to meet - Housing/rentals in poor condition - Homeless congregating in area - Atwood does not have a post office - Many areas need sewer system

Issues
<ul style="list-style-type: none"> - Crime/robbery/drugs - Lack of information for citizens - Lacking community outreach/resources - Stray animals in the neighborhood - Lack of sidewalks & lighting - Need a light on E. Olive Rd & Binkley St - People loitering on vacant properties - No outdoor recreation facility or walking trail - Mosquito control - Drainage Issues on Forsyth St & Sabra Drive

Opportunities
<ul style="list-style-type: none"> - Room for development and infill - Add a Community center and park - Information sharing through community website and social media - Add a walking trail - Volunteering to help neighbors - Increase participation in the Neighborhood watch/association - Sidewalks throughout the District

The February 16th Envision Atwood workshop built upon the community attributes identified above. Residents were tasked with identifying the short and long-term improvements they wanted include in the Atwood Redevelopment Plan. The following improvements were identified:

- Need a light on E. Olive Rd & Binkley St
- Clean up overgrown and vacant lots
- More police presence
- Streetlights and sidewalks on all major thoroughfares and side streets
- Expand sewer system throughout Atwood District
- Street lights throughout the District
- Add sidewalks throughout the District
- Extend Sidewalks down E. Olive Road
- Design retention ponds to double as public spaces and walking trail
- Develop Community Center on Klinger St
- Develop park at Klinger St and Faith Lane
- Need a Sherriff's Office substation
- Bike lanes on E Olive Rd and E. Johnson Ave
- Traffic merging issues/congestion on Davis Highway
- Trim trees hanging over in the roads
- Drainage Issues on Forsyth St & Sabra Drive

At the March 29th and April 26th workshops, citizens had the opportunity to review and comment on the draft plan.

APPENDIX B: STATUTORY REQUIREMENTS

This section addresses certain specific requirements of Chapter 163, Part III, Florida Statutes, as they relate to the preparation and adoption of Community Redevelopment Plans in accordance with Sections 163.360 and 163.362. Provided below is a brief synopsis of each subsection requirement from 163.360 and 163.362, and a brief description of how the redevelopment plan and adoption process meet those requirements.

163.360 – Community Redevelopment Plans

Section 163.360 (1), Determination of Slum or Blight By Resolution

This section requires that a local governing body determine by resolution that an area has been determined to be a slum or blighted area before a redevelopment area can be established.

Action: Escambia County previously conducted a blight study which established conditions of blight in Atwood and designated the area as appropriate for community redevelopment.

Section 163.360 (2)(b), Completeness

This section requires that the Redevelopment Plan be sufficiently complete to address land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation of properties within the redevelopment area, as well as zoning or planning changes, land uses, maximum densities, and building requirements.

Action: These issues are addressed in Chapters 2 and 3 of the Redevelopment Plan.

Section 163.360 (2)(c), Development of Affordable Housing

This section requires the redevelopment plan to provide for the development of affordable housing, or to state the reasons for not addressing affordable housing.

Action: The Redevelopment Plan anticipates the need to maintain and expand affordable housing in Atwood. The Escambia County Community Redevelopment Agency will coordinate with local housing developers to seek opportunities for the development of additional affordable housing.

Section 163.360 (4), Plan Preparation and Submittal Requirements

The Community Redevelopment Agency may prepare a Community Redevelopment Plan. Prior to considering this plan, the redevelopment agency will submit the plan to the local planning agency for review and recommendation as to its conformity with the comprehensive plan.

Action: Escambia County Community Redevelopment Agency staff prepared the Atwood Redevelopment Plan.

Section 163.360 (5), (6), (7)(a)(d), Plan Approval

163.360 (5). The Community Redevelopment Agency will submit the Redevelopment Plan, along with written recommendations, to the governing body and each taxing authority operating within the boundaries of the redevelopment area.

Action: The Escambia County Board of County Commissioners, sitting as the Escambia County CRA, will pass a resolution for the final adoption of the Redevelopment Plan as provided by statute. The Board of County Commissioners will proceed with a public hearing on the Redevelopment Plan as outlined in Subsection (6), below.

163.360 (6). The governing body shall hold a public hearing on the Community Redevelopment Plan after public notice by publication in a newspaper having a general circulation in the area of operation of the Atwood Redevelopment District.

Action: A public hearing on the Atwood Redevelopment Plan will be held at a future date.

163.360 (7). Following the public hearing described above, Escambia County may approve the redevelopment plan if it finds that:

(a) A feasible method exists for the location of families who will be displaced from the Redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;

Action: To minimize the relocation impact, the CRA will provide supportive services and equitable financial treatment to any individuals, families and businesses subject to relocation. When feasible, the relocation impact will be mitigated by assisting relocation within the immediate neighborhood and by seeking opportunities to relocate within new/redeveloped buildings that will contain residential and commercial space.

(d) The Redevelopment Plan will afford maximum opportunity consistent with the sound needs of the county or municipality as a whole, for the rehabilitation or redevelopment of the redevelopment area by private enterprise.

Action: The need for, and role of, private enterprise and investment to ensure the successful rehabilitation or redevelopment of the Atwood District is described throughout the Plan.

Section 163.360 (8)(a)(b), Land Acquisition

These sections of the statute establish requirements for the acquisition of vacant land for the purpose of developing residential and non-residential uses. The Redevelopment Plan supports future development of both residential and non-residential uses at various locations in the redevelopment area as described in Chapter 3. The Plan identifies strategies that will promote and facilitate public and private sector investment in vacant land acquisition for these purposes.

Chapter 163.362 - Contents of Community Redevelopment Plans

Every community redevelopment plan shall:

Chapter 163.362(1) Legal Description

Contain a legal description of the boundaries of the redevelopment area and the reasons for establishing such boundaries shown in the plan.

Action: A legal description of the boundaries of the redevelopment area and the reasons for establishing the boundaries is contained in Escambia County Board of County Commissioner Resolution R2015-64 and the Finding of Necessity Report, which are attached and incorporated herein by reference.

Chapter 163.362(2) Show By Diagram and General Terms:

(a) Approximate amount of open space and the street layout.

Action: This task is achieved in the Redevelopment Plan in Chapter 2.

(b) Limitations on the type, size, height, number and proposed use of buildings.

Action: These are described in general terms in Chapter 2 however, it is expected that the County's zoning ordinance and land development regulations will continue to provide the regulatory framework for any building dimension or style limitations.

(c) The approximate number of dwelling units.

Action: Based on the future land use concepts contained in the Plan, and the expressed desire to increase residential opportunities in Atwood, it can be reasonably expected that new investment in housing will occur over time. Future developments of moderate to high density residential projects are encouraged in other areas of the redevelopment district, as well as new investment in single family infill. Currently, there are approximately 777 houses in Atwood and the residential density expected to increase.

(d) Such property as is intended for use as public parks, recreation areas, streets, public utilities and public improvements of any nature.

Action: Proposed future uses and activities of this nature are described in Chapter 2.

Chapter 163.362(3) Neighborhood Impact Element

If the redevelopment area contains low or moderate income housing, contain a neighborhood impact element which describes in detail the impact of the redevelopment upon the residents of the redevelopment area and the surrounding areas.

The Atwood Redevelopment District contains a significant number of dwelling units which may be considered low to moderate-income units. The Redevelopment Plan makes provisions for affordable housing through rehabilitation and new construction. Shortages in affordable housing will be addressed through existing and new affordable housing development strategies, with an emphasis on developing ways in which affordable housing can be integrated within market rate housing projects.

The implementation of the Atwood Redevelopment Plan will contribute significantly in improving the quality of life for Atwood residents. Potential impacts are summarized below for each category required by statute: relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population, and other matters affecting the physical and social quality of the neighborhood.

Relocation

The Redevelopment Plan as proposed supports the preservation of existing residential areas and does not require the relocation of any of the low or moderate income residents of the redevelopment area. To minimize the relocation impact, the Community Redevelopment Agency will provide support services and equitable financial treatment to any individuals, families and businesses subject to relocation. When feasible, the relocation impact will be mitigated by assisting relocation within the immediate neighborhood and by seeking opportunities to relocate within new/ redeveloped buildings that will contain residential and commercial space.

Traffic Circulation

The implementation of the Redevelopment Plan recommendations related to streetscape improvements and traffic circulation are anticipated to positively impact the Atwood Redevelopment District. The primary corridor improvements, a component of the Redevelopment Plan, envisions enhancing identified roadways through streetscape improvements that encourage pedestrian mobility and improve vehicular circulation within the area.

Environmental Quality

Escambia County Community Redevelopment Agency will work closely with developers to ensure anticipated new development does not negatively affect the drainage capacity of the area, and, when feasible, support on-site provision of stormwater retention facilities for new development. The development of vacant and/or underutilized sites within Atwood may result in minor increases in the amount of stormwater runoff which may contain pollutants. The Redevelopment Plan recommends pursuing environmental remediation in close cooperation with property owners to ensure that the pollutants are handled adequately prior to new development on identified brownfield sites.

The county will closely monitor the capacity of the existing and planned stormwater infrastructure to ensure sufficient capacity exists, and there are no negative impacts from development. In terms of vegetation and air quality, proposed streetscape improvements are anticipated to add vegetation to Atwood and preserve existing mature tree canopies.

No negative impact on the existing sanitary sewer is expected from implementation of the Redevelopment Plan, and expansion of said sewer may be required to spur redevelopment. If future deficiencies are projected, the county and the Redevelopment Agency will ensure that adequate capacity is available at the time of development.

Community Facilities and Services

The Redevelopment Plan presents strategies to create a number of town-center-styled gateway areas that will accommodate a diverse range of community and cultural facilities serving the needs of the local population. Currently there are no open space/recreation facilities in the Atwood District however locations have been identified for a proposed community center and park. The Plan recognizes the importance of these facilities and supports development of these facilities.

Effect on School Population

The Redevelopment Plan does not anticipate significantly affecting Atwood’s school population. Any increase in school population is expected to be absorbed by the existing schools in the area. The Redevelopment Plan recommends streetscape improvements and sidewalks connecting the area schools to improve pedestrian safety and walkability for students and parents who walk to school. The County and the Redevelopment Agency will continue to work closely with Escambia County School Board to ensure the board’s plans for area schools are consistent with the Redevelopment Plan.

Physical and Social Quality

The Redevelopment Plan’s recommendations to continue with improvements to the existing streetscape environment, to redevelop vacant land and former industrial sites, to establish urban design and architectural standards for new development, and to continue code enforcement will have a positive impact on Atwood’s physical and visual character.

Implementation of the Redevelopment Plan will also improve community access to the social service network currently available to local residents. Job training, apprenticeship opportunities, and mentorship programs created through commercial and industrial redevelopment and establishment of a community center will support the development of human capital, increase employment opportunities and serve as a tool to improve the household income.

Chapter 163.362(5) (6) Safeguards and Retention of Control

Contain adequate safeguards that the work of redevelopment will be carried out pursuant to the plan. Provide for the retention of controls and establishment of any restrictions or covenants running with land sold or leased for private use.

Action: The following safeguards and procedures will help ensure redevelopment efforts in the redevelopment district are carried out pursuant to the redevelopment plan:

The Atwood Redevelopment Plan is the guiding document for future development and redevelopment in and for the Atwood Redevelopment District. In order to assure that redevelopment will take place in conformance with the projects, goals and policies expressed in this Plan, the Escambia County Community Redevelopment Agency will utilize the regulatory devices, instruments and systems used by Escambia County to permit development and redevelopment within its jurisdiction. These include but are not limited to the Comprehensive Plan, the Land Development Code, the Zoning Code, adopted design guidelines, performance standards and County-authorized development review, permitting and approval processes. Per Florida Statute, Escambia County retains the vested authority and responsibility for:

- The power to grant final approval to Redevelopment Plans and modifications.
- The power to authorize issuance of revenue bonds as set forth in Section 163.385.
- The power to approve the acquisition, demolition, removal or disposal of property as provided in Section 163.370(3), and the power to assume the responsibility to bear loss as provided in Section 163.370(3).

In accordance with Section 163.356(3)(c), by March 31 of each year the Redevelopment Agency shall file an Annual Report with Escambia County detailing the Agency's activities for the preceding fiscal year. The report shall include a complete financial statement describing assets, liabilities, income and operating expenses. At the time of filing, the Agency shall publish in a newspaper of general circulation a notice that the report has been filed with the County and is available for inspection during business hours in the office of the County Clerk and the Escambia County Community Redevelopment Agency.

The Community Redevelopment Agency shall maintain adequate records to provide for an annual audit, which shall be conducted by an independent auditor and will be included as part of the Escambia County Comprehensive Annual Financial Report for the preceding fiscal year. A copy of the Agency audit, as described in the CAFR will be forwarded to each taxing authority.

The Agency shall provide adequate safeguards to ensure that all leases, deeds, contracts, agreements, and declarations of restrictions relative to any real property conveyed shall contain restrictions and/or covenants to run with the land and its uses, or other provisions necessary to carry out the goals and objectives of the redevelopment plan.

The Redevelopment Plan may be modified, changed, or amended at any time by the Escambia County Community Redevelopment Agency provided that; if modified, changed, or amended after the lease or sale of property by the

Agency, the modification must be consented to by the developer or redevelopers of such property or his successors or their successors in interest affected by the proposed modification. Where the proposed modification will substantially change the plan as previously approved by the governing body, the County Commission will similarly approve the modification. This means that if a developer acquired title, lease rights, or other form of development agreement, from the Agency to a piece of property within the redevelopment area with the intention of developing it in conformance with the redevelopment plan, any amendment that which might substantially affect his/her ability to proceed with that development would require his/her consent.

When considering modifications, changes, or amendments in the redevelopment plan, the Agency will take into consideration the recommendations of interested area property owners, residents, and business operators. Proposed minor changes in the Plan will be communicated by the agency responsible to the affected property owner(s).

Chapter 163.362(7) Assurance of Replacement Housing for Displaced Persons

Provide assurances that there will be replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities within the community redevelopment area.

Action: As previously stated, to minimize the relocation impact, the Agency will provide supportive services and equitable financial treatment to any individuals, families and businesses subject to relocation. When feasible, the relocation impact will be mitigated by assisting relocation within the immediate neighborhood and by seeking opportunities to relocate within new/redeveloped buildings that will contain residential and commercial space.

Chapter 163.362(8) Element of Residential Use

Provide an element of residential use in the redevelopment area if such use exists in the area prior to the adoption of the plan or if the plan is intended to remedy a shortage of housing affordable to residents of low to moderate income, including the elderly.

Action: There are residential uses of various types and character, including, single-family, multi-family, rental units, owner-occupied units, and detached units in existence in the redevelopment area at the time of this writing. The efforts undertaken by the Agency, as described in this Redevelopment Plan, are intended to retain and enhance a high quality of residential use, particularly with regard to developing and maintaining sustainable neighborhoods. Redevelopment program activities will strive to cultivate the positive neighborhood characteristics cited by the community during public workshops and reduce or eliminate any negative characteristics.

The establishment of a revitalized and expanded residential base in Atwood is essential to achieve a successful economic redevelopment program. Residents living within the redevelopment district will comprise components of the work force and the market, which will generate economic activity.

Chapter 163.362(9) Statement of Projected Costs

Contain a detailed statement of the projected costs of development, including the amount to be expended on publicly funded capital projects in the community redevelopment area and any indebtedness of the community redevelopment agency or the municipality proposed to be incurred for such redevelopment if such indebtedness is to be repaid with increment funds.

Action: Project costs and funding sources are described in Chapter 4 of the Redevelopment Plan.

Chapter 163.362(10) Duration of Plan

Provide a time certain for completing all redevelopment financed by increment revenues.

Action: The Atwood Redevelopment Plan shall remain in effect and serve as a guide for future redevelopment activities in the redevelopment area through 2046.

APPENDIX C: TAX INCREMENT FINANCING

Tax increment financing (TIF) is a tool that uses increased revenues generated by taxes gained from growth in property values resulting from successful redevelopment activities. Because it is a frequently relied-upon tool for project financing, it is explored more fully here. This section presents a brief history of tax increment financing, types of expenses allowed, and TIF revenue projections that the Atwood Redevelopment District may generate in the next forty years.

History of Tax Increment Financing

TIF was originally developed over 50 years ago as a method to finance public improvements in distressed areas where redevelopment would not otherwise occur. TIF is separate from grants or government funds, and given reductions in federal funds available for local projects in recent years TIF has increasingly developed into a primary means to finance local redevelopment.

State law controls tax increment financing. Because of this control, tax increment financing takes on a number of different techniques and appearances throughout the country. In Florida, tax increment financing is authorized in the Community Redevelopment Act of 1969, which is codified as Part III, Chapter 163 of the Florida Statutes. This act, as amended in 1977, provides for a combination of public and private redevelopment efforts and authorizes the use of tax increment financing. Under the Statutes, municipalities must go through a number of steps to establish a redevelopment area and implement a tax increment financing district for that area.

Upon approval of the governing body, a trust fund for each community redevelopment area may be established. The revenues for the trust fund are obtained by allocating any increases in taxable assessed value to the area. The current assessed value of the district is set as the base and any increases (the tax increment revenues) are available for improvements to the area. The property tax paid on the base assessed value continues to be distributed to the local governments. The tax collector collects the entire property tax and subtracts the tax on the base value, which is available for general government purposes. Of the remaining tax increment revenues, 75 percent are deposited to the trust fund. The remaining 25 percent of the incremental growth is kept by the local government as a collection fee.

Type of Expenses Allowed

Funds from the redevelopment trust fund may be expended for undertakings of the community redevelopment agency which are directly related to financing or refinancing of redevelopment in the redevelopment area pursuant to an approved community redevelopment plan for the following purposes, including, but not limited to:

- Establishment and operations: The implementation and administrative expenses of the community redevelopment agency.
- Planning and analysis: Development of necessary engineering, architectural, and financial plans.
- Financing: Issuance and repayment of debt for proposed capital improvements contained in the community redevelopment plan.
- Acquisition: The acquisition of real property.
- Preparation: Tasks related to site preparation, including the relocation of existing residents.

According to F.S. 163.370(2), TIF funds may not be used for the following purposes:

- To construct or expand administration buildings for public bodies or police and fire buildings unless each taxing authority involved agrees,
- Any publicly-owned capital improvements which are not an integral part of the redevelopment if the improvements are normally financed by user fees, and if the improvements would have otherwise been made without the Redevelopment Agency within three years, or
- General government operating expenses unrelated to the Redevelopment Agency.

In addition, tax increment funds cannot be spent on capital projects contained in the local government's Capital Improvement Plan for the preceding three years.

APPENDIX D: RESOLUTION R2015-64

**Escambia County
Clerk's Original**

2015-000522 BCC
May 21, 2015 Page 1

5/21/2015 5:31pm P.H.

RESOLUTION R2015-64

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, PURSUANT TO PART III, CHAPTER 163, FLORIDA STATUTES, RELATING TO COMMUNITY REDEVELOPMENT: FINDING THAT THERE IS A BLIGHTED AREA WITHIN ESCAMBIA COUNTY, FLORIDA, AND A SHORTAGE OF AFFORDABLE HOUSING FOR LOW AND MODERATE INCOME HOUSEHOLDS, SPECIFICALLY WITHIN THE ATWOOD COMMUNITY; FINDING THAT REHABILITATION CONSERVATION, REDEVELOPMENT, OR A COMBINATION OF THESE IN THE ATWOOD COMMUNITY IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF ESCAMBIA COUNTY; FINDING THAT THERE IS A NEED TO DESIGNATE ATWOOD AS A REDEVELOPMENT AREA; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Authority. This Resolution is adopted pursuant to the provisions of Part III, Chapter 163, Florida Statutes, known as the "Community Redevelopment Act of 1969."

Section 2. Definitions. The definitions of the terms as provided in §163.340, Florida Statutes, are hereby adopted by reference whenever used or referred to in the Resolution. In addition, the term, "Proposed Atwood Redevelopment Area" when used in this Resolution means the area within the boundaries of Escambia County, Florida, as outlined in the map and legal description attached hereto and incorporated herein as Exhibit A.

Section 3. Findings and Determinations. The Board of County Commissioners of Escambia County, Florida finds and determines as follows:

- a) The Board of County Commissioners finds that the area referred to as the "Proposed Atwood Redevelopment Area" is a slum or blighted area which substantially impairs the sound growth of the County, and is a threat to the public health, safety, morals, and welfare of the residents of the County, and that the existence of blight further creates an economic and social liability by hindering development, discouraging private investment, reducing employment opportunities, retarding the construction and improvement of housing accommodations, causing an excessive proportion of expenditures for crime prevention and other forms of public services, and depressing the tax base.
- b) The Board of County Commissioners finds that a combination of rehabilitation, conservation and redevelopment of the area identified as the Proposed Atwood Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents if the County in order to eliminate, remedy and prevent conditions of slum and blight.

Date: 5/27/2015 Verified By: *[Signature]*

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May 21, 2015 Page 2

c) The Board of County Commissioners finds and determines that there exists a need for the Community Redevelopment Agency created pursuant to Part I, Article VI, Section 78.151 of the Escambia County Code of Ordinances, to carry out redevelopment purposes pursuant to Part III, Chapter 163, Florida Statutes in the Proposed Atwood Redevelopment Area.

d) The Board of County Commissioners finds and determines that the area described in Exhibit A and entitled Proposed Atwood Redevelopment Area is appropriate for redevelopment projects and is hereby designated a Community Redevelopment Area.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption by the Board of County Commissioners.

Adopted this 21st day of May, 2015.

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

Approved as to form and legal sufficiency.

By/Title: [Signature]
Date: 5/11/15

BY: [Signature]
Steven Barry, Chairman

Attest:

PAM CHILDERS
Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

Date Executed

5/26/2015



Exhibit A

Proposed Atwood Redevelopment Area

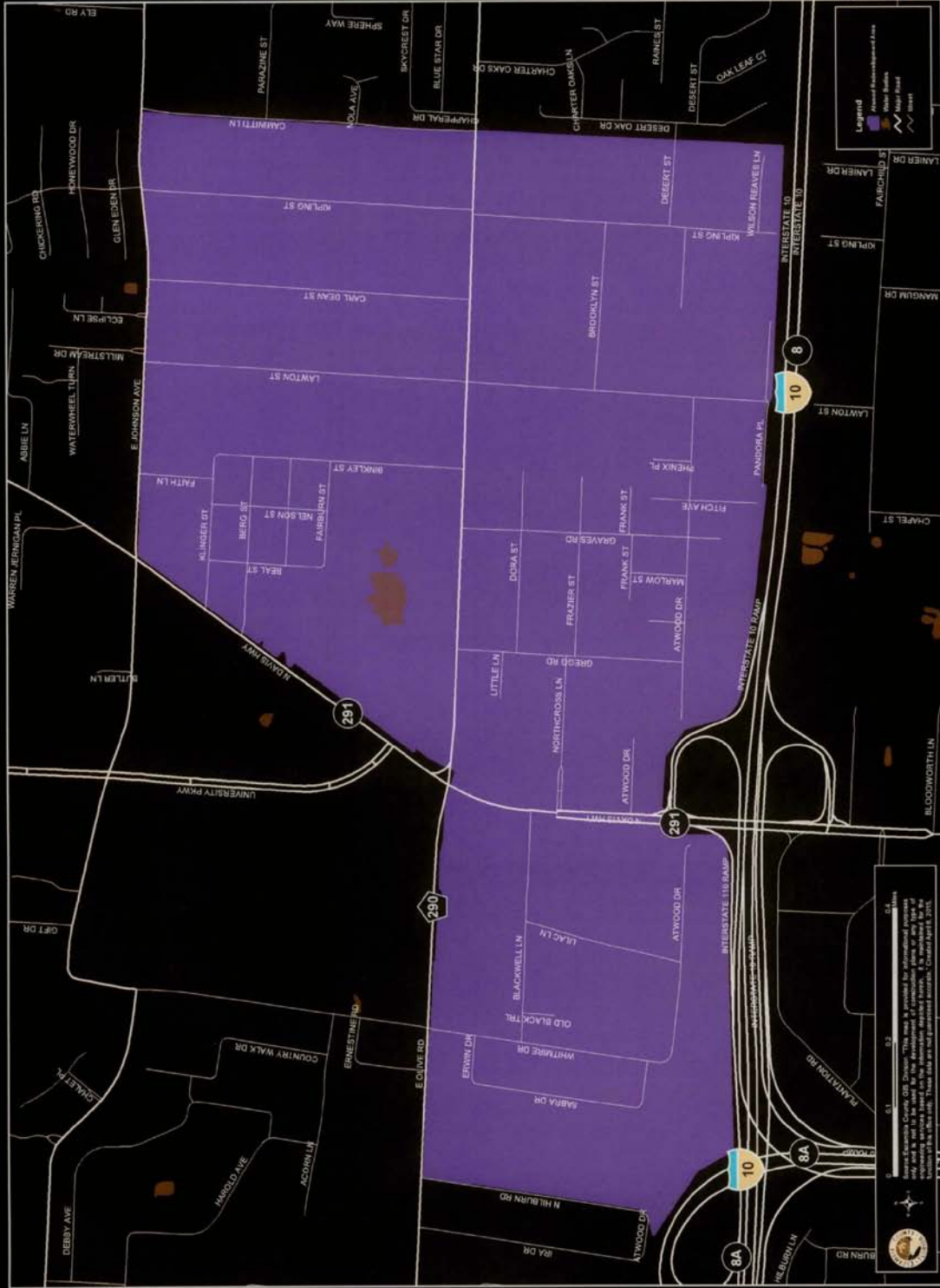


EXHIBIT "A"

Description
Atwood Community Redevelopment Area (CRA)
April 13, 2015

This description is intended solely for the purpose of identifying the Atwood Community Redevelopment Area referenced in this ordinance and is not intended to be used when conveying or otherwise defining interests in real property.

Begin at the intersection of the East right-of-way line of the North Hilburn Road (R/W varies) and the South right-of-way line of Olive Road (R/W varies); thence run Easterly along said South right-of-way line of Olive Road (R/W varies) to the intersection of the South right-of-way line of Olive Road (R/W varies) and the West right-of-way line of North Davis Highway (R/W varies); thence run Easterly to the intersection of the South right-of-way line of Olive Road (R/W varies) and the East right-of-way line North Davis Highway (R/W varies); thence run Northeasterly along said East right-of-way line of North Davis Highway (R/W varies) to the intersection of said East right-of-way line of North Davis Highway (R/W varies) and the South right-of-way line of East Johnson Avenue (R/W varies); thence Easterly along said South right-of-way line of East Johnson Avenue (R/W varies) to the intersection of the South right-of-way line of East Johnson Avenue (R/W varies) and the West right-of-way line of Caminitti Lane (R/W varies); thence South along said West right-of-way line of Caminitti Lane (R/W varies) to the North right-of-way line of East Olive Road (70' R/W); thence South to the Northwest corner of that parcel of land recorded in Official Record Book 272 at page 593 of the public records of Escambia County, Florida; thence South along the West line of said parcel to the Northwest corner of Charter Oaks Unit No. 5 as recorded in Plat Book 15 at pages 30 and 30A of the public records of Escambia County, Florida; thence continue South along the West line of said Oaks Unit No. 5 to the North right-of-way line of Interstate 10 (300' R/W); thence Westerly, Northerly and Westerly along said North right-of-way line of Interstate 10 and Interstate 10 Ramp to the East right-of-way line of North Davis Highway (R/W varies); thence continue West to the West right-of-way line North Davis Highway (R/W varies); thence South along said West right-of-way line of North Davis Highway (R/W varies) to the North right-of-way line of Interstate 10 (R/W varies); thence West and Northwesterly along said North right-of-way line of Interstate 10 (R/W varies) to the Northwest corner of that parcel of land recorded in Official Record Book 3598 at page 855 of the public records of Escambia County, Florida; thence East along the North line of said parcel to the intersection of said North line and the extension of the aforementioned East right-of-way line of North Hilburn Road (R/W varies); thence North along said East right-of-way line to the Point of Beginning.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-8184

10.

BCC Regular Meeting

Meeting Date: 05/21/2015

Issue: Atwood Redevelopment Area

From: Keith Wilkins, Department Director

Organization: Community & Environment

CAO Approval:

A handwritten signature in black ink, appearing to read "Keith Wilkins", is written over a horizontal line.

RECOMMENDATION:

5:31 p.m. Public Hearing for consideration of adopting a Resolution creating the Atwood Redevelopment Area.

Recommendation: That the Board adopt a Resolution of Escambia County, Florida, relating to Community Redevelopment; finding that there is a blighted area within Escambia County, Florida, and a shortage of affordable housing for low and moderate income households, specifically within the Atwood community; finding that rehabilitation, conservation, redevelopment, or a combination of these in the Atwood community is necessary in the interest of the public health, safety, morals, and welfare of the residents of Escambia County; finding that there is a need to designate Atwood as a redevelopment area; and providing for an effective date.

BACKGROUND:

The Community Redevelopment Agency (CRA), a division of Community and Environment Department, was directed to conduct the necessary research and analysis to support findings that would determine whether areas located within the Atwood community would meet the statutory criteria to be designated as a redevelopment area. The CRA has completed the "Findings of Necessity", and a copy is attached. A draft copy of the Resolution has been prepared for consideration and adoption. A copy of the map for the proposed area is attached.

On April 23, 2015, at 8:45 a.m., a CRA meeting was convened to recommend to the Board to schedule and advertise a Public Hearing on Thursday, May 21, 2015, at 5:31 p.m.

On May 21, 2015, at 8:45 a.m., a CRA Meeting was convened to recommend to the Board to conduct a Public Hearing to adopt a Resolution designating Atwood Community as a redevelopment area.

BUDGETARY IMPACT:

5:31 p. m. P. H.

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There is no budgetary impact.

LEGAL CONSIDERATIONS/SIGN-OFF:

Resolution has been reviewed and signed off as to form and legal sufficiency by Kristin Hual, Assistant County Attorney.

PERSONNEL:

There is no additional personnel needed to carry out this process.

POLICY/REQUIREMENT FOR BOARD ACTION:

Conduct a Public Hearing to adopt a Resolution for the proposed redevelopment area designation is in compliance with the Board guidelines and procedures.

IMPLEMENTATION/COORDINATION:

The CRA staff will coordinate the process for the implementation of this program. CRA will ensure proper advertisement.

Attachments

Resolution-Atwood-May2015

5:31 p. m. P. H.

RESOLUTION R2015-___

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, PURSUANT TO PART III, CHAPTER 163, FLORIDA STATUTES, RELATING TO COMMUNITY REDEVELOPMENT: FINDING THAT THERE IS A BLIGHTED AREA WITHIN ESCAMBIA COUNTY, FLORIDA, AND A SHORTAGE OF AFFORDABLE HOUSING FOR LOW AND MODERATE INCOME HOUSEHOLDS, SPECIFICALLY WITHIN THE ATWOOD COMMUNITY; FINDING THAT REHABILITATION CONSERVATION, REDEVELOPMENT, OR A COMBINATION OF THESE IN THE ATWOOD COMMUNITY IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF ESCAMBIA COUNTY; FINDING THAT THERE IS A NEED TO DESIGNATE ATWOOD AS A REDEVELOPMENT AREA; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Authority. This Resolution is adopted pursuant to the provisions of Part III, Chapter 163, Florida Statutes, known as the "Community Redevelopment Act of 1969."

Section 2. Definitions. The definitions of the terms as provided in §163.340, Florida Statutes, are hereby adopted by reference whenever used or referred to in the Resolution. In addition, the term, "Proposed Atwood Redevelopment Area" when used in this Resolution means the area within the boundaries of Escambia County, Florida, as outlined in the map and legal description attached hereto and incorporated herein as Exhibit A.

Section 3. Findings and Determinations. The Board of County Commissioners of Escambia County, Florida finds and determines as follows:

- a) The Board of County Commissioners finds that the area referred to as the "Proposed Atwood Redevelopment Area" is a slum or blighted area which substantially impairs the sound growth of the County, and is a threat to the public health, safety, morals, and welfare of the residents of the County, and that the existence of blight further creates an economic and social liability by hindering development, discouraging private investment, reducing employment opportunities, retarding the construction and improvement of housing accommodations, causing an excessive proportion of expenditures for crime prevention and other forms of public services, and depressing the tax base.
- b) The Board of County Commissioners finds that a combination of rehabilitation, conservation and redevelopment of the area identified as the Proposed Atwood Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the County in order to eliminate, remedy and prevent conditions of slum and blight.

5:31 p. m. P. H.

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c) The Board of County Commissioners finds and determines that there exists a need for the Community Redevelopment Agency created pursuant to Part I, Article VI, Section 78.151 of the Escambia County Code of Ordinances, to carry out redevelopment purposes pursuant to Part III, Chapter 163, Florida Statutes in the Proposed Atwood Redevelopment Area.

d) The Board of County Commissioners finds and determines that the area described in Exhibit A and entitled Proposed Atwood Redevelopment Area is appropriate for redevelopment projects and is hereby designated a Community Redevelopment Area.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption by the Board of County Commissioners.

Adopted this _____ day of _____, 2015.

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

Approved as to form and legal sufficiency.

By/Title: *Kevin Barr*
Date: 5/11/15

BY: _____
Steven Barry, Chairman

Attest:

PAM CHILDERS
Clerk of the Circuit Court

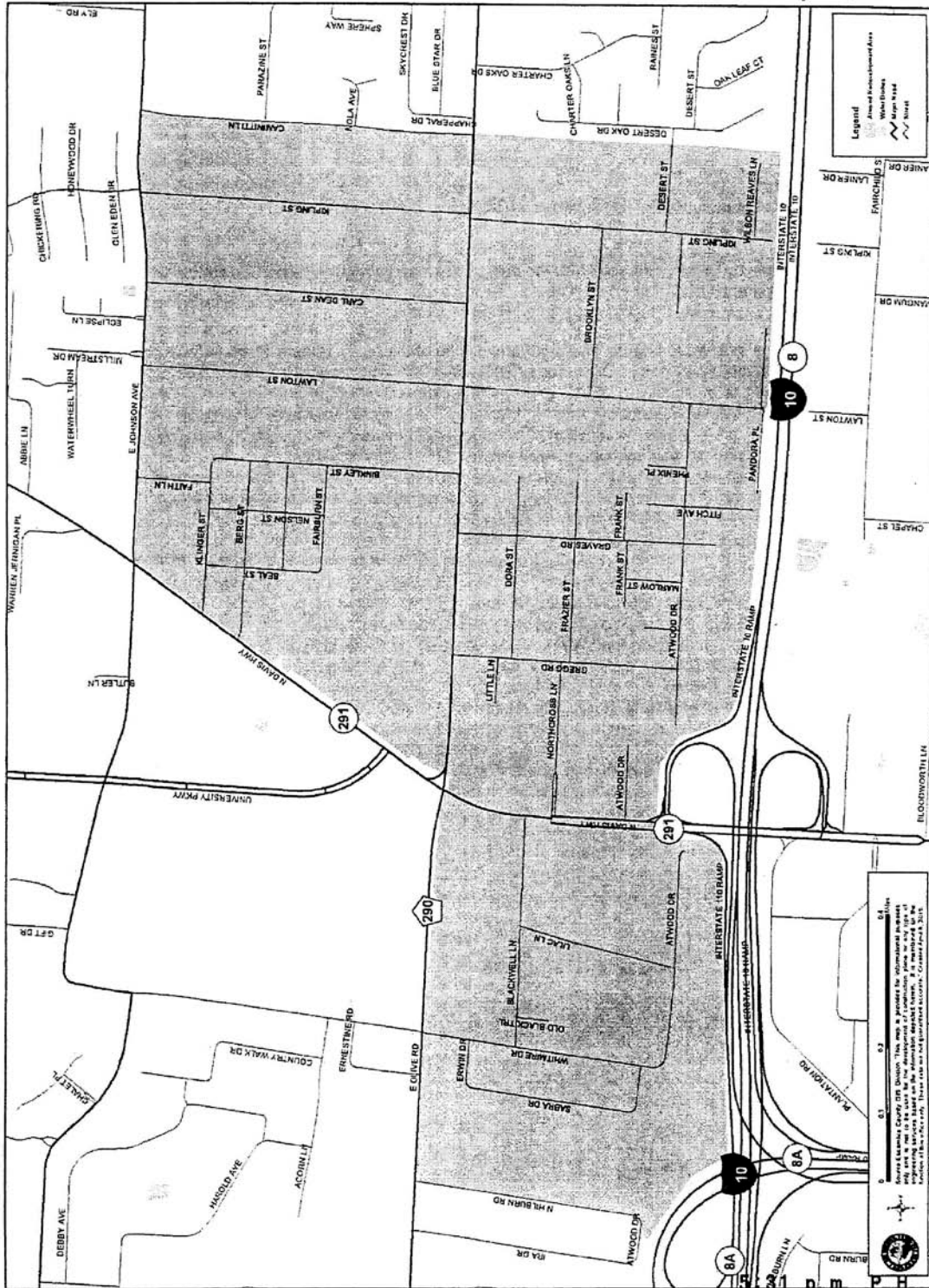
By: _____
Deputy Clerk

(SEAL)

5:31 p. m. P. H.

Exhibit A

Proposed Atwood Redevelopment Area



THE CONDITION OF THE ORIGINAL DOCUMENT IS REFLECTED IN THE IMAGE AND IS NOT THE FAULT OF THE MICROFILMING PROCESS

EXHIBIT "A"

Description
Atwood Community Redevelopment Area (CRA)
April 13, 2015

This description is intended solely for the purpose of identifying the Atwood Community Redevelopment Area referenced in this ordinance and is not intended to be used when conveying or otherwise defining interests in real property.

Begin at the intersection of the East right-of-way line of the North Hilburn Road (R/W varies) and the South right-of-way line of Olive Road (R/W varies); thence run Easterly along said South right-of-way line of Olive Road (R/W varies) to the intersection of the South right-of-way line of Olive Road (R/W varies) and the West right-of-way line of North Davis Highway (R/W varies); thence run Easterly to the intersection of the South right-of-way line of Olive Road (R/W varies) and the East right-of-way line North Davis Highway (R/W varies); thence run Northeasterly along said East right-of-way line of North Davis Highway (R/W varies) to the intersection of said East right-of-way line of North Davis Highway (R/W varies) and the South right-of-way line of East Johnson Avenue (R/W varies); thence Easterly along said South right-of-way line of East Johnson Avenue (R/W varies) to the intersection of the South right-of-way line of East Johnson Avenue (R/W varies) and the West right-of-way line of Caminitti Lane (R/W varies); thence South along said West right-of-way line of Caminitti Lane (R/W varies) to the North right-of-way line of East Olive Road (70' R/W); thence South to the Northwest corner of that parcel of land recorded in Official Record Book 272 at page 593 of the public records of Escambia County, Florida; thence South along the West line of said parcel to the Northwest corner of Charter Oaks Unit No. 5 as recorded in Plat Book 15 at pages 30 and 30A of the public records of Escambia County, Florida; thence continue South along the West line of said Oaks Unit No. 5 to the North right-of-way line of Interstate 10 (300' R/W); thence Westerly, Northerly and Westerly along said North right-of-way line of Interstate 10 and Interstate 10 Ramp to the East right-of-way line of North Davis Highway (R/W varies); thence continue West to the West right-of-way line North Davis Highway (R/W varies); thence South along said West right-of-line of North Davis Highway (R/W varies) to the North right-of-way line of Interstate 10 (R/W varies); thence West and Northwesterly along said North right-of-way line of Interstate 10 (R/W varies) to the Northwest corner of that parcel of land recorded in Official Record Book 3598 at page 855 of the public records of Escambia County, Florida; thence East along the North line of said parcel to the intersection of said North line and the extension of the aforementioned East right-of-way line of North Hilburn Road (R/W varies); thence North along said East right-of-way line to the Point of Beginning.

5:31 p. m. P. H.

**Findings of Necessity
Proposed Atwood Redevelopment Area**

Introduction

As directed by the Board of County Commissioners and Committee of the Whole, Escambia County Community & Environment Department/Community Redevelopment Agency prepared a Findings of Necessity report to support the proposed creation of an Atwood Redevelopment Area. A map depicting the proposed redevelopment area and boundary description for the proposed area are presented as Exhibit A. Data obtained from UWF Haas Center for Business Research using 2010 U.S. Bureau of Census Population and Housing with 2014 forecasts and field surveys were used to formulate these findings. The following data and analysis support the legislative finding that conditions in the proposed redevelopment area meet the criteria of blight as described in Florida Statute 163.340(8) (a) and (b).

Findings

A "blighted area" is an area experiencing economic distress, endangerment to life or property due to the presence of a substantial number of deteriorated structures. The proposed area exhibits conditions of blight as defined in Florida Statute to include the following:

Finding 1: Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities:

The proposed redevelopment area lacks public infrastructure to include adequate street layout, paved roads, stormwater management systems, and sanitary sewer service. While some of the area is served by sanitary sewer, other areas in the proposed are not served by a public sewer system which hinders reinvestment and redevelopment opportunities. The faulty lot layouts, lack of accessibility or usefulness of property, and marginal sewer service in the proposed redevelopment area supports the need for redevelopment.



Finding 2: Deterioration of site or other improvements:

Based upon windshield surveys conducted, there is a predominance of deteriorated or dilapidated housing in the proposed area. One of the more apparent elements of blight is the deterioration of buildings. A significant number of deteriorating or dilapidated buildings in an area are an indication of a lack of private investment in maintaining the

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integrity and value of existing development or in redevelopment. Single family residents were scored based upon a point system ranging from 1, Excellent Condition to 5, Dilapidated Condition. The housing conditions windshield survey results found 99% of the single family houses in the area fall in the categories of fair, poor, or dilapidated condition which means they require some form of repair or rehabilitation, show signs of structural damage, or need of demolition. These houses show need for repair or rehabilitation as indicated by curling shingles and lack of energy related improvements. Many of the homes were constructed prior to 1976. The age and conditions of the structures in the proposed area, indicates the houses are in need of updates, including energy related improvements.



Economic disuse can be defined in many ways based on perspective. From the private sector, economic disuse is defined through the vacancy of land and buildings and through the highest and best land use determined by market conditions. Based on the windshield survey, approximately 25% of the commercial parcels that have redevelopment potential are vacant land and/or building. Which means the property values and the tax base can be benchmarks for determining economic disuse from the public perspective.

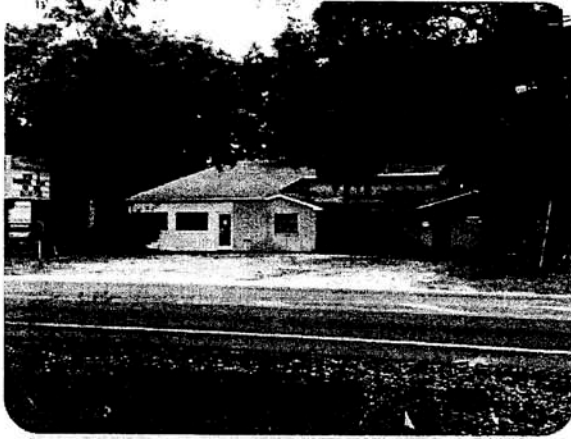
Summary

Based upon the findings presented, the proposed redevelopment area exhibits conditions of blight as defined by Florida Statutes. The condition of numerous structures within its boundaries, lack of public infrastructure, and the socio-economic characteristics of the residents all contribute to this recommendation. The proposed area would benefit from redevelopment programs and projects. There are nearly 25% of the commercial parcels that have redevelopment potential with vacant land or building. A combination of rehabilitation, conservation, and redevelopment of the proposed area will support the elimination, prevention, and remedy of the conditions of

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slum and blight. The creation of a redevelopment area will serve to improve the condition of this blighted area and help bring much needed economic development to the area.

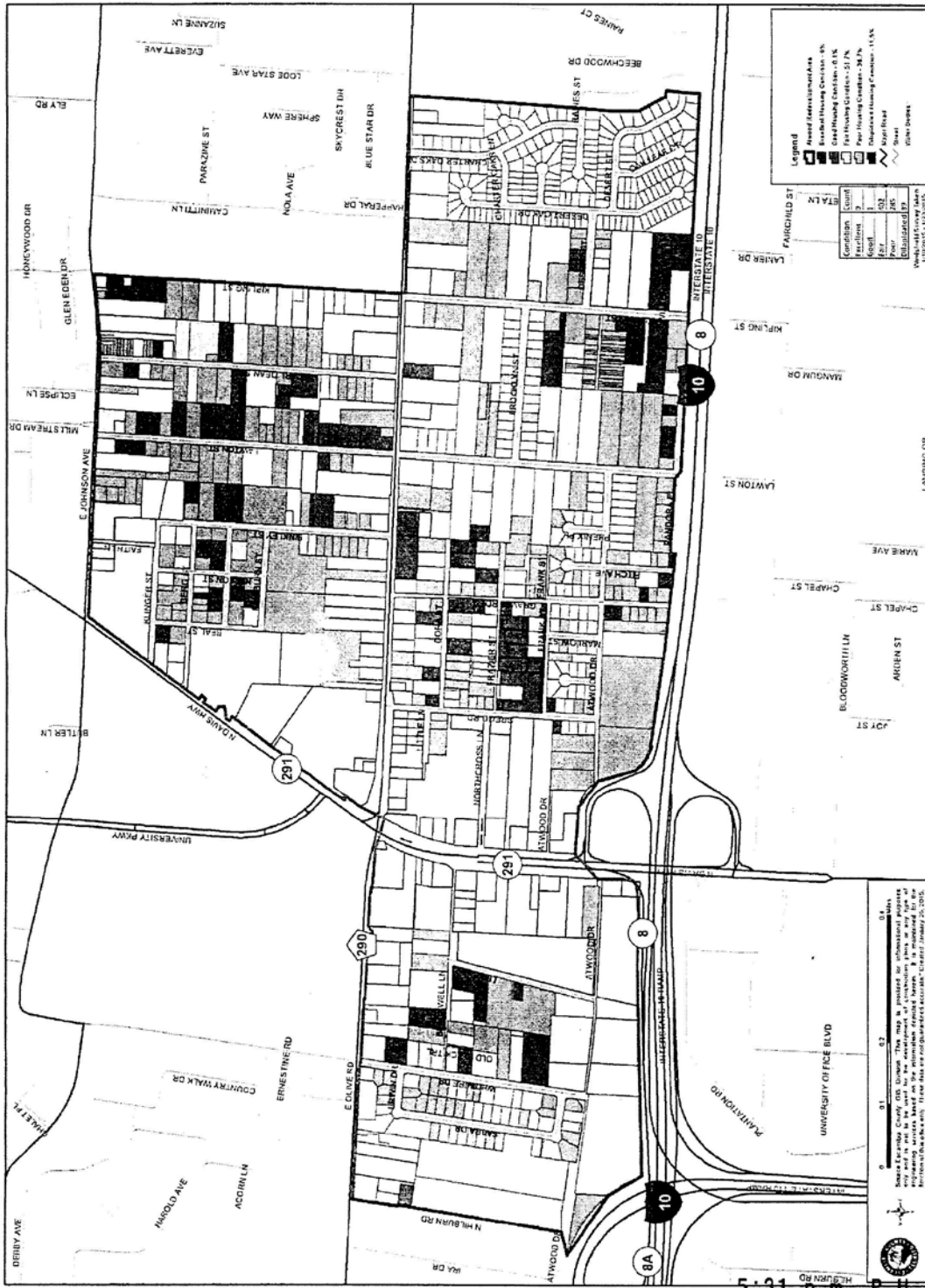


Vacant Commercial Buildings



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Atwood Redevelopment Area: Housing Conditions



5:31 p.m. P.H.

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Planning Board Agenda

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Atwood Redevelopment Plan

Date: 07/22/16

Date due for placement on agenda: 09/06/16 (PB)

Requested by Clara Long, Division Manager

Phone Number: 595-3596



(LEGAL DEPARTMENT USE ONLY)

Legal Review by Meredith Crawford

Date Received: approved 8/1/2016

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Planning Board Agenda

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

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Additional comments:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular
Meeting Date: 09/06/2016

7. a.

Agenda Item:

Setbacks for Corner Lots

Attachments

Corner Lots Discussion

Corner Lots

Current Language In LDC About Corner Lots.

Chapter 6 Definitions.

Yard, front. A yard extending across the full width of a lot and having a depth measured as the minimum horizontal distance between the front lot line and the principal structure, excluding allowed encroachments. For a lot that fronts more than one street, a front yard shall apply to each street, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

DSM 2-1.3 intersections

(d) Sight triangle requirements

At a minimum, a site triangle shall be provided 35' from edge of pavement to 35' edge of proposed road or driveway.

OLD LDC, Need to add language to accessory buildings or definitions.

- A. *Corner lots.* There shall be a front yard on one street side of a corner lot; provided however, that the buildable width of such lot shall not be reduced to less than 30 feet; provided further that no accessory building on a corner lot shall project beyond the normal front yard setback line on any street, regardless of which of the two yards has been designated the front yard.

Sec. 3-2.2 Agricultural district (Agr).

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

- (1) Density.** A maximum density of one dwelling unit per 20 acres.
- (2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.
- (3) Structure height.** No maximum structure height unless prescribed by use.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** A minimum lot width of 100 feet at the street right-of-way for all lots.
- (6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. Front and rear.** Forty feet in the front and rear; in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. Sides.** On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.3 Rural Residential district (RR).

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

- (1) Density.** A maximum density of one dwelling unit per four acres.
- (2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.
- (3) Structure height.** No maximum structure height unless prescribed by use.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** A minimum lot width of 40 feet at the street right-of-way for cul-de-sac lots and 100 feet at the street right-of-way for all other lots.
- (6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. Front and rear.** Forty feet in the front and rear; in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. Sides.** On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle

requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.4 Rural Mixed-use district (RMU).

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

- (1) Density.** A maximum density of two dwelling units per acre.
- (2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.
- (3) Structure height.** No maximum structure height unless prescribed by use.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** A minimum lot width of 40 feet at the street right-of-way for cul-de-sac lots and 100 feet at the street right-of-way for all other lots.
- (6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. Front and rear.** Forty feet in the front and rear-, in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. Sides.** On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.5 Low Density Residential district (LDR).

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

- (1) Density.** A maximum density of four dwelling units per acre.
- (2) Floor area ratio.** A maximum floor area ratio of 1.0 for all uses.
- (3) Structure height.** A maximum structure height of 45 feet. See height definition.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** A minimum lot width of 20 feet at the street right-of-way for cul-de-sac lots and 70 feet at the street right-of-way for all other lots.
- (6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 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-five feet in the front and rear-, in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

- b. **Sides.** On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
- c. **Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.6 Low Density Mixed-use district (LDMU).

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

- (1) **Density.** A maximum density of seven dwelling units per acre regardless of the future land use category.
- (2) **Floor area ratio.** A maximum floor area ratio of 1.0 within the MU-S future land use category and 2.0 within MU-U.
- (3) **Structure height.** A maximum structure height of 45 feet. See height definition.
- (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 the street right-of-way for single-family detached dwellings.
 - b. **Two-family.** Eighty feet at the street right-of-way for two-family dwellings.
 - c. **Multi-family and other.** Eighty feet at the street right-of-way for multi-family dwellings and townhouse groups. No minimum lot width required by zoning for other uses.
- (6) **Lot coverage.** Minimum pervious lot coverage of 25 percent (75 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, in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. **Sides.** Ten feet on each side of a group of attached townhouses. On each side of all other structures, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. **Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.7 Medium Density Residential district (MDR).

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

- (1) Density.** A maximum density of 10 dwelling units per acre regardless of the future land use category.
- (2) Floor area ratio.** A maximum floor area ratio of 1.0 within the MU-S future land use category and 2.0 within MU-U.
- (3) Structure height.** A maximum structure height of 45 feet. See height definition.
- (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.** Fifty feet at the street right-of-way for single-family detached dwellings.
 - b. Two-family.** Eighty feet at the street right-of-way or two-family dwellings.
 - c. Multi-family and other.** Eighty feet at the street right-of-way for townhouse groups and boarding or rooming houses. No minimum lot width required by zoning for other uses.
- (6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 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 rear, in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. Sides.** Ten feet on each side of a group of attached townhouses. On each side of all other structures, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

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

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

- (1) Density.** A maximum density of 18 dwelling units per acre.
- (2) Floor area ratio.** A maximum floor area ratio of 2.0 for all uses.
- (3) Structure height.** A maximum structure height of 120 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 the street right-of-way for single-family detached dwellings.
 - b. **Two-family.** Eighty feet at the street right-of-way for two-family dwellings.
 - c. **Multi-family and other.** Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, and 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, in addition for lots that face more than one street a 15' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - 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.
 - c. **Corner lots.** Lots that face more than one street a 15' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

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

- (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 the street right-of-way for single-family detached dwellings.
 - b. **Two-family.** Eighty feet at the street right-of-way for two-family dwellings.

- c. **Multi-family and other.** Eighty feet at the street right-of-way 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, in addition for lots that face more than one street a 15' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - 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.
 - c. **Corner lots.** Lots that face more than one street a 15' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.10 Commercial district (Com).

- (d) **Site and building requirements.** The following site and building requirements apply to uses within the Commercial district:
- (1) **Density.** A maximum density of 25 dwelling units per acre throughout the district. Lodging unit density not limited by zoning.
 - (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 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 the street right-of-way for single-family detached dwellings.
 - b. **Two-family.** Eighty feet at the street right-of-way for two-family dwellings.
 - c. **Multi-family and other.** Eighty feet at the street right-of-way 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 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses.
 - (7) **Structure setback.** For all principal structures, minimum setbacks are:

- a. **Front and rear.** Fifteen feet in both front and rear, in addition for lots that face more than one street a 15' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
- b. **Sides.** Ten feet on each side, including any group of attached townhouses. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height.
- c. **Corner lots.** Lots that face more than one street a 15' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

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

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

- (1) **Density.** A maximum density of 25 dwelling units per acre. Lodging unit density is not limited by zoning.
- (2) **Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C) and Industrial (I) future land use categories, 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.** No minimum lot width required by zoning.
- (6) **Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses. A maximum 75 percent of lot area occupied by principal and accessory buildings on lots of non-residential uses.
- (7) **Structure setbacks.** For all principal structures, minimum setbacks are:
 - a. **Front and rear.** Fifteen feet in both front and rear, in addition for lots that face more than one street a 15' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. **Sides.** Ten feet on each side, including any group of attached townhouses. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height.
 - c. **Corner lots.** Lots that face more than one street a 15' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.12 Industrial district (Ind).

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

- (1) **Density.** Dwelling unit density limited to vested residential development.
- (2) **Floor area ratio.** A maximum floor area ratio of 1.0 for all uses.
- (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.** A minimum lot width of 100 feet at the street right-of-way.
- (6) **Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses. A maximum of 75 percent of lot area occupied by principal and accessory buildings.
- (7) **Structure setbacks.** For all principal structures, minimum setbacks of 25 feet in both front and rear, and 15 feet on each side. For lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

a.

Or **Corner lots.** Lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.13 Recreation district (Rec).

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

- (1) **Density.** Dwelling unit density limited to vested development.
- (2) **Floor area ratio.** A maximum floor area ratio of 1.0 for all uses.
- (3) **Structure height.** No maximum structure height unless prescribed by use.
- (4) **Lot area.** No minimum lot area unless prescribed by use.
- (5) **Lot width.** No minimum lot width required by zoning.
- (6) **Lot coverage.** Minimum pervious lot coverage of 80 percent (20 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-five feet in front and rear, in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. **Sides.** On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. **Corner lots.** For lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle

requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.14 Conservation district (Con).

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

- (1) Density.** Dwelling unit density limited to vested development.
- (2) Floor area ratio.** A maximum floor area ratio of 0.5 for all uses.
- (3) Structure height.** A maximum structure height of 45 feet. See height definition.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** No minimum lot width required by zoning.
- (6) Lot coverage.** Minimum pervious lot coverage of 80 percent (20 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-five feet in front and rear, in addition for lots that face more than one street a 20' setback will be used on the other street side with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.
 - b. Sides.** On each side, five feet or 10 percent of the lot width at the front building line, whichever is greater, but not required to exceed 15 feet.
 - c. Corner lots.** For lots that face more than one street a 20' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

Sec. 3-2.15 Public district (Pub).

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

- (1) Density.** Dwelling unit density limited to vested residential development.
- (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 adjacent grade.
- (4) Lot area.** No minimum lot area unless prescribed by use.
- (5) Lot width.** No minimum lot width required by zoning.
- (6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setback.** For all principal structures, minimum setbacks are:
 - a. Front and rear.** Fifteen feet in both front and rear, in addition for lots that face more than one street a 15' setback will be used on the other street side

with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

- b. **Sides.** Ten feet on each side. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height.
- c. **Corner lots.** For lots that face more than one street a 15' setback will be used on the other street from the front yard setback with a 35' sight triangle requirement applied, provided that the width of the buildable area of the lot is not reduced to less than 30 feet.

ZONING	SETBACKS			NEW CORNER
	Front	Rear	Side	
<u>AGR</u>	40'	40'	5' OR 10% 15' MAX	20'
<u>RR</u>	40'	40'	5' OR 10% 15' MAX	20'
<u>RMU</u>	40'	40'	5' OR 10% 15' MAX	20'
<u>LDR</u>	25'	25'	5' OR 10% 15' MAX	20'
<u>LDMU</u>	20'	15'	5' OR 10% 15' MAX	20'
<u>MDR</u>	20'	20'	5' OR 10% 15' MAX	20'
<u>HDR</u>	20'	15'	5' OR 10% 10' MAX	15'
<u>HDMU</u>	20'	15'	5' OR 10% 10' MAX	15'
<u>COM</u>	15'	15'	10'	15'
<u>HC/LI</u>	15'	15'	10'	15'
<u>IND</u>	25'	25'	15'	20'
<u>REC</u>	25'	25'	5' OR 10% 15' MAX	20'
<u>CON</u>	25'	25'	5' OR 10% 15' MAX	20'
<u>PUB</u>	15'	15'	10'	15'

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: Gwen Robinson, Board Clerk
DATE: September 21, 2016
RE: Monthly Action Follow-Up Report for October 2016.

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

Ensley Redevelopment

08-02-16 PB recommended approval

Atwood Redevelopment

9-6-16 PB recommended approval

COMMITTEES & WORKING GROUP MEETINGS

COMPREHENSIVE PLAN AMENDMENTS

- **Text Amendments:**

- **CPA-2016-02**

- OLF Saufley Airport

- 08-02-16 PB Recommended Approval

- 09-01-16 BCC Approved transmittal to DEO

- **Map Amendments:**

- **LSA-2016-01**

- Beck's Lake Road

- 06-07-16 PB Recommended Approval

- 07-07-16 BCC Approved transmittal to DEO

- **LSA-2016-02**

- Saufley Field Road

- 09-06-16 PB recommended approval

- 10-06-16 BCC Meeting

LAND DEVELOPMENT CODE ORDINANCES

DSM Changes

07-07-16 PB recommended approval
08-04-16 BCC Approved

Lot Widths

07-07-16 PB recommended approval
08-04-16 BCC Approved

Residential Uses in Zoning Districts

09-6-16 PB recommended more review by staff

OSP-2016-01

09-06-16 PB recommended approval
10-06-16 BCC Meeting

AICUZ Maps

09-06-16 PB recommended approval

REZONING CASES

- 1. Rezoning Case Z-2015-19**
11-03-15 PB recommended approval
TBD BCC meeting

PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR October 2016

(Revised 09/21/16)

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, October 4, 2016	<ul style="list-style-type: none"> • Signs Ordinance 	<ul style="list-style-type: none"> • CPA-2016-03 Definition for Limited Ag Uses • CPA-2016-04 Extraction and Reclamation 	<ul style="list-style-type: none"> • Z-2016-07 • Z-2016-08 • Z-2016-09 	
Tuesday, November 1, 2016				<ul style="list-style-type: none"> • Cannabis
Tuesday, December 6, 2016				
Tuesday, January 3, 2016				
Tuesday, February 7, 2017				
Tuesday, March 7, 2017				

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



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. a.

Meeting Date: 10/04/2016

Issue: A Public hearing Concerning the Review of an Ordinance Amending Chapter 3 of the Escambia County 2030 Comprehensive Plan- CPA 2016-03

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3 of the Escambia County 2030 Comprehensive Plan - CPA-2016-03

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the Comprehensive Plan, Chapter 3, Definitions, Section 3.01, to add a definition for Limited Agricultural Use.

BACKGROUND:

Based on a technical assistance comment provided by Department of Economic Opportunity from an earlier Comprehensive Plan Amendment review and approval, County staff is submitting the definition for Limited Agricultural Uses, for inclusion in the definitions section of the Escambia County Comprehensive Plan.

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 Meredith D. Crawford, 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 Comprehensive Plan, will be filed with the Department of State following adoption by the board.

Implementation of this Ordinance will consist of an amendment to the Comprehensive Plan 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

DEO Technical Recommendation

Draft Ordinance

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 4, 2016

The Honorable Grover Robinson
Chairman, Escambia County
Board of County Commissioners
221 Palafox Place, Suite 400
Pensacola, Florida 32502

Dear Chairman Robinson:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Escambia County (Amendment No. 16-3ESR) which was received on July 5, 2016. We have reviewed the proposed amendments pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendments if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption. The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered as a suggestion which can strengthen the County's comprehensive plan and ensure consistency with the provisions of Chapter 163, Part II, F.S.

Technical Assistance Comment: "Limited agriculture" is not defined in the proposed plan amendment. To ensure that the comprehensive plan provides meaningful and predictable standards for development and for the content of the County's land development code, the County may wish to add a definition of "limited agriculture" to the proposed plan amendment.

Also, please note that Section 163.3184(3)(c)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

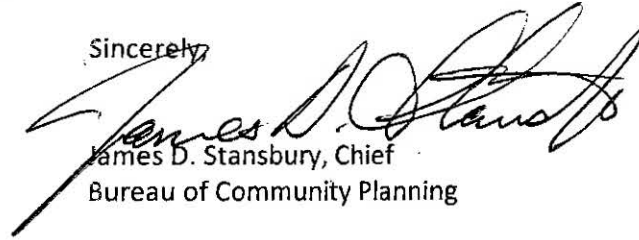
The Honorable Grover Robinson

August 4, 2016

Page 2 of 2

If you should have any questions related to this review, please contact Dan Evans by telephone at (850) 717-8484 or by e-mail at Dan.Evans@dep.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J".

James D. Stansbury, Chief
Bureau of Community Planning

JDS/de

Enclosure(s): Procedures for Adoption

cc: Horace Jones, Director, Escambia County Development Services
Austin Mount, Executive Director, West Florida Regional Planning Council

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: CPA-2016-04 Extraction & Reclamation Limitations

Date: 8/31/16

Date requested back by: 9/7/16

Requested by: JC Lemos

Phone Number: 595-3467

.....
(LEGAL USE ONLY)

Legal Review by *C. Crawford, AEA*

Date Received: *9/2/16*

X Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

ORDINANCE NUMBER 2016-____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING CHAPTER 12, "CONSERVATION ELEMENT," CON 1.5.2, TO MODIFY EXTRACTION AND RECLAMATION LIMITATIONS; PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, the Board of County Commissioners finds that modifying the extraction and reclamation limitations in the FLU categories within the County serves an important public purpose; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners to approve this amendment to its Comprehensive Plan; and

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

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

Section 1. Purpose and Intent

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

Section 2. Title of Comprehensive Plan Amendment

1 This Comprehensive Plan amendment shall be entitled – "CPA 2016-04-Extraction and
2 Reclamation Limitations Text Amendment."
3

4 **Section 3. Amendment to Extraction and Reclamation Limitations**

5
6 Chapter 12, CON 1.5.2 of the Escambia County Comprehensive Plan 2030 is hereby
7 amended as follows: (deletions shown as ~~strike-thru~~; additions are underlined)
8

9 **OBJ CON 1.5 Soil and Mineral Resources**

10
11 **Regulate the extraction of soil and mineral resources and other land disturbance**
12 **activities to ensure that uses and activities are compatible with site conditions**
13 **and to prevent adverse impacts to the quality of other resources, land uses, or**
14 **activities.**

15 **POLICIES**

16
17
18 **CON 1.5.1 Erosion Control.** Escambia County will, through LDC provisions, address
19 the use of appropriate erosion control measures during all construction and other land
20 disturbance activities to minimize off-site migration of soil particles.
21

22 **CON 1.5.2 Extraction and Reclamation Limitations.** Resource extraction and
23 reclamation activities are considered unique non-residential uses due to their transient
24 nature and the eventual restoration of affected lands to post mining land uses.
25 Escambia County will prohibit resource extraction activities within environmentally
26 sensitive areas that cannot be completely restored; within wellhead protection areas;
27 within the CHHA; within one-half mile of aquatic preserves, Class II waters, Shoreline
28 Protection Zone 1, or Outstanding Florida Waters; and within all FLU categories, except
29 Agriculture, Rural Community, Mixed-Use Urban, Commercial, Industrial, and Public.
30 Additionally, resource extraction in the form of borrow pits will be prohibited abutting
31 state and federal parks, within floodplains, or ~~near~~ existing residential uses, residential
32 zoning districts, or subdivisions intended primarily for residential use. Reclamation
33 activities to restore previously mined lands to an intended post-mining land use may be
34 allowed in any future land use category.
35

36
37 **CON 1.5.3 Extraction and Reclamation Compatibility.** Escambia County will permit
38 extraction of soils and mineral resources and site reclamation only where compatible
39 with adjacent land uses and where minimal resource degradation will occur. The
40 determination of minimal degradation, if necessary, will be made in cooperation with the
41 appropriate state or federal agencies regulating resource extraction and reclamation
42 activities. The locations where these activities may be allowed, if not otherwise
43 prohibited, will be determined based on geological constraints and will be regulated by

1 the applicable zoning district and performance standards established for such activities
2 within the LDC.

3
4 **CON 1.5.4 Extraction and Reclamation Review.** Escambia County will subject all new
5 or expanded resource extraction and reclamation activities to a mandatory development
6 review process to assess technical standards for public safety, environmental
7 protection, and engineering design.

8
9 **Section 4. Severability**

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

14
15 **Section 5. Inclusion in the Code**

16
17 It is the intention of the Board of County Commissioners that the provisions of this
18 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that
19 the sections, subsections and other provisions of this Ordinance may be renumbered or
20 re-lettered and the word "ordinance" may be changed to "section," "article," or such
21 other appropriate word or phrase in order to accomplish such intentions.

22
23 **Section 6. Effective Date**

24
25 Pursuant to Section 163.3184(3)(c) 4, Florida Statutes, this Ordinance shall not become
26 effective until 31 days after the Department of Economic Opportunity notifies Escambia
27 County that the plan amendment package is complete. If timely challenged, this
28 Ordinance shall not become effective until the Department of Economic Opportunity or
29 the Administration Commission enters a final order determining the Ordinance to be in
30 compliance.

31
32
33 **DONE AND ENACTED** this _____ day of _____, 2016.

34
35
36 BOARD OF COUNTY COMMISSIONERS
37 OF ESCAMBIA COUNTY, FLORIDA

38
39
40 By: _____
41 Grover C. Robinson, IV , Chairman

42
43
44 ATTEST: PAM CHILDERS

1 CLERK OF THE CIRCUIT COURT

2
3 By: _____
4 Deputy Clerk

5
6
7
8 (SEAL)

9 ENACTED:

10 FILED WITH THE DEPARTMENT OF STATE:

11
12
13 EFFECTIVE DATE:

DRAFT



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. b.

Meeting Date: 10/04/2016

Issue: A Public hearing Concerning the Review of an Ordinance Amending Chapter 12 of the Escambia County 2030 Comprehensive Plan- CPA 2016-04

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending Chapter 12, of the Escambia County 2030 Comprehensive Plan- CPA-2016-04

That the Board review and recommend to the Board of County Commissioners (BCC) for transmittal to the Department of Economic Opportunity (DEO), an Ordinance amending the Comprehensive Plan, Chapter 12, Policy CON 1.5.2 Extraction and Reclamation Limitations, to add Mixed-Use Urban (MU-U) and Commercial (C) Future Land Use (FLU) categories to the exemption.

BACKGROUND:

To maintain the compatibility and consistency between the Land Development Code zoning districts and the FLU categories in the Comprehensive Plan by either directly implementing the provisions of the FLU or otherwise not be in conflict with its intent, allowable uses, density, or intensity. The inclusion of the MU-U and C FLU categories, as an allowance for extraction and reclamation activities, will enhance the compatibility with the permitted uses under the existing zoning districts.

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 Meredith. D. Crawford, 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 Comprehensive Plan, will be filed with the Department of State following adoption by the board.

Implementation of this Ordinance will consist of an amendment to the Comprehensive Plan 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

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: CPA-2016-04 Extraction & Reclamation Limitations

Date: 8/31/16

Date requested back by: 9/7/16

Requested by: JC Lemos

Phone Number: 595-3467

.....
(LEGAL USE ONLY)

Legal Review by *C. Crawford, AEA*

Date Received: *9/2/16*

X Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

1 This Comprehensive Plan amendment shall be entitled – "CPA 2016-04-Extraction and
2 Reclamation Limitations Text Amendment."
3

4 **Section 3. Amendment to Extraction and Reclamation Limitations**

5
6 Chapter 12, CON 1.5.2 of the Escambia County Comprehensive Plan 2030 is hereby
7 amended as follows: (deletions shown as ~~strike-thru~~; additions are underlined)
8

9 **OBJ CON 1.5 Soil and Mineral Resources**

10
11 **Regulate the extraction of soil and mineral resources and other land disturbance**
12 **activities to ensure that uses and activities are compatible with site conditions**
13 **and to prevent adverse impacts to the quality of other resources, land uses, or**
14 **activities.**

15 **POLICIES**

16
17
18 **CON 1.5.1 Erosion Control.** Escambia County will, through LDC provisions, address
19 the use of appropriate erosion control measures during all construction and other land
20 disturbance activities to minimize off-site migration of soil particles.
21

22 **CON 1.5.2 Extraction and Reclamation Limitations.** Resource extraction and
23 reclamation activities are considered unique non-residential uses due to their transient
24 nature and the eventual restoration of affected lands to post mining land uses.
25 Escambia County will prohibit resource extraction activities within environmentally
26 sensitive areas that cannot be completely restored; within wellhead protection areas;
27 within the CHHA; within one-half mile of aquatic preserves, Class II waters, Shoreline
28 Protection Zone 1, or Outstanding Florida Waters; and within all FLU categories, except
29 Agriculture, Rural Community, Mixed-Use Urban, Commercial, Industrial, and Public.
30 Additionally, resource extraction in the form of borrow pits will be prohibited abutting
31 state and federal parks, within floodplains, or ~~near~~ existing residential uses, residential
32 zoning districts, or subdivisions intended primarily for residential use. Reclamation
33 activities to restore previously mined lands to an intended post-mining land use may be
34 allowed in any future land use category.
35
36

37 **CON 1.5.3 Extraction and Reclamation Compatibility.** Escambia County will permit
38 extraction of soils and mineral resources and site reclamation only where compatible
39 with adjacent land uses and where minimal resource degradation will occur. The
40 determination of minimal degradation, if necessary, will be made in cooperation with the
41 appropriate state or federal agencies regulating resource extraction and reclamation
42 activities. The locations where these activities may be allowed, if not otherwise
43 prohibited, will be determined based on geological constraints and will be regulated by

1 the applicable zoning district and performance standards established for such activities
2 within the LDC.

3
4 **CON 1.5.4 Extraction and Reclamation Review.** Escambia County will subject all new
5 or expanded resource extraction and reclamation activities to a mandatory development
6 review process to assess technical standards for public safety, environmental
7 protection, and engineering design.

8
9 **Section 4. Severability**

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

14
15 **Section 5. Inclusion in the Code**

16
17 It is the intention of the Board of County Commissioners that the provisions of this
18 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that
19 the sections, subsections and other provisions of this Ordinance may be renumbered or
20 re-lettered and the word "ordinance" may be changed to "section," "article," or such
21 other appropriate word or phrase in order to accomplish such intentions.

22
23 **Section 6. Effective Date**

24
25 Pursuant to Section 163.3184(3)(c) 4, Florida Statutes, this Ordinance shall not become
26 effective until 31 days after the Department of Economic Opportunity notifies Escambia
27 County that the plan amendment package is complete. If timely challenged, this
28 Ordinance shall not become effective until the Department of Economic Opportunity or
29 the Administration Commission enters a final order determining the Ordinance to be in
30 compliance.

31
32
33 **DONE AND ENACTED** this _____ day of _____, 2016.

34
35
36 BOARD OF COUNTY COMMISSIONERS
37 OF ESCAMBIA COUNTY, FLORIDA

38
39
40 By: _____
41 Grover C. Robinson, IV , Chairman

42
43
44 ATTEST: PAM CHILDERS

1 CLERK OF THE CIRCUIT COURT

2
3 By: _____
4 Deputy Clerk

5
6
7
8 (SEAL)

9 ENACTED:

10 FILED WITH THE DEPARTMENT OF STATE:

11
12
13 EFFECTIVE DATE:

DRAFT



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. c.

Meeting Date: 10/04/2016

Issue: A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 4, 5, and 6

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 4, 5, and 6

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance amending the Land Development Code (LDC), Chapters 4, 5, and 6, to repeal and replace all development standards for outdoor signs and modify related sign provisions.

BACKGROUND:

Court rulings have made it clear that sign regulations imposing more stringent restrictions on signs conveying some messages than on signs conveying other messages are content-based regulations of speech that cannot pass the test of strict legal scrutiny. The sign standards of the LDC were not revised as part of the April 16, 2015, repeal and replacement of the LDC by Ordinance 2015-12 and continue to make content-based distinctions among signs. Additionally, the current standards are out of date, poorly organized, and suffer from other deficiencies. Initial drafts to replace current provisions included input from local sign industry representatives who expressed interest in the subject standards.

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 Meredith D. Crawford, 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:

Amendment of the LDC requires public hearing review and recommendation by the Board prior to action by the BCC. 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 BCC.

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 Exhibit

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: LDC Outdoor Signs

Date: 08-30-2016

Date requested back by: 09-08-2016

Requested by: Griffin Vickery

Phone Number: 595-3471



(LEGAL USE ONLY)

Legal Review by M. Crawford RIA

Date Received: 9/20/2016

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Exhibit A-Draft PB3-9/20/2016

1 **WHEREAS**, the current sign regulations of the Escambia County Land
2 Development Code are out-of-date and contain numerous content-based distinctions
3 among signs and other deficiencies;

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

6
7 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land
8 Development Code of Escambia County, Chapter 4, Location and Use Regulations,
9 Article 7, Supplemental Use Regulations, is hereby amended as follows (words
10 underlined are additions and words ~~stricken~~ are deletions):

11 **Article 7 Supplemental Use Regulations.**

12 **Sec. 4-7.3 Accessory uses and structures.**

13 **(b) Specific uses and structures.**

14 **(7) Home occupations and home-based businesses.** Home occupations and
15 home-based businesses are limited to the residents of a dwelling unit other than
16 a manufactured (mobile) home, and allowed only as ~~an~~-accessory uses to the
17 residential uses. A home occupation, or employment at home, is allowed
18 wherever the host dwelling unit is allowed, but shall generally be unnoticeable to
19 adjoining land uses. A home-based business, which is at a greater scale or
20 intensity than a home occupation, is limited to the rural zoning districts (Agr, RR,
21 RMU) and only allowed if impacts to adjoining land uses are minimal. Home
22 occupations and home-based businesses shall comply with each of the following
23 requirements:

24 **a. Licenses.** All required business, professional, or occupational licenses are
25 obtained prior to commencement of the occupation or business and are
26 maintained for the duration of the activity.

27 **b. Exterior evidence.** For home occupations, there is no evidence visible from
28 outside of the dwelling or accessory building that any part of a building is
29 utilized for an occupation. For home-based businesses, any evidence visible
30 from outside of the dwelling or accessory building that any part of a building is
31 utilized for a business is minimal. Such exterior evidence includes any
32 storage, or display, or signage associated with the occupation or business.
33 ~~Signage is~~ are limited for both uses ~~according to~~ as prescribed by the
34 outdoor signage provisions in Article 8 of Chapter 5.

35 **c. Off-site impacts.** Occupations or business activities shall not create
36 nuisances or adverse off-site impacts, including but not limited to noise,
37 vibration, smoke, dust or other particulates, odors, heat, light or glare, or
38 electromagnetic interference. In a residential neighborhood, no activities are
39 allowed to alter the character of the neighborhood.

- 1 **d. Structural alterations.** No structural alterations are made that would be
2 inconsistent with the use of the dwelling exclusively as a residence or that
3 would not customarily be associated with dwellings or their accessory
4 buildings.
- 5 **e. Employees.** Employment in a home occupation is limited to residents of the
6 dwelling unit unless the applicable zoning district allows BOA conditional use
7 approval of non-resident employees. Employment in a home-based business
8 may include no more than two non-resident employees.
- 9 **f. Customers.** No customers shall visit the house and there shall not be any
10 additional traffic or an increase in demand for parking due to trucks or other
11 service vehicles coming to the house.
- 12 **g. Motor vehicles.** The manufacture or repair of motor vehicles or other
13 transportation equipment is prohibited.

14
15 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land
16 Development Code of Escambia County, Chapter 5, General Development Standards,
17 Article 8, Signs, is hereby repealed in its entirety and replaced as shown Exhibit A.

18
19 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land
20 Development Code of Escambia County, Chapter 6, Definitions, is hereby amended as
21 follows (words underlined are additions and words ~~stricken~~ are deletions):

22 **Sec. 6-0.3 Terms defined.**

23 As used within the LDC, the following terms have the meanings established here:

24 ~~**Abandoned sign.** Any sign face which advertises a business no longer conducted or~~
25 ~~product no longer sold. In making the determination that a sign advertises a business no~~
26 ~~longer being conducted, the enforcement official shall consider the existence or~~
27 ~~absence of a current occupational license, utility service deposit or account, use of the~~
28 ~~premises and relocation of the business. An abandoned sign is prohibited and shall be~~
29 ~~removed by the owner of the premises when there is a lack of maintenance or sign~~
30 ~~faces are missing, or as otherwise provided for in this article.~~

31 ~~Any sign structure which has not been used for business purposes for over 90 days,~~
32 ~~and is nonconforming as to existing codes regarding height, setback or maintenance.~~

33 ~~Any previously permitted portable or temporary sign for which the permit has expired.~~

34 ~~**Awning, canopy or marquee sign.** A sign that is mounted or painted on, or attached~~
35 ~~to, an awning, canopy, or marquee that is otherwise permitted by county ordinance. The~~
36 ~~sign shall not project above, below or beyond the awning, canopy or marquee.~~

37 ~~**Banner sign.** Any sign with characters, letters, illustrations or ornamentation applied to~~
38 ~~cloth, paper, flexible plastic or fabric of any kind that is not permanently attached to a~~

1 solid backing of wood, plastic, metal, masonry, or similar rigid material. Maximum size
2 allowed is 60 square feet.

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

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

8 **Changeable copy sign.** A sign that is designed so that characters, letters, or
9 illustrations can be manually changed or rearranged without altering the face or surface
10 of the sign.

11 **Community Redevelopment Area (CRA) Gateway Sign.** A sign located within the
12 right-of-way providing the name, location, and direction of the CRA.

13 **Construction sign.** A temporary sign erected on the premises on which construction is
14 taking place, during the period of such construction, indicating the names of the
15 architects, engineers, landscape architects, contractors or similar artisans, and the
16 owners, financial supporters, sponsors, and similar individuals or firms having a role or
17 interest with respect to the structure or project.

18 **Directional sign.** See "Informational sign."

19 **Electronic message center sign.** A sign that is a computerized, programmable
20 electronic visual communications device capable of storing and displaying multiple
21 messages in various formats at varying intervals for periods lasting at least five
22 seconds.

23 **Facade sign.** See "Wall sign."

24 **Flashing sign.** A sign exhibiting sudden or marked changes in lighting intensity lasting
25 in duration for periods of less than five seconds.

26 **Freestanding pole sign.** A freestanding sign that is mounted on a free standing pole
27 or other similar support so that the bottom edge of the sign face is 9 1/2 feet or more
28 above grade.

29 **Freestanding sign.** Any nonmovable sign not affixed to a building. May be either a
30 ground sign or a pole sign. Any sign that stands on its own, not attached to a building,
31 including pole and monument signs, and portable signs.

32 **Governmental sign.** A sign erected and maintained pursuant to and in discharge of
33 any governmental function, or required by law, ordinance or other governmental
34 regulation.

35 **Ground sign.** Any freestanding sign, other than a pole sign, placed upon or supported
36 by the ground independent of any other structure; a monument sign.

37 **Historic sign.** Any sign officially designated historic by the appropriate federal, state or
38 local historic entity or otherwise considered to be a local landmark by the board of
39 adjustment.

- 1 ***Holiday decorations.*** Temporary signs and decorations, clearly incidental to, and
2 customarily and commonly associated with, any national, local or religious holiday
- 3 ***Identification sign.*** A sign giving the name, and/or address of a building, business
4 development or establishment on the premises where it is located. Also known as name
5 plate sign.
- 6 ***Illuminated sign.*** A sign lighted by or exposed to artificial lighting either by lights on, or
7 in the sign, or directed towards the sign.
- 8 ***Informational sign.*** An on-premises sign commonly associated with, but not limited to,
9 information and directions necessary or convenient for visitors coming on the property,
10 including signs marking entrances and exits, parking areas, circulation direction, rest
11 rooms, and pickup and delivery areas. Also known as a directional sign.
- 12 ***Moving or animated sign.*** Any sign or part of a sign which changes physical position
13 by any movement or rotation.
- 14 ***Multi-faced sign.*** A sign composed of sections which rotate to display a series of
15 advertisements, each advertisement being displayed for at least five seconds
16 continuously without movement and the movement of the sections between displays
17 being not more than two seconds.
- 18 ***Name plate sign.*** See "Identification sign."
- 19 ***Nonconforming sign.*** A sign which is lawfully erected but which does not comply with
20 the land use, setback, size, spacing, and lighting provisions of this article or a sign
21 which was lawfully erected but which now fails to comply with this article due to
22 changed conditions.
- 23 ***Off-premises sign or billboard.*** A sign which directs attention to a business,
24 commodity, service or entertainment conducted, sold or offered at a location other than
25 the premises on which the sign is located.
- 26 ***On-premises sign.*** A sign that identifies only goods, services, facilities, events or
27 attractions available on the premises where the sign is located.
- 28 ***Political sign.*** A temporary sign announcing or supporting political candidates or
29 issues in connection with any national, state, or local election.
- 30 ***Portable sign.*** Any sign not permanently attached to the ground or other permanent
31 structure, or a sign designed to be transported, including, but not limited to, signs
32 designed to be transported by means of wheels; including such signs even though the
33 wheels may be removed and the remaining chassis or support structure converted to A-
34 frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas
35 used for advertising unless part of an outdoor restaurant; and signs attached to or
36 painted on vehicles parked and visible from the public right-of-way, unless said vehicle
37 is used in the normal day-to-day operations of business, the sign area is less than two
38 square feet per side and there is no reasonable alternative storage space.
- 39 ***Projecting sign.*** A sign that is wholly or partly dependent upon a building for support
40 and which projects more than 24 inches from such building.

1 **Real estate sign.** A sign pertaining to the sale or lease of the premises, or a portion of
2 the premises, in which the sign is located.

3 **Roof sign.** A sign that is mounted on the roof of a building or which is wholly
4 dependent upon a building for support and which projects above the point of a building
5 with a flat roof, the eave line of a building with a gambrel, gable or hip roof of the deck
6 line of a building with a mansard roof.

7 **Sign.** Any object, device, display, or structure, or part thereof, which is positioned and
8 used to advertise, identify, announce, direct or attract attention, or otherwise visually
9 communicate a message outdoors using words, letters, numbers numerals, emblems,
10 figures, symbols, pictures, or other images message elements. Signs are more
11 specifically defined by type form and use in the outdoor signage standards of Chapter 5.

12 **Sign area.** The surface area of a sign shall be computed as including the entire area
13 within the smallest rectangle, triangle, circle or other regular geometric form, or
14 aggregates thereof, encompassing all of the display area of the sign and including all of
15 the elements of the matter displayed. Base, apron, supports and other structural
16 members not bearing advertising matter shall not be included in computation of surface
17 area. Border or trim shall be included in computation of surface area. One side only of a
18 double-sided sign shall be used in computing sign area where they are placed back to
19 back on a single sign structure and are at no point more than three feet apart.

20 **Sign face.** The area or display surface used for the message.

21 **Sign triangle.** See visual clearance section of landscaping provisions.

22 **Wall sign.** A sign fastened to or painted on the wall of a building or structure in such a
23 manner that the wall becomes the supporting structure for, or forms the background
24 surface of the sign and which does not project more than 24 inches from such building
25 or structure. Also, a sign mounted on the fascia or sloped roof surface which does not
26 extend above the elevation of the ridge or roof line nor project more than 48 inches from
27 the roof or fascia surface. A sign that is attached to or painted on the exterior wall of a
28 building in such a manner that the wall is the supporting structure for the sign or forms
29 the background surface of the sign. For the allocation of sign area and other purposes
30 of the LDC, wall signs include awning, canopy, fascia, marquee, roof, and window
31 signs.

32 **Wayfinding Signs.** A sign located within the right-of-way providing the name, location,
33 and direction to a public or private place.

34 **Window sign.** A sign that is applied or attached to the exterior or interior of a window
35 or located in such manner within a building that it can be seen from the exterior of the
36 structure through a window.

37 **Zone lot.** A parcel of land in single ownership, or parcel of contiguous properties,
38 existing as a unified or coordinated project, that is of sufficient size to meet minimum
39 zoning requirements for area, coverage, and uses, and that can provide such yards and
40 other open spaces as required by the land development code.

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Section 4. Severability.

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

Section 5. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68 (2016); and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "chapter," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

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

DONE AND ENACTED this _____ day of _____, 2016.

**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:**

1 **Article 8 Outdoor Signs.**

2 **Sec. 5-8.1 Purpose of article.**

3 This article establishes land development standards for outdoor signs that provide
 4 reasonable nondiscriminatory sign regulation through time, place, and manner of use. It
 5 is the intent of these standards to protect and enhance the economic vitality and
 6 physical appearance of the county as a place to live, vacation, and conduct business.
 7 More specifically, this article is intended to:

- 8 **(1)** Enable the proper scale, quantity, term, and placement of signs to effectively
 9 promote commerce, identify places of residence and business, and orient, direct,
 10 and inform the public.
- 11 **(2)** Require that signs be adequately designed and constructed, and be removed
 12 when unauthorized or inadequately maintained, to protect the public from
 13 conditions of blight and the dangers of unsafe signs.
- 14 **(3)** Lessen visual confusion and hazards caused by improper height, placement,
 15 illumination, or animation of signs, and assure that signs do not obstruct the view
 16 of vehicles and pedestrians traveling public streets or create nuisance conditions.
- 17 **(4)** Preserve and protect the unique natural and scenic character of Pensacola
 18 Beach, Perdido Key, and other designated scenic areas of the county.
- 19 **(5)** Protect the interests of sign owners in continuing to use lawfully established and
 20 maintained signs while providing the community with a gradual remedy for
 21 existing undesirable conditions resulting from nonconforming signs.
- 22 **(6)** Identify the established processes for compliance review, approval, and
 23 permitting of signs, and the availability and processes to request variances to
 24 sign standards.

25 **Sec. 5-8.2 General provisions.**

26 **(a) Approval required.** No person shall place, post, display, construct, alter, or
 27 relocate any sign without prior county review and approval for compliance with the
 28 standards of this article and other applicable provisions of the LDC, except as may
 29 be specifically authorized in this article. The review and approval shall be as
 30 prescribed in Chapter 2 and, for signs on Pensacola Beach, as prescribed by the
 31 established written procedures of the Santa Rosa Island Authority (SRIA). However,
 32 regardless of any exemption from review and approval, all signs remain subject to
 33 article standards of design, construction, and maintenance.

34 **(b) Signs defined.** For the purposes of this article, a sign is any object, device, display,
 35 or structure, or part thereof, which is positioned and used to advertise, identify,
 36 announce, direct or attract attention, or otherwise visually communicate a message
 37 outdoors using words, letters, numbers, emblems, figures, symbols, pictures, or
 38 other message elements. Any surface which displays such elements is a sign face.

39 **(c) Nonconforming signs.** Lawfully established and maintained signs that no longer
 40 comply with one or more requirements of the LDC may continue in use as

1 prescribed in this section and Article 2 of Chapter 1. When any nonconforming sign
2 is removed, destroyed, or substantially damaged, the sign may only be replaced or
3 reconstructed in compliance with the standards of this article. Additionally, when
4 any work on a nonconforming sign would constitute an expense of more than 50
5 percent of the replacement cost of the sign, if the sign is to remain it shall be
6 reconstructed to comply with all applicable standards of this article, regardless of
7 the following allowances for continuing nonconformance:

8 **(1) Repairs and maintenance.** Minor repairs and routine maintenance, including
9 repainting structures and replacing lamps and timers, shall be performed to
10 maintain all nonconforming signs as they were authorized. Such work is exempt
11 from permits except as may be required to ensure compliance with the *Florida*
12 *Building Code*.

13 **(2) Alterations and relocations.** Alteration or relocation of a nonconforming sign
14 requires both authorization by permit and the elimination of nonconformance to
15 the extent required by the following, except that a change of sign face without a
16 change in the size and configuration of supporting cabinets and frames is exempt
17 from permits:

18 **a. Height.** When the height of a freestanding sign is nonconforming, but the
19 quantity of freestanding signs on the same parcel is (or is made to be)
20 conforming, the area of the sign face may be changed if the resulting sign
21 height is no greater and if the new sign area is no greater than the old sign
22 area or the current area standard, whichever is less.

23 **b. Placement.** When the placement of a freestanding sign is nonconforming,
24 but the quantity of freestanding signs is (or is made to be) conforming, the
25 area of the sign face may be changed if the resulting sign height complies
26 with the current standard and if the new sign area is no greater than the old
27 sign area or the current area standard, whichever is less.

28 **c. Electronic display.** No electronic message sign may be added to or
29 enlarged on any sign with remaining nonconformities, regardless of the
30 replacement cost of the nonconforming sign.

31 **(d) Variances.** Variances to the strict application of the sign quantity, area, height, and
32 separation standards of this article are available only for signs requiring county
33 review, approval, and permitting (non-exempt signs). Variances may be granted
34 according to the applicable variance conditions and review processes prescribed in
35 Article 6 of Chapter 2, but only if such modifications maintain the stated purposes of
36 this article and demonstrate the following additional technical conditions:

37 **(1) Impairment.** The effectiveness of conforming signage is materially impaired and
38 cannot be sufficiently corrected with reasonable conforming changes in sign
39 luminance (brightness), contrast, placement, or orientation.

40 **(2) Legibility.** Conforming signage cannot provide its primary audience (e.g.,
41 passing vehicles) with 30 feet or less of viewing distance per inch of sign letter
42 height (legibility index of 30 ft/in or less) when the message is limited to a

1 reasonable number of elements to be comprehended and the letter weight is
2 adequate (height to stroke width ratio no more than 5:1).

3 **(e) Owner responsibility.** Each property owner, including leaseholders of property on
4 Pensacola Beach, is responsible for the proper approval, permitting, placement,
5 construction, and maintenance of any signs on their property. These responsibilities
6 include compliance with all applicable provisions of the LDC and *Florida Building*
7 *Code*, any required Florida Department of Transportation permitting for signs along
8 state maintained roads, and the timely elimination of temporary or inadequately
9 maintained signs.

10 **(f) Overlay districts.** In addition to the provisions of this article, signs shall comply with
11 any prohibitions, limitations, or other sign standards of applicable overlay zoning
12 districts as established in Article 3 of Chapter 3.

13 **(g) Authorization on Pensacola Beach.** As further prescribed within this article, and
14 according to the written policies of the SRIA, signs on Pensacola Beach may require
15 the authorization of SRIA staff, the Architectural and Environmental Committee
16 (AEC) of the SRIA, or the SRIA Board. Signs on Pensacola Beach are subject to
17 compliance inspection by the SRIA which is authorized to summarily remove any
18 unauthorized signs on lands under its jurisdiction.

19 **(h) Violations.** Potential violations of the sign standards of this article, regardless of
20 association with any proposed or approved development, shall be investigated by
21 those agents or employees of the county authorized to enforce the standards
22 through the provisions of Chapter 30, *Code Enforcement*, Part I, Escambia County
23 Code of Ordinances. In any violations of applicable standards, parties in violation
24 are subject to notices of violation, citations, and civil penalties as prescribed in
25 Chapter 30. Signs of any type placed on public lands, including public rights-of-way,
26 in violation of the provisions of this article are subject to removal and disposal by
27 Code Enforcement or other authorized personnel without notice or compensation,
28 and such removal does not preclude citations or imposition of penalties for the
29 violation.

30 Additionally, if the condition of any authorized sign becomes unsafe in the opinion of
31 those authorized to enforce the provisions of this article, within ten days of official
32 written notice from those authorities the owner shall remove the sign or secure it in a
33 manner complying with this article and applicable building codes. Where the danger
34 is immediate, the condition shall be corrected without delay. If the unsafe condition
35 is not corrected within ten days of the notice, thereafter the county, or the SRIA for
36 Pensacola Beach properties, is authorized to correct the condition at the expense of
37 the owner, including removal of the sign.

38 **(i) Sign types defined.** For the regulation of permanent and temporary on-premises
39 and off-premises signs by this article, sign types are defined and identified as the
40 following, and as further distinguished within the standards of this article:

41 **(1) Freestanding signs.** A freestanding sign is any sign that stands on its own, not
42 attached to a building, including pole and monument signs, and portable signs.

- 1 **a. Pole signs.** A pole or pylon sign is any freestanding sign elevated above the
 2 adjacent grade and mounted on one or more poles, pylons, or similar vertical
 3 supports from the ground.
- 4 **b. Monument signs.** A monument or ground sign is any freestanding sign with
 5 its entire base placed directly on the ground.
- 6 **c. Portable signs.** A portable sign is any freestanding sign not permanently
 7 attached to the ground or a permanent structure, or a sign designed to be
 8 transported. Portable signs include vehicle signs, A-frame or sandwich board
 9 signs, signs on umbrellas over outdoor seating, and signs on balloons.
 10 Portable signs are regulated as a form of temporary signs.
- 11 **(2) Wall signs.** A wall sign is any sign that is attached to or painted on the exterior
 12 wall of a building in such a manner that the wall is the supporting structure for the
 13 sign or forms the background surface of the sign. For the allocation of sign area
 14 and other purposes of this article, wall signs include awning, canopy, fascia,
 15 marquee, roof, and window signs.
- 16 **a. Awning, canopy, fascia or marquee signs.** An awning, canopy, fascia, or
 17 marquee sign is any sign mounted or painted on, or attached to an awning,
 18 canopy, fascia, or marquee respectively, but not projecting above, below, or
 19 beyond the awning, canopy, fascia, or marquee.
- 20 **b. Roof signs.** A roof sign is any sign mounted on the roof of a building, or
 21 wholly dependent on a building for support and extending above the top of the
 22 wall of a flat-roofed building, above the eave line of a building with a hip,
 23 gambrel, or gable roof, or the deck line of a building with a mansard roof.
- 24 **c. Window signs.** A window sign is any sign placed in or on a window or
 25 placed within a building in such a manner that it can be viewed from the
 26 outside.
- 27 **(3) Changeable copy signs.** A changeable copy sign is any sign designed to allow
 28 frequent changes in its copy or message through manual, mechanical, electronic,
 29 or other means. Freestanding and wall signs may include the following forms of
 30 changeable copy in whole or part as further prescribed within the standards of
 31 this article:
- 32 **a. Manual display.** A sign allowing the message to periodically be manually
 33 changed on the sign face, typically by rearrangement of letters along
 34 horizontal tracks, by replacement of printed substrates, or by redrawing, all
 35 without otherwise altering the sign.
- 36 **b. Mechanical display.** A sign with a slatted face that allows three different
 37 messages to mechanically revolve and be viewed at intermittent intervals
 38 (“tri-vision” sign), or with other mechanical means to allow different messages
 39 to be automatically viewed intermittently on the same sign face.
- 40 **c. Electronic display.** An electronic message sign made up of internally
 41 illuminated components (e.g., LEDs) controlled by a programmable electronic

1 device allowing remote or automatic display of multiple messages in various
 2 formats and at varying intervals.

3 **d. Electronic projection.** A projected image sign created by the projection of
 4 an image onto the surface of a wall, building, sidewalk, or other surface from
 5 a distant electronic device.

6 **(j) Multi-tenant signage plans.** Development plans for any shopping center, office
 7 park, or other non-residential multi-tenant development shall include a signage
 8 master plan that establishes an adequate distribution among tenants of the total
 9 freestanding site signage available to the development. Upon county approval of the
 10 plan, signage for the entire development and its tenants shall be as prescribed by
 11 the plan, regardless of subsequent changes in property ownership or tenancy,
 12 unless a revised signage plan for the entire development is resubmitted by the
 13 property owner(s) and approved by the county. A variance to the total freestanding
 14 signage available for distribution by a signage master plan may be requested under
 15 the provisions of Chapter 2, but no variance is available individually to any tenant
 16 subject to an approved plan.

17 **Sec. 5-8.3 Design, construction, and maintenance.**

18 Every sign, including those exempt from county review and approval, shall be designed,
 19 constructed, placed, and maintained in compliance with the standards of this article and
 20 applicable provisions of the *Florida Building Code*. In addition to the provisions of this
 21 section, specific area, height, and quantity limits are prescribed in the further sections of
 22 this article, largely by applicable zoning district, for both exempt and non-exempt signs,
 23 on-premises and off-premises.

24 **(1) Sign area.** For the purposes of this article, the area of a sign is the area of the
 25 smallest regular geometric shape (rectangle, triangle, circle, etc.), or simple
 26 combination of such shapes, that forms or approximates the perimeter of all of
 27 the sign message elements and comprises the sign face. When a background to
 28 the message elements is defined by a frame, outline, panel, or other border, the
 29 area of the background and its defining border is the sign area. In the calculation
 30 of sign area the Planning Official may exclude minor appendages beyond the
 31 regular shape of the sign area perimeter.

32 **a. Freestanding sign area.** In the calculation of freestanding sign area the
 33 base, apron, supports, and other structural members not displaying elements
 34 of a sign message are not included.

35 **1. Two-sided.** For most freestanding signs, the area of a two-sided sign
 36 displaying only two faces back-to-back no more than three feet apart with
 37 no view between is the area of only one side, but the larger of unequal
 38 sides. On Pensacola Beach however, if the sides are not identical in area
 39 and message the sign area is the sum of both sides. Additionally, if the
 40 sides of a non-exempt off-premises sign (billboard) are in a "V"
 41 configuration with an internal angle of no more than 90 degrees, the area
 42 is of only one side, but the larger of unequal sides.

- 1 **2. Multi-sided.** The area of a freestanding sign displaying more than two
 2 sides is the sum of the areas of all sides, except that the area of any two
 3 back-to-back faces shall be as allowed for two-sided signs.
- 4 **b. Wall sign area.** Except as provided in this article for on-premises signs on
 5 Pensacola Beach, wall sign area shall be in proportion to the length of the
 6 building frontage to which the signs are attached. Similarly, wall sign area for
 7 any individual tenant space within a building shall be in proportion to the
 8 length of tenant frontage. For the purpose of allocating wall signs, building
 9 frontage includes any building elevation facing a public street, facing a
 10 parking area providing 25 percent or more of total parking for the building, or
 11 containing a public entrance to the building.
- 12 **1. Sign background.** The architectural features of a wall do not by
 13 themselves define the background area that must be included in the
 14 calculation of wall sign area.
- 15 **2. Multiple signs.** Each building or unit may have multiple wall signs, but
 16 the total wall sign area on a building or tenant frontage shall not exceed
 17 the allowance for that frontage. Unused sign area on one building or
 18 tenant frontage is not available to any other building or tenant frontage.
- 19 **(2) Sign height.** Unless otherwise noted, freestanding sign height shall be
 20 measured from the highest adjacent grade at the base of the sign.
- 21 **(3) Sign placement.** No signs shall be placed on any property without prior
 22 authorization of the property owner. Signs shall not be placed on public property,
 23 including public rights-of-way, or placed on private property in any manner that
 24 projects or extends a sign over public property, without applicable county, state,
 25 or federal authorizations and permits. Any prohibition of sign placement within
 26 view from public rights-of-way applies regardless of sign legibility from a right-of-
 27 way. Where spacing standards apply, the distance between signs is measured
 28 in a straight line center-to-center of each sign. In addition to the following
 29 placement standards, signs shall maintain industry standard clearances and
 30 avoid interference with utility lines and equipment:
- 31 **a. Freestanding sign placement.** No part of any freestanding sign, exempt or
 32 non-exempt, on-premises or off-premises, temporary or permanent, shall
 33 obstruct vision on private property along a street right-of-way between three
 34 feet and nine feet above grade within 10 feet of the right-of-way. Sign
 35 placement shall also be in compliance with the sight visibility triangle
 36 standards of Article 5 and avoid conflicts with protected trees, both existing
 37 and those planted to comply with county standards.
- 38 **b. Wall sign placement.** Wall signs shall not project more than 24 inches from
 39 the supporting wall, or if mounted on a sloped roof surface, shall not extend
 40 above the roof line or project more than 48 inches from the roof surface.
- 41 **(4) Sign illumination.** Signs may be illuminated by internal or external artificial light
 42 sources that comply with the following standards:

- 1 **a. Luminance.** Sign luminance, the light emitted by a sign or reflected from its
2 surface, shall not be greater than necessary to reasonably allow the sign to
3 be viewed by its primary audience (e.g., passing vehicles). Additionally, from
4 dusk until dawn no sign may exceed a maximum luminance level of 500
5 candelas per square meter (cd/m²) regardless of the source of illumination.
- 6 **b. Source and direction.** External light sources shall be directed onto sign
7 faces and effectively shielded to prevent the direct illumination of any
8 adjacent buildings or street rights-of-way. All externally illuminated signs on
9 Pensacola Beach shall be either face-lighted by spotlights or similar fixtures
10 directing light only downward onto the sign surface, or shadow-lighted by
11 indirect concealed light sources behind opaque sign elements, with no use of
12 exposed neon.
- 13 **c. Glare.** Lighting shall not create excessive glare for pedestrians, motorists or
14 adjacent uses, or obstruct the view of traffic control devices or signs.
- 15 **d. Marine shorelines.** Illuminated signs shall not be located on the seaward or
16 shore-perpendicular sides of any structures, and sign lighting shall not
17 directly, indirectly, or cumulatively illuminate the beach. Lighting along any
18 marine shoreline is additionally limited for natural habitats as prescribed in the
19 natural resources regulations of Chapter 4.

20 **(5) Electronic signs.** Electronic display and projected image signs shall comply
21 with the following additional illumination standards:

- 22 **a. Movement.** Where authorized by the applicable zoning district, displays and
23 projected images may include dynamic messages that appear or disappear
24 through dissolve, fade, travel, or scroll modes, or similar transitions and frame
25 effects, or that have text, animated graphics or images that appear to move or
26 change in size, or are revealed sequentially, but in no way flash or pulsate.
- 27 **b. Display times.** Each message shall be displayed or projected for a time
28 appropriate for the intended audience, but a minimum of six consecutive
29 seconds.
- 30 **c. Controls.** Each sign shall include an automatic control regulating display or
31 projection brightness in compliance with the luminance standards of this
32 article, ambient light monitors to automatically adjust the brightness to
33 ambient light conditions, and a default design to turn off the sign or freeze the
34 message in one position if a malfunction of normal operation occurs.

35 **(6) General construction and maintenance.** Outdoor signs and their supporting
36 structures shall be constructed of weather resistant materials. Bare wood is
37 prohibited as part of any sign face, and wood embedded in the soil as structural
38 support for permanent signs shall be pressure treated for in-ground use. All
39 painted signs and metal parts prone to corrosion shall be kept neatly painted.
40 Signs exempt from wind load requirements of the *Florida Building Code* shall
41 nevertheless be sufficiently constructed to avoid the hazard of contributing to
42 windborne debris during severe weather. All signs and sign structures, together
43 with their supports, anchors, and electrical components, shall be maintained in

1 good repair and safe condition at all times to ensure sign messages are clearly
 2 legible and to avoid the blight and hazards of deteriorated signs.

3 **Sec. 5-8.4 Prohibited signs.**

4 Except as may be specifically authorized by the provisions of this article, the following
 5 signs, sign locations, and sign characteristics are prohibited:

6 **(1) Fence signs.** Any sign attached to a fence and within view from a public right-
 7 of-way.

8 **(2) Clear light bulbs.** Any sign displaying incandescent light bulbs having clear
 9 enclosure of the filaments.

10 **(3) Motion, light, and sound.** Any sign that moves or changes, that contains
 11 mirrors or other reflective surfaces, that produces glare, flashes or exhibits other
 12 noticeable changes in lighting intensity, or that emits visible vapors, particulates,
 13 sounds, or odors.

14 **(4) Obscenity.** Any sign displaying words, pictures, or messages that are obscene
 15 as defined by Chapter 847, Florida Statutes, and in light of contemporary
 16 community standards of the county.

17 **(5) Obstruction and interference.** Any sign attached in any way to a fire escape or
 18 constructed or maintained in a manner that endangers or obstructs any
 19 firefighting equipment, fire escape, window, door, or other means of egress.
 20 Also, any sign that interferes with any opening required for ventilation, prevents
 21 free passage from one part of a roof to any other part, or blocks a public sidewalk
 22 or required pedestrian walkway.

23 **(6) Pensacola Beach.** The following additional signs or sign characteristics on
 24 Pensacola Beach: searchlights, balloons, wind signs, and similar devices or
 25 ornamentation designed for the purposes of attracting attention, promotion, or
 26 advertising; back-lighted or plastic signs; projected image signs; signs on
 27 benches; banners; murals or other signs painted directly on fences, walls, or any
 28 exterior parts of a building; and roof signs.

29 **(7) Traffic hazards.** Any sign that creates a traffic hazard or a detriment to
 30 pedestrian safety. Such signs include any sign that projects into the line of sight
 31 of any traffic signal in a manner that does not allow the minimum required sight
 32 distance to be maintained; any sign which obstructs vision between pedestrians
 33 and vehicles using public rights-of-way; or any sign that imitates, resembles or
 34 interferes with the effectiveness of any official traffic signs, signals, or other traffic
 35 control devices.

36 **(8) Unauthorized signs.** Any sign, including handbills, posters, or notices, attached
 37 to trees, utility poles, fences, park benches, or other objects not designed for the
 38 attachment of signs; or placed on any public property, including public rights-of-
 39 way; or in any other way not authorized by the provisions of this article.

40 **(9) Unlawful use.** Any sign that promotes uses of structures or property not
 41 authorized by the LDC.

1 **Sec. 5-8.5 Exempt signs.**

2 **(a) Limitations.** Signs identified in this article as exempt from county land use review,
3 approval, and permitting shall nevertheless be designed, constructed, placed, and
4 maintained in compliance with the provisions of this article and any other applicable
5 provisions of the LDC and *Florida Building Code*. Additionally, no exemption
6 supersedes or cancels any restrictions on the display of signs contained in any
7 restrictive covenants of a development or any executed lease agreements, including
8 those for Pensacola Beach properties requiring written authorization from the SRIA
9 before displaying signs. Exempt signage does not modify or limit the availability of
10 non-exempt signage authorized in this article unless specifically noted.

11 **(b) General exemption.** Except for signs prohibited by other provisions of this article,
12 signs not within view from a public right-of-way are exempt from county review,
13 approval, and permitting.

14 **(c) Specific exemptions.** Except for signs prohibited by other provisions of this article,
15 the following signs are additionally exempt from county review, approval, and
16 permitting:

17 **(1) Accessory devices.** Signs manufactured as standard, permanent, and integral
18 parts of mass-produced devices accessory to authorized non-residential uses,
19 including vending machines, fuel pumps, automated tellers, and similar devices
20 customarily used outdoors. On Pensacola Beach, however, outdoor vending
21 machines shall be effectively screened from view from public rights-of-way.

22 **(2) Bulletin boards.** Bulletin boards accessory to an authorized public, civic, or
23 multi-family use if limited to no more than 20 square feet and no more than one
24 per street frontage. For the purposes of this article, a bulletin board is any
25 freestanding or wall sign intended to provide for general announcements or
26 similar messages of interest to on-premises pedestrians.

27 **(3) Bus stop signs.** Signs on bus stop shelters and benches if complying with
28 county traffic safety placement requirements and limited to locations and signs
29 approved by the Escambia County Transit Authority (ECAT) for bus stops along
30 ECAT system routes. Such signs do not require the presence of a principal
31 structure.

32 **(4) Changeable copy.** The copy displayed on authorized changeable copy signs,
33 including manual, mechanical, and electronic message displays.

34 **(5) Decorations.** Temporary decorations if accessory to an authorized use,
35 **customarily associated** with a holiday or special event, and in compliance with
36 applicable exemption limits for temporary signs.

37 **(6) Drive-through signs.** Drive-through service signs limited to no more than one
38 per lot, no more than 40 square feet in area, and no more than eight feet in
39 height. Such signs shall be located on the lot providing the service, adjacent to
40 and oriented for view from the drive-through lane.

41 **(7) Entry and exit signs.** For any lot of an authorized multi-family or non-residential
42 use, one freestanding on-premises sign on each side of and immediate to an

1 authorized paved vehicular access to a public street, up to a maximum of four
 2 such signs per lot, and each a maximum six square feet in area and three feet in
 3 height.

4 **(8) Flags.** Two or fewer flags per lot, each proportional to its flagpole such that the
 5 hoist side is no greater than 25 percent of the height of a vertical pole or 50
 6 percent of the length of a pole projecting from a building wall. Poles for such
 7 flags in residential zoning districts are limited to 25 feet in height and one per lot.
 8 For the purposes of this article, a flag is any wind sign made of fabric or other
 9 flexible material and attached to or designed to be flown from a single vertical or
 10 semi-vertical pole. Except on Pensacola Beach, additional on-premises flags
 11 may be placed in compliance with the temporary sign provisions of this article

12 **(9) Government or public signs.** Signs placed or required by agencies of county,
 13 state, or federal government, including traffic control signs, street address
 14 numbers, building permits, notices of any court or law enforcement officer,
 15 redevelopment area gateway signs, and public information signs placed by the
 16 SRIA. These signs may deviate from the type, quantity, duration, area, color,
 17 height, placement, illumination, or other standards of this article, but only to the
 18 degree necessary to comply with the authorizing law, rule, or ordinance under
 19 which the sign is placed.

20 **(10) Historic signs.** Any sign officially designated as an historic sign by the federal
 21 or state government, or by the BCC.

22 **(11) Integral building signs.** Signs no more than four square feet and cut into
 23 masonry surfaces, inlaid, or constructed of bronze or other incombustible
 24 material so as to be a permanent part of a building.

25 **(12) Monuments.** Monuments located within cemeteries.

26 **(13) Projecting signs.** Projecting and under-canopy signs limited to no more than
 27 one per tenant per building frontage, no more than four square feet each,
 28 oriented for pedestrian view from a walkway along the supporting wall or canopy,
 29 and no less than eight feet above the walkway. For the purposes of this article, a
 30 projecting sign is any sign supported by a building wall and projecting from the
 31 wall with the sign display surface generally perpendicular to the wall.

32 **(14) Recreational facility signs.** Signs accessory to and within outdoor recreational
 33 facilities if oriented for view from within the facilities, including scoreboards,
 34 sponsor signs attached to and facing the field side of playing field fences, and
 35 signs no more than 32 square feet on concession stands and other recreational
 36 accessory structures.

37 **(15) Temporary signs.** Temporary signs identified within other provisions of this
 38 article as exempt.

39 **Sec. 5-8.6 Temporary signs.**

40 **(a) General conditions.** A temporary sign, for the purposes of this article, is any sign
 41 that is authorized to be constructed or placed on a parcel for a limited period of time
 42 and required to be removed from that parcel upon expiration of the authorized time.

1 However, to accommodate uses and activities which may require temporary signs
 2 for inexact periods of time, temporary signs identified in this section as exempt from
 3 county permitting (review and approval) are allowed year-round. Where permits are
 4 required they shall specify the authorized period of use. All temporary signs remain
 5 subject to the design, construction, and maintenance standards of this article.
 6 Temporary signage does not modify or limit the availability of permanent signage
 7 authorized in this article unless specifically noted.

8 **(b) Lot exemption signs.** Each lot of record, or each conforming lot verified as
 9 prescribed in Article 2 of Chapter 2, is allocated a quantity of temporary signage
 10 exempt from county permitting. This exempt signage is in addition to other sign
 11 exemptions authorized in this article, but does not include changeable copy signs.
 12 The exemption is available regardless of the presence of a principal structure on the
 13 lot except as noted. Lot exemption signage is intended to accommodate
 14 construction activities, event announcements, political campaigns, real estate
 15 offerings, site security and safety, and other conditions and events, but it is not
 16 limited to these purposes. Lot exemption signage is allocated in relation to the
 17 residential or non-residential designation of the subject property.

18 **(1) Residential.** Each lot of a residential use, or in a residential subdivision, or
 19 within a residential zoning district as designated in Chapter 3 is authorized to
 20 display the following signage without county approval:

- 21 **a. Wall signs.** A maximum of three wall signs, which may also be attached to
 22 lawfully erected fences, each a maximum two square feet in area and
 23 separated by a minimum of five feet.
- 24 **b. Freestanding signs.** A maximum of two freestanding signs, including
 25 portable signs, each a maximum six square feet in area and six feet in height.

26 **(2) Non-residential.** Each lot that is not a lot of a residential use, or in a residential
 27 subdivision, or within a residential zoning district is authorized to display the
 28 following signage without county approval:

- 29 **a. Wall signs.** A maximum of three wall signs, which may also be attached to
 30 lawfully erected fences, each a maximum two square feet in area and
 31 separated by a minimum of five feet.
- 32 **b. Freestanding signs.** Freestanding signs which comply with the following:
 - 33 **1. Design and construction.** Each sign is adequately constructed to
 34 maintain its appearance, structural integrity, and attachment to the ground
 35 during normal weather conditions. Portable signs are limited to on-
 36 premises signs in place during the hours of operation of the use occupying
 37 the principal structure on the premises.
 - 38 **2. Area, height, and quantity.** A maximum of one freestanding sign per
 39 street frontage, a maximum 32 square feet in area and 10 feet in height,
 40 except on Pensacola Beach where the sign may not exceed 12 square
 41 feet. Within the same limits a second sign is authorized for any individual
 42 street frontage greater than 300 feet, and a third sign for any frontage

1 greater than 1000 feet. A minimum 100 feet shall separate any two such
 2 signs on the same development parcel.

3 **(c) Specific temporary signs.** In addition to the general conditions of this section, the
 4 following temporary signs are subject to the specific conditions noted:

5 **(1) Balloon and air-activated signs.** For the purposes of this article, a balloon sign
 6 is any gas-inflated sign and an air-activated sign is any sign with one or more
 7 parts given form or animation by mechanically forced air. The placement of a
 8 balloon or air-activated sign within view from a public right-of-way is prohibited
 9 unless authorized by this article as an on-premises sign.

10 **(1) Exemptions.** The prohibition of balloon and air-activated signs does not
 11 apply to individual balloons three feet or less at their maximum dimension, to
 12 a cluster of balloons six feet or less at its maximum dimension, or to any
 13 balloon or air-activated sign 10 feet or less in height when the signs are
 14 accessory to an authorized land use and associated with a holiday or a
 15 special event as defined in the temporary use provisions in Article 7 of
 16 Chapter 4.

17 **(2) Permits.** If not otherwise exempt, a balloon sign or air-activated sign may be
 18 temporarily authorized by county permit on a specific lot for a single period of
 19 no more than 14 days in any calendar year. The sign is limited to a maximum
 20 35 feet in height and a setback of no less than the height of the sign from all
 21 rights-of-way, lot lines, and overhead utility lines. All such signs shall be
 22 adequately secured to the ground to prevent horizontal movement.
 23 Relocation for use on a different lot requires a new temporary permit,
 24 regardless of any remaining period of the prior authorization.

25 **(2) Banners.** For the purposes of this article, a banner is any temporary sign made
 26 of lightweight, non-rigid, and typically non-durable material such as cloth, paper,
 27 or plastic, and designed to be secured to a structure along two or more sides or
 28 at all corners by cords or similar means, or to be supported by stakes in the
 29 ground. A banner is not a wind sign. The placement of a banner within view
 30 from a public right-of-way is prohibited unless authorized by this article as an on-
 31 premises sign. Regardless of exemption, no banner shall be attached to a fence,
 32 no ground-mounted banner shall exceed four feet in height, and no banner
 33 attached to a building shall be displayed above the roof line.

34 **a. Exemptions.** Except on Pensacola Beach, the prohibition of banners does
 35 not apply to banners 32 square feet or less in area, displayed no more than
 36 one per lot or one per tenant on the lot of a multi-tenant non-residential
 37 building, and outside of a residential zoning district.

38 **b. Permits.** Non-exempt banners may be authorized by permit for grand
 39 openings and other special events in compliance with the following:

40 **1. Pensacola Beach.** Banners may be authorized on Pensacola Beach only
 41 if application is made to SRIA staff at least 10 days prior to the date of
 42 use. Unless otherwise authorized by the AEC for up to 30 days, the
 43 display of banners may be for no more than 14 days.

1 **2. Mainland and Perdido Key.** A banner no more than 60 square feet in
 2 area may be temporarily authorized by county permit for authorized multi-
 3 family or non-residential uses within mainland and Perdido Key zoning
 4 districts. Use of such banners is limited to no more than two at a time on
 5 a lot for no more than 30 consecutive days each time, and no more than
 6 two times during a calendar year. Banners may be authorized by permit
 7 to exceed the 60 square foot area limit and period of use only when used
 8 to temporarily cover the permanent sign of a previous tenant. Any
 9 banners authorized by permit shall be marked with the permit number and
 10 dates of permitted use.

11 **(3) Wind signs.** For the purposes of this article, a wind sign is any sign designed
 12 and fashioned to move when subjected to winds, including wind socks, pennants,
 13 spinners, and flags as further defined in the previous section. The placement of
 14 a flag within view from a public right-of-way is prohibited unless authorized by
 15 this article as an on-premises sign. All other wind signs on Pensacola Beach are
 16 prohibited, except that pennants may be authorized for special events under the
 17 same conditions as non-exempt banners.

18 **a. Exemptions.** Except on Pensacola Beach, the prohibition of flags does not
 19 apply to “blade” or “feather” flag signs no more than 3 feet at their greatest
 20 width, no greater than 18 feet in height, no more than one per 50 feet of street
 21 frontage, no more than three signs per each street frontage, and anchored in
 22 the ground or secured in a portable base.

23 **b. Permits.** All non-exempt flags may be authorized under the provisions for
 24 permanent freestanding on-premises signs.

25 **(4) Projected image signs.** A projected image changeable copy sign, as defined in
 26 the general provisions of this article, is prohibited if within view from a public
 27 right-of-way unless authorized by this article as an on-premises sign. Sign
 28 projectors shall comply with all sign illumination standards of this article.

29 **(5) Vehicle signs.** For the purposes of this article, a vehicle sign is any sign made
 30 portable by permanent or temporary attached to or placement in any manner on
 31 a vehicle, including a trailer. No changeable copy vehicle sign may be parked
 32 within view from a public right-of-way. The parking or placement of any other
 33 vehicle sign within view from a public right-of-way for more than one day on the
 34 same lot is prohibited unless authorized by this article.

35 **a. Exemptions.** The prohibition of stationary vehicle signs does not apply to a
 36 sign that is any of the following:

- 37 1. Six square feet or less in area per vehicle side.
- 38 2. On motor vehicles driven or trailers towed off site daily.
- 39 3. On fleet vehicles of an active enterprise when the vehicles are lawfully
 40 parked on the site of that enterprise.
- 41 4. On vehicles lawfully parked for sale or lease.

1 5. On any mobile vending unit that is parked in compliance with the
2 applicable temporary use provisions in Article 7 of Chapter 4.

3 6. On a vehicle as required by prevailing law.

4 **b. Permits.** Except on Pensacola Beach, a vehicle sign may be temporarily
5 authorized by county permit as a stationary sign on a specific non-residential
6 lot for a period of no more than 60 days. The sign is limited to a maximum
7 100 square feet in area and 10 feet in height, and shall be marked with the
8 permit number and dates of permitted use. Relocation for use on a different
9 lot requires a new temporary permit, regardless of any remaining period of
10 use. Any changeable copy or electronic message center as a vehicle sign is
11 limited to on-premises signs.

12 **(6) Window signs.** The placement of window signs is authorized if not obscuring
13 more than 30 percent of the area of the window in or on which they are placed or
14 through which they are viewed. On Pensacola Beach such signs must be
15 incorporated with a display of merchandise or services offered and shall not be
16 affixed to a window.

17 **Sec. 5-8.7 On-premises signs.**

18 **(a) Generally.** An on-premises sign is any sign accessory to the principal structure on
19 the same premises as the sign. Such signs are subordinate in extent and purpose
20 and customarily incidental to the principal structures as prescribed by the
21 supplemental use regulations in Article 7 of Chapter 4. Unless authorized in this
22 article as temporary or exempt, on-premises signs shall comply with the provisions
23 of this section.

24 **(b) Mainland residential districts.** On-premises non-exempt signs within mainland
25 residential zoning districts (RR, LDR, MDR, HDR) shall comply with the following
26 additional standards:

27 **(1) Residential uses.** Residential subdivisions and multi-family developments shall
28 have no more than two signs at each development entrance. Each sign is limited
29 to a maximum 32 square feet in area and six feet in height above grade. A multi-
30 family development may substitute one development entrance sign for one wall
31 sign limited to the same 32 square feet.

32 **(2) Non-residential uses.** Non-residential use of a development parcel is allowed
33 either one freestanding sign a maximum 32 square feet in area and six feet in
34 height above grade, or a maximum 2.00 square feet of wall sign area per lineal
35 foot of building frontage at grade with a minimum 20 square feet for any
36 individual tenant frontage.

37 **(3) Changeable copy.** Manual and mechanical changeable copy signs are
38 authorized for both residential and non-residential uses, but projected image
39 signs are prohibited and electronic message signs are limited to static messages
40 with instantaneous change of message. Each changeable copy sign is limited to
41 a maximum 32 square feet in area.

1 **(c) Mainland agricultural and mixed-use districts.** On-premises non-exempt signs
 2 within mainland agricultural and mixed-use zoning districts (Agr, RMU, LDMU,
 3 HDMU) shall comply with the following additional standards:

4 **(1) Residential uses.** Residential uses are allowed the same signage as residential
 5 uses in the mainland residential districts.

6 **(2) Non-residential uses.** Non-residential use of a development parcel is allowed
 7 the following freestanding and wall signage:

8 **a. General sign allowance.** Within the Agr, RMU, and LDMU districts, either
 9 one freestanding sign a maximum 32 square feet in area and six feet in height
 10 above grade, or a maximum 2.00 square feet of wall sign area per lineal foot
 11 of building frontage at grade. A minimum 20 square feet of wall sign area is
 12 allowed for any individual tenant frontage. Non-residential uses within the
 13 HDMU district are allowed the same signage as non-residential in the
 14 mainland commercial districts.

15 **b. Increased area and height.** For properties fronting a collector or arterial
 16 street, the maximum area and height of a freestanding sign is increased to 50
 17 square feet and 10 feet above grade respectively if the sign is at least 100
 18 feet from any single-family or two-family dwelling. Maximum wall sign area is
 19 increased to 2.50 square feet per lineal foot of building frontage if the building
 20 is more than 200 feet from the public right-of-way.

21 **(3) Changeable copy.** Manual and mechanical changeable copy signs are
 22 authorized for both residential and non-residential uses, but projected image
 23 signs are prohibited. For residential uses, electronic message signs are limited
 24 to static messages with instantaneous change of message. Non-residential use
 25 electronic signs are also limited to static messages, but the transition from one
 26 message to the next may occur by scroll, travel, fade, or dissolve effects
 27 completed within a maximum of two seconds. Each changeable copy sign is
 28 limited to a maximum 32 square feet in area.

29 **(d) Mainland commercial and industrial districts.** On-premises non-exempt signs
 30 within mainland commercial and industrial zoning districts (Com, HC/LI, Ind) shall
 31 comply with the following additional standards:

32 **(1) Residential uses.** Residential uses are allowed the same signage as residential
 33 uses in the mainland residential districts.

34 **(2) Non-residential uses.** Non-residential uses are allowed the following signage:

35 **a. Freestanding signs.** Freestanding signs are limited by characteristics of the
 36 development parcel as follows:

37 **1. Quantity and spacing.** One freestanding sign structure per individual
 38 street frontage and one additional structure for each full acre in
 39 development parcel size above two acres, but a maximum of four sign
 40 structures. The structures shall be placed no less than 200 feet from any
 41 other non-exempt sign structures on the same development parcel,
 42 excluding billboards.

1 **2. Area and height.** A maximum 1.00 square foot of freestanding sign area
 2 per lineal foot of street frontage, and a minimum total of 50 square feet
 3 regardless of street frontage. For a development parcel with more than
 4 one street frontage, the applicable maximum sign area is determined by
 5 the frontage to which the sign is closest. If on-premises freestanding
 6 signage for an entire parcel is limited to one sign structure, the total sign
 7 area from all parcel street frontage is available to the one sign.
 8 Changeable copy area may be utilized for any sign and any proportion of
 9 sign area. The maximum sign area and height for all individual
 10 freestanding sign structures is additionally limited by the size of the parcel
 11 and the classification of the street to which the sign structure is closest
 12 according to the following:

Sign Location by street classification	Maximum Sign Area per individual support structure and development parcel area		Maximum Sign Height
	8 acres or less	greater than 8 acres	
Interstate (within 125 ft. of right-of-way)	250 sq.ft.	375 sq.ft.	50 ft.
arterial or 4-lane street	250 sq.ft.	300 sq.ft.	35 ft.
collector street not 4-lane	150 sq.ft.	225 sq.ft.	25 ft.
local street	100 sq.ft.	150 sq.ft.	

13 **b. Wall signs.** A maximum 2.25 square feet of wall sign area per lineal foot of
 14 building frontage at grade. The maximum wall sign area is increased to 2.50
 15 square feet per lineal foot if the parcel fronts an arterial or four-lane street,
 16 and increased to 2.75 square feet per lineal foot if the building is more than
 17 200 feet from the public right-of-way. A minimum 20 square feet is allowed
 18 for any individual unit frontage.

19 **(3) Changeable copy.** Manual and mechanical changeable copy signs are
 20 authorized for both residential and non-residential uses. For residential uses,
 21 projected image signs are prohibited and electronic message signs are limited to
 22 static messages with instantaneous change of message. For non-residential
 23 uses, projected image signs are authorized and electronic message signs may
 24 employ all display features and functions except flashing, pulsating, or full motion
 25 video display. Each changeable copy sign, except a projected image sign, is
 26 limited to a maximum 32 square feet in area.

27 **(e) Perdido Key districts.** On-premises non-exempt signs within Perdido Key zoning
 28 districts shall comply with the following additional standards:

1 **(1) Residential districts.** Uses in the Perdido Key residential zoning districts (LDR-
 2 PK, MDR-PK, HDR-PK) are allowed the same signage as uses in the mainland
 3 residential districts.

4 **(2) Commercial districts.** Uses in the Perdido Key commercial zoning districts
 5 (Com-PK, CC-PK, CG-PK, PR-PK) are allowed the same wall signage allowed
 6 for mainland commercial zoning districts, but only 50 percent of the freestanding
 7 sign area. The maximum area of any individual freestanding sign is 100 square
 8 feet and the minimum spacing between all freestanding signs on the same
 9 development parcel is 300 feet measured center-to-center of the sign structures.

10 **(3) Wayfinding signs.** Wayfinding signs located within the right-of-way and
 11 providing direction to a public or private place are allowed on Perdido Key
 12 through a county-authorized lease/sale signage program managed by the
 13 Perdido Key Chamber of Commerce in compliance with the following provisions:

14 **a. Area.** The lease or sale area for individual businesses, developments, or
 15 other entities shall not exceed three square feet per sign, but lease or sale
 16 agreements may include more than one sign location per entity.

17 **b. Information allowed.** The sign message is limited to information identifying
 18 the name and location of a business, development, or other entity, but may
 19 include logos, distances to locations and directional arrows.

20 **c. Location.** The locations are limited to one sign at each county road
 21 intersecting Perdido Key Drive.

22 **(4) Changeable copy.** Changeable copy signs, excluding projected image signs,
 23 are authorized for both residential and non-residential uses, but each sign is
 24 limited to 32 square feet in area.

25 **(f) Pensacola Beach districts.** On-premises non-exempt signs for any establishment
 26 within Pensacola Beach zoning districts may be wall signs, freestanding signs, or
 27 both and shall comply with the following additional standards:

28 **(1) Sign construction.**

29 **a. Colors and logo.** The colors of the main lettering and background of all
 30 signs shall be limited to the color options adopted by the SRIA, except up to
 31 one-third of a sign's area may include an establishment's logo, which may
 32 include the name or special color scheme of that establishment. Any exterior
 33 portion of a structure that deviates in color from the main part of the structure
 34 and represents the establishment's color scheme or logo is considered to be
 35 signage.

36 **b. Attached lettering.** All permanent signs shall incorporate the use of
 37 attached lettering. The use of plywood with painted-on lettering is not
 38 permitted.

39 **(2) Freestanding signs.**

40 **a. Quantity.** One freestanding sign is allowed per master lease agreement or
 41 multi-tenant development.

- 1 **b. Area and height.** Total freestanding sign area on a single structure shall not
2 exceed 65 square feet. Signs are encouraged to be low and horizontal in
3 character. The top and bottom of a freestanding sign shall not exceed 14 feet
4 and six feet, respectively, above the crown of the nearest street. However,
5 establishments whose principal structures are 750 feet or more from the
6 street right-of-way may have freestanding signs up to 18 feet high.
- 7 **c. Placement.** Freestanding signs shall be placed within or directly adjacent to
8 a landscaped area which shall not be smaller than the face area of the sign
9 itself.
- 10 **d. Portable signs.** Portable signs are limited to temporary A-frame or sandwich
11 board signs allowed according to the established written policies of the SRIA.

12 **(3) Wall signs.**

- 13 **a. Quantity.** The available wall sign area may be allocated to one or more wall
14 signs mounted on a vertical wall surface.
- 15 **b. Area.** The maximum area allocated to all wall signs on a building shall not
16 exceed 10 percent of the building wall surface area facing the addressed
17 street, except that buildings with more than one street front may have wall
18 sign area up to 15 percent of the wall surface facing the addressed street.
19 The wall surface area from which sign area is determined may include the
20 roof surface when its slope is steeper than 45 degrees. No individual wall
21 sign shall exceed 200 square feet. Within any multi-tenant development
22 each tenant is limited to 16 square feet regardless of the building total.
- 23 **c. Lighted canopies.** Lighted canopies displaying the name of the
24 establishment require a color rendering of the proposed canopy, including
25 dimensions of the canopy and the building to which it will be attached, to be
26 presented for approval according to the established written policies of the
27 SRIA.
- 28 **d. Window signs.** Interior electric signs used as window signs are limited to a
29 total of six square feet per establishment.

30 **(4) Changeable copy.** Changeable copy signs, excluding projected image signs,
31 are allowed if incorporated into the main sign and limited to no more than one-
32 third of its area.

33 **(5) Temporary signs.** Other signs may be authorized as prescribed within
34 temporary signs section of this article.

35 **Sec. 5-8.8 Off-premises signs (billboards).** Any sign that is not an on-premises
36 sign accessory to the principal structure on the same premises is an off-premises sign
37 for the purposes of the LDC and, unless authorized in this article as temporary or
38 exempt, shall be regulated as a billboard and comply with the additional provisions of
39 this section. The placement of a billboard does not require a minimum lot area or the
40 presence of a principal structure on the site, but is subject to the following limits:

1 **(1) Maximum number.** The maximum number of permitted billboard structures
 2 within the county is limited to the number existing or having received county
 3 approval as of December 12, 2001, and those additional structures allowed for
 4 replacement of billboard structures removed along scenic highways as provided
 5 in this section.

6 **(2) New billboards.** A building permit for the construction of a new billboard
 7 structure may only be issued after the removal of an existing billboard structure is
 8 confirmed. Confirmation may be in the form of a photograph submitted by the
 9 applicant or a site inspection by county personnel. Upon removal confirmation a
 10 certificate shall be issued to the owner of the removed structure who may
 11 redeem the certificate for a building permit to construct a new billboard structure,
 12 hold it for future redemption, or convey it to a third party for redemption.

13 **(3) Removal along scenic highways.** Notwithstanding the maximum number of
 14 permitted billboards, the removal of an existing billboard structure along an
 15 officially designated scenic highway will entitle the owner of the removed
 16 billboard to purchase building permits for construction of two new billboard
 17 structures at other locations complying with the provisions of this article.

18 **(4) Area and height.** The maximum sign area and height for an individual billboard
 19 structure is limited by the classification of the street to which the sign structure is
 20 closest according to the following:

Billboard Location by street classification	Maximum Sign Area per individual support structure	Maximum Sign Height
Interstate (within 125 ft. of right-of-way)	378 sq.ft.	50 ft.
arterial or 4-lane street	378 sq.ft.	35 ft.
all other streets	100 sq.ft.	20 ft.

21 **(5) Placement.**

22 **a. Zoning.** Billboards are prohibited within all Perdido Key and Pensacola
 23 Beach districts, and in areas zoned Gateway Business District (GBD),
 24 Gateway Mixed Use District (GMD), Gateway Industrial District (GID), or
 25 Industrial Commerce Park District (ID-CP) prior to adoption of any mainland
 26 Commercial (C), Heavy Commercial and Light Industrial (HC/LI), or Industrial
 27 (I) zoning.

28 **b. Proximity to residential.** No billboard shall be located within 100 feet of
 29 any residentially zoned (RR, LDR, MDR, HDR) property as measured along
 30 a right-of-way. The distance shall be measured from a point where a
 31 horizontal line extending from the billboard is perpendicular to the right-of-
 32 way, to the point of intersection of the residential district boundary with the
 33 right-of-way.

- 1 **c. Right-of-way setback.** The minimum setback of a billboard from a public
2 street right-of-way is 15 feet to the nearest edge of the sign.
- 3 **d. Spacing.** The center-to-center distance between billboard structures on the
4 same side of any street other than an interstate shall be no less than 1000
5 feet. The distance for billboards adjacent to and facing the same side of an
6 interstate highway shall be no less than 2000 feet. Additionally, no billboard
7 structure may be located adjacent to or within 500 feet of an interchange or
8 rest area as measured along the interstate from the beginning or ending of
9 pavement widening at the exit from or entrance to the main travel way.
- 10 **e. Scenic roadways.** No part of a billboard shall be visible from or located
11 within 500 feet of the right-of-way of any scenic roadway designated in the
12 Escambia County Comprehensive Plan, specifically including Scenic
13 Highway (SR 10A), Perdido Key Drive (SR 292), and any scenic highway
14 designated by the State of Florida.
- 15 **f. Conflicting locations.** Permits for billboards are generally issued on a
16 first-come, first-served basis. Where the proximity of proposed billboards
17 requiring state permitting would only allow one to be constructed, the
18 location first granted state approval will be first eligible for county approval.
- 19 **g. New streets.** Permits for billboards along a new public street shall not be
20 issued until the commencement of general traffic flow on the street.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Regular

5. d.

Meeting Date: 10/04/2016

Issue: A Public Hearing Concerning the Review of an Ordinance Amending LDC Chapters 3, 4, and 6

From: Horace Jones, Director

Organization: Development Services

RECOMMENDATION:

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

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption an Ordinance amending the Land Development Code (LDC), Chapters 3, 4, and 6, to modify the permitted and conditional residential uses of the Mainland Zoning Districts and related residential use provisions.

BACKGROUND:

Since the April 16, 2015, repeal and replacement of the LDC by Ordinance 2015-12, improvements and corrections to the code continue to be identified and addressed.

Among the consolidated mainland zoning districts and standardized classifications of land uses, some forms of residential use require modification for improved code implementation and consistency with the purposes of the applicable district. The uses revised will remain subject to the LDC "savings clause" established by Ordinance 2015-38 on September 24, 2016, to reinstate for landowners those former residential densities and permitted uses that were consistent with the applicable future land use category but may have been eliminated through adoption of the LDC.

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 Meredith Crawford, 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:

Amendment of the LDC requires public hearing review and recommendation by the Board prior to action by the BCC. 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 BCC.

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

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: LDC Residential Uses in Mainland Zoning Districts

Date: 09-7-2016

Date requested back by: 09-08-2016

Requested by: Griffin Vickery

Phone Number: 595-3471



(LEGAL USE ONLY)

Legal Review by *M. Crawford*

Date Received: 9/15/2016

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

1 **Sec. 3-1.4 Allowed uses.**

2 **(a) Generally.** The uses of land and structures are limited to those identified within the
3 applicable zoning district as "permitted uses" or "conditional uses," and to their valid
4 accessory uses, unless other uses are secured through applicable vesting and
5 nonconformance or temporary use provisions of the LDC. Uses not so identified or
6 secured are prohibited, and the conducting of any prohibited use is a violation of the
7 LDC punishable as provided by law and ordinance. The burden is on the landowner,
8 not the county, to show that a use is allowed. Even when allowed, uses are subject
9 to the general development standards of Chapter 5 and the use and location
10 regulations established in Chapter 4.

11 **(b) Conditional uses.** The identification of a use as conditional within a zoning district
12 is an indication that, given certain existing or imposed conditions, the use may be
13 appropriate for some locations in that district. The appropriateness of the use is
14 determined through discretionary county review of an applicant's demonstration that
15 specific conditions will assure compatibility with surrounding uses. Conditions
16 applicable to all conditional uses are established in the conditional use process
17 provisions of Chapter 2. Additional conditions applicable to a specific use may be
18 established by the LDC where the conditional use is established.

19 **(c) Accessory uses and structures.** Uses and structures accessory to permitted uses
20 and approved conditional uses are allowed as prescribed by the supplemental use
21 regulations of Chapter 4 unless otherwise prohibited by the applicable zoning
22 district. Where more than one zoning district applies to a parcel, an accessory use
23 or structure may not be established in one zoning district to serve a primary use in
24 the other district if the principal use is not allowed in the district in which the
25 accessory use is located.

26 **(d) Use of dwelling units.** Dwelling units in any form or location authorized by the
27 provisions of the LDC may be occupied by any lawful residential household use,
28 including households providing state-licensed special services, treatment, or
29 supervision, subject to applicable health and safety codes. Dwelling units are limited
30 to residential household use unless other uses are specifically authorized by law or
31 ordinance and change of use, as applicable, authorized through the review and
32 approval processes of the LDC.

33 **(d)(e) Single-family dwellings.** A single-family dwelling as the principal use for an
34 existing lot of record is a conforming use regardless of the zoning district or future
35 land use category. A building permit may be issued for such a dwelling on any
36 nonconforming lot of record if the dwelling complies with all other applicable
37 regulations.

38 **(e)(f) Mix of uses.** Unless clearly indicated otherwise in the LDC, the identification of
39 multiple permitted or conditionally permitted uses within a zoning district allows any
40 mix of those uses within an individual development, parcel, or building, regardless of
41 any designation or other characterization of the district as mixed-use. A mix of uses
42 generally does not modify the development standards and regulations applicable to
43 any individual use within the mix.

1 **(f)(g) Classifying uses.** Classifying a particular land use is the discretionary process
2 of determining whether the use is one already identified in the LDC as allowed by
3 right (permitted use) or by special approval (conditional use).

4 **(1) Information.** The Planning Official, or Board of Adjustment (BOA) on appeal,
5 shall obtain the information necessary to accurately classify a use. At a
6 minimum, the applicant shall describe in writing the nature of the use and the
7 county shall utilize public records, site investigations and other reliable sources of
8 information, including the *Land-Based Classification Standards* of the American
9 Planning Association and the *North American Industry Classification System*
10 (NAICS) of the U.S. Department of Commerce.

11 **(2) Rules for classification.** Classifying a use is not specific to any individual site,
12 project or applicant, but shall be appropriate and valid for all occasions of the
13 use. Use classification shall be guided by Chapter 1 provisions for interpreting
14 the LDC and the following rules:

- 15 a. If a use is defined in the LDC, that definition shall be applied to the
16 classification.
- 17 b. The reviewing authority shall not read an implied prohibition of a particular
18 use into a classification.
- 19 c. Classification is limited to giving meaning to the uses already allowed within
20 the applicable zoning district. No policy determinations shall be made on
21 what types of uses are appropriate within the district.
- 22 d. When the use regulations are ambiguous, the purpose and intent of the
23 zoning district and the nature of the uses allowed within it shall be considered.
- 24 e. Classification is not based on the proximity of the proposed use to other uses.
- 25 f. The use or activity determines the classification, not property ownership,
26 persons carrying out the use or activity, or other illegitimate considerations.
- 27 g. Generally, the function rather than the form of a structure is relevant to its
28 classification.

29 **(3) Determinations.** All classifications determined by the Planning Official shall be
30 recorded to ensure consistency with future classifications. A use not determined
31 to be one specifically identified in the LDC as permitted or conditionally permitted
32 may be proposed to the Planning Board for consideration of subsequent zoning
33 district use amendment.

34 **(g)(h) Temporary uses and structures.** Temporary uses and structures are allowed
35 as prescribed by the supplemental use regulations of Chapter 4 unless otherwise
36 modified or prohibited by the applicable zoning district.

37 **(h)(i) Outdoor storage.** Outdoor storage is allowed as prescribed by the supplemental
38 use regulations of Chapter 4 unless modified or prohibited by the applicable zoning
39 district.

40 **(i)(j) Subdivision.** The subdivision of land to accommodate the permitted uses or
41 approved conditional uses of the applicable zoning district is allowed as prescribed
42 by the standards of Chapter 5 unless otherwise prohibited by the district.

1 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development
2 Code of Escambia County, Chapter 3, Zoning Regulations, Article 2, Mainland Districts,
3 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are
4 deletions):

5 **Sec. 3-2.2 Agricultural district (Agr).**

6 **(a) Purpose.** The Agricultural (Agr) district establishes appropriate areas and land use
7 regulations for the routine agricultural production of plants and animals, and such
8 related uses as silviculture and aquaculture. The primary intent of the district is to
9 avoid the loss of prime farmland to other uses, its division into smaller parcels of
10 multiple owners, and other obstacles to maintaining or assembling sufficient
11 agricultural acreage for efficient large-scale farming. Other than agricultural
12 production, non-residential uses within the Agricultural district are generally limited to
13 rural community uses that directly support agriculture, and to public facilities and
14 services necessary for the basic health, safety, and welfare of a rural population.
15 The absence of urban or suburban infrastructure is intentional. Residential uses
16 within the district are largely self-sustaining, consistent with rural land use and
17 limited infrastructure. Single-family dwellings are allowed at a very low density
18 sufficient for the needs of the district's farm-based population.

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

21 **(1) Residential.**

22 a. Manufactured (mobile) homes, excluding new or expanded manufactured
23 home parks ~~or subdivisions~~.

24 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
25 ~~only. Maximum single-family lot area within any proposed subdivision of 100~~
26 ~~acres or more of prime farmland shall be one and one-half acres.~~

27 Maximum lot area for these residential uses is one and one-half acres within any
28 new subdivision of 100 acres or more of prime farmland.

29 See also conditional uses in this district.

30 **(2) Retail sales.** No retail sales except as permitted agricultural and related uses in
31 this district.

32 **(3) Retail services.** No retail services except as permitted agricultural and related
33 uses or as conditional uses in this district.

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

35 a. Cemeteries, including family cemeteries.

36 b. Clubs, civic or fraternal.

37 c. Educational facilities, including preschools, K-12, colleges, and vocational
38 schools.

39 d. Emergency service facilities, including law enforcement, fire fighting, and
40 medical assistance.

41 e. Funeral establishments.

- 1 f. Places of worship.
- 2 g. Public utility structures 150 feet or less in height, including
- 3 telecommunications towers.

4 See also conditional uses in this district.

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

- 6 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- 7 b. Golf courses, tennis centers, swimming pools, and similar active outdoor
- 8 recreational facilities, including associated country clubs.
- 9 c. Hunting clubs and preserves.
- 10 d. Marinas, private only.
- 11 e. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.
- 12 f. Parks without permanent restrooms or outdoor event lighting.
- 13 g. Passive recreational uses, including hiking and bicycling.
- 14 h. Shooting ranges.

15 See also conditional uses in this district.

16 **(6) Industrial and related.** Borrow pit and reclamation activities 20 acres minimum

17 and subject to local permit and development review requirements per Escambia

18 County Code of Ordinances, Part I, Chapter 42, article VIII, and land use

19 regulations in Part III, the Land Development Code, chapter 4.

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

- 21 a. Agriculture, including raising livestock, storing harvested crops, and
- 22 cultivation of nursery plants. A minimum of two acres for keeping any farm
- 23 animal on site and a maximum of one horse or other domesticated *equine* per
- 24 acre.
- 25 b. Agricultural processing, minor only.
- 26 c. Agricultural research or training facilities.
- 27 d. Aquaculture, marine or freshwater.
- 28 e. Farm equipment and supply stores.
- 29 f. Kennels and animal shelters on lots two acres or larger.
- 30 g. Produce display and sales of fruit, vegetables and similar agricultural
- 31 products. All structures for such uses limited to non-residential farm
- 32 buildings.
- 33 h. Silviculture.
- 34 i. Stables, public or private, on lots two acres or larger.
- 35 j. Veterinary clinics. A minimum two acres for boarding animals.

36 **(8) Other uses.** Airports, private only, including crop dusting services.

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

38 BOA may conditionally allow the following uses within the Agricultural district:

1 (1) **Residential.** ~~Group living, limited to~~ Nursing homes, assisted living facilities,
2 hospice facilities, and other ~~uses~~ residential facilities providing similar services,
3 assistance, or supervision as determined by the Planning Official.

4 (2) **Retail services.**

5 a. Bed and breakfast inns.

6 b. Medical clinics, including those providing out-patient surgery, rehabilitation,
7 and emergency treatment.

8 (3) **Public and civic.**

9 a. Cinerators.

10 b. Community service facilities, including auditoriums, libraries, museums, and
11 neighborhood centers.

12 c. Hospitals.

13 d. Offices for government agencies or public utilities.

14 e. Public utility structures greater than 150 feet in height, including
15 telecommunications towers, but excluding any industrial uses.

16 f. Warehousing or maintenance facilities for government agencies or public
17 utilities.

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

19 a. Canoe, kayak, and float rental facilities.

20 b. Parks with permanent restrooms or outdoor event lighting.

21 c. Zoos and animal parks.

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

23 a. Mineral extraction, including oil and gas wells, not among the permitted uses
24 of the district.

25 b. Power plants.

26 c. Salvage yards, not including any solid waste facilities.

27 d. Solid waste collection points and transfer facilities.

28 e. Wastewater treatment plants.

29 **Sec. 3-2.3 Rural Residential district (RR).**

30 (a) **Purpose.** The Rural Residential (RR) district establishes appropriate areas and
31 land use regulations for low density residential uses and compatible non-residential
32 uses characteristic of rural land development. The primary intent of the district is to
33 provide for residential development at greater density than the Agricultural district on
34 soils least valuable for agricultural production, but continue to support small-scale
35 farming on more productive district lands. The absence of urban and suburban
36 infrastructure is intentional. Residential uses within the RR district are largely self-
37 sustaining and generally limited to detached single-family dwellings on large lots,
38 consistent with rural land use and limited infrastructure. Clustering of smaller
39 residential lots may occur where needed to protect prime farmland from
40 non-agricultural use. The district allows public facilities and services necessary for

1 the basic health, safety, and welfare of a rural population, and other non-residential
2 uses that are compatible with agricultural community character.

3 **(b) Permitted uses.** Permitted uses within the RR district are limited to the following:

4 **(1) Residential.**

5 a. Manufactured (mobile) homes, excluding new or expanded manufactured
6 home parks or subdivisions.

7 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
8 ~~only, on lots four acres or larger, or on lots a minimum of one acre if clustered~~
9 ~~to avoid prime farmland.~~

10 Minimum lot area for these residential uses is four acres, except for principal
11 single-family dwellings on existing lots of record. Minimum area may be one acre
12 if subdivision lots are clustered as prescribed by the LDC to avoid prime farmland
13 or environmentally sensitive lands.

14 See also conditional uses in this district.

15 **(2) Retail sales.** No retail sales except as permitted agricultural and related uses in
16 this district.

17 **(3) Retail services.** Bed and breakfast inns. No other retail services except as
18 permitted agricultural and related uses or as conditional uses in this district.

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

20 a. Cemeteries, including family cemeteries.

21 b. Clubs, civic or fraternal.

22 c. Educational facilities, K-12, on lots one acre or larger.

23 d. Emergency service facilities, including law enforcement, fire fighting, and
24 medical assistance.

25 e. Funeral establishments.

26 f. Places of worship on lots one acre or larger.

27 g. Public utility structures 150 feet or less in height, excluding
28 telecommunications towers.

29 See also conditional uses in this district.

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

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

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

34 c. Marinas, private.

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

36 e. Passive recreational uses.

37 See also conditional uses in this district.

38 **(6) Industrial and related.** [Reserved]

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

- 1 a. Agriculture, including raising livestock, storing harvested crops, and
- 2 cultivation of nursery plants. A minimum of two acres for keeping any farm
- 3 animal on site and a maximum of one horse or other domesticated *equine* per
- 4 acre.
- 5 b. Aquaculture, marine or freshwater.
- 6 c. Farm equipment and supply stores.
- 7 d. Kennels and animal shelters on lots two acres or larger.
- 8 e. Produce display and sales of fruit, vegetables and similar agricultural
- 9 products. All structures for such use limited to non-residential farm buildings.
- 10 f. Silviculture.
- 11 g. Stables, public or private, on lots two acres or larger.
- 12 h. Veterinary clinics. A minimum of two acres for boarding animals.

13 **(8) Other uses. [Reserved]**

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

16 **(1) Residential.**

- 17 ~~a. Group living, limited to nursing homes, assisted living facilities, hospice~~
- 18 ~~facilities, and other uses providing similar services, assistance, or~~
- 19 ~~supervision.~~
- 20 ba. Manufactured (mobile) home parks, new or expanded on land zoned VR-1
- 21 prior to adoption of RR zoning.
- 22 eb. Two-family dwellings (duplex) and multi-family dwellings up to four units per
- 23 dwelling (triplex and quadruplex) on land zoned VR-1 prior to adoption of RR
- 24 zoning.
- 25 c. Nursing homes, assisted living facilities, hospice facilities, and other
- 26 residential facilities providing similar services, assistance, or supervision as
- 27 determined by the Planning Official, and if compatible with and appropriately
- 28 scaled for the neighborhood.

29 **(2) Retail services.** Medical clinics, including those providing out-patient surgery,
 30 rehabilitation, and emergency treatment.

31 **(3) Public and civic.**

- 32 a. Community service facilities, including auditoriums, libraries, museums, and
- 33 neighborhood centers.
- 34 b. Educational facilities not among the permitted uses of the district.
- 35 c. Hospitals.
- 36 d. Offices for government agencies or public utilities.
- 37 e. Public utility structures greater than 150 feet in height, and
- 38 telecommunications towers of any height, excluding any industrial uses.
- 39 f. Warehousing or maintenance facilities for government agencies or public
- 40 utilities.

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

- 2 a. Hunting clubs and preserves.
3 b. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.
4 c. Parks with permanent restrooms or outdoor event lighting.
5 d. Shooting ranges.

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

- 7 a. Borrow pit and reclamation activities 20 acres minimum and subject to local
8 permit and development review requirements per Escambia County Code of
9 Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part
10 III, the Land Development Code, chapter 4.
11 b. Mineral extraction, including oil and gas wells.
12 c. Power plants.
13 d. Salvage yards, not including any solid waste facilities.
14 e. Solid waste collection points and transfer facilities.
15 f. Wastewater treatment plants.

16 **(6) Other uses.** Airports, private only, including crop dusting facilities.

17 **Sec. 3-2.4 Rural Mixed-use district (RMU).**

18 **(a) Purpose.** The Rural Mixed-use (RMU) district establishes appropriate areas and
19 land use regulations for a mix of low density residential uses and compatible non-
20 residential uses within areas that have historically developed as rural or semi-rural
21 communities. The primary intent of the district is to sustain these communities by
22 allowing greater residential density, smaller residential lots, and a more diverse mix
23 of non-residential uses than the Agricultural or Rural Residential districts, but
24 continue to support the preservation of agriculturally productive lands. The RMU
25 district allows public facilities and services necessary for the health, safety, and
26 welfare of the rural mixed-use community, and other non-residential uses that are
27 compact, traditionally neighborhood supportive, and compatible with rural community
28 character. District communities are often anchored by arterial and collector streets,
29 but they are not characterized by urban or suburban infrastructure. Residential uses
30 are generally limited to detached single-family dwellings, consistent with existing
31 rural communities and limited infrastructure.

32 **(b) Permitted uses.** Permitted uses within the RMU district are limited to the following:

33 **(1) Residential.**

- 34 a. Manufactured (mobile) homes, excluding new or expanded manufactured
35 home parks or subdivisions.
36 b. Single-family detached dwellings (other than manufactured homes), ~~detached~~
37 ~~only, on lots one-half acre or larger.~~

38 Minimum lot area for these residential uses is one-half acre, except for principal
39 single-family dwellings on existing lots of record.

40 See also conditional uses in this district.

1 **(2) Retail sales.** The following small-scale (gross floor area 6000 sq.ft. or less per
2 lot) retail sales with no outdoor storage:

- 3 a. Automotive fuel sales.
- 4 b. Convenience stores.
- 5 c. Drugstores.
- 6 d. Grocery or food stores, including bakeries and butcher shops whose products
7 are prepared and sold on the premises.
- 8 e. Hardware stores.

9 See also permitted agricultural and related uses and conditional uses in this
10 district.

11 **(3) Retail services.** The following small scale (gross floor area 6000 sq.ft. or less
12 per lot) retail services with no outdoor work or storage.

- 13 a. Bed and breakfast inns.
- 14 b. Personal services, including those of beauty shops, health clubs, pet
15 groomers, dry cleaners, and tattoo parlors.
- 16 c. Professional services, including those of realtors, bankers, accountants,
17 engineers, architects, dentists, physicians, and attorneys.
- 18 d. Repair services, including motor vehicle repair, appliance repair, furniture
19 refinishing and upholstery, watch and jewelry repair, and small engine and
20 motor services.
- 21 e. Restaurants, excluding on-premises consumption of alcoholic beverages and
22 drive-in or drive-through service.

23 See also permitted agricultural and related uses and conditional uses in this
24 district.

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

- 26 a. Cemeteries, including family cemeteries.
- 27 b. Clubs, civic or fraternal.
- 28 c. Community service facilities, including auditoriums, libraries, museums, and
29 neighborhood centers.
- 30 d. Educational facilities, including preschools, K-12, colleges, and vocational
31 schools, on lots one acre or larger.
- 32 e. Emergency service facilities, including law enforcement, fire fighting, and
33 medical assistance.
- 34 f. Funeral establishments.
- 35 g. Offices for government agencies or public utilities, small scale (gross floor
36 area 6000 sq.ft. or less per lot).
- 37 h. Places of worship on lots one acre or larger.
- 38 i. Public utility structures 150 feet or less in height, excluding
39 telecommunications towers.

40 See also, conditional uses in this district.

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

- 2 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
3 b. Golf courses, tennis centers, swimming pools and similar active outdoor
4 recreational facilities, including associated country clubs.
5 c. Marinas, private only.
6 d. Parks, with or without permanent restrooms or outdoor event lighting.

7 See also conditional uses in this district.

8 **(6) Industrial and related.** Borrow pit and reclamation activities 20 acres minimum
9 and subject to local permit and development review requirements per Escambia
10 County Code of Ordinances, Part I, Chapter 42, article VIII, and location and use
11 regulation Part III, the Land Development Code, chapter 4. *Borrow pits require
12 conditional use on land zoned RR prior to the adoption of the RMU zoning.

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

- 14 a. Agriculture, including raising livestock, storing harvested crops, and
15 cultivation of nursery plants. A minimum of two acres for keeping any farm
16 animal on site and a maximum of one horse or other domesticated *equine* per
17 acre.
18 b. Agricultural research or training facilities.
19 c. Aquaculture, marine or freshwater.
20 d. Farm equipment and supply stores.
21 e. Produce display and sales of fruit, vegetables and similar agricultural
22 products.
23 f. Silviculture.
24 g. Stables, public or private, on lots two acres or larger.
25 h. Veterinary clinics, excluding outside kennels.

26 See also conditional uses in this district.

27 **(8) Other uses.**

- 28 a. Airports, private only, including crop dusting facilities.

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

31 **(1) Residential.**

- 32 ~~a. Group living, limited to nursing homes, assisted living facilities, hospice~~
33 ~~facilities, and other uses providing similar services, assistance, or~~
34 ~~supervision.~~

35 **ba.** Manufactured (mobile) home parks.

36 **eb.** Two-family dwellings (duplex) and multi-family dwellings up to four units per
37 dwelling (triplex and quadruplex).

38 **c.** Nursing homes, assisted living facilities, hospice facilities, and other
39 residential facilities providing similar services, assistance, or supervision as

1 determined by the Planning Official, if compatible with and appropriately
2 scaled for the neighborhood.

3 **(2) Retail sales.** Small-scale (gross floor area 6000 sq. ft. or less per lot) retail sales
4 not among the permitted uses of the district, including outdoor display of
5 merchandise, but excluding sales of liquor or motor vehicles.

6 **(3) Retail services.**

7 a. Boarding or rooming houses.

8 b. Medical clinics, including those providing out-patient surgery, rehabilitation,
9 and emergency treatment.

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

11 a. Cinerators.

12 b. Hospitals.

13 c. Offices for government agencies or public utilities with greater floor area than
14 those among the permitted uses of the district.

15 d. Public utility structures greater than 150 feet in height, and
16 telecommunications towers of any height, excluding any industrial uses.

17 e. Warehousing or maintenance facilities for government agencies or public
18 utilities.

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

20 a. Hunting clubs and preserves.

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

22 c. Shooting ranges.

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

24 a. Mineral extraction, including oil and gas wells not among the permitted uses
25 in the district.

26 b. Power plants.

27 c. Salvage yards, not including any solid waste facilities.

28 d. Solid waste collection points and transfer facilities.

29 e. Wastewater treatment plants.

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

31 a. Exotic animals, keeping or breeding.

32 b. Kennels not interior to veterinary clinics.

33 **Sec. 3-2.5 Low Density Residential district (LDR).**

34 **(a) Purpose.** The Low Density Residential (LDR) district establishes appropriate areas
35 and land use regulations for residential uses at low densities within suburban areas.
36 The primary intent of the district is to provide for large-lot suburban type residential
37 neighborhood development that blends aspects of rural openness with the benefits
38 of urban street connectivity, and at greater density than the Rural Residential district.
39 Residential uses within the LDR district are predominantly detached single-family

1 dwellings. Clustering dwellings on smaller residential lots may occur where needed
2 to protect prime farmland from non-agricultural use or to conserve and protect
3 environmentally sensitive areas. The district allows non-residential uses that are
4 compatible with suburban residential neighborhoods and the natural resources of the
5 area.

6 **(b) Permitted uses.** Permitted uses within the LDR district are limited to the following:

7 **(1) Residential.**

- 8 a. Manufactured (mobile) homes only within existing manufactured home parks
9 or one per lot within existing manufactured home subdivisions (no expansion
10 of either), or on land zoned SDD prior to adoption of LDR zoning. No new or
11 expanded manufactured home parks or subdivisions.
- 12 b. Single-family detached dwellings (other than manufactured homes), detached
13 and only one per lot, excluding accessory dwellings. Minimum lot area for an
14 accessory dwelling is two acres. Accessory dwellings only on lots two acres
15 or larger. Attached single-family dwellings (townhouses) and zero lot line
16 subdivision only if lots are clustered as prescribed by the LDC to avoid prime
17 farmland or environmentally sensitive lands on land zoned V-5 or SDD prior
18 to adoption of LDR zoning.
- 19 c. Two-family dwellings (duplex) with a minimum lot area of two acres and multi-
20 family dwellings up to four units per dwelling (triplex and quadruplex) only on
21 land zoned V-5 or SDD prior to adoption of LDR zoning.

22 See also conditional uses in this district.

23 **(2) Retail sales.** No retail sales.

24 **(3) Retail services.** No retail services.

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

- 26 a. Cemeteries, family only.
27 b. Public utility structures, excluding telecommunications towers.

28 See also conditional uses in this district.

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

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

32 See also conditional uses in this district.

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

34 **(7) Agricultural and related.** On land not zoned SDD prior to adoption of LDR
35 zoning, agricultural production and storage is limited to food primarily for
36 personal consumption by the producer. The following additional agricultural uses
37 are allowed on lands zoned SDD prior to LDR zoning:

- 38 a. Agriculture, but no farm animals except horses and other domesticated
39 *equines* kept on site, and stables for such animals, accessory to a private
40 residential use with a minimum lot area of two acres and a maximum of one
41 animal per acre.

- 1 b. Aquaculture, marine or freshwater.
- 2 c. Produce display and sales of fruit, vegetables and similar agricultural
- 3 products.
- 4 d. Silviculture.

5 See also conditional uses in this district.

6 **(8) Other uses.** [reserved].

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

8 the BOA may conditionally allow the following uses within the LDR district:

9 **(1) Residential.**

10 a. Manufactured (mobile) homes outside of manufactures home parks or

11 manufactured home subdivisions.

12 ab. Accessory dwellings or two-family dwellings on lots less than two acres.

13 bc. Home occupations with non-resident employees.

14 **(2) Public and civic.**

15 a. Clubs, civic and fraternal.

16 b. Educational facilities, excluding preschools or kindergartens independent of

17 other elementary grades.

18 c. Emergency service facilities, including law enforcement, fire fighting, and

19 medical assistance.

20 d. Offices for government agencies or public utilities, small scale (gross floor

21 area 6000 sq.ft. or less per lot).

22 e. Places of worship.

23 f. Public utility structures exceeding the district structure height limit, excluding

24 telecommunications towers.

25 **(3) Recreation and entertainment.**

26 a. Golf courses, tennis centers, swimming pools and similar active outdoor

27 recreational facilities, including associated country clubs.

28 b. Parks with permanent restrooms or outdoor event lighting.

29 **(4) Agricultural and related.** Horses and other domesticated *equines* kept on site,

30 and stables for such animals, as a private residential accessory not among the

31 permitted uses of the district, or for public riding on land zoned SDD prior to

32 adoption of LDR zoning. A minimum lot area of two acres if accessory to a

33 private residential use and a minimum 10 acres if for public riding, with a

34 maximum of one animal per acre for either use.

35 **Sec. 3-2.6 Low Density Mixed-use district (LDMU).**

36 **(a) Purpose.** The Low Density Mixed-use (LDMU) district establishes appropriate

37 areas and land use regulations for a complementary mix of low density residential

38 uses and compatible non-residential uses within mostly suburban areas. The

39 primary intent of the district is to provide for a mix of neighborhood-scale retail sales,

40 services and professional offices with greater dwelling unit density and diversity than

1 the Low Density Residential district. Additionally, the LDMU district is intended to
2 rely on a pattern of well-connected streets and provide for the separation of
3 suburban uses from more dense and intense urban uses. Residential uses within
4 the district include most forms of single-family, two-family and multi-family dwellings.

5 **(b) Permitted uses.** Permitted uses within the LDMU district are limited to the following:

6 **(1) Residential.**

7 a. Manufactured (mobile) homes only within manufactured home parks or
8 manufactured home subdivisions, including existing, new or expanded
9 ~~manufactured home parks and subdivisions.~~

10 b. Single-family dwellings (other than manufactured homes), attached
11 (townhouses) or detached, ~~including townhouses~~ and zero lot line
12 subdivisions.

13 c. Two-family dwellings (duplex) and multi-family dwellings up to four units per
14 building (triplex and quadruplex).

15 See also conditional uses in this district.

16 **(2) Retail sales.** Small-scale (gross floor area 6000 sq. ft. or less per lot) retail
17 sales, or retail sales within a neighborhood retail center no greater than 35,000
18 square feet per lot and containing a mix of retail sales and services. Retail sales
19 include sales of beer and wine, but exclude sales of liquor or motor vehicles, and
20 exclude permanent outdoor storage, display, or sales. See also conditional uses
21 in this district.

22 **(3) Retail services.** Small-scale (gross floor area 6000 sq. ft. or less per lot) retail
23 services, or retail services within a neighborhood retail center no greater than
24 35,000 square feet per lot and containing a mix of retail sales and services.
25 Retail services are limited to the following with no outdoor work or permanent
26 outdoor storage:

27 a. Bed and breakfast inns.

28 b. Personal services, including those of beauty shops, health clubs, pet
29 groomers, dry cleaners, and tattoo parlors.

30 c. Professional services, including those of realtors, bankers, accountants,
31 engineers, architects, dentists, physicians, and attorneys.

32 d. Repair services, including appliance repair, furniture refinishing and
33 upholstery, watch and jewelry repair, small engine and motor services, but
34 excluding major motor vehicle or boat service or repair.

35 e. Restaurants, including on-premises consumption of alcohol, but excluding
36 drive-in or drive-through service.

37 See also conditional uses in this district.

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

39 a. Cemeteries, including family cemeteries

40 b. Educational facilities, including preschools, K-12, colleges, and vocational
41 schools.

- c. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- d. Funeral establishments.
- e. Offices for government agencies or public utilities, small scale (gross floor area 6000 sq.ft. or less per lot).
- f. Places of worship.
- g. 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.

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

(7) Agricultural and related. Veterinary clinics, excluding outside kennels. Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

(8) Other uses. [reserved]

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

(1) Residential.

- ~~a. Group living, including nursing homes, assisted living facilities, dormitories and residential facilities providing substance abuse treatment and post-incarceration reentry.~~
- ba. Manufactured (mobile) homes outside manufactured home parks or manufactured home subdivisions.
- b. Any residential facility not providing substance abuse treatment, post-incarceration reentry, or similar services as determined by the Planning Official, and if compatible with and appropriately scaled for the neighborhood.

(2) Retail sales.

- a. Liquor sales.
- b. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail sales, excluding sales of motor vehicles and excluding permanent outdoor storage, sales, or display.

(3) Retail services.

- a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail services, excluding outdoor work and permanent outdoor storage.
- b. Restaurants with drive-in or drive-through service.

(4) Public and civic.

- a. Clubs, civic and fraternal.

- b. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- c. Offices for government agencies or public utilities, with gross floor area greater than 6000 square feet.
- d. Public utility structures exceeding the district structure height limit, and telecommunications towers of any height, excluding any industrial uses.
- e. Warehousing or maintenance facilities for government agencies or public utilities.

(5) Recreation and entertainment.

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

(6) Other uses. Self-storage facilities with a maximum lot area of one acre and no vehicle rental or outdoor storage.

Sec. 3-2.7 Medium Density Residential district (MDR).

(a) Purpose. The Medium Density Residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses within the MDR district are generally limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

(b) Permitted uses. Permitted uses within the MDR district are limited to the following:

(1) Residential.

- a. ~~Manufactured (mobile) homes only within existing manufactured home parks or one per lot within existing manufactured home subdivisions (no expansion of either). No new or expanded manufactured home parks, and new or expanded manufactured home subdivisions only on land zoned V-4 prior to adoption of MDR zoning.~~
- b. ~~Single-family detached dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Minimum lot area for an accessory dwelling is one acre. Accessory dwellings only on lots one acre or larger. Attached single-family dwellings and zero lot line subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.~~
- c. ~~Two-family dwellings (duplex) with a minimum lot area of one acre only on land zoned R-3 or V-4 prior to adoption of MDR zoning, and multi-family dwellings up to four units per dwelling (quadruplex) only on land zoned V-4 prior to MDR zoning.~~

See also conditional uses in this district.

(1) Retail sales. No retail sales.

- 1 **(2) Retail services.** No retail services. See conditional uses in this district.
- 2 **(3) Public and civic.** Public utility structures, excluding telecommunications towers.
- 3 See also conditional uses in this district.
- 4 **(4) Recreation and entertainment.**
- 5 a. Marinas, private.
- 6 b. Parks without permanent restrooms or outdoor event lighting.
- 7 See also conditional uses in this district.
- 8 **(5) Industrial and related.** No industrial or related uses.
- 9 **(6) Agricultural and related.** Agricultural production limited to food primarily for
- 10 personal consumption by the producer, but no farm animals. See also
- 11 conditional uses in this district.

12 **(7) Other uses.** [reserved]

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

14 the BOA may conditionally allow the following uses within the MDR district:

15 **(1) Residential.**

- 16 a. Attached single-family dwellings (townhouses) and zero lot line subdivisions.
- 17 ~~Accessory dwellings on lots less than one acre.~~
- 18 b. Accessory dwellings or two-family dwellings (duplex) on lots less than one
- 19 acre. Group living, excluding residential facilities providing substance abuse
- 20 treatment, post-incarceration reentry, or similar services.
- 21 c. Home occupations with non-resident employees.
- 22 d. Any residential facility not providing substance abuse treatment, post-
- 23 incarceration reentry, or similar services as determined by the Planning
- 24 Official, and if compatible with and appropriately scaled for the neighborhood.
- 25 ~~Townhouses not among the permitted uses of the district.~~

26 **(2) Retail services.** Boarding and rooming houses.

27 **(3) Public and civic.**

- 28 a. Clubs, civic and fraternal.
- 29 b. Educational facilities, excluding preschools or kindergartens independent of
- 30 other elementary grades.
- 31 c. Emergency service facilities, including law enforcement, fire fighting, and
- 32 medical assistance.
- 33 d. Offices for government agencies or public utilities, small scale (gross floor
- 34 area 6000 sq.ft. or less per lot).
- 35 e. Places of worship.
- 36 f. Public utility structures exceeding the district structure height limit, excluding
- 37 telecommunications towers.

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

- 39 a. Golf courses, tennis centers, swimming pools and similar active outdoor
- 40 recreational facilities, including associated country clubs.

1 b. Parks with permanent restrooms or outdoor event lighting.

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

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

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

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

15 (1) **Residential.**

16 ~~a. Group living, excluding dormitories, fraternity and sorority houses, and~~
17 ~~residential facilities providing substance abuse treatment, post-incarceration~~
18 ~~reentry, or similar services.~~

19 ~~ba. Manufactured (mobile) homes only within existing manufactured home parks~~
20 ~~or manufactured home subdivisions (no expansion of either). No new or~~
21 ~~expanded manufactured home parks or subdivisions.~~

22 ~~eb. Single-family dwellings (other than manufactured homes), attached~~
23 ~~(townhouses) or detached, including ~~townhouses~~ and zero lot line~~
24 ~~subdivisions.~~

25 ~~ec. Two-family and multi-family dwellings.~~

26 ~~d. Nursing homes, assisted living facilities, hospice facilities, and other~~
27 ~~residential facilities providing similar services, assistance, or supervision as~~
28 ~~determined by the Planning Official.~~

29 See also conditional uses in this district.

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

31 (3) **Retail services.**

32 a. Boarding and rooming houses.

33 b. Child care facilities.

34 See also conditional uses in this district.

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

36 See also conditional uses in this district.

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

38 a. Marina, private.

39 b. Parks without permanent restrooms or outdoor event lighting.

40 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
3 personal consumption by the producer, but no farm animals. See also
4 conditional uses in this district.

5 (8) **Other uses.** [Reserved].

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

8 (1) **Residential.**

9 a. Home occupations with non-resident employees. ~~Dormitories.~~

10 b. Dormitories and ~~F~~fraternity or sorority houses.

11 ~~c. Home occupations with non-resident employees.~~

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

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

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

17 a. Clubs, civic and fraternal.

18 b. Educational facilities, excluding preschools or kindergartens independent of
19 other elementary grades.

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

22 d. Hospitals.

23 e. Offices for government agencies or public utilities, small scale (gross floor
24 area 6000 sq.ft. or less per lot).

25 f. Places of worship.

26 g. Public utility structures exceeding the district structure height limit, excluding
27 telecommunications towers.

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

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

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

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

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

36 (a) **Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate
37 areas and land use regulations for a complimentary mix of high density residential
38 uses and compatible non-residential uses within urban areas. The primary intent of
39 the district is to provide for a mix of neighborhood retail sales, services and

1 professional offices with greater dwelling unit density and diversity than the Low
2 Density Mixed-use district. Additionally, the HDMU district is intended to rely on
3 urban street connectivity and encourage vertical mixes of commercial and residential
4 uses within the same building to accommodate a physical pattern of development
5 characteristic of village main streets and older neighborhood commercial areas.
6 Residential uses within the district include all forms of single-family, two-family and
7 multi-family dwellings.

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

9 **(1) Residential.** The following residential uses are allowed ~~throughout the district,~~
10 but if within a Commercial (C) future land use category and not the principal
11 single-family dwelling on an existing lot of record, they are permitted only if as
12 part of a predominantly commercial development.;

13 ~~a. Group living, excluding dormitories, fraternity and sorority houses, and~~
14 ~~residential facilities providing substance abuse treatment, post-incarceration~~
15 ~~reentry, or similar services.~~

16 ~~ba. Manufactured (mobile) homes, including manufactured home subdivisions,~~
17 but no excluding new or expanded manufactured home parks.

18 ~~cb. Single-family dwellings (other than manufactured homes), attached~~
19 ~~(townhouses) or detached, or attached, including townhouses and zero lot~~
20 line subdivisions.

21 ~~dc. Two-family and multi-family dwellings.~~

22 d. Nursing homes, assisted living facilities, hospice facilities, and other
23 residential facilities providing similar services, assistance, or supervision as
24 determined by the Planning Official.

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.

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

39 f. Repair services, including appliance repair, furniture refinishing and
40 upholstery, watch and jewelry repair, small engine and motor services, but
41 excluding major motor vehicle or boat service or repair.

- 1 g. Restaurants, and brewpubs, including on-premises consumption of alcoholic
2 beverages, but excluding drive-in or drive-through service and brewpubs with
3 distribution of alcoholic beverages for off-site sales.

4 See also conditional uses in this district.

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

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

12 See also conditional uses in this district.

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

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

16 See also conditional uses in this district.

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

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

20 **(8) Other uses.** [Reserved]

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

23 **(1) Residential.**

- 24 a. Manufactured (mobile) home parks ~~Dormitories.~~
25 b. Residential facilities not among the permitted uses of the district. ~~Fraternity~~
26 ~~and sorority houses.~~
27 c. ~~Manufactured (mobile) home parks.~~

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

32 **(3) Retail services.**

- 33 a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no
34 greater than 35,000 sq. ft.) retail services, excluding motor vehicle service
35 and repair.
36 b. Restaurants and brewpubs with drive-in or drive-through service and
37 brewpubs with the distribution of on-premises produced alcoholic beverages
38 for off-site sales.
39 c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle
40 service and repair, excluding painting or body work and outdoor work.

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

- 2 a. Broadcast stations with satellite dishes and antennas, excluding towers.
- 3 b. Cemeteries, including family cemeteries.
- 4 c. Clubs, civic and fraternal.
- 5 d. Community service facilities, including auditoriums, libraries, museums, and
- 6 neighborhood centers.
- 7 e. Cinerators.
- 8 f. Educational facilities not among the permitted uses of the district.
- 9 g. Funeral establishments.
- 10 h. Hospitals.
- 11 i. Offices for government agencies or public utilities.
- 12 j. Public utility structures exceeding the district structure height limit and
- 13 telecommunications towers of any height, excluding any industrial uses.
- 14 k. Warehousing or maintenance facilities for government agencies or public
- 15 utilities.

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

- 17 a. Amusement arcade centers and bingo facilities.
- 18 b. Golf courses, tennis centers, swimming pools and similar active outdoor
- 19 recreational facilities, including associated country clubs.
- 20 c. Parks with permanent restrooms or outdoor event lighting.

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

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

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

27 **(8) Other uses.**

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

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

33 **(a) Purpose.** The Commercial (Com) district establishes appropriate areas and land

34 use regulations for general commercial activities, especially the retailing of

35 commodities and services. The primary intent of the district is to allow more diverse

36 and intense commercial uses than the neighborhood commercial allowed within the

37 mixed-use districts. To maintain compatibility with surrounding uses, all commercial

38 operations within the Commercial district are limited to the confines of buildings and

39 not allowed to produce undesirable effects on surrounding property. To retain

1 adequate area for commercial activities, new and expanded residential development
2 within the district is limited, consistent with the Commercial (C) future land use
3 category.

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

6 **(1) Residential.** The following residential uses are allowed ~~throughout the district,~~
7 but if within the Commercial (C) future land use category and not the principal
8 single-family dwelling on an existing lot of record, they are ~~permitted only if as~~
9 part of a predominantly commercial development:

10 ~~a. Group living, excluding dormitories, fraternity and sorority houses, and~~
11 ~~residential facilities providing substance abuse treatment, post-incarceration~~
12 ~~reentry, or similar services.~~

13 ~~ba.~~ Manufactured (mobile) homes, including new or expanded and manufactured
14 home parks ~~or subdivisions.~~

15 ~~cb.~~ Single-family dwellings (other than manufactured homes), attached
16 (townhouses) or detached or attached, including townhouses and zero lot line
17 subdivisions.

18 ~~dc.~~ Two-family and multi-family dwellings.

19 d. Nursing homes, assisted living facilities, hospice facilities, and other
20 residential facilities providing similar services, assistance, or supervision as
21 determined by the Planning Official.

22 See also conditional uses in this district.

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

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

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

29 b. Child care facilities.

30 c. Hotels, motels and all other public lodging, including boarding and rooming
31 houses.

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

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

36 f. Repair services, including appliance repair, furniture refinishing and
37 upholstery, watch and jewelry repair, small engine and motor services, but
38 excluding major motor vehicle or boat service or repair, and outdoor work.

39 g. Restaurants and brewpubs, including on-premises consumption of alcoholic
40 beverages, drive-in and drive-through service, and brewpubs with the
41 distribution of on-premises produced alcoholic beverages for off-site sales.

1 The parcel boundary of any restaurant or brewpub with drive-in or drive-
2 through service shall be at least 200 feet from any LDR or MDR zoning
3 district unless separated by a 50-foot or wider street right-of-way.

4 See also conditional uses in this district.

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

- 6 a. Broadcast stations with satellite dishes and antennas, including towers.
- 7 b. Cemeteries, including family cemeteries.
- 8 c. Community service facilities, including auditoriums, libraries, museums, and
9 neighborhood centers.
- 10 d. Educational facilities, including preschools, K-12, colleges, and vocational
11 schools.
- 12 e. Emergency service facilities, including law enforcement, fire fighting, and
13 medical assistance.
- 14 f. Foster care facilities.
- 15 g. Funeral establishments.
- 16 h. Hospitals.
- 17 i. Offices for government agencies or public utilities.
- 18 j. Places of worship.
- 19 k. Public utility structures, including telecommunications towers, but excluding
20 any industrial uses.
- 21 l. Warehousing or maintenance facilities for government agencies or for public
22 utilities.

23 See also conditional uses in this district.

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

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

31 See also conditional uses in this district.

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

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

35 See also conditional uses in this district.

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

- 37 a. Agricultural food production primarily for personal consumption by the
38 producer, but no farm animals.

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

3 c. Veterinary clinics.

4 See also conditional uses in this district.

5 **(8) Other uses.**

6 a. Billboard structures.

7 b. Outdoor storage if minor and customarily incidental to the allowed principal
8 use, and if in the rear yard, covered, and screened from off-site view, unless
9 otherwise noted.

10 c. Parking garages and lots, commercial.

11 d. Self-storage facilities, excluding vehicle rental.

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

14 **(1) Residential.**

15 a. Home occupations with non-resident employees. ~~Group living not among the~~
16 ~~permitted uses of the district.~~

17 b. Residential facilities not among the permitted uses of the district. ~~Home~~
18 ~~occupations with non-resident employees.~~

19 **(2) Retail sales.**

20 a. Boat sales, new and used.

21 b. Automobile sales, used autos only, excluding parcels fronting on any of the
22 following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR
23 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate
24 10 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic
25 Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than
26 one acre and provided with a permanent fence, wall, or other structural barrier
27 of sufficient height and mass along all road frontage to prevent encroachment
28 into the right-of way other than through approved site access.

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

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

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

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

37 a. Cemeteries, including family cemeteries.

38 b. Clubs, civic and fraternal.

39 c. Cinerators.

40 d. Homeless shelters.

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

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

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

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

12 (b) Microbreweries, microdistilleries, microwineries.

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

16 (8) **Other uses.**

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

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

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

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

36 (1) **Residential.** Any residential uses ~~if outside of the Industrial (I) future land use~~
37 category and, but if within the Commercial (C) future land use category and not
38 the principal single-family dwelling on an existing lot of record, only as part of a
39 predominantly commercial development, excluding new or expanded
40 manufactured (mobile) home parks and subdivisions. See also conditional uses
41 in this district.

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

4 **(3) Retail services.**

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

25 See also conditional uses in this district.

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

- 27 a. Broadcast stations with satellite dishes and antennas, including towers.
- 28 b. Cemeteries, including family cemeteries.
- 29 c. Community service facilities, including auditoriums, libraries, museums, and
30 neighborhood centers.
- 31 d. Educational facilities, including preschools, K-12, colleges, and vocational
32 schools.
- 33 e. Emergency service facilities, including law enforcement, fire fighting, and
34 medical assistance.
- 35 f. Funeral establishments.
- 36 g. Homeless shelters.
- 37 h. Hospitals.
- 38 i. Offices for government agencies or public utilities.
- 39 j. Places of worship.

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

3 See also conditional uses in this district.

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

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

11 b. Commercial recreation facilities, passive or active, including those for walking,
12 hiking, bicycling, camping, recreational vehicles, swimming, skateboarding,
13 bowling, court games, field sports, and golf, but excluding off-highway vehicle
14 uses and outdoor shooting ranges. Campgrounds and recreational vehicle
15 parks require a minimum lot area of five acres.

16 c. Marinas, private and commercial.

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

18 See also conditional uses in this district.

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

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

24 b. Marinas, industrial.

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

28 See also conditional uses in this district.

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

30 a. Food produced primarily for personal consumption by the producer, but no
31 farm animals.

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

34 c. Veterinary clinics, excluding outside kennels.

35 See also conditional uses in this district.

36 **(8) Other uses.**

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

39 b. Building or construction trades shops and warehouses, including on-site
40 outside storage.

- 1 c. Bus leasing and rental facilities.
- 2 d. Deposit boxes for donation of used items when placed as an accessory
- 3 structure on the site of a charitable organization.
- 4 e. Outdoor adjacent display of plants by garden shops and nurseries.
- 5 f. Outdoor sales.
- 6 g. Outdoor storage of trailered boats and operable recreational vehicles,
- 7 excluding repair, overhaul or salvage activities.
- 8 h. Parking garages and lots, commercial.
- 9 i. Sales and outdoor display of prefabricated storage sheds.
- 10 j. Self-storage facilities, including vehicle rental as an accessory use.

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

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

16 **(1) Retail services.** Restaurants not among the permitted uses of the district.

17 **(2) Public and civic.** Cinerators.

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

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

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

21 c. Shooting ranges, outdoor.

22 **(4) Industrial and related.**

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

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

30 c. Salvage yards not otherwise requiring approval as solid waste processing
 31 facilities.

32 d. Solid waste processing facilities, including solid waste collection points, solid
 33 waste transfer facilities, materials recovery facilities, recovered materials
 34 processing facilities, recycling facilities and operations, resource recovery
 35 facilities and operations, and volume reduction plants.

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

- 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 **(5) Agricultural and related.** Kennels or animal shelters not interior to veterinary
 14 clinics.

15 **(6) Other uses.**

- 16 a. Structures of permitted uses exceeding the district structure height limit.
- 17 b. Heliports.

18 **Sec. 3-2.12 Industrial district (Ind).**

19 **(a) Purpose.** The Industrial (Ind) district establishes appropriate areas and land use
 20 regulations for a broad range of industrial uses. The primary intent of the district is
 21 to accommodate general assembly, outdoor storage, warehousing and distribution,
 22 major repair and services, manufacturing, salvage and other such uses and activities
 23 that contribute to a diverse economic base but cannot satisfy the compatibility
 24 requirements and higher performance standards of other districts. The Industrial
 25 district is also intended to provide appropriate locations and standards that minimize
 26 dangers to populations and the environment from heavy industrial activities, and to
 27 preserve industrial lands for the continuation and expansion of industrial production.
 28 Non-industrial uses within the district are limited to ensure the preservation of
 29 adequate areas for industrial activities. New or expanded residential development is
 30 generally prohibited.

31 **(b) Permitted uses.** Permitted uses within the Industrial district are limited to the
 32 following:

- 33 **(1) Residential.** No new residential uses, ~~including accessory dwelling units,~~ except
 34 principal single-family dwellings on existing lots or record and caretaker
 35 residences for permitted non-residential uses. Permitted Caretaker and vested
 36 ~~single-family dwellings~~ include manufactured (mobile) homes.
- 37 **(2) Retail sales.** No retail sales except as permitted industrial and related uses.
- 38 **(3) Retail services.** No retail services except as permitted industrial and related
 39 uses.
- 40 **(4) Public and civic.**
- 41 a. Cinerators, including direct disposition.

1 b. Emergency service facilities, including law enforcement, fire fighting, and
2 medical assistance.

3 c. Public utility structures, including telecommunications towers.

4 **(5) Recreation and entertainment.** No recreation or entertainment uses.

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

6 a. Bulk storage.

7 b. Industrial uses, light and heavy, including research and development, printing
8 and binding, distribution and wholesale warehousing, processing of raw
9 materials, manufacturing of finished and semi-finished products, salvage
10 yards, solid waste transfer and processing facilities, materials recovery and
11 recovered materials processing facilities, landfills, concrete and asphalt batch
12 plants, power plants, and mineral extraction.

13 c. Solid waste collection points.

14 **(7) Agricultural and related.** No agricultural or related uses except as permitted
15 industrial and related uses.

16 **(8) Other uses.** [reserved]

17 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,
18 the BOA or BCC as noted, may conditionally allow the following uses within the
19 Industrial district.

20 **(1) The BOA may conditionally allow the following uses:**

21 a. A permitted use of the industrial district to exceed the district structure height
22 limit.

23 b. Borrow pits and reclamation activities 20 acres minimum (subject to local
24 permit and development review requirements per Escambia County Code of
25 Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part
26 III, the Land Development Code, chapter 4.)

27 **(2) The BCC may conditionally allow solid waste processing facilities, including solid
28 waste collection points, solid waste transfer facilities, materials recovery facilities,
29 recovered materials processing facilities, recycling facilities and operations,
30 resource recovery facilities and operations, and volume reduction plants.**

31 For any of these solid waste facilities the applicant shall submit, to the Planning
32 Official or his designee, a site boundary survey, development plan, description of
33 anticipated operations, and evidence that establishes each of the following
34 conditions in addition to those prescribed in Chapter 2 to the Planning
35 department:

36 a. Trucks have access to and from the site from adequately wide collector or
37 arterial streets and do not use local residential streets.

38 b. The scale, intensity, and operation of the use will not generate unreasonable
39 noise, traffic, objectionable odors, dust, or other potential nuisances or
40 hazards to contiguous properties.

- 1 c. The processing of materials will be completely within enclosed buildings
2 unless otherwise approved by the BCC.
- 3 d. The plan includes appropriate practices to protect adjacent land and
4 resources, minimize erosion, and treat stormwater; landscaping and buffering
5 for adjacent uses; hours of operation; methods to comply with maximum
6 permissible noise levels; means of access control to prevent illegal dumping;
7 and plans for materials storage.

8 **Sec. 3-2.13 Recreation district (Rec).**

9 **(a) Purpose.** The Recreation (Rec) district establishes appropriate areas and land use
10 regulations for outdoor recreational uses and open space. The primary intent of the
11 district is to preserve and maintain parcels of land necessary or used for a system of
12 public and private parks providing both active and passive recreational activities and
13 amenities. Indoor recreation facilities are allowed within the Recreational district if
14 customarily incidental to the principal outdoor uses. Non-recreational uses are
15 severely limited to ensure the preservation of district lands and provision of
16 adequate areas for public recreation. New or expanded residential development is
17 generally prohibited.

18 **(b) Permitted uses.** Permitted uses within the Recreation district are limited to the
19 following:

20 **(1) Residential.** No new residential uses, ~~including accessory dwelling units,~~ except
21 principal single-family dwellings on existing lots of record and caretaker
22 residences for permitted non-residential uses. ~~Permitted Caretaker and vested~~
23 ~~single-family dwellings~~ include manufactured (mobile) homes only if allowed by
24 ~~any adjoining zoning.~~

25 **(2) Retail sales.** Retail sales customarily incidental to permitted recreational uses.

26 **(3) Retail services.** Retail services customarily incidental to permitted recreational
27 uses.

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

29 a. Bird and wildlife sanctuaries.

30 b. Parks and greenbelt areas.

31 c. Public utility structures, including telecommunication towers.

32 See also conditional uses in this district.

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

34 a. Recreation facilities, outdoor, including parks, playgrounds, walking and
35 hiking trails, campgrounds, off-highway vehicle trails, swimming pools,
36 baseball fields, tennis courts, and golf courses, but excluding shooting
37 ranges.

38 b. Marinas, commercial only.

39 See also conditional uses in this district.

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

1 (7) **Agricultural and related.** No agricultural or related uses.

2 (8) **Other uses.** [reserved]

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

5 (1) **Public and civic.** Emergency service facilities, including law enforcement, fire
6 fighting, and medical assistance.

7 (2) **Recreation and entertainment.** Outdoor shooting ranges.

8 **Sec. 3-2.14 Conservation district (Con).**

9 (a) **Purpose.** The Conservation (Con) district establishes appropriate areas and land
10 use regulations for the conservation of important natural resources. The primary
11 intent of the district is to conserve wetlands, marshes, watersheds, coastal dunes,
12 wildlife habitats and other environmentally sensitive lands, but allow for passive
13 recreational opportunities and amenities consistent with the Conservation future land
14 use category. Non-conservation uses are severely limited to ensure the
15 conservation of district resources and provision of appropriate areas for public
16 recreation. Non-residential uses within the Conservation district are limited to
17 activities that will have minimal impacts and where the educational benefits of the
18 uses are determined to outweigh those impacts. New or expanded residential
19 development is generally prohibited.

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

22 (1) **Residential.** No new residential uses, ~~including accessory dwelling units,~~ except
23 principal single-family dwellings on existing lots or record and caretaker
24 residences for permitted non-residential uses. Permitted Caretaker and vested
25 single-family dwellings include manufactured (mobile) homes only if allowed by
26 any adjoining zoning.

27 (2) **Retail sales.** No retail sales.

28 (3) **Retail services.** No retail services.

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

30 a. Bird and wildlife sanctuaries.

31 b. Educational use of natural amenities for public benefit.

32 c. Parks and trails for passive recreation only.

33 d. Preservation and conservation lands.

34 See also conditional uses in this district.

35 (5) **Recreation and entertainment.** Only passive recreation and entertainment
36 uses.

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

38 (7) **Agricultural and related.** See conditional uses in this district.

39 (8) **Other uses.** [reserved]

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

3 (1) **Public and civic.** Public utility structures, including telecommunication towers.

4 (2) **Agricultural and related.** The keeping of horses or other domesticated *equines*
5 on site for public riding, and stables for such animals, on lots 10 acres or more.

6 **Sec. 3-2.15 Public district (Pub).**

7 (a) **Purpose.** The Public (Pub) district establishes appropriate areas and land use
8 regulations for publicly owned parcels with public uses generally having greater
9 potential for adverse off-site impacts.

10 (b) **Permitted uses.** Permitted uses within the Public district are limited to the following:

11 (1) **Residential.** No new residential uses, ~~including accessory dwelling units,~~ except
12 principal single-family dwellings on existing lots of record and caretaker
13 residences for permitted non-residential uses. Permitted dwellings include
14 manufactured (mobile) homes only if allowed by adjoining zoning.

15 (2) **Retail sales.** No retail sales except within permitted business parks.

16 (3) **Retail services.** No retail services except within permitted business parks.

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

18 a. Correctional facilities, including detention centers, jails, and prisons.

19 b. Educational facilities.

20 c. Offices for government agencies or public utilities.

21 d. Other public institutional uses.

22 (5) **Recreation and entertainment.** No recreation or entertainment uses.

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

24 a. Borrow pits and associated reclamation activities.

25 b. Industrial uses within permitted industrial parks.

26 c. Solid waste processing facilities, including solid waste collection points, solid
27 waste transfer facilities, materials recovery facilities, recovered materials
28 processing facilities, recycling facilities and operations, resource recovery
29 facilities and operations, and volume reduction plants.

30 (7) **Agricultural and related.** No agricultural or related uses.

31 (8) **Other uses.** Conversion of suitable public lands for business or industrial park
32 development.

33 (c) **Conditional uses.** No conditional uses are available within the Public district.

34
35 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land Development
36 Code of Escambia County, Chapter 4, Location and Use Regulations, Article 7,
37 Supplemental Use Regulations, is hereby amended as follows (words underlined are
38 additions and words ~~stricken~~ are deletions):

1 **Sec. 4-7.3 Accessory uses and structures.**

2 **(a) General conditions.** Accessory uses and structures shall be allowed in compliance
3 with the provisions of the applicable zoning district and this section.

4 **(1) Subordinate.** An accessory use shall be subordinate in extent and purpose to
5 the principal use and not simply a different, alternative or additional use. Multiple
6 uses on a parcel may each be classified as a principal use, so the determination
7 of subordinate uses shall, at a minimum, consider the following:

8 **a. Area.** The area devoted to the use in relation to the principal use. However,
9 the fact that a use occupies less area does not necessarily make the use
10 accessory.

11 **b. Time.** The time devoted to the use in relation to the principal use. For
12 example, a seasonal activity may be accessory in relation to a year-round
13 primary use, but a year-round use would not be subordinate to a seasonal
14 primary use.

15 **c. Intensity.** The relative intensity of the use and the resulting impacts on the
16 land and neighboring properties.

17 **d. Employees.** The number of employees assigned to a use. However, an
18 accessory use need not always have fewer employees than the principal use.

19 **(2) Customarily incidental.** An accessory use shall be customarily incidental to the
20 principal use, having commonly, habitually, and by long practice been
21 established as reasonably associated with that use. A rare association of uses
22 does not qualify as customary, but the uses need not be joined in a majority of
23 the instances of the principal use. Additionally, an incidental use must have a
24 reasonable relationship to the principal use, being clearly associated, attendant
25 or connected. A use is customarily incidental when it is so necessary or so
26 commonly to be expected in connection with the principal use that it cannot be
27 reasonably supposed that the LDC intended to prevent it.

28 **(3) Establishment.** Unless otherwise specifically allowed by the provisions of the
29 LDC, accessory uses and structures may only be established concurrently with
30 or following the lawful establishment of a validating principal use or structure.

31 **(4) Location.** An accessory use or structure shall be located on the same lot as the
32 principal use or structure. Accessory structures are limited to locations within
33 side and rear yards, except as specifically allowed by LDC provisions, including
34 the following:

35 **a. Large residential lots.** Accessory structures, including an accessory dwelling
36 unit, on a lot ten acres in size or larger may be located within the front yard of
37 the principal dwelling if the structures are at least 60 feet from the front lot line.

38 **b. Waterfront lots.** Accessory structures may be located in the front yard of a
39 waterfront lot if the structures are at least 60 feet from the front lot line and
40 granted conditional use approval by the Board of Adjustment (BOA).

1 c. **Signs and fences.** Signs and fences as accessory structures may be located
2 within a front yard if in compliance with the sign and fence standards
3 prescribed in Chapter 5.

4 d. **Fuel pumps.** Pumps and pump islands for retail fuel sales may be located
5 within the front yard of a conforming non-residential use if the pumps and
6 islands are at least 20 feet from any street right-of-way.

7 e. **Sewage systems.** The underground components of an on-site sewage
8 treatment and disposal system (e.g., septic tank and drain field) may be
9 located within a front yard as necessary to obtain sufficient open space if the
10 components are at least five feet from any lot line.

11 f. **Deposit boxes.** Deposit boxes for the donation of used items to charitable
12 organizations may be located within the front yard of a conforming
13 non-residential use if the total area coverage by the boxes is limited to 100
14 square feet and they are placed in compliance with the sight visibility and sign
15 standards prescribed in Chapter 5.

16 g. **Automated vending.** Automated vending structures may be located within
17 the front yard of a conforming non-residential use if the vending structures are
18 at least 20 feet from any street right-of-way and in compliance with the sight
19 visibility and sign standards prescribed in Chapter 5. Such structures shall
20 also be freestanding, self-contained, and unattended; have separately metered
21 utilities; and be limited to on-demand self-service commercial activities such as
22 the retail sale of ice or the provision of banking services.

23 (5) **Size in relation to single-family dwellings.** Structures accessory to a single-
24 family dwellings, including accessory dwelling units, are subject to the following
25 size limits, excluding non-residential accessory structures on farms or within the
26 Agricultural zoning district:

27 a. **Less than two acres.** On lots smaller than two acres, no individual
28 accessory structure may exceed 50 percent of the gross floor area of the
29 principal dwelling.

30 b. **Two to five acres.** On lots two acres to five acres, no individual accessory
31 structure may exceed 75 percent of the size of the gross floor area.

32 c. **Greater than five acres.** On lots larger than five acres, no individual
33 accessory structure may exceed the size of the principal dwelling.

34 Structures larger than the limits established here shall require variance approval
35 from the BOA.

36 (6) **Structures on Pensacola Beach.** Residential accessory structures on
37 Pensacola Beach, except for signs and fences, require the approval of the SRIA
38 Board. Such private structures include garages, storage buildings, playhouses,
39 swimming pools, cabanas, uncovered decks, and screened enclosures.
40 Approval of these accessory structures is entirely at the discretion of the SRIA
41 and shall require compliance with the following:

42 a. The design of the structure is compatible with the design of the residence.

- b. If on a waterfront lot, the structure does not extend further seaward than residences on adjoining lots.
- c. If the structure is a detached elevated deck, it is no greater than 200 square feet in area and does not exceed 35 feet in height or the height of the residence, whichever height is less.
- d. No variance to established structure setback lines is necessary.
- e. No wall of the structure is closer than six feet to any wall of the residence, and no part of the structure is closer than four feet to any part of the residence.
- f. If the structure includes a walkway cover between the residence and the structure, the cover is no more than six feet wide.
- g. If the structure is a swimming pool or gazebo type structure, it does not extend seaward of the state's 1975 Coastal Construction Control Line or a line 50 feet landward of the crest of the primary dune line, whichever setback from the shoreline is more restrictive.
- h. The structure complies with all other LDC and Florida Building Code requirements.

(b) Specific uses and structures.

(1) Accessory dwelling units. Accessory dwelling units are allowed on the lots of single-family dwellings, but a second dwelling unit on a lot is not subject to the limitations of accessory structures if the lot area and applicable zoning district would otherwise allow the additional dwelling. Accessory dwelling units shall comply with the following conditions:

- a. The applicable zoning is a mainland district, but is not Industrial (Ind), Recreation (Rec), Conservation (Con), or Public (Pub).
- b. The principal dwelling and accessory dwelling unit are the only dwellings on the lot and the lot provides the minimum area required by the applicable zoning.
- c. The resulting residential density on the lot may exceed the gross density limit of the applicable zoning, but complies with all other applicable density limits (e.g., airfield environs).
- d. The form of accessory dwelling (~~e.g., manufactured home~~) is an allowed use of the applicable zoning, except that no manufactured home may be an accessory dwelling to another manufactured home.
- e. The accessory dwelling complies with the setbacks applicable to the principal dwelling unless otherwise allowed by the LDC.

(2) Carports. All carports, attached or detached, are allowed as accessory structures regardless of their construction material, but shall comply with the following conditions:

- a. The structure setbacks of the applicable zoning district are not exceeded, except that a carport may encroach into the required front yard provided it is not less than ten feet from the front property line.
- b. The carport is not prohibited by private deed restrictions.

- c. Minor site development approval is obtained for the structure and it complies with applicable building codes.
- d. A building permit is obtained for the structure unless it is a portable carport covering less than 400 square feet.
- e. The structure is not attached to a mobile home.

(3) Chickens and single-family dwellings. The ownership, possession, and raising of live chickens (*Gallus gallus domesticus*) is an allowed accessory use for any single-family dwelling principal use, except on Perdido Key and Santa Rosa Island, regardless of any prohibition of farm animals or minimum lot area for farm animals established by the applicable zoning district. However, such keeping of chickens shall comply with the following standards:

- a. **Limit by lot area.** No more than eight chickens shall be kept on any lot that is one quarter acre or less in size.
- b. **Roosters.** No rooster shall be kept less than 100 yards from any inhabited residence other than the dwelling of the person keeping the rooster.
- c. **Security.** Chickens may roam freely in the fenced rear yard of the principal dwelling from sunrise to sunset. During all other times the chickens shall be kept in secure coops, pens or enclosures that prevent access by predators.
- d. **Enclosure setbacks.** All chicken pens, coops, or enclosures shall be a minimum of 10 feet from rear and side property lines, and a minimum of 20 feet from any residence located on an adjacent lot.

(4) Columbaria. Columbaria are allowed as accessory uses to places of worship.

(5) Docks and piers. As an exception to the establishment of a principal use or structure for any accessory use or structure, docks and piers may be permitted as accessory structures on lots exclusively for single-family dwellings regardless of the establishment of any dwellings on the lots.

~~**(6) Family day care or foster homes.** A family day care home or family foster home is allowed as an accessory use wherever the host dwelling unit is allowed unless prohibited by the applicable zoning district.~~

(7)(6) Home occupations and home-based businesses. Home occupations and home-based businesses are limited to the residents of a dwelling unit other than a manufactured (mobile) home, and allowed only as an accessory use to the residential use. A home occupation, or employment at home, is allowed wherever the host dwelling unit is allowed, but shall generally be unnoticeable to adjoining land uses. A home-based business, which is at a greater scale or intensity than a home occupation, is limited to the rural zoning districts (Agr, RR, RMU) and only allowed if impacts to adjoining land uses are minimal. Home occupations and home-based businesses shall comply with each of the following requirements:

- a. **Licenses.** All required business, professional, or occupational licenses are obtained prior to commencement of the occupation or business and are maintained for the duration of the activity.

- 1 **b. Exterior evidence.** For home occupations, there is no evidence visible from
2 outside of the dwelling or accessory building that any part of a building is
3 utilized for an occupation. For home-based businesses, any evidence visible
4 from outside of the dwelling or accessory building that any part of a
5 building is utilized for a business is minimal. Such exterior evidence includes
6 any storage, display, or signage associated with the occupation or business.
7 Signage is limited for both uses according to the signage provisions of
8 Chapter 5.
- 9 **c. Off-site impacts.** Occupations or business activities shall not create
10 nuisances or adverse off-site impacts, including but not limited to noise,
11 vibration, smoke, dust or other particulates, odors, heat, light or glare, or
12 electromagnetic interference. In a residential neighborhood, no activities are
13 allowed to alter the character of the neighborhood.
- 14 **d. Structural alterations.** No structural alterations are made that would be
15 inconsistent with the use of the dwelling exclusively as a residence or that
16 would not customarily be associated with dwellings or their accessory
17 buildings.
- 18 **e. Employees.** Employment in a home occupation is limited to residents of the
19 dwelling unit unless the applicable zoning district allows BOA conditional use
20 approval of non-resident employees. Employment in a home-based business
21 may include no more than two non-resident employees.
- 22 **f. Customers.** No customers shall visit the house and there shall not be any
23 additional traffic or an increase in demand for parking due to trucks or other
24 service vehicles coming to the house.
- 25 **g. Motor vehicles.** The manufacture or repair of motor vehicles or other
26 transportation equipment is prohibited.
- 27 **(8)(7) Small wind energy systems.** For the purposes of this section, a small wind
28 energy system is an accessory use consisting of a wind turbine, structural
29 support, and associated control or conversion electronics design to supply some
30 of the on-site electrical power demands of a home, farm, or small business. A
31 small wind energy system is allowed only if constructed and operated in
32 compliance with each of the following requirements:
- 33 **a. System Height.** The height of the system is the minimum necessary to
34 reliably provide the required power.
- 35 **b. Prohibited use.** To protect the unique scenic view, the system is not
36 installed within the Scenic Highway Overlay District.
- 37 **c. Airport and military review.** If the installation of the system or additional
38 turbines is within the Pensacola International Airport Planning District
39 (PNSPD) or any military Airfield Influence Planning District (AIPD), the
40 applicant has notified and obtained a response from the respective
41 airport/airfield authority. If the authority has objections to the installation, the
42 Planning Official shall consider them in any final determination and may
43 impose approval conditions on the installation to address the objections.

1 d. **Setback.** The center of the system tower base is no closer to any part of a
2 dwelling outside of the system installation parcel than the total height of the
3 system. Additionally, no part of the system structure, including any guy wires
4 or anchors, is closer than five feet to the property boundary of the installation
5 parcel.

6 e. **Appearance.**

7 1. **Design and Location.** Towers are designed and located to minimize
8 visual impacts. Colors and surface treatment of system components
9 minimize visual distraction.

10 2. **Signs.** Signs on system components are limited to the manufacturer's or
11 installer's identification and appropriate warnings.

12 3. **Lighting.** System structures are not lighted except to the extent required
13 by the Federal Aviation Administration or other applicable authority.

14 ~~(9)~~**(8) Swimming pool enclosures.** Screened enclosures for swimming pools may
15 be erected no closer than five feet from the rear or side property line. No pool
16 enclosure shall be allowed on any easement unless authorized by the grantee of
17 the easement through an encroachment agreement.

18
19 **Section 4.** Part III of the Escambia County code of Ordinances, the Land Development
20 Code of Escambia County, Chapter 6, Definitions, is hereby amended as follows (words
21 underlined are additions and words ~~stricken~~ are deletions):

22 **Sec. 6-0.3 Terms defined.**

23 **Group home facility.** A state licensed residential facility for persons with
24 developmental disabilities which provides a family living environment for at least four,
25 but not more than 15 residents, including supervision and personal care necessary to
26 meet the physical, emotional, and social needs of the residents.

27 **Group living.** Residential occupancy of a building other than a dwelling by a non-
28 household group, with individual tenancy usually arranged on a monthly or longer basis.
29 Group living includes ~~group~~ occupancy of dormitories, fraternity or sorority houses, and
30 residential facilities that provide special services, treatment, or supervision ~~such as~~
31 ~~nursing homes, assisted living facilities, and residential substance abuse treatment and~~
32 ~~hospice facilities.~~ Group living does not include any public lodging, or any community
33 residential home or other household living arrangement, ~~any or~~ occupancy of a dwelling,
34 ~~or any public lodging.~~

35
36 **Section 5. Severability.**

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

1 **Section 6. Inclusion in Code.**

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

7
8 **Section 7. Effective Date.**

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

10
11 **DONE AND ENACTED** this ____ day of _____, 2016.

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

15
16 **By:** _____

17
18 **Grover C. Robinson, IV, Chairman**

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

22
23 **By:** _____
24 **Deputy Clerk**

25 **(SEAL)**

26
27 **ENACTED:**

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

29 **EFFECTIVE DATE:**

30